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Peak District National Park Authority

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



Our Ref: A.1142/1451

Date: 3 November 2016



NOTICE OF MEETING

Meeting: **Planning Committee**

Date: **Friday 11 November 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 14 October 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 - Temporary Use Of Land For A Horticultural Show, Including The Erection Of Temporary Structures, On A Yearly Basis, With Associated Operational Development, River Crossings And Other Features And The Creation Of Temporary Show Gardens, Chatsworth House, Chatsworth (NP/DDD/0916/0881 07/09/2016/TS)**
(*Pages 11 - 32*)
Site Plan
7. **Full Application - Retention Of Spa In Basement With New Entrance Area And Conversion Of Upper Floors Into Two Apartments And Six Townhouses At Spa**

Building, Rutland Mews, Bakewell (NP/DDD/0716/0622, P954, 422050/368566, 06/07/2016/ALN) (Pages 33 - 44)
Site Plan

8. **S.73 Application - Removal Or Variation Of Conditions 2, 3, 9 And 40 On Planning Application NP/DDD/0713/0582 At Rockmill Business Park, The Dale, Stoney Middleton (NP/DDD/0616/0564, P.3289, 22.08.2016, 422427 375647/AM) (Pages 45 - 52)**
Site Plan
9. **Full Application - Increase The Size Of An Existing Horse Exercise Manege And Associated Works At Lane Farm, Bar Road, Curbar (NP/DDD/0616/0526 425340 / 374344 P5936 SPW 17/06/2016) (Pages 53 - 62)**
Site Plan
10. **Full Application - Change Of Use To 3 Affordable Dwellings At Hurst Water Treatment Plant, Derbyshire Level (NP/HPK/0916/0875, P.8289, 405202 / 393910, 02/09/2016/AM) (Pages 63 - 72)**
Site Plan
11. **Full Application - Erection Of Wooden Pods For Camping At Nettlebeds Farm, Top House Lane, Wincle (NP/CEC/0816/0804. P4075, 12/9/2016 395031 / 365493/SC) (Pages 73 - 78)**
Site Plan
12. **Full Application - Single Storey Lean-To Extension To The Rear Elevation, The Coach House, Main Street, Great Longstone (NP/DDD/0916/0917 P.6191 419802/ 371936 15/09/2016 DH) (Pages 79 - 84)**
Site Plan
13. **Listed Building Consent - Single Storey Lean-To Extension To The Rear Elevation, The Coach House, Main Street, Great Longstone (NP/DDD/0916/0926 P.6191 419802/ 371936 15/09/2016 DH) (Pages 85 - 92)**
Site Plan
14. **Full Application - Proposed General Purpose Storage And Livestock Housing Building To Replace Existing Buildings At Ades Croft, Lower Smithy Lane, Taddington (NP/DDD/0916/0936 P.9029 19/09/2016/TS) (Pages 93 - 98)**
Site Plan
15. **Designation Of Saddleworth Parish As Neighbourhood Plan Area (IF) (Pages 99 - 108)**
Appendix 1

Appendix 2

Appendix 3
16. **Head Of Law Report - Planning Appeals (A.1536/AMC) (Pages 109 - 110)**
17. **Exempt Information S100 (A) Local Government Act 1972**

The Committee is asked to consider, in respect of the exempt item, whether the public should be excluded from the meeting to avoid the disclosure of Exempt Information.

Draft Motion:

That the public be excluded from the meeting during consideration of Agenda Item No. 18 to avoid the disclosure of Exempt Information under S100 (A) (4) Local Government Act 1972,

Schedule 12A, Paragraph 6 "Information which reveals that the Authority proposes —

a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment".

PART B

18. Exempt minutes of previous meeting 14 October 2016 (Pages 111 - 112)

Duration of Meeting

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

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

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

Agendas and reports

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

Background Papers

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

Public Participation and Other Representations from third parties

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

Written Representations

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

Recording of Meetings

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

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

General Information for Members of the Public Attending Meetings

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

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

To: Members of Planning Committee:

Chair: Mr P Ancell
Vice Chair: Cllr D Birkinshaw

| | |
|----------------------|--------------------|
| Cllr P Brady | Cllr C Carr |
| Cllr D Chapman | Cllr A Hart |
| Mr R Helliwell | Cllr Mrs C Howe |
| Cllr H Laws | Ms S McGuire |
| Cllr J Macrae | Cllr Mrs K Potter |
| Cllr Mrs L C Roberts | Cllr Mrs J A Twigg |
| Cllr D Williams | |

Other invited Members: (May speak but not vote)

Cllr A McCloy Cllr F J Walton

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 14 October 2016 at 10.00 am

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

Chair: Mr P Ancell

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

Cllr A McCloy attended to observe and speak but not vote.

Apologies for absence: Cllr A Hart and Ms S McGuire.

127/16 MINUTES OF PREVIOUS MEETING

The minutes of the last meeting of the Planning Committee held on 9 September 2016 were approved as a correct record.

128/16 MEMBERS DECLARATIONS OF INTEREST

Item 7

Cllr Mrs L Roberts had received an email from Cllr Mrs K Potter which included a link to a news article she considered relevant to the application. Cllr Mrs K Potter confirmed that she had sent the email.

Item 8

Cllr D Chapman, personal and prejudicial, as he is a friend of the applicant and had a business relationship with him and would leave the meeting during this item.

Cllr C Carr, personal and prejudicial, as had a business relationship with the applicant and knew him well and would leave the meeting during this item.

Cllr Mrs K Potter declared that, as she had been unable to take part in the site visit due to the odour, she could not be entirely objective about the application, she would leave the room during this item. She had received correspondence on the matter.

Cllr A McCloy, personal, as he knew one of the public speakers

Cllr P Brady, personal, as he had spoken to one of the speakers on the phone and discussed the application with people from Flagg, Monyash and Taddington.

Mr R Helliwell, personal, as he knew two of the speakers Grant Hattle and Simon Frost. He also knew the applicant.

Cllr Mrs J Twigg and Cllr D Williams had received representations on this application. Cllr Mrs J Twigg also knows a number of the public speakers

Item 9

Cllr Mrs L Roberts and Mr R Helliwell had received a letter from the occupier of a neighbouring property.

Cllr C Carr, personal, as he had known the applicant in the past.

Item 13

Cllr Mrs J Twigg and Cllr D Williams, Personal, as they were both Members of Derbyshire County Council who were proposing the parking order.

Item 16

Cllr D Chapman, personal, as he knew the site owner through Hartington Parish Council.

129/16 PUBLIC PARTICIPATION

27 members of the public were present to make representations to the Committee.

130/16 VARIATION IN ORDER OF BUSINESS

In accordance with Standing Order 1.13 the Chair agreed to vary the order of business so that agenda items 15 and 16 would be considered immediately after item 5.

131/16 EXEMPT INFORMATION S100(A) LOCAL GOVERNMENT ACT 1972

RESOLVED:

To exclude the public from the meeting during consideration of Agenda Item No 16 to avoid disclosure of Exempt Information under S100 (A) (4) Local Government Act 1972, Schedule 12A, Paragraph 6 "Information which reveals that the Authority proposes a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment."

PART B

SUMMARY

The Committee determined the following item, full details of which are in the exempt minute:

132/16 Prohibition Order
PART A

133/16 MONITORING & ENFORCEMENT QUARTERLY REVIEW - OCTOBER 2016

Members considered and noted the monitoring and enforcement quarterly review for October. As Member Representative for Planning Enforcement Cllr D Chapman addressed the Committee providing examples of some of the issues faced by the enforcement team.

Following the discussion it was suggested that a copy of the report and presentation be sent to the Peak Park Parishes Forum for information.

RESOLVED:

To note the report.

134/16 FULL APPLICATION - CHANGE OF USE OF FORMER WOOD YARD TO STORAGE AND TRANSHIPMENT OF BLOCKSTONE AT FORMER WOOD YARD, PARK LANE, ROWSLEY

It was noted that this application had been deferred at the August meeting of the Committee to obtain further information and that Members had visited the site in August.

It was confirmed that since August the applicant had provided more information on the swept plan analysis, the proposed visibility splay and the signage to be displayed in land under the control of the applicant. It was noted that the applicant had included proposals to provide passing bays down Park Lane.

In introducing the report the officer recommendation was amended to add the words "and the amenity of the area" to reason 4.

The following spoke under the Public Participation at Meetings Scheme;

- Mr Howard Griffith, Objector,
- Mrs Rosalind Griffith, Objector,
- Ian Mortimor on behalf of Parish Council, Objector
- Sue Fogg, Objector
- John Hollister, Agent

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

RESOLVED:

To REFUSE the application for the following reasons:

1. **The proposal fails to justify why this ancillary minerals development is required to be located within the National Park and no alternative sites have been considered. The proposal would unacceptably impact on the overall character of the area and the objectives of the National Park. There is no justified need for the development which outweighs the harm to the National Park. Thus, the development is contrary to requirements of Core Strategy policies GSP1, L1, and the saved Local Plan policies LM9 LM1 and**

conflicts with the conservation objectives for the National Park set out in the National Planning Policy Framework.

- 2. The change of use of the land would lead to an increased industrialisation of the site and would have a detrimental effect on the character, amenity and enjoyment of the locality. This does not contribute to the conservation or enhancement of the National Park, and is contrary to policies GSP1, GSP3, L1, and the saved Local Plan policies LC21 and LM1 and conflicts with the National Planning Policy Framework in particular paragraph 115 and 116.**
- 3. The proposal is for business development in the countryside outside the Natural Zone and outside the named settlements in policy DS1, and is not in accordance with the principles in policy E1 relating to business development outside of settlements.**
- 4. It has not been demonstrated that the site has a safe and suitable access. The proposal would unacceptably impact on users of the highway network and the amenity of the area. The application fails to demonstrate that the development could be accessed to and from the A6 without a detriment to highway safety and the amenity of the area. Therefore, the change of use would not be provided with a safe and suitable access contrary to requirements of policies T1, and T4 and the saved Local Plan policies LT9 and national planning policies in the framework.**
- 5. The proposal would have an unacceptable impact on the amenity of recreational users of Park Lane and on potential recreational users of the former railway line and this may compromise the viability of the Pedal Peak project to re-use the old railway line between Rowsley and Bakewell contrary to policy T6.**

Cllr D Chapman left the meeting at 11.40am during consideration of this item.

135/16 FULL APPLICATION - EXTENSION TO EXISTING HIDES' BUILDING AND PROPOSED ADJOINING NEW BUILDING TO ENCOMPASS PROCESSING OF ANIMAL BY-PRODUCTS TO EXTRACT OIL FOR ON-SITE ELECTRICITY GENERATION, THE KNACKERS YARD, MAIN ROAD, FLAGG

Cllr Mrs K Potter, Cllr C Carr and Cllr D Chapman had previously declared personal prejudicial interests in this application and left the room.

It was noted that the Committee had visited the site in July and this application had subsequently been deferred at the August meeting of the Committee to clarify the views of Flagg Parish Council. It was confirmed that by a narrow margin the Parish Council had voted not to support the application. It was also noted that since August a further 6 objections had been received relating to traffic, air pollution and odour.

The Director of Conservation and Planning clarified the relevance of a fall-back position in which permitted development rights would allow the applicant to install the proposed processing plant in one of the existing buildings on site without the need for planning permission.

The officer recommendation to refuse the application was amended to remove the words "at speed" from the second reason.

The following spoke under the Public Participation at Meetings Scheme;

- Brenda Murray, Objector
- Mr Alan Westwood Objector
- Brent Barber, Objector
- Ms Deborah Oliver
- Richard Thornhill, Agritech Ltd, Supporter
- Grant Hattle, NFU Insurance, Supporter
- Simon Frost, Supporter
- Gregg Blythe, Supporter
- Louise Ashby, Supporter
- Graham Bolton, Agent

Contrary to the Officer recommendation, a motion to approve, subject to conditions, was moved, seconded, put to the vote and carried.

RESOLVED:

To APPROVE the application subject to the following conditions:

Time Limit

1. **The development hereby permitted shall be begun within 3 years from the date of this permission.**

Amended Plans

2. **The development hereby permitted shall not be carried out otherwise than in complete accordance with the amended plans, Drawing No.s 041-05 P401 Revision A, 041-05 P404 Revision A, 041-05 P405 Revision A, 041-05 P406 Revision A all received by the National Park Authority on 10 May 2016 subject to the following conditions or modifications:**

Landscaping

3. **No development shall take place until there has been submitted to and, approved by the National Park Authority and then implemented a scheme of landscaping, including tree and shrub planting, seeding or turfing, earth mounding, walling, fencing, paving or other surfacing as necessary. The scheme shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development and including the replacement of any dead trees and shrubs.**

Design Details

4. **The external profiled sheeting for the building hereby permitted shall be factory colour-coated to BS 5252 Ref. No. 18B29 (Slate Blue) and thereafter the sheets shall not be repainted or replaced other than that colour without the prior written approval of the National Park Authority.**
5. **Prior to the installation of any storage containers, or the external flue, full details of their external finish, shall be submitted to and approved in writing by the National Park Authority. The development shall thereafter be carried**

out in accordance with the approved specification and shall be permanently so maintained.

Environmental Health

- 6. The implementation of the recommendations set out in the noise report submitted by the applicant.**
- 7. No development shall take place until there has been submitted to and approved by the National Park Authority and then implemented an odour control scheme.**

At 1.10pm, during consideration of this item, in accordance with Standing Order 1.10 the Committee resolved to continue the meeting beyond three hours.

Following this item the meeting was adjourned for lunch at 1.40pm and reconvened at 2.05pm. After lunch the following Members were present:

Chair: Mr P Ancell

Present Cllr D Birkinshaw, Cllr P Brady, Cllr C Carr, Mr R Helliwell, Cllr Mrs C Howe, Cllr H Laws, Cllr J Macrae, Cllr Mrs K Potter, Cllr Mrs L C Roberts, Cllr Mrs J A Twigg and Cllr D Williams

136/16 FULL APPLICATION - CHANGE OF USE OF FORMER PORTAL FRAMED BUILDING TO A BUILDING USED FOR COMMUNITY EVENTS, WEDDINGS AND OTHER CELEBRATIONS AND EVENTS (USE CLASS D2 ASSEMBLY AND LEISURE) (RETROSPECTIVE), EXTERNAL ALTERATIONS AND EXTENSION TO EXISTING BUILDING TO FORM AMENITIES BLOCK AND ASSOCIATED CAR PARKING PROVISION AT LOWER DAMGATE FARM, ILAM MOOR LANE, ILAM

It was noted that this application had been deferred at the August meeting of the Committee for suitable consideration of conditions that may be imposed and allow further consideration of the planning merits of the proposals. It was also noted that Members had visited the site in August.

John Scott, Director of Conservation and Planning, clarified that he had declared an interest in this application at the August Planning Committee because he had carried out planning consultancy work for one of the people who had registered to speak at that meeting, but he did not consider this interest to be prejudicial so he would be presenting the report at this meeting. He then highlighted paragraphs in the report referring to a complaint from a former neighbour alleging that false representations had been submitted in their name. John Scott confirmed that although this matter was currently under investigation it did not impact on any decision taken by the Committee as the representation concerned had not been referred to in the original report and it had not influenced the original recommendation or the decision made at the previous meeting. It was also confirmed that all the other representations received in respect of this application had been verified and no further discrepancies had been identified.

The following spoke under the Public Participation at Meetings Scheme;

- Mrs Marian Beloe, Supporter
- Mr Izzard, Supporter

- Cllr E Wain, District Councillor, Supporter
- Tim Hegan, Noise Specialist, Supporter
- Andrea Clarke, Objector
- Mr Kenneth Wainman, Agent

Contrary to the officer recommendation, a motion to approve the application with an annual limit of 12 events subject to conditions, the detailed wording of which to be delegated to the Director of Conservation and Planning in consultation with the Chair and Vice Chair of the Committee was moved, seconded, put to the vote and carried.

RESOLVED:

To APPROVE the application subject to conditions, the detailed wording of which to be delegated to the Director of Conservation and Planning, in consultation with the Chair and Vice Chair of the Committee, to cover the following:

1. **An annual limit of 12 events with more than 30 guests and a limit to the number events in one week.**
2. **A limit to the hours in which events with more than 30 guests can take place.**
3. **Restrictions on the playing of amplified and acoustic music.**
4. **Weekly limits on the number and hours of events with less than 30 guests including workshops or community events.**
5. **Restrictions on the use of land to the west of the building.**
6. **Maintaining for inspection a register of all events and workshop bookings.**
7. **Alterations to existing building**
8. **Construction Phase**
9. **Machinery including Air Conditioning and Ventilation Systems**
10. **Noise attenuation**
11. **External Lighting**
12. **Travel Plan**
13. **Parking and Access**
14. **Landscaping**

In accordance with Standing Order 1.12(2) Cllr P Brady, Mr R Helliwell and Cllr Mrs L Roberts asked that their vote against this decision be recorded.

At 3.20pm, following consideration of this item, Cllr H Laws, Cllr Mrs K Potter and Cllr C Carr left the meeting.

137/16 FULL APPLICATION - ERECTION OF SMALL STORE, HORSESHOE COTTAGE, BACK LANE, ALSTONEFIELD

The following spoke under the Public Participation at Meetings Scheme;

- Mrs Mandy Turley, Applicant

RESOLVED:

To REFUSE the application for the following reason:

By virtue of the outbuilding's size, siting and use of materials, it would fail to reflect the local building vernacular, and thereby detract from the valued characteristics of the traditional cottage and its setting. Moreover, the outbuilding would be seen from public vantage points, exacerbating the harmful impact on the cottage, its immediate surroundings and the wider landscape impact, therefore failing to conserve the character of the landscape and scenic beauty of the National Park more widely. As such, the development is contrary to policies in the National Planning Policy Framework (NPPF), Core Strategy Policies GSP1, GSP2, GSP3, DS1, L1 and Local Plan Policies LC4, and LH4.

Cllr J Macrae left the meeting at 3.35pm, following consideration of this application.

138/16 FULL APPLICATION - EXTENSION/RE-MODELLING OF LOWER GROUND FLOOR AND RENDERED REAR EXTENSION AT GROUND FLOOR, SPITAL HOUSE, HOW LANE, CASTLETON

The following spoke under the Public Participation at Meetings Scheme;

- Mr Nigel Topping, Neighbour and Objector
- Brian Moorhouse, Castleton Parish Council
- Alan Baskerville, Applicant

A motion to approve the application subject to conditions was moved, seconded, put to the vote and carried.

RESOLVED:

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

1. **The development hereby permitted shall be begun within three years of the date of the permission.**
2. **The development shall not be carried out other than in accordance with the submitted plans, drawing numbers BHC_PL007 (proposed lower ground floor plan), BHC_PL008 (proposed ground floor plan), BHC_PL009 (proposed roof plan), and BHC_PL010 (proposed elevations), received by the National Park Authority on 29th June 2016 and subject to the following amendments;**
 - i) **The walls of the lean-to extension shall be clad with a red brick to match the main house to be approved by the authority before construction commences.**
 - ii) **Rooflights to be conservation type and fitted flush with the roof slope and no windows to be included in the side of the extension.**

3. The development shall not be carried out other than in complete accordance with specifications for minor design details including specifications for construction materials, external doors and windows, and rainwater goods.
4. The existing garaging shown on the approved plans shall be retained for the garaging of domestic vehicles throughout the lifetime of the development hereby permitted.

139/16 OUTLINE APPLICATION - PROPOSED 12 NO. ONE BEDROOM FLATS, ENDCLIFFE COURT, ASHFORD ROAD, BAKEWELL

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

RESOLVED:

To REFUSE the application for the following reasons:

1. Core Strategy policy E1D requires safeguarding of the existing land and buildings for business use where they are in high quality suitable locations such as Deepdale Business Park. As the location is considered to be appropriate for business use, the proposal is contrary to policy E1D.
2. Policy HC1 does not permit new open market housing other than as an enhancement to a previously developed site. As this proposal offers no enhancement it is contrary to policy HC1.

140/16 PROPOSED WAITING RESTRICTIONS AND ON-STREET CHARGES ORDER 2016 HOW LANE, BACK STREET, BARGATE, MILLBRIDGE, CASTLE STREET AND BUXTON ROAD, CASTLETON

The following spoke under the Public Participation at Meetings Scheme;

- Mr N Fisher, Castleton Parish Council, Supporting Authority

Subject to adding the word “strongly” the officer recommendation objecting to the proposed scheme was moved, seconded, put to the vote and carried.

RESOLVED:

1. **To STRONGLY OBJECT to the proposed scheme on the following basis:**
 - i) The proposed introduction of Pay and Display Parking Bays and associated signage and ticket machines on Back Street and Castle Street will extend the urbanising effect of existing lining and signing on the historic setting of Castleton village centre. In particular the proposal will have a negative impact on the setting of the Grade II* Listed St Edmunds Church.
 - ii) The proposed introduction of Pay and Display Parking Bays and associated signage and ticket machines on How Lane will encourage parking in a location where it is currently prohibited between 9am and 5pm on weekend days and Bank Holidays. The proposed scheme is likely to restrict the flow of traffic at this location when the village is at

its busiest i.e. weekend days and Bank Holidays. There are also potential safety concerns in relation to pedestrians crossing How Lane to and from the Bus Station and to access shops / businesses on both sides of the road. In addition, the introduction of a ticket machine may also restrict pedestrian and disabled access on the narrow pavement on the south of How Lane.

- iii) The 'No Waiting at Any Time' proposals on How Lane, Back Street and Bargate in the main replace existing Limited Waiting orders, with their associated lining and signing. However, these proposals are a traffic management measure to mitigate against the displacement of parked vehicles as a result of the introduction of new On-Street Pay and Display Bays. Their need would be negated if the proposed On-Street Pay and Display Bays are not introduced.
- iv) The introduction of 'No Waiting at Any Time' proposals on Millbridge with any associated lining and signing will have an urbanising effect on the relatively rural character of the location. It is unclear from the proposals what the driver is for them. Under the circumstances it is difficult to assess the need against the impact on the Conservation Area and the passage from village to open countryside at this location.

- 2. To support the proposed retention of existing Pay and Display Parking Bays on Buxton Road, on the basis that the machines are maintained in an operating condition; and that the redundant machines associated with the Parking Bays west of the entrance to Dunscar Farm and not covered by the proposed Order are removed.

141/16 HEAD OF LAW REPORT - PLANNING APPEALS

RESOLVED:

To note the report.

The meeting ended at 4.30 pm

6. FULL APPLICATION - TEMPORARY USE OF LAND FOR A HORTICULTURAL SHOW, INCLUDING THE ERECTION OF TEMPORARY STRUCTURES, ON A YEARLY BASIS, WITH ASSOCIATED OPERATIONAL DEVELOPMENT, RIVER CROSSINGS AND OTHER FEATURES AND THE CREATION OF TEMPORARY SHOW GARDENS, CHATSWORTH HOUSE, CHATSWORTH (NP/DDD/0916/0881 07/09/2016/TS)

APPLICANT: MR NICK MATTINGLEY, ROYAL HORTICULTURAL SOCIETY

Site and Surroundings

The Chatsworth Estate is situated approximately 4 km north east of Bakewell, south of Baslow. The house is a grand stately home that sits in a slightly elevated position on a raised terrace on the eastern side of the park, overlooking the River Derwent to the west. The River Derwent, which runs north-south, forms the centrepiece of the parkland to the front of the house and is a key element in the design of the landscaped park.

The park and gardens are included on the Historic England Register of Park and Gardens of Special Interest at Grade 1, which makes them of international importance. The park and gardens contain numerous listed buildings. The principal listed structures are Chatsworth House and James Paine's Three Arched Bridge, both listed grade 1. Queen Mary's Bower is grade II* listed, as is One Arch bridge at the southern end of the Park. One Arch bridge is also a Scheduled Monument. The West Garden Terraces, Paine's Mill, Beeley Lodge and a 19th century water trough are grade II listed.

The application site is within Chatsworth Park that is located adjacent to the west of Chatsworth House and to the east of the unnamed road that runs between Nether End and the B6012. The site is commonly known as the West Flat, Old Park and Below the Bastion Wall. The site includes land either side of the River Derwent. The site has an area of approximately 24 hectares.

Proposal

Planning permission is being sought for temporary use of land for a horticultural show, including the erection of temporary structures, on a yearly basis, with associated operational development, river crossings and other features and the creation of temporary show gardens.

The proposed horticultural show would be open for five public days plus one preceding press day. The total time of the show set up, the show itself, structure and equipment removal and restoration and reseeded is 45 days. The show would take place in the second week in June, with the intended dates for 2017 published as 7-11 June for the public days. It is estimated that the show would attract around 80,000 visitors over the course of the week. The submitted details make reference to permission being sought for the temporary use of the site on an annual basis for a total of 10 years. The time period of the permission being sought is not specified in the application description, however it remains open to the Authority to consider the option of imposing a condition for a longer or shorter time period, or alternatively granting consent on a permanent basis.

The proposed show requires a series of temporary structures of varying appearance and sizes that include restaurant marquees, exhibition tents, trade stands and toilet blocks. The largest of the proposed temporary structures would be known as "The Great Conservatory", a 14 metre high inflatable building designed to replicate Joseph Paxton's conservatory that used to stand within the gardens of Chatsworth House.

The proposal also includes other forms of operational development that include temporary trackways around the site and "Heras" fencing to the perimeter of the show site. Show gardens would be arranged in different areas of the site, with the main show garden being located on the eastern side of the River Derwent.

Parking for the site would be provided within five temporary car parks, plus an additional VIP parking area and four different access points to the estate from the public highway network would be utilised.

The proposed horticultural show has been subject to extensive pre-application discussions with the Authority and Historic England. During these discussions it was suggested by officers that alternative sites that would not have the same impact in terms of the impacts on heritage assets, or using the proposed site to build a brand and then relocating to a different site within the parkland, should be considered. However, the applicant is clear that the proposed show site is the only area of Chatsworth Park which is considered to be desirable to host the show.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions:

1. **Temporary permission for three years**
2. **Development to be carried out in accordance with the specified amended plans, subject to the conditions below:**

Archaeology

3. **Written scheme of archaeological works to be submitted and agreed and thereafter implemented.**
4. **Programme of archaeological monitoring to be submitted and agreed and thereafter implemented.**
5. **Limit on excavations above the ‘Cana Duck pond’ to no more than 0.5 metres.**
6. **Details of the temporary bridge foundations and footings and bridge deck clearance height to be submitted and agreed and thereafter implemented.**
7. **Detailed show removal and site restoration scheme to be submitted and agreed and thereafter implemented.**
8. **A scheme of details of dimensions, depth and location of all required groundworks to be submitted and agreed and thereafter implemented.**
9. **A scheme of details of the Hay Meadows Project exhibition to be submitted and agreed and thereafter implemented.**
10. **A scheme of details of the means of securing the structures on the site to be submitted and agreed and thereafter implemented.**

Conservation and Landscape

11. **A scheme of details of the perimeter show site fencing, including any draping, to be submitted and agreed and thereafter implemented.**

Highways

12. **Traffic Management Plan to be submitted and agreed and thereafter implemented.**

13. **Temporary car parking provision as shown on the submitted plans to be provided throughout the show period.**
14. **Travel Plan to be submitted and agreed and thereafter implemented.**
15. **No other events to take place at Chatsworth during the show week.**

Flood Risk

16. **The development shall be carried out in full accordance with the mitigation measures identified within the submitted Flood Risk Assessment.**
17. **Submit, agree and implement scheme to show detailed information of the temporary bridge crossings across the River Derwent**

Key Issues

1. Harm to the significance of Chatsworth House and the other designated and non-designated Heritage Assets arising from development within their setting.
2. Potential for physical harm to Heritage Assets, including archaeology
3. Highways, Amenity, Environmental and Ecological impacts
4. Whether the public benefits of the scheme would outweigh any identified harm

History

There is detailed and extensive planning history for development on the Estate but there is no planning history related to the specific application site that is directly relevant to the assessment of the current application.

Consultations (All consultation responses are summarised, please see the Authority's website for full responses)

External Consultees:

Highway Authority: Note that the show would bring significant numbers of additional private vehicles onto the highway network but this is not dissimilar to current events that take place at Chatsworth. Specific details for traffic management would need to be agreed with the Highway Authority in advance of the event. No objections are raised subject to conditions for a Traffic Management Plan to be agreed and implemented, provision of the temporary parking areas as shown on the submitted plans, implementation of an approved Travel Plan and a restriction on any other events taking part at Chatsworth for the duration of the show.

County Council Economy, Transport and Communities: Support the application, noting the proposal will support economic development and will be a strong addition to the tourism offer.

County Council Flood Risk Management Team: No objections subject to the recommendations contained within the submitted Flood Risk Assessment being followed.

Derbyshire Dales District Council Environmental Health: No objections

Natural England: No objections. The Authority should use the Natural England Standing Advice to assess the potential impact on protected species.

The Gardens Trust: No objections. Consider that the show will be a positive new event.

Historic England: Historic England considers that the proposal will be harmful to the significance of the grade I Listed House, grade I registered park and associated heritage assets. If the local planning authority is minded to grant consent, it is advised that the financial support for heritage assets should be secured and that the show site should remain free of other events and activities during summer months.

Historic England go on to discuss the significance of the estate, noting that Chatsworth is one of the finest country houses in England and that its grade I listing places it within the top 2% of listed buildings. The stables and bridge by James Paine are also grade I listed. Queen Mary's Bower is a raised garden with moat and is grade II* listed. The visible ridge and furrow earthworks within the application site contribute towards the significance of the park and house, illustrating the transformation of the land from the later medieval period through enclosures and their absorption into Brown's landscape vision.

In terms of the impact of the proposed show, Historic England notes that the show involves structures including the Paxton inspired 'Great Conservatory' tent, fencing and tracking, stalls and attractions and show gardens that may involve significant ground disturbance. Historic England are concerned that the seven weeks of the show period from set up to take down, combined with other events at the estate, will compromise the ability for the house and landscape to be experienced together free from intrusion, not least during summer months when most visitors are expected.

Historic England notes the difference in impact between a one-off or limited repeat event and a site that would be held annually in perpetuity. It is considered that holding the event annually would be harmful to the significance of the grade I listed house, grade I registered park and associated heritage assets. This harm would be 'less than substantial' as referenced by the NPPF. The location of the event site in relation to the west front of the house subverts the design intent in Brown and Paxton's work in drawing back the formal gardens and original stable block to create an open relationship between the classical formality of the house and the engineered pastoral of the park. The scale, massing and location of the principle structures, in particular the main tent with its high apex, exacerbates rather than minimises the impact upon the relationship of the West Front to the River. The scale of the proposed 'Great Conservatory' structure is of significant concern, as is the use of heras fencing in a historic landscape.

In respect of archaeology, Historic England notes that whilst the impact of the show on below ground remains can be minimised, the long term control of archaeological impacts is a concern. Historic England considers that there will be inevitable progressive loss of definition to earthwork remains and through weather conditions or error an accumulation of sub-surface impacts.

Historic England concludes with the following recommendation:

"We recommend that your authority determine this application on the basis of statute and national and local planning policy and guidance, with consideration of our detailed advice above and the expertise of your own specialist staff. Should you be minded to grant planning consent notwithstanding the issues explored in respect of harm to designated heritage assets principally Chatsworth House and Park, we urge you to robustly secure material protection and support for the conservation and appreciation of the nationally important heritage assets whose significance is affected by the proposed development."

Environment Agency: No objections, in principle, to the proposed development but recommends that if planning permission is granted the following planning conditions are imposed:

No development approved by this planning permission shall take place until such time as a scheme to show detailed information of the temporary bridge crossings across the River Derwent has been submitted to, and approved in writing by, the local planning authority. The scheme shall

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

The Environment Agency requires this condition to ensure the proposed temporary bridges do not hinder flow during times of flood. The bridge should be designed to allow passage of debris to ensure it does not damage the structure.

Agree with the comment in the Preliminary Ecological Appraisal that 'Further ecological monitoring of the site is necessary to ensure water voles and/or otter have not colonised the site prior to any construction work.'

Baslow and Bubnell Parish Council: No objection but note that traffic management needs to be handled carefully and that the recent Country Fair one way system was poorly communicated by Chatsworth and badly managed by the traffic management company.

Beeley Parish Council: No objection but note that traffic management needs to be handled carefully and that the recent Country Fair one way system was poorly communicated by Chatsworth and badly managed by the traffic management company.

Rowsley Parish Council: No objection but note that traffic management needs to be handled carefully and that the recent Country Fair one way system was poorly communicated by Chatsworth and badly managed by the traffic management company.

Edensor Parish Council: No comments received to date.

Internal Consultees:

Authority's Conservation Officer: The Conservation Officer considers that whilst an RHS show within the grounds of Chatsworth would be acceptable in principle, locating the show on the proposed site would result in an unacceptable level of harm to the significance of the Grade 1 listed Chatsworth House, the Grade I Registered Park and Garden, the Grade I listed Paine's Bridge and associated designated heritage assets. It is suggested that the Country Fair site would be an acceptable alternative site.

The Conservation Officer notes that the designated heritage assets at Chatsworth form a continuous designed whole, with the intentionally designed open relationship between the classical formality of the House and the engineered pastoral landscape of the park clearly visible in the centre.

The proposed Show site falls within the only area of the Registered Park and Garden where all of its principal elements, including park, buildings, formal gardens and pleasure grounds, water features, trees and the interrelationship between them all, can be viewed simultaneously: this is therefore one of the most significant areas of the Grade I registered designed landscape. The Conservation Officer goes on to identify eight factors which will result in harm to the setting and significance of the heritage assets which are summarised as follows:

- Will severely reduce, and in some cases completely remove, visual permeability between the heritage assets
- The 2 metre high heras fencing would be highly visible and intrusive
- Siting of structures a short distance from Paine's Bridge will reduce the dominance of the bridge and interfere with the visual relationship between the bridge and the house.
- The scale and massing of some of the structures is excessive
- The Great Conservatory will be particularly problematic in juxtaposition with the principal elevation of the house. It is noted that the original conservatory was 700 metres to the south east of the house.

- The scale of the show garden and free form exhibits would compete with, and detract from, the designated heritage assets which the landscape is designed to showcase
- The design of the structures do not reflect sensitively the historic significance of the site
- Holding the show on a yearly basis in this exceptionally sensitive location carries a serious risk of long-term harm to the fabric of the site.

The Conservation Officer recommends that consideration should be given to locating the show elsewhere within the estate and notes that public benefits would still arise if the show were to be located in a different area.

However, if the show is to be approved in the proposed location, the Conservation Officer recommends that any such permission should be restricted to one year only so that a full assessment of the impact can be made. It is also recommended that consideration should be given to reducing the scale of the larger proposed structures and also that the Authority should have some control over the scale, massing and design of exhibits and that the set up period should be reduced if possible. Finally, the Conservation Officer recommends that the Authority should ask for written confirmation that funds arising from RHS Show ticket sales will result in repair and restoration works to the designated heritage assets itemised within the Heritage Public Benefit Statement (not car parking) as unlikely to be a high priority for restoration.

Authority's Conservation Archaeologist: Objects to the application on grounds of insufficient information to properly assess the impact. Notes that the proposed show site is within an area of archaeological significance and sensitivity. Archaeological features here relate to the use and development of the area prior to the creation of the Park at Chatsworth and the development of the Gardens and Park at Chatsworth. These features have archaeological significance in their own right, and contribute to the significance of the Grade I Registered Park and Garden, and the Grade I Listed House, and other Listed structures within the Park.

The Conservation Archaeologist is concerned that the full impact of the proposed show on archaeology is not fully understood as some of the below ground intrusion that would be required has not been fully addressed in the application and as such it is not possible to carry out an informed balance between the harms and the public benefits.

The Conservation Archaeologist considered that it is clear that the proposed development has the potential to impact on surviving above ground and below ground archaeological remains and features, resulting in damage to, truncation of and partial or full destruction of archaeological remains, and the gradual cumulative erosion and potentially complete destruction of earthwork features and below ground remains with each successive year. This will result in considerable and permanent harm to the significance of individual archaeological features, to the overall archaeological significance of the show site, to the Registered Park and Garden, and to the Listed Building that the Parkland features form the setting of e.g. The House, Paine's Bridge etc.

The Conservation Archaeologist is deeply concerned that the impact of the show on archaeology is not sustainable in the proposed location, and due to their nature many of the impacts cannot be securely mitigated. There is also concern that the heritage benefits of the proposed show have been overstated and that tangible heritage benefit may not be realised.

A full archaeological evaluation report was subsequently provided and the Conservation Archaeologist has provided further comments. The Conservation Archaeologist considers that the evaluation report is helpful to understand the archaeological significance of the former duck pond at the site. However, it is maintained that further information is required to properly understand the potential impact.

Authority's Landscape Architect: Identifies inaccuracies within the submitted landscape information and photomontages. Notwithstanding this, notes that it is clear that there will be a visual impact on the heritage assets and this impact will vary during the set up and take down

and the maximum impact being during the week of the show and the weeks either side. How this affects visitor experience of Chatsworth will vary, some will be disappointed, some will be pleased.

Notes that as the event is temporary there is no permanent significant visual impact but there will be a visual impact, which needs to be recognised. There is scope for mitigation, such as through repositioning or raising the height of the fencing in some locations. However, reducing the height of some of the structures is unlikely to provide any effective mitigation.

The Landscape Architect recommends that if the event is approved a visual assessment of the site should be carried out on the show week and if necessary identify and provide additional mitigation.

Authority's Ecologist: Initially requested further information relating to use of external lighting, the proximity of development to the river bank, heights of the temporary bridges and proximity to a sand martin colony. Further information was provided by the applicant to address these issues. The Ecologist noted a discrepancy between the heights of the bridge decks above the river level as proposed by the applicant (2 metres) and as recommended in the submitted ecology report (3.5 – 4 metres) in order to protect foraging bats. A condition to control the bridge deck clearance heights is recommended.

Authority's Public Rights of Way Officer – The proposal includes temporary closure of public rights of way through the site and this would have to be agreed with the Highway Authority. No objection providing the path closures are purely temporary.

Representations

To date 66 letters of support have been received. The reasons for supporting the proposal can be summarised as follows:

- Economic benefits to the area
- Promotion of the area and the Peak District
- Tourism benefits / will increase visitor numbers
- Need for a show in the East Midlands as most existing shows are in the south
- Chatsworth has a good track record of organising events
- Perfect setting for this type of event
- Boost understanding of the site's special qualities

In addition to the above Patrick Mcloughlin MP supports the application, noting the economic, tourism and education benefits.

Main Policies

Relevant Core Strategy policies include: GSP1, GSP2, GSP3, DS1, L1, L2, L3, RT1, E2, T1, T2 and T7

Relevant Local Plan policies include: LC4, LC6, LC9, LC15, LC16, LC17, LC18, LC20 & LR1.

In the National Park, the development plan comprises the Authority's Core Strategy 2011 and saved policies in the Peak District National Park Local Plan 2001. It is considered that in this case, the above 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 also considered that in this case there is no significant conflict between prevailing policies in the Development Plan and more recent Government guidance in the Framework with regard to the key issues in the determination of the current application.

One of the key issues in the determination of the current application is the potential impact on the fabric and setting of designated and non-designated heritage assets. Paragraph 115 of the Framework states that great weight should be given to conserving landscape and scenic beauty in National Parks along with the conservation of wildlife and cultural heritage, which is consistent with the aims and objectives of policies GSP1, GSP2, L1 and L3 of the Core Strategy.

Paragraphs 132 and 134 of the Framework are also highly relevant and state that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. This approach is consistent with the aims and objectives of policies GSP1, GSP2, GSP3 and L3 of the Core Strategy and LC6, LC16 and LC17 of the Local Plan.

Policy RT1 supports proposals for recreation that will encourage understanding and enjoyment of the National Park, and are appropriate to the National Park's valued characteristics. Such 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. Proposals must not on their own prejudice or disadvantage peoples' enjoyment of other existing and appropriate recreation, environmental education or interpretation activities, including the informal quiet enjoyment of the National Park.

Legislation

Section 66 (1) of the Planning (Listed Building and Conservation Areas) Act 1990 states the local planning authority 'shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses' in the exercise of the Authority's planning functions and in considering whether or not to grant planning permission for development that affects a listed building or its setting. It is important to note that section 66 does not allow a local planning authority to treat this duty as a mere material consideration; it is a statutory duty to which special regard must be had and considerable importance and weight should be given to the desirability of preserving a listed building or its setting when balancing a proposal against other material considerations.

Assessment

Principle

Paragraph 116 of the National Planning Policy Framework (NPPF) establishes that applications for major development within National Parks should be refused except in exceptional circumstances and where it can be demonstrated that they are in the public interest.

The proposal would represent the introduction of a major and high profile annual event at Chatsworth that also includes significant operational development and temporary structures. It could be argued that the temporary nature of the show would render the proposal 'not major' development in the NPPF context. However, taking into account the size of the show site, the likely visitor numbers, the scale and number of temporary structures and operational development required and the sensitive nature of the application site, the view is taken that the proposal does indeed constitute major development within the National Park. Permission should therefore only be granted if it is considered that exceptional circumstances exist and that the proposed show would be in the public interest. The public interest benefits that would arise are discussed further in the relevant section of the report below.

The application site is located within the Chatsworth Parkland which is a highly sensitive landscape in that it is a grade 1 Registered Park and Garden and there are numerous listed buildings, Scheduled Monuments and undesignated heritage assets within the vicinity of the site. In addition, Chatsworth is an extremely popular tourist destination with the park and gardens holding a central place in the history of English landscape design. Therefore considerations with regard to the impact of the proposals on the significance of the identified cultural heritage assets is crucial in the determination of this application, particularly in the light of Core Strategy policies GSP1, GSP2, L1 and L3 and Local Plan policies LC6, LC16 and LC17, which seek to conserve and enhance landscape character and heritage assets.

Policy RT1 offers support for recreational developments in principle, but requires that such developments must not prejudice the enjoyment of the National Park. Policy E2 states that proposals to accommodate growth and intensification of existing businesses will be considered carefully in terms of their impact on the appearance and character of landscapes.

It is established below that the proposed show would cause harm to the significance of designated heritage assets, including Chatsworth House itself and the numerous other listed buildings and scheduled monuments that lie within the estate. This harm is considered to be "less than substantial" and the NPPF therefore requires the harm to be weighed against the public benefits of the proposal. It is important to understand that "less than substantial harm" is nonetheless harmful, but that the test against which it is judged is lower than it would be for substantial harm.

The acceptability of the principle of development in this instance therefore rests upon a balanced view being taken as to whether or not the impact of introducing a major form of development that would result in "less than substantial harm" to heritage assets would be outweighed by the public benefits that the show would bring and if this would constitute an exceptional circumstance to justify the major form of development being permitted.

This report goes on to provide an appraisal of the extent of the harms and benefits that would arise from the proposed show and seeks to provide a 'planning balance' between them. In carrying out such a consideration, it is appropriate to consider whether or not the proposal represents sustainable development in accordance with the definition provided by the NPPF.

Issue 1: Whether the proposals would cause harm to the significance of the heritage assets in the vicinity of the site including listed buildings, Scheduled Monuments and The Registered Park and Garden.

Setting and significance and impact on landscape character

The proposed show would result in a 24 hectare area of the Grade I registered park that is currently free from visible development and that makes a valuable contribution to the character of the grade I registered parkland and to the setting of the designated heritage assets, including Chatsworth House, becoming intensively used and largely covered with temporary buildings, structures and exhibits for the duration of the show and also experiencing operational

development and activity during the set up and take down period. This would clearly result in a significant change to the existing character of the site. Given that the character of the site as it exists is considered to make a positive contribution to the designated heritage assets, this clearly has potential to affect the setting and significance of these heritage assets.

The application has been submitted with an accompanying Heritage Statement which concludes that *“due to the temporary and reversible nature of the event, any impacts will not cause substantial or lasting harm. In addition, with no residual elements of the Show left on site, there cannot be any cumulative impacts on setting.”*

Historic England and the Authority’s Cultural Heritage Officers raise concerns that the proposal will cause harm to heritage assets (as is discussed below), but the advice from Historic England confirms that this harm would be ‘less than substantial’. The view that the extent of harm to heritage assets would be ‘less than substantial’ is very significant to the assessment of this application because in such cases the NPPF allows for a balanced judgement to be taken between the harm and public benefits. Conversely, if the view was taken that the harm would be ‘substantial’ then the NPPF would require the application to be refused, other than in wholly exceptional circumstances.

Notwithstanding the above, it is still important to acknowledge that the threshold for substantial harm is very high and harm that is less than substantial can still be very detrimental and may ultimately be considered unacceptable. The NPPF makes it clear that great weight should be given to conserving heritage assets and that any harm should require clear and convincing justification.

Historic England and the Authority’s Conservation Officer both take the view that there would be harm to the setting and significance of designated and undesignated heritage assets. It is considered that the proposed show, by virtue of the amount and scale of buildings and structures that are involved in the creation of the show site, would undoubtedly detract from the individual setting and significance of designated heritage assets, including the grade I Listed Chatsworth House and Paine’s Bridge. The Authority’s Conservation Officer takes the view that the level of harm would be unacceptable. The discussion of the impact on specific designated heritage assets can be viewed within the consultation responses.

It also important to note that the harm goes beyond how the show site, and the structures within it, would be viewed in conjunction with the individual heritage assets. Significantly, the show would disrupt the intervisibility between the various heritage assets, including the historic landscape. It is therefore considered that the show would be harmful to the setting and significance to the Chatsworth estate as a group of heritage assets.

It is noted that a series of photomontages have been provided in support of the application. The Authority’s Landscape Architect has reviewed these visual documents and has noted that these have been produced as panoramic images which give the impression of the show structures appearing smaller than they would be in reality. As such, it is not considered that the submitted visuals are a particularly helpful tool for assessing the actual visual impact that would arise and the harm to the significance and setting of heritage assets. It is also noted that the photomontages only show some of the larger structures and do not include trackways, fencing, toilet blocks etc. and therefore give a much less cluttered and busy impression of the show site than would be the case in reality.

It is clear that the harm to the setting and significance of the heritage assets would be temporary, and for this reason it can be agreed that the resultant harm would be less than substantial. However, it is important to bear in mind that this harm would not be limited to the 6 days of the show and would in fact span the 45 day period that includes the set-up, the show itself and the take down and reinstatement period.

In light of the assessment above it is considered that the show would be detrimental to the setting and significance of heritage assets, albeit for a temporary period.

Enjoyment of heritage assets free from the intrusion of shows and events

Policy RT 1 requires that proposals must not on their own prejudice or disadvantage peoples' enjoyment of other existing and appropriate recreation, environmental education or interpretation activities. An important aspect of the consideration of the impact on the existing heritage assets, and of the Chatsworth Estate as a whole, is the extent to which the proposal would be harmful to the enjoyment of Chatsworth without interruption from the event. This matter is discussed in detail in the Consultation response from Historic England.

It is considered that for the week of the show, the harm to the setting of the heritage assets can be reasonably easily tolerated. It is anticipated that the overwhelming majority of visitors to Chatsworth during the show week will be visitors to the proposed show itself and will therefore be expecting to see the show site fully operation. However, the visual impact of the show encompasses 45 days, notwithstanding the possibility of longer being required for full restoration. As such, it is likely that the experience of visitors to Chatsworth in the weeks preceding and proceeding the show week will be diminished.

The applicant points out that, even when considered in conjunction with the other major annual events at the site, Chatsworth will still be seen in an uninterrupted condition for over 300 days of the year. The applicant has also provided information to show that June is a month in which visitor numbers are relatively low in comparison to other summer months. These factors are relevant and support the case for granting consent, but it must be acknowledged that there would be a detrimental impact on the setting and significance of heritage assets for a prolonged period and this would diminish from the recreational experience of some visitors to Chatsworth, contrary to policy RT1 in this respect. The balance between the benefits that the show would bring and the detrimental impact to the recreational experience of some visitors to Chatsworth who are not attending the show is an important consideration.

Potential Impact on Historic Fabric

As stated above, it is acknowledged that the harm to setting and significance of heritage assets would be temporary and would cease at such time that the show structures have been removed and the site reinstated.

The submitted information refers to a 10 day take down and reinstatement period. However, no specific details of the reinstatement period have been provided. Whilst the proposed structures on the site would be of a temporary, removable nature, it is apparent that the show site will involve ground works to create the show gardens and that temporary trackways and buildings will require some form of anchoring or other attachment to the ground. Given this, combined with the anticipated large number of visitors to the site, it is considered to be highly likely that the show will have a physical impact upon the proposed show site. Whilst the applicant asserts that the site will be restored to its original appearance after each show, it is difficult to say with any certainty how effective the restoration will be or how long it will take to achieve full restoration. If visual signs of the show are still evident on the previously pristine landscape of the show site after the 10 day take down and reinstatement period, then this would prolong the time period for which there would be harm.

Furthermore, there is potential for the use of the show site to result in permanent harm to the fabric of the landscape. The supporting information refers to the site being relatively flat, which is indeed the case, but it is important to note that the site still contains visible ridge and furrow earthworks and this makes a positive contribution to the value of the application site and to the setting of other heritage assets within the estate, most notably the house. The Conservation Officer and Historic England raise concerns that the earthworks required to implement the

construction of the show site could cause lasting physical damage to the landscape of the site. As stated above, the applicant makes clear a commitment to reinstating the site after the show and this is welcomed. It should also be acknowledged that the applicant has vast experience of post-show reinstatement at the other sites at which shows are hosted. However, given that no event like this has taken place on this particular site with the particular challenges that will be posed by reinstating the ridge and furrow landscape, it remains unknown how effective the reinstatement will be and how long it will realistically take. It should also be taken into account that the level of any harm is likely to be compounded by the event taking place in perpetuity than would be case with only a limited repeat event.

Archaeology

The application site is considered to be of archaeological significance. The Authority's Archaeologist has objected to the scheme as insufficient information has been provided to allow a comprehensive understanding of the potential for harm to archaeological features. It is important to note that detailed archaeological desk study and field evaluation reports have been carried out and submitted in support of the application. The objection from the Authority's Archaeologist is therefore not necessarily a criticism of the archaeology reports have been submitted, but arises because several factors relating to the physical construction of the show site are either unknown or have not been provided in the application. These details comprise principally of the method of attachment of the temporary buildings and structures to the ground and the depth of excavations for show features.

Given the advice of both the Authority's Conservation Archaeologist and Historic England it is considered that the proposed show also has the potential to cause harm to below ground heritage assets through the sheer volume of people that would use the site over the show period resulting in ground disturbance and compaction. The long term protection of archaeological features is a concern.

It is considered that the degree of harm to archaeology can be mitigated to some extent through comprehensive construction and protection methods. However, in light of the advice from the Authority's Conservation Archaeologist and Historic England, it is considered that some harm is likely to occur. It is difficult to quantify the extent of the harm as the extent of invasive ground works is not clear at this stage. Any harm to archaeology weighs against the proposal in the planning balance. It is also clear that the extent of any harm is likely to be compounded by the show being a recurring event. In other words, the harm caused by holding the show ten times is likely to be more adverse than holding the show once.

Suggested mitigation of harm to Heritage Assets

The advice from Historic England recommends that if the Authority is minded to approve the application a formal agreement should be entered into to ensure that the show site remains free from other use during summer months when the show is not taking place so that the landscape can be appreciated free from intrusion. The applicant has commented that this would not be reasonable as such an agreement would prevent the Horse Trials continuing in their existing form since the site is used for temporary car parking for that event. The applicant also noted that there is a functional need to be able to use the site on an ad-hoc basis as and when need arises.

Furthermore, the Authority's Conservation Officer has requested that further consideration should be given to siting the proposed horticultural show elsewhere within the Chatsworth Estate in a location whereby the impact on setting and significance would be lessened. This matter was raised at the pre-application stage and the applicant has made it clear that the application site is the only site within the estate that it considered to be suitable.

Whilst officers do not necessarily agree that the show could not be a success if located elsewhere within the estate, it is evident that there is no reasonable prospect of an alternative show site being put forward by the applicant. As such, the application must be considered on its own merits on the basis of the site that for which permission is being sought. There is no policy basis for imposing a sequential test to discount other more preferable alternative sites in respect of heritage impact before consideration can be given to the actual application site. As such, Members are asked to consider the proposal purely on the basis of the application site that is under consideration rather than considering if the show would be better located elsewhere within the estate.

Potential Heritage Benefits

It has been established above that the proposal would be detrimental to heritage assets. However, the submitted documents assert that the proposed show would bring positive heritage benefits by delivering a financial contribution to the preservation of heritage assets and through raising of awareness of the heritage assets at Chatsworth and their horticultural connections.

In terms of the financial contribution that the show could make to the preservation of heritage assets, the supporting information establishes that it is expected that over a 10 year period sufficient funds from RHS show ticket sales could allow the Chatsworth House Trust to fund car park redevelopment, works to Paine's Mill, restoration and reinstatement of public access to Queen Mary's Bower, conservation of the aqueduct and a number of small conservation or visitor enhancing projects. It is anticipated that this would amount to over £2.0 million of project works.

Historic England and the Authority's Conservation Officer have both requested that means to secure the use of funds from ticket sales being used to invest into specific conservation projects at Chatsworth are agreed as part of any planning permission. Given that the applicant is the RHS rather than Chatsworth House Trust, this would most likely need to be secured by way of a section 106 legal agreement. The applicant has responded to these requests and states that such agreement would be unnecessary and unreasonable. The applicant asserts that the funds raised by Chatsworth must be used in line with the Trust's Charitable Purpose, which is to:

"Preserve for public benefit the mansion house known as Chatsworth House in Derbyshire, together with its ancillary buildings, gardens, arboreta, woodlands, and park; or such part or parts thereof as shall from time to time be held by the charity, and to promote for the public benefit the study and appreciation of Chatsworth as a place of historic and architectural interest and natural beauty."

Whilst it would be beneficial to have a clear schedule of how funds generated by the Chatsworth House Trust would be invested in specified heritage projects, for example the repair and restoration of Queen Mary's Bower, given the Charitable Trust status of both the RHS and Chatsworth it is not considered to be essential to have such an agreement in place to ensure that the income to the Trustees would support heritage projects at Chatsworth in the future. It could be argued that a clear schedule setting out specific heritage projects and a timetable for implementation would allow more weight to be given to this than a general statement that funds will be used for this purpose. However, it is considered that the additional revenue that would be generated for the charitable trust still represents a clear benefit of the proposal that carries weight in favour.

In respect of raising awareness and understanding, it is agreed that the show would bring a large audience to Chatsworth so it may well promote awareness of the estate and the heritage assets within it. However, given that the Historic England and Conservation Officers consider that the show will be harmful to the setting and significance of the heritage assets during the show period, it follows that the ability for visitors to properly understand Chatsworth as a collection of heritage assets must inevitably be compromised during the show week and whilst the set-up/removal is taking place. For example, visitors to the show will not be able to understand and

enjoy the setting and significance of the application site. Paine's Bridge and Chatsworth House in conjunction with one another as they were designed to be. It is therefore considered that an increase in understanding of the Chatsworth estate cannot really be considered to be a tangible benefit that would arise from the proposed show.

The submitted supporting information particularly cites the proposed Paxton-inspired 'Great Conservatory' that would form the centre piece of the show site as being an example of raising awareness of heritage assets. It is acknowledged that the proposed 'Great Conservatory' tent would be an interesting building that may alert some people to the previous existence of the original Paxton building within the gardens of Chatsworth. However, in line with the advice from Historic England, given that the proposed location of the building bears no relation to the position of the original structure and therefore has no similarities in terms of the relationship with the house and other heritage assets, it is considered that the benefit of the proposed 'Great Conservatory' tent in terms of raising awareness would be limited.

The show would also include some other exhibition relating to the history of Chatsworth and the historic landscape, as detailed in the submitted documents. It is considered that there would be some limited potential for raising awareness, but this is not considered to carry any more than minor weight in favour of the proposal.

It is therefore concluded that in terms of heritage benefits, the generation of additional funds for the Chatsworth House Trust is a clear benefit. However, any benefits in terms of increased awareness and understanding of heritage assets are likely to be very limited and carry little weight in the overall assessment.

Conclusion in respect of Heritage Issues

It is concluded that the proposed horticultural show would result in harm to setting and significance of heritage assets and that it also has significant potential to cause harm to fabric of the historic landscape and below-ground archaeological heritage assets. The proposal therefore cannot be said to be in accordance with policies LC4, LC6, LC9, LC15, LC16, L1 and L3.

However, whilst any harm still requires clear and convincing justification, it is agreed that the extent of the harm to heritage assets would be less than substantial and, in accordance with the requirements of the NPPF, a balanced view should therefore be taken between the harm and the public benefits that would arise. The generating of funds to invest in the conservation of designated heritage assets is a clear and tangible benefit that feeds into the other public benefits identified below.

The public benefits are discussed in the following section of the report.

Issue 2 - Public benefits that would arise from the proposal

When considering the public benefits, it is first considered to be relevant to consider the show in the context of whether or not the proposal would represent a sustainable form of development, as defined by the NPPF. This exercise is carried out below, with other identified public benefits addressed later in this section. The NPPF identifies three dimensions to sustainable development: economic, social and environmental. The proposed show is considered in the context of each of these below.

Economic

It is acknowledged that the proposed show will bring significant benefits to the local economy. The submitted Economic Impact Assessment calculates a gross benefit of £7.07m to the local economy, which would arise from spending on accommodation, transport, food and gifts, wages and staffing, exhibitor spend, RHS investment in the show and spending on other attractions. It is

clear that the benefits would therefore stretch further in the National Park than just to Chatsworth itself. Furthermore, as discussed previously in the report, the proposed show would generate an additional source of income for Chatsworth House Trust. Further details of the economic benefits are set out in the submitted Economic Benefits statement.

There is no doubt that the proposed show would deliver a substantial economic benefits and this is a significant public benefit that carries substantial weight in favour of the proposal.

Social

The existing RHS shows are world famous and attract a wide population of visitors. It is likely that the launch of a new show at Chatsworth will bring vast numbers of new visitors to the area and generate a significant amount of positive publicity for Chatsworth and the Peak District. Letters in support of the proposal refer to positive promotion of Chatsworth and the wider Peak District. The show would undoubtedly be a high profile event that has the potential to enhance the reputation of the area. This may well foster an increased sense of pride and social well-being.

Furthermore, the submitted supporting information make it clear that the proposed show would provide an opportunity for local groups and societies to come together to display their skills and talents on a national stage. The submitted information makes reference to local schools, gardening, well dressing and social clubs all being invited to take part in the event.

It is considered that the proposed show represents a unique and significant opportunity that would promote social well-being and this is a significant potential positive of the show. Such public benefits are considered to carry weight in favour of the proposal. The social and economic benefits are clearly in accordance with the National Park statutory duty to foster economic and social well-being of communities.

Environmental

Whilst the applicant has suggested that there would be environmental benefits arising from the proposed development by way of heritage benefits, officers are of the view that there would in fact be net harm to important heritage assets and as such the environmental benefits that have been identified by the applicant are considered to carry limited weight in favour of the proposal.

This should not diminish from the significant economic and social benefits that would arise but it reiterates the planning balance of the application as a whole – whilst there are clear and substantial, economic and social benefits, there is also a risk that the proposal may not be environmentally sustainable because of the harm to historic landscape and designated heritage assets. It is important to bear this in mind when attributing appropriate weight to the benefits against the harms.

Other Benefits – Recreation, Education and Understanding

The National Park Authority's statutory purposes include promotion of opportunities for understanding and enjoyment of the park. As discussed previously in the report, it is not considered possible to conclude that the show would deliver any real benefits in respect of promoting understanding specifically of the heritage assets at Chatsworth when it is considered that the show and the associated developments would be harmful to said assets (i.e. the show may well allow more people to see the estate than would otherwise be the case but they would be doing so at a time when the experience was diminished by the presence of the show itself). However, this does not mean that the proposal would not deliver positive educational and understanding benefits in terms of wider National Park purposes. In fact, it is considered that the proposed show could deliver substantial benefits in this respect.

The show would bring significant numbers of visitors into the Park. The submitted information

suggests that the Peak District would be a strong theme of the show so there is clear potential for the promotion of understanding and recreation in this respect. Furthermore, there is a likelihood that visits to other places within the National Park may increase as a direct result of the show, thereby promoting recreation and enjoyment. Naturally a horticultural show will have an education element that represents a clear further public benefit. It is therefore concluded that the proposed show would deliver economic, social, recreational and educational benefits. Such benefits carry positive weight in favour of the proposal.

Part 3: Other planning considerations:

Highway Considerations

The proposed show has the potential to significantly increase the number of vehicles using the highways network to access the site. 80,000 visitors are expected during the show week and there would also be additional traffic for construction, deliveries etc. Temporary car parking would be provided in five areas of the park and access would be taken from the Golden Gates, Heathy Lea, South Western and Blue Doors entry points.

The Highway Authority has been consulted and has raised no objection to the proposal, noting that traffic management details would need to be agreed with the Highway Authority in advance of the event. Subject to relevant conditions, given the temporary nature of the show, it is considered that the proposal would not have a significantly adverse impact on the wider highway network and the show would also have safe and suitable access. The proposal is considered to accord with policies T1 and T2 and the guidance contained within the NPPF in this respect.

Amenity and Neighbourliness

It is acknowledged that the large influx of additional visitors to the site has the potential to cause disturbance to the residents of the surrounding villages, primarily arising from people accessing and leaving the venue. However, given the temporary nature of the show and the times at which it would operate (typically 10am until 6.30pm with some 'invitation only' events until 10pm), it is considered that the extent of harm to amenity would be acceptable. It should also be acknowledged that the RHS event would be one of four major events held at Chatsworth each year, so residents will experience a cumulative impact. However, on balance, the proposal is considered to accord with policies GSP3 and LC4 and the guidance contained within the NPPF in this respect.

Flood Risk

The site partially lies within Flood Zones 2 and 3. The NPPF requires a sequential test to be applied to development proposals within the flood zone. The aim of the sequential test is to steer new development to areas with the lowest probability of flooding. Development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. It is noted that an application for a change of use would not normally be subject to the sequential test, but given that the proposal includes operation development and temporary buildings, it is considered to be appropriate to apply the sequential test in this instance.

It is clear that the show site has been selected in order to create a clear link with Chatsworth House and the RHS is not willing to consider alternative sites in the Parkland. It would therefore not be appropriate to consider any alternative locations outside of Chatsworth Park. There are other areas of the park that are outside of the flood zones that could theoretically accommodate the show site, but the applicant has made it clear that no alternative sites are suitable for their needs. It is accepted that there is no prospect of the proposed show being located outside of flood zones 2 and 3. The sequential test is therefore considered to be passed.

It is considered that the proposal would fall into the 'less vulnerable' class of flood risk vulnerability and flood zone compatibility. As such, it is not necessary to apply the exception test in this instance.

A flood risk assessment has been submitted and makes recommendations to mitigate the risk of flooding relating to the levels of the proposed bridges, suitable anchoring of structures and emergency planning in the event of flooding. The Environment Agency has not objected to the application and recommends a condition requiring that no development shall take place until such time as a scheme to show detailed information of the temporary bridge crossings across the River Derwent has been submitted to, and approved in writing by, the Authority.

The County Council's Flood Risk Team has raised no objections subject to the mitigation measures being implemented. Subject to agreement of the bridge specification by way of an appropriately worded condition, it is considered that the proposed show would not be at unacceptable risk of flooding and would unacceptably increase flood risk elsewhere.

The proposal is therefore considered to be acceptable in this respect and does not conflict with the guidance provided in the NPPF and NPPG in respect of flood risk.

Ecology

Whilst the application site and the wider surrounding area is of ecological value and sensitivity, in light of the advice from Natural England and the Authority's Ecologist, it is considered that there would be no unacceptable adverse harm to ecology or protected species and the proposal is considered to be acceptable and in accordance with policy LC17.

Public Rights of Way

There are a series of Public Rights of Way through the Chatsworth Estate and there are Public Rights of Way that pass through the application site. The proposal would inevitably require the temporary closure of these and separate consent would be required for this from the Highways Authority. The Authority's Public Rights of Way Officer has raised no objections to this provided that the closure is only temporary.

Part 4 Overall Planning Balance

As identified above, it is considered that the proposal would be harmful to the setting of designated heritage assets, including Grade I Listed Buildings Chatsworth House and Paine's Bridge. Given the temporary nature of the show, this harm would be 'less than substantial'. The NPPF makes it clear that less than substantial harm should not be acceptable unless it would be clearly outweighed by public benefits. It is important to reiterate that the resultant harm would occur for more than the 6 days that the show would be take place. There would be some harm throughout the 45 day period that comprises of the show set up and removal. It is also important to reiterate that any harm to heritage assets requires clear and convincing justification.

Furthermore, whilst conditions can be imposed reduce the extent of lasting physical damage to some extent, in light of the advice from the Authority's Senior Archaeology and Conservation Officers, there can be limited confidence that the show would not result in some lasting physical damage to the site. It is likely that any such damage would be compounded by the event taking place on the same site on recurring yearly basis.

The Archaeology and Conservation Officers have both recommended that if consent is granted it should be limited to a one year permission only, rather than the ten years that the applicant is seeking permission for.

However, it is also clear that the introduction of the proposed horticultural show would deliver

substantial benefits. The economic benefits would be substantial and would go beyond just the revenue that would be generated by the RHS and Chatsworth Charitable Trusts. Associated spending would spread to surrounding areas of the National Park. In the same manner that potential harms would be compounded by holding the show on a recurring basis, the economic benefits would also be more extensive the more times the show takes place.

However, it must also be borne in mind that a development that would result in harm to the natural and historic environment cannot be considered to be fully sustainable in the NPPF context. As such, in the absence of clear and convincing evidence to demonstrate the proposal would not result in unacceptable levels of harm to the natural and historic environment, the economic benefits are not considered to provide the clear justification required by the NPPF to support the show on a permanent or 10 year basis.

It is also acknowledged that there will be significant social, educational and recreational benefits arising from the introduction of the show. However, the Sandford principle establishes that where there is irreconcilable conflict between the statutory purpose to conserve and promote understanding and enjoyment of the National Park, greater weight will be given to conservation. As such, the education and recreational benefits of the show do not readily outweigh the potential harm to the conservation of heritage assets that could occur from granting a permanent or ten year consent.

It is however considered that the benefits could clearly outweigh the harm that would be caused by the show on a more temporary basis, given that the expert advice suggests that the harm arising would be compounded year on year.

Furthermore, granting permission for a shorter temporary consent would also provide a significant advantage as it would address some of the uncertainties that have arisen from the proposed application. For example, the Landscape Architect has identified that the submitted visual images of the show site are of poor quality. Allowing a shorter temporary consent would allow for careful monitoring of the show site structures and development in situ in order to thoroughly assess the impact on heritage assets and landscape. Such an approach would also allow for monitoring of the impact on archaeology and the landscape of the application site. It would also be possible to monitor the effectiveness of the site reinstatement.

It is therefore concluded in terms of the overall planning balance that the public benefits are not considered to clearly and convincingly outweigh the harm that could be caused by approval of the show on a permanent or ten year basis. It is however considered that clear justification exists to approve the show for a shorter temporary period that would support the proposal but would also allow the Authority to maintain control and confidence that there would be no unacceptable long-term harm. It is therefore appropriate to consider what length of permission is appropriate.

Temporary Permission

The applicant has made it clear that a temporary permission of less than ten is not acceptable to them for financial reasons and that a longer term consent is required to make the investment in the show financially viable. Given the concerns expressed by Historic England and the Authority's own cultural heritage and landscape officers and the very significant nature of the heritage assets at Chatsworth, the most prudent course of action would be to grant permission for a single year, which in terms of minimising potential harms would appear to be the most risk-averse strategy.

However, it is acknowledged that the applicant would consider that holding the event only as a one off event may not justify the investment that would be required to deliver it. A letter has been submitted from the RHS which states that a one year permission could not be acted upon, although officers are aware that there have already been significant ticket sales for the 2017 show. The letter sets out this position in detail and is available to view on the Authority's website.

In response, Planning officers consider that a one year permission is not necessary to achieve the planning balance in which the benefits would outweigh the harms.

It is considered that a three year permission would be appropriate and would strike a balance between giving the applicant some security in respect of being able to plan for future events beyond 2017 but also safeguarding the heritage assets and landscape in line with the statutory national park conservation purpose. It is therefore recommended that any approval should be subject to three year restriction. Officers also considered whether a five year permission would be a reasonable compromise between the applicant's expectations and the statutory duty to protect designated heritage assets, but this is a relatively lengthy period given the concerns expressed by Historic England. Members may wish to consider this as an alternative period, but officers would not recommend any period in excess of five years

It is important to note that granting consent for a three year period at this stage would not represent a determination that holding the show on more than three occasions would be unacceptable and that the Authority would not welcome the show on a more long-term basis. The applicant would have the opportunity to reapply for a longer term permission in the future. As stated above, a three year permission would allow for a comprehensive assessment of the impacts to be made before, during and after the show in the next three years and, importantly would allow an opportunity for monitoring of any cumulative harm. Furthermore, this would provide a vital opportunity for the Authority to work with the RHS and the Chatsworth Estate in order to address potential harm and seek to achieve a more long-term, sustainable, outcome. If it can be demonstrated that the harm arising from the show as identified in this report can be mitigated to an acceptable level, then it is highly likely that an application to extend the permission for future years would be supportable. It is considered that this approach represents one that responds positively to the significant constraints and planning issues that are posed by the nature of the proposed development at this unique application site.

Conclusion

Given the assessment above, it is concluded that exceptional circumstances exist to justify major development in the National Park on a temporary basis. It is clear that the proposed horticultural show would result in harm to heritage assets and this harm can be considered to be less than substantial, but which is harm nevertheless and therefore requires clear justification. It is considered that the application has demonstrated clear and convincing public benefits that would arise from the show.

It is considered that, given the content of advice from heritage experts, it cannot be concluded at this stage that the public benefits would outweigh the harm arising from an annual show taking place in perpetuity. However, it is considered that the public benefits would clearly outweigh the harm if the consent is limited to a three year period in the first instance. As such, the application is recommended for approval, subject to the approval being for a three year time period.

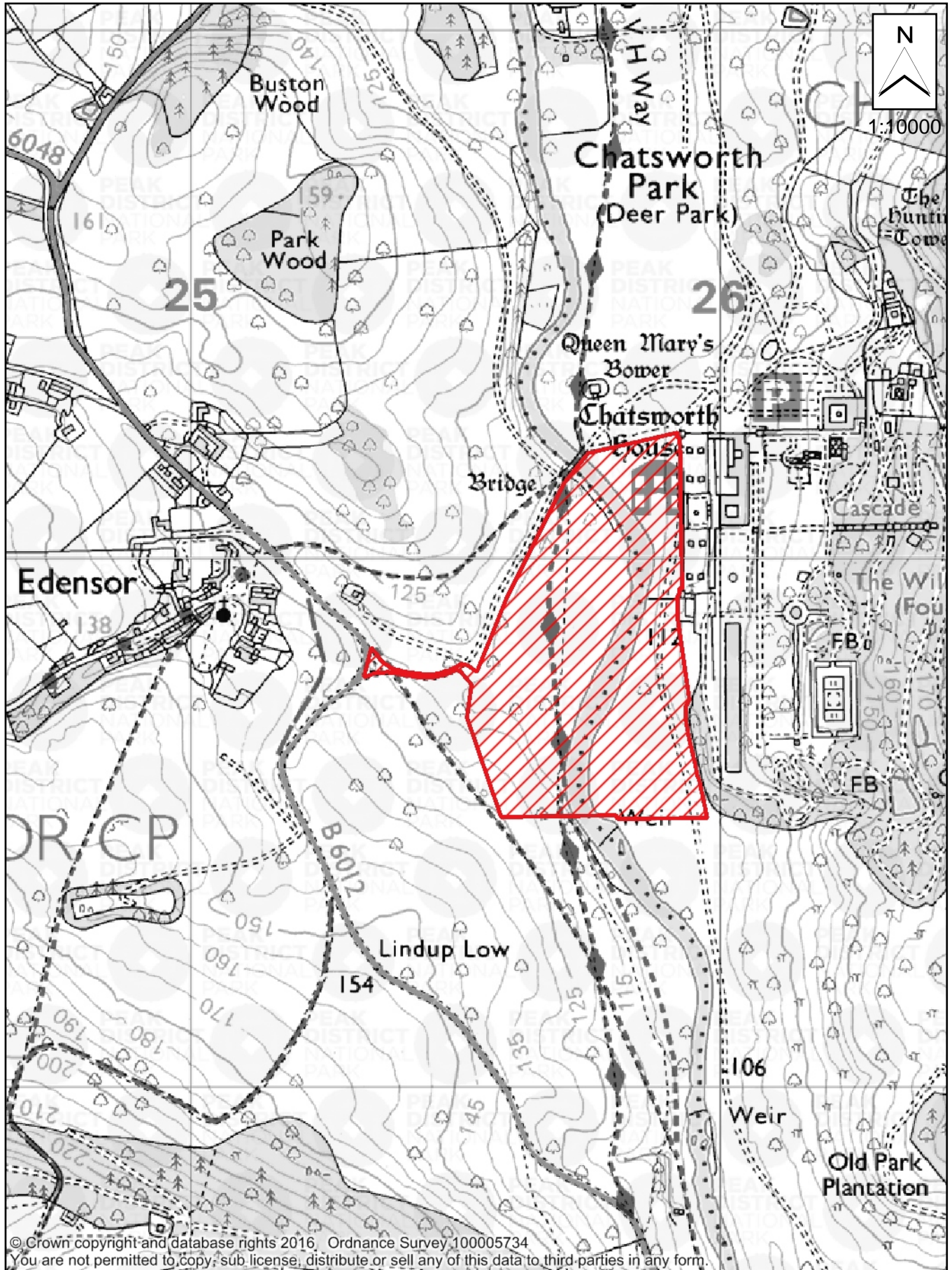
Human Rights

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

List of Background Papers (not previously published)

Nil

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Committee Date: 11/11/2016
 Item Number: 6
 Application No: NP/DDD/0916/0881
 Grid Reference: 426039, 370129

Title: Chatsworth House
 Chatsworth



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7. FULL APPLICATION - RETENTION OF SPA IN BASEMENT WITH NEW ENTRANCE AREA AND CONVERSION OF UPPER FLOORS INTO TWO APARTMENTS AND SIX TOWNHOUSES AT SPA BUILDING, RUTLAND MEWS, BAKEWELL (NP/DDD/0716/0622, P954, 422050/368566, 06/07/2016/ALN)

APPLICANT: MR D G M HOLLAND

Site and Surroundings

The application site lies between the River Wye and the Agricultural Business Centre, to the east of the Rutland Mill complex. The site is within the Bakewell Conservation Area but outside of Bakewell's Development Boundary (policy LB1). The mill leat runs along the south western boundary of the site and there is a public right of way to the east.

A two and a half storey building, constructed as a health club following planning permission in November 2003, occupies the majority of the site, with an area of open 'curtilage' land to the west and south. The building is L shaped in plan form and is constructed in natural limestone under a blue slate roof.

Vehicular access to the site is from the north, off Coombs Road. Access to and from the town's two main public car parks is to the south via a bridge over the leat. There are currently 9 parking spaces within the application site. These are arranged in a row along the eastern side of the site, in front of the building and within a shared parking area.

The application site lies within the Environment Agency's flood risk zone 3 i.e. land assessed as having a high risk of flooding (1 in a 100 or greater annual probability).

Proposal

Planning permission is sought for the change of use of the three floors of the building above ground, to eight open market dwellings, consisting of two apartments and six townhouses. Both apartments and two of the townhouses would have two bedrooms and the remaining townhouses would have three bedrooms. The residential conversion would largely take place within the shell of the existing building except for a modest single storey extension at the southern end of the building.

A shared residential courtyard and garden would be provided in the area between the building and the mill leat. One parking space for each unit would be provided, plus one disabled parking space.

The basement area is significantly larger than the above ground building footprint, extending beneath the whole of the application site (around 370 sqm). This area would be retained as a spa and would incorporate spa treatment areas, gym, beauty treatment rooms, changing rooms, relaxation room and coffee shop/juice bar. A single storey extension would be constructed off the west facing gable end of the building to provide an entrance lobby and stairs/lift down to the basement. Access to the space would be via new pedestrian gate through the high wall that currently runs along the western boundary of the site. This would give access to an enclosed entrance courtyard area (separated from the residential garden area by a new high stone wall).

As part of the development it is proposed to construct a new pedestrian footbridge across the mill leat, running alongside the eastern flank of the parapet wall to the existing road bridge. The plans show an identical design to that approved as part of the original application in 2004. The bridge deck would be constructed in hardwood boarding and would be 1800mm wide. An 1100mm high painted steel balustrade would stretch along its eastern side. The submitted plans also show that a new 1800mm wide footpath in bound gravel would be created, linking the southern end of the bridge to a gateway and footpaths that lead to the town centre.

RECOMMENDATION:

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

1. 3 year implementation time limit.
2. Adopt amended plans.
3. The basement of the premises shall be used for a spa and for no other purposes (including any other purpose in Class D2 of the schedule to the Town and Country Planning (Use Classes) Order 1987 or in any order revoking and re-enacting that order).
4. The spa shall be open to customers no earlier than 9am and no later than 8pm on any one day.
5. Hard and soft landscaping scheme to be submitted and agreed in writing. Thereafter the scheme shall be fully implemented
6. All mitigation measures detailed in the submitted flood risk assessment to be carried out prior to first occupation of the development hereby approved, including that finished floor levels shall be set no lower than 120.80m above Ordnance Datum (AOD).
7. The premises the subject of the application shall not be taken into use/occupied until the proposed footbridge and linking footway have been provided in accordance with approved drawing numbers 15/07/1A and 15/07/2.
8. The premises the subject of the application shall not be taken into use/occupied until on-site parking (including secure covered cycle parking) has been provided in accordance with the application drawings and maintained thereafter free from any impediment to its designated use.
9. Remove permitted development rights for alterations, extensions, outbuildings and boundaries.
10. Details of the finish for the steelwork, the design and finish of the balustrading and timber decking and the materials for the footpath surfacing shall be submitted and agreed. Thereafter the bridge and path shall be constructed in accordance with the agreed details.
11. New window and door frames to be dark grey aluminium in accordance with submitted sample.
12. All new window and door frames to be recessed a minimum of 100mm (approx. 4 inches) from the external face of the wall.
13. Rooflights to be fitted flush with the roofslope.
14. All pipework to be internal.
15. Details of the position, design and finish of meter boxes to be submitted and agreed.

16. **The boundary between the external spa seating area and the residential courtyard shall be a 2m high natural drystone wall to match the adjacent walls unless otherwise agreed.**
17. **The existing opening on the north side of the existing boundary wall shall be blocked off using natural limestone to match the adjacent wall.**
18. **All new external walls shall be in natural limestone with half round gritstone copers to match the adjacent walls**

Key Issues

1. Whether, in accordance with Core Strategy Policy HC1 C II, the proposed housing is required in order to achieve conservation or enhancement.
2. Whether it has been demonstrated that it would not be financially viable for the scheme to address identified local need.
3. Flood Risk Issues.
4. Impact on Residential amenity.

History

There is a long and detailed planning history in relation to the wider site at Rutland Mill. Those of particular relevance to the current proposals are as follows:

- 1998 - planning permission granted to convert Rutland Works into 7 business units (Use Class B1), erection of a house and garages on the current application site and improvements to the island car park.
- November 2000 – planning permission granted on the current application site for erection of business unit for use as offices (NP/DDD/0300/094).
- January 2004 – planning permission granted for new build health club subject to a condition that a pedestrian footbridge is constructed prior to the health club being taken into use (NP/DDD/1003/0690).
- January 2006 – planning permission granted for formation of basement area to new build health club (NP/DDD/1105/1080).
- July 2015 – pre-planning enquiry with regard to the potential conversion of the upper floors to residential use. Enquirer advised that there may be an opportunity for enhancement but that a viability appraisal would be required to demonstrate why affordable housing could not be accommodated. Also advised to carry out a flood risk assessment and provide evidence of marketing.

Consultations

Highway Authority – As the proposals are for townhouses as well as retaining the commercial spa, it is considered that in the interests of pedestrian safety the bridge should be installed prior to first occupation. Whilst there is minimal on-site parking for a commercial spa, there is plenty of public car parking and the site is well linked to the town centre. However the increase in pedestrian movements along this road and the potential increase in conflict with vehicles accessing the car park as a result leads to the requirement for improvements for pedestrians using this route. Therefore no objections subject to conditions requiring the provision of the

footbridge prior to occupation and provision of maintenance of on-site parking and cycle storage.

District Council – No response

Town Council – Recommends approval. The development of a building that has stood empty for many years is to be welcomed. The Town Council approves the design and proposed uses of the building. We welcome the offer to install and maintain a footbridge and footpath access which will improve safety in this area and acknowledges this as an appropriate community contribution.

Environment Agency – No objections subject to conditions that the development is carried out in accordance with the submitted Flood Risk Assessment and the mitigation measures contained within it.

Representations

Bakewell Civic Society - We welcome the proposal for a footbridge over the millstream next to the road bridge leading to Smiths Island car park. When planning the area, this footbridge was envisaged as part of a public pedestrian route east of the river linking the foot of Station Road with the Agricultural Business Centre area. People from the east of Bakewell could reach the town centre without using the narrow footways of the ancient bridge.

One letter has been received from a local resident supporting the proposals in principle, given that the building has stood empty for 5 years. Housing density is higher than might have been envisaged. Welcomes the inclusion of a pedestrian bridge and footpath. This may be the last opportunity for the Authority and the relevant owners to make the private road safer: despite the site notices it is heavily used by non-resident pedestrians and there needs to be some form of enforceable prohibition and separation from legitimate wheeled traffic. Car parking space on-site is limited but there are public car parks nearby.

Main Policies

Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, HC1, L3, E1, CC5, T3, T6

Relevant Local Plan policies: LC4, LC5, LH1, LH2, LT11, LT18, LT21, LB1

National Planning Policy Framework

The National Planning Policy Framework (The Framework) is a material consideration which carries particular weight where a development plan is absent, silent or relevant policies are out of date.

Paragraph 55 of the Framework says that housing should be located where it will enhance or maintain the vitality of rural communities.

Paragraph 115 of the Framework says that great weight should be given to conserving landscape and scenic beauty in National Parks and that the conservation of wildlife and cultural heritage are important considerations and should also be given great weight. Paragraph 115 refers to the National Parks and the Broads Circular which states that Government Policy is that the National Park should encourage affordable housing to meet local need and that the Parks are not suitable locations for unrestricted housing and therefore does not provide general housing targets.

Assessment

Issue 1: Whether, in accordance with Core Strategy Policy HC1 C II, the proposed housing is required in order to achieve conservation or enhancement.

Core Strategy policy HC1 sets out the Authority's policy on the provision of new housing in the National Park and is therefore the starting point for consideration of the current proposals. The policy makes it clear that provision will not be made for housing solely to meet open market demand. Exceptionally new housing can be accepted where it A. addresses eligible local needs; B. provides for key rural workers; or C. is required to achieve consideration or enhancement of either I. a valued vernacular or listed building or II. a settlement listed in policy DS1.

In this case the proposals are for eight open market houses and so the proposals do not comply with HC1 A or B, in that they would not address eligible local needs nor provide for key rural workers. The building in question is not listed and although it is built in traditional materials, the fact that it was constructed only around 15 years ago means that it is not considered to be a 'valued vernacular building' in the context of the meaning of HC1 C I. The site is, however, within the Conservation Area within Bakewell, (a settlement listed in policy DS1.) so the key consideration is whether the proposals could meet the objectives of HC1 C II, by achieving conservation or enhancement.

As background, following the grant of planning permission for the health club building in 2002 and later the basement spa in 2004, work commenced on the development to the point where the shell of both the building and the basement were complete. The pedestrian footbridge and footpath were not started. The submitted Design and Access Statement explains that construction work (being carried out by the previous owner) ceased in 2011, since when the building has stood empty. Bank repossession took place in March 2012. As a result of standing vacant, the building has started to deteriorate *'mainly due to missing guttering and windows and substantial ingress of water has occurred into the building, and particularly into the basement area.'*

A marketing report/demand overview by Fox Lloyd Jones (a firm of Chartered Surveyors) has been submitted with the application. This explains that the property was marketed as a 'going concern' from July 2012 until February 2016, when an offer from the applicant was accepted. The campaign included mailings (sent out twice) to existing health club operators in the UK; advertisements in local and national press (including the Sheffield Star, Yorkshire Post, Derbyshire Times and Derbyshire Life); leaflet flyers in the Bakewell Show programme; and a large advertisement board on the site. The report explains that the marketing brought about a limited number of interested parties, but that these resulted in two aborted sales.

The building is located in a prominent position within the Bakewell Conservation Area. It is clearly visible from a range of public vantage points on the various thoroughfares through this part of the town. Officers are satisfied that the property has been adequately marketed as a spa/health club for four years, without success, and as such it is reasonable to assume that without an alternative viable use, the building is likely to become increasingly derelict, causing harm to the valued character of the Conservation Area. Although the building is of recent construction it is of a high quality and harmonises well with its surroundings. Its form and massing reflect the larger scale of the mill buildings to the west and the use of local materials means that the structure is sympathetic to other buildings in the area. It is therefore considered that the building is worthy of retention through conversion to an alternative use.

Furthermore the approved use of the site falls within use class D2 of the Town and Country Planning (Use Classes) Order 1987 – (Assembly and Leisure) and as such is not a 'business use' that under Core Strategy policy E2 might be safeguarded.

It is notable that the site is outside of the Bakewell Development Boundary. Saved Local Plan policy LB1 seeks to contain the future development of Bakewell within its boundary. A material consideration is the fact that the boundary also excludes the Agricultural Business Centre (ABC) as it was drawn before the ABC was built. Officers consider that it is reasonable to make an exception to this policy in this case due to this anomaly and the fact the application site sits

between the development boundary and the ABC. In fact this issue was recognised in 2004 when permission was first granted for the erection of the spa building.

In principle, it is considered that a mixed scheme for housing and a spa could be considered to be in compliance with HC1 C I. However this must be subject to considerations with regard to whether the detailed design of the submitted scheme would achieve the necessary conservation objectives and whether the impetus of open market values is 'required' to secure conservation and/or enhancement.

Core Strategy Policy L3 requires that cultural heritage assets are conserved. Saved Local Plan policy LC4 expects a high standard of design and LC5 seeks to protect the character and appearance of Conservation Areas. The submitted plans show that the proposed development use would be carried out largely within the shell of the existing building, other than a small extension off the north facing gable end and a further extension on the west facing gable to provide an entrance area for the spa. Both extensions would be single storey and would be hidden from public view by parapet walls and in any case would conserve the character of the host building. Existing opening would be re-used and some additional openings inserted. These details follow negotiation with officers and the plans now show an arrangement that would retain the overall character of the building by maintaining the existing high 'sold to void' ratio. Some existing rooflights would be removed, some re-positioned and new rooflights are proposed on all of the roofslopes. Officers are satisfied that their number and size are appropriate in that they reflect the pattern of rooflights seen on the other converted buildings at Rutland Mill.

Externally the shared domestic curtilage proposed for the residential use together with a small outside area for use by customers of the spa would be contained by the existing buildings, boundary walls and the mill leat. As such, and due to the presence of trees to the south of the site, this area would not be prominent or harmful to the setting of the building or the Conservation Area.

The proposed pedestrian bridge would be lightweight and fairly discreet, being located alongside the existing bridge and consequently, subject to conditions with regard to its finish it is considered that it would be sympathetic to its surroundings.

In conclusion therefore the proposed scheme would conserve a building of some value, which might otherwise fall further into disrepair and would conserve and enhance the character of the Conservation Area in accordance with adopted policies.

Issue 2 - Whether it has been demonstrated that it would not be financially viable for the scheme to address identified local need.

Policy HC1 C states that any scheme proposed under CII that is able to accommodate more than one dwelling unit must also address identified eligible local need and be affordable with occupation restricted to local people in perpetuity unless it is not financially viable, although the intention will still be to maximise the proportion of affordable homes within viability constraints, or if it would provide more affordable homes than are needed now and in the near future, in which case financial contribution will be required towards off site affordable housing.

A Parish Needs survey report for Bakewell was published in July 2015. The survey identified 119 households in housing need. It is clear therefore that a scheme for 8 dwellings would not provide more affordable homes than are needed. Instead the applicant has submitted a detailed Financial Development Appraisal by a firm of Chartered Surveyors. This identifies that the principal abnormal cost in the project is the construction of the new footbridge and footpath which would bring a capital cost of around £255,000 to the project plus ongoing maintenance costs.

The report confirms that the scheme would produce a Gross profit to Gross Development Value of 15.19%. It is accepted that for most speculative schemes a target return is in the range of

20% to 24%. Despite the gross profit being less than the target yield normally expected of a housing scheme, the report writer considers that the project remains viable because of the applicant's intention to retain and operate the spa himself. The report concludes that because of the high cost of the planning burden to provide a safe pedestrian route, the project would not be viable if further burdened with any additional planning obligation should as affordable housing or other off site contributions. Officers are satisfied that the viability appraisal has been carried out by a suitable qualified expert and is likely to be a fair reflection of market conditions, so there is no reason to believe that its findings cannot be relied upon.

With regard to the need for the bridge, the Highway Authority is clear that securing the construction of the bridge is necessary in order to make the development acceptable in planning terms. Whilst there is some on-site parking to meet the need of the proposed dwellings, the customers and staff using the spa would have to rely on nearby public car parks, the largest of which are directly to the south of the application site at Smith's Island. At present pedestrians and two-way vehicular traffic both use the bridge over the leat. The width of the carriageway is limited and there is no defined footpath and consequently pedestrians have to walk within the carriageway. Officers have observed that this leads to conflicts and congestion. Any intensification of pedestrian use would cause a danger to highway users contrary to Saved Local Plan policy LT18 and the Framework which seeks to secure safe and suitable access for all.

Saved Local Plan policy LT21 states that measures should be taken to improve the footpath network. In these respects, as well as making the development currently proposed acceptable in highway terms, the provision of the bridge would also bring additional community benefits by alleviating congestion and conflict for existing users. The bridge is heavily used by the general public walking to and from the town centre towards the District Council car park and on-street parking areas on Coombes Road. The provision of a separate, discreet route for pedestrians can be seen to help offset the lack of affordable housing provision within the scheme.

In conclusion, the bridge and footpath are a necessary element in the proposals which would also bring wider planning benefits, but it has been demonstrated that largely because of the bridge it would not be financially viable for the scheme to address identified eligible local needs. Consequently the provision of open market housing, in this instance, is in accordance with Core Strategy policies HC1 C I and L3 and Local Plan policies LC4 and LC5.

Issue 3: Flood Risk Issues

Core Strategy policy CC5 states that development proposals which increase flood risk will not normally be permitted.

As the site falls within flood risk zone 3 and housing is a 'more vulnerable use, pre-application discussion were held between the applicant and the Environment Agency and a Flood Risk Assessment has been submitted with the application. This demonstrates that the development would be safe and would not increase flood risk to others by incorporating a number of mitigation measures. These include raising the ground floor levels within the building by 170mm to 120.80 AOD; blocking off the double door opening in the north facing boundary wall; reducing doorways to windows on the ground floor of the north elevation with 800mm high cills; and other flood restraint construction techniques.

The proposals are supported by the Environment Agency subject to conditions requiring the recommendations of the FRA to be implemented and requiring that the juice bar/café is not licensed. Given that the juice bar/café would be ancillary to the spa, officers consider that it is unlikely that issues with alcohol and the affect this may have on people's ability to escape during a flood would be significant. As a result this condition would not meet the 6 tests for conditions as it would not be necessary and reasonable.

Issue 4: Impact on Residential Amenity

Core Strategy policy GSP3 requires that impact on living conditions must, amongst other things, be considered and saved Local Plan policy LC5 requires that attention must be paid to amenity and privacy.

The nearest residential properties to the application site are the 'Rutland Riverside Apartments' which are located on the opposite side of the access road to the west of the site. The front facing elevations of these properties are around 18m away from the east facing gable end of the spa building. The east facing gable end of the spa building would remain blank other than the insertion of two new 600mm wide windows on the first floor. One would be a secondary window serving a landing area and the second would serve a bedroom. The generally accepted separation distance between habitable room windows is around 22m so the distance in this case is somewhat deficient. However, the window in question is small, would not be the main window to the bedroom and would face an internal stud wall to an en-suite bathroom making it unlikely that opportunities to overlook the properties at the Rutland Riverside apartments would be significant.

There are also residential properties to the north of the application site, across the shared car park at Rutland Mews. The habitable room windows of these properties would face towards the large openings in the north wall of the spa building, which would also be habitable rooms. Nonetheless the front facing elevations of these properties are some 28m away from the north facing elevation of the spa building and therefore the separation distances are within acceptable limits. The agent has submitted a section that shows that it will not be possible to overlook the front of the properties from the rooflights proposed on the second floor of the spa building.

In conclusion it is not considered that there would be any significant harm to privacy and amenity of neighbouring properties over and above the consented use of the building as a spa, in accordance with GSP3 and LC4.

It is also necessary to consider whether the juxtaposition of the basement spa with the eight residential properties would in itself give rise to amenity issues. There would be a separate entrance to the spa, separated from the residential courtyard and gardens by a 2.7m high stone wall, which would effectively prevent overlooking and would provide a sound barrier. It is also proposed to separate the outside seating area for the spa from the residential courtyard and garden with a fence. It is considered that a high wall, similar to the existing wall would be more appropriate, but otherwise in this town centre location the relationship of the two uses is not considered to be unreasonable, subject to a condition to limit the opening hours of the spa to between 9am and 8pm.

Other Issues

Access and Parking

Saved Local Plan Policy LT11 states that the design and number of parking spaces associated with residential development must respect the valued character of the area, particularly in Conservation Areas. LT18 states that the provision of safe access arrangements will be a prerequisite of any development.

Only one on-site parking space per unit would be provided which is below normal standards. However the Highway Authority has confirmed that with the proposed improvements to pedestrian links to the nearby car park and the town centre, it is not considered to be unreasonable. Car parking in relation to the spa would be off site but given the central location and the provision of the footbridge and path, this is considered to be acceptable.

It is unlikely that there would be any intensification in use of the access onto Coombs Rd over and above the previously permitted use of the whole building as a spa.

The proposed development would therefore be served by a safe and suitable access and parking provision, within the pre-existing parking spaces would respect the character of the Conservation Area, in accordance with LT11 and LT18.

Permitted Development Rights

The National Planning Policy Guidance states that conditions restricting the future use of permitted development rights or changes of use will rarely pass the test of necessity and should only be used in exceptional circumstances. In this case a spa is considered to be a low key use that could sit alongside the adjacent residential uses without undue harm to amenity and can be accommodated within the building in a way that conserves its character. Other uses within the same use class (D2) e.g. a cinema/concert hall/sports hall could, for example, have more significant impacts on residential amenity and potentially create demands for changes to the fabric of the building. It is therefore considered that exceptional circumstances exist to justify limiting the use of the basement to a spa and to no other use within use class D2.

Additionally, the approved open market housing is justified on the basis that it is necessary to secure conservation objectives within the Conservation Area. Uncontrolled alterations to the building, extensions, outbuildings or boundary features could result in deterioration in the character and appearance of the building and the Conservation Area and therefore the removal of permitted development rights for such development is considered to be justified.

Conclusion

The application demonstrates that the proposals would serve to conserve and enhance a prominent building within the Bakewell Conservation Area. The submitted Financial Development Appraisal establishes that due to the abnormal costs of the pedestrian footbridge and path, which are required to make the development acceptable in planning terms, the scheme would not be viable if an additional burden were placed on the development by way of an affordable housing restriction of a commuted sum. Consequently it is considered that the proposals accord with subsection C II of Core Strategy policy HC1. The proposed pedestrian bridge and footway would also constitute an improvement to existing footpath links in the town for the general public in accordance with Saved Local Plan policy LT21.

It has been demonstrated that subject to appropriate conditions, flood risk issues can be addressed and there is unlikely to be a significant impact on residential amenity.

The proposals therefore meet with the requirements of the National Planning Policy Framework and the Development Plan and are recommended for approval.

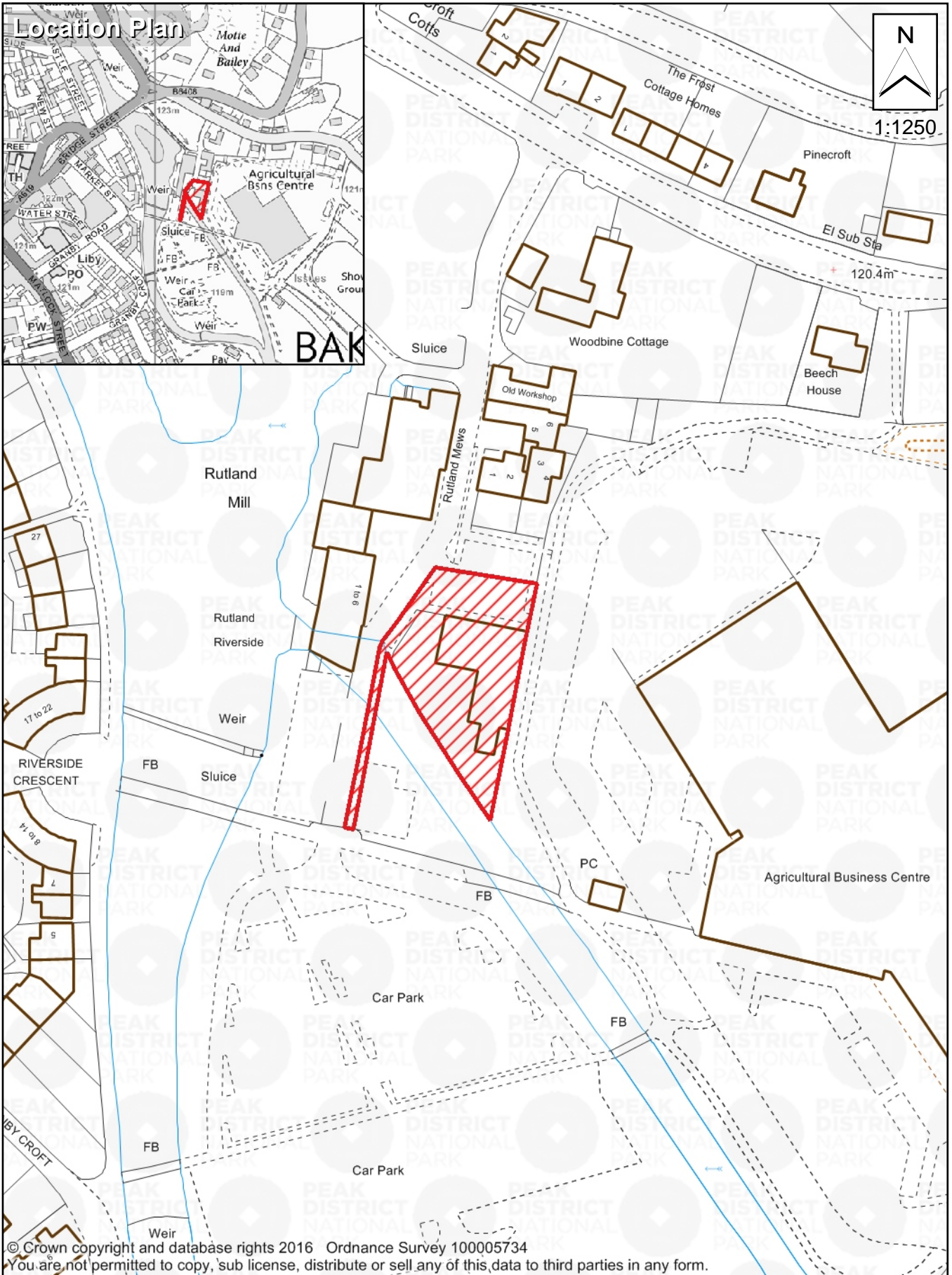
Human Rights

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


List of Background Papers (not previously published)

Nil

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| Committee Date: | 11/11/2016 | Title: Spa Building |  PEAK DISTRICT NATIONAL PARK |
| Item Number: | 7 | Rutland Mews | |
| Application No: | NP/DDD/0716/0622 | Coombs Road | |
| Grid Reference: | 422050, 368566 | Bakewell | |

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8. S.73 APPLICATION – REMOVAL OR VARIATION OF CONDITIONS 2, 3, 9 AND 40 ON PLANNING APPLICATION NP/DDD/0713/0582 AT ROCKMILL BUSINESS PARK, THE DALE, STONEY MIDDLETON (NP/DDD/0616/0564, P.3289, 22.08.2016, 422427 375647/AM)

APPLICANT: MR COLIN AND DAVID HALL

Site and Surroundings

The Rockmill Business Park complex 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.

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 and outside of the application site boundary.

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 building with its own separate narrow bridge access over the brook to the A623. There is also a detached prefabricated garage / store building to the east of the main office building. 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 application has been submitted under section 73 of the Town and Country Planning Act 1990. The application seeks the variation or removal of planning condition numbers 2, 3, 9 and 40 imposed upon planning permission NP/DDD/0713/0582 which granted planning permission for the re-development of the Rock Mill business park to create a 'Mill building' housing tourist accommodation space, training room/community facility, café and office space. On the 'Cupola' site the approval was for a 'Cupola Building' housing a heritage centre with craft shop/café and associated retailing together with two tied worker accommodation units.

Planning condition 2 specifies the approved plans for the development. Similarly condition 3 specifies the approved amended drawing for the car parking layouts.

Planning condition 9 relates to the dormer windows which were shown on the approved plans. This condition has the effect of omitting the dormer windows from both buildings and requires these to be replaced with flush fitting roof lights in accordance with details to be submitted and approved by the Authority.

Planning condition 40 requires the development to be carried out in accordance with the submitted flood evacuation plan which shall be implemented and maintained throughout the lifetime of the development.

This application is supported by an amended set of drawings which show various proposed changes to the design and layout of the buildings, access and parking areas which are described below.

Mill building

- Alteration of the roof of proposed Mill building to provide gabled windows to the third floor accommodation. To facilitate this alteration it is proposed to increase the eaves height of the building by 1.8m and reduce the roof pitch from 40 to 35 degrees.
- Addition of two windows to each side facing elevation at third floor level.
- Re-location of external fire escape from the side elevation facing the car park to the rear elevation of the building.
- Increase the floor space of the building at ground floor level to provide space to re-locate ancillary storage, toilets and staff accommodation and to allow re-location of stairwell, lift, community / meeting room, reception and to provide two accessible bedrooms at ground floor level. The increase in floor space would be formed below ground by cutting into the level of the bank to the rear of the building and re-instating the ground levels on top.
- Alteration of bedroom and stairwell layout at first, second and third floor, to provide a total number of 71 bedrooms (which is in accordance with the maximum limit imposed by condition 4 imposed upon the planning permission).

Cupola building

- Omission of glazed dormer windows from the front elevation of the building and replacement with roof lights.
- Retention of glazed dormer windows on the rear elevation of the building.
- Increase the floor space of the building at ground floor level to provide larger space for the kitchen and heritage centre. The increase in floor space would be formed below ground by cutting into the level of the bank to the rear of the building and re-instating the ground levels on top.

Access and parking layout

- Widening of the existing vehicular access to the site to a total width of 12.25m to provide access for coaches. Officer note - the land required by the widened access falls outside of the red-edged application site and therefore a separate planning application has been submitted for the works to the access.
- Alterations to the layout of the car park to the Mill building to provide for coach drop off in front of the building. The total number of parking spaces are unchanged.
- New pedestrian footbridge to front of the building.

RECOMMENDATION:

That the application be DEFERRED to allow Officers and the applicant to continue design negotiations and to secure amended plans to increase the height of the Mill building to four storeys and to allow for public re-consultation on the amended plans.

Key Issues

- Whether the proposed alterations to the roof of the Mill building and introduction of the proposed gabled windows are an appropriate design solution.

- Whether the other proposed design alterations to the Mill building and Cupola building are appropriate.
- Whether the proposed changes to access and parking layout would harm the amenity of road users or harm highway safety.

Relevant Planning History

2016: Full planning permission granted following signing of the section 106 agreement for 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.

Planning permission was granted subject to 61 planning conditions relating to approved plans, extent of approved uses, design amendments and architectural specifications, slope stability, landscaping, lighting and contaminated land.

The Planning permission is also subject to 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.

2016: Full planning application submitted for bridge widening to accommodate coach drop off. Application currently undetermined awaiting outcome of this application.

Consultations

Highway Authority – Are satisfied that the widening of the access as proposed will enable the site to be accessed by coaches, whilst maintaining space at the access for other vehicles to enter or leave the site. Therefore there are no objections provided that amended plans are submitted to provide for a waiting area for coaches (in the event that two coaches are on site at a time) and re-location of displaced parking spaces within the site.

District Council – No response to date.

Parish Council – The parish council is extremely supportive of the application.

Environment Agency – Raise no objections to the application.

The Environment Agency draws attention to the need for a permit from the Environment Agency in relation to the design of new culverts.

Representations

No representations have been received to date.

Main Policies

Relevant Core Strategy policies: GSP3, DS1, L1, RT1, CC1 and CC5

Relevant Local Plan policies: LC4, LT10 and LT18

Assessment

Variation of Conditions

Section 73 of the Town and Country Planning Act 1990 provides that an application may be made for planning permission without complying with conditions applied to a previous permission. It is stated that local authorities may decide whether to grant permission subject to differing conditions (this can include imposing new conditions), remove the conditions altogether or refuse to alter conditions. Thus it is possible to apply for conditions to be struck out, or for their modification or relaxation. The section makes it clear that in considering such an application a Local Planning Authority may only consider the question of the conditions and not revisit the principle of the development.

Therefore, only the acceptability of the proposal in the context of the reasons for the imposition of the conditions falls to be considered in the determination of the current application. However, in terms of decision making, a section 73 application should be treated just like any other application, and due regard paid to the Development Plan and other material considerations.

Proposed gabled windows

In granting planning permission for the development the Authority specifically imposed planning condition 9 which omitted the dormer windows which were proposed and required their replacement with flush-fitting roof lights. The reason for condition 9 stated on the decision notice is to ensure a satisfactory detailed design which is in keeping with the character and appearance of the mill-style concept advanced for the scheme.

This application proposes to remove condition 9 and to amend the approved plans to include the proposed gabled windows to the third floor bedrooms.

The current application is supported by a design and access statement which says that it is essential to provide useable accommodation space in terms of head height, spatial ambience, light and external view to the third floor accommodation and that without windows the accommodation would not be viable at third floor and this would undermine the viability of the proposed development. The statement also includes photographs of domestic properties within the National Park with similar types of gabled windows.

During pre-application meetings Officers have given without prejudice advice that if windows in the roof are proposed then the gabled windows as proposed would be the best option, compared to other dormer windows installed up on the roof slope. However Officers have strongly and consistently advised that gabled windows would not be an appropriate design solution because the design of the Mill building has been based upon the industrial character and appearance of a mill and the gabled windows would add an inappropriate feature which would conflict with the general design approach and the Authority's adopted design guide.

Officers are however sympathetic to the concerns raised by the applicant with regard to the third floor accommodation and have had positive discussions with the applicant about an alternative design option. This would be to increase the height of the building further to provide traditional windows to the third floor within the walls of the building, effectively increasing the height of the building to four storeys. Having considered this potential alternative design solution, both Officers and the applicant are in agreement that this would be the preferred approach in terms of design.

Increasing the height of the building would be a material change to the design of the building as it would increase the visual impact of the Mill building. Therefore if amended plans were to be submitted by the applicant then these would need to be subject to public re-consultation. However before seeking amended plans from the applicant, Officers consider it necessary for Members to determine whether or not increasing the height of the building to four storeys could be an appropriate way forward or not, particularly given the fact that when approving the original scheme in 2012 Members specifically chose the option of a three storey building with rooms in roof space, together with a specific maximum ridge height for the building.

Therefore Officers recommend that the current application is deferred to allow Officers and the applicants to negotiate amended plans, and to arrange public re-consultation to increase the height of the Mill building to a four storey building rather than the approved three storey building with fourth storey within the roof space.

Alternatively, if Members consider that increasing the height of the building to four storeys would not be appropriate then Officers advise that the current application should be determined as submitted. In that case Officers would recommend that the proposed gabled windows are an inappropriate design approach and that the design should revert to a three storey building with light provided into the roof space with roof lights. The current application would therefore be recommended for refusal, unless it is amended by the applicant to remove the dormer windows.

Other design changes

Various other amendments to the external appearance and internal layout of the Mill and Cupola buildings have also come forward following meetings between Officers and the applicants.

There are no objections to the proposed ground floor extensions to the buildings as these have been carefully designed to essentially be beneath ground level and therefore providing additional floor space at ground floor without any additional visual or landscape impact. The proposed ground floor extensions would also allow for alterations to the internal layout of the buildings which would result in a larger area for the heritage centre within the Cupola building and allow space for two accessible bedrooms on the ground floor of the Mill building.

The external footprint of the buildings would be otherwise unchanged as would the size of the two proposed workers flats within the Cupola building. The amount of guest bedrooms within the Mill building would also remain within the upper limit of 71 imposed by the Authority.

There are also no concerns in regard to re-locating external fire escape to the rear of the Mill building. The proposed design is formed with staircases which loop back and up towards the level of the land to the rear of the Mill, extending significantly out behind the rear wall of the Mill building. On balance, the proposed design is considered to be acceptable, taking into account that it would be located on the rear in the least prominent location on the building.

There are therefore no objections to the other revised window arrangements which reflect the design approach of the buildings.

Access and parking changes

The layout of the access and parking area has been amended to reflect the proposed widening of the access to the Mill building to allow access by coaches. There is a separate planning application for the widening of the access itself as this falls outside of the red-edge application site area for this application.

The proposed changes to the access and parking arrangement in relation to this application are relatively minor and primarily relate to the provision of space to the front of the Mill building for a coach to stop and drop off / pick up passengers. There are no objections to widening the access as proposed subject to appropriate boundary treatments and surfacing. The Environment Agency has also raised no objections but notes that a separate permit will be required in relation to the additional culverting of the stream.

The Highway Authority initially raised concerns in regard to whether the proposed access would provide enough space for coaches to enter and exit the site without blocking use of the access and highway for other vehicles. Potential conflicts with users of the pedestrian access points were also raised.

The applicant has been in discussions with the Highway Authority in regard to the provision of additional information and amended plans. Subject to amended plans to re-organise the parking layout and to provide a waiting area for a second coach, the Highway Authority has advised that it is satisfied that the widening of the access as proposed will enable the site to be accessed by coaches, whilst maintaining space at the access for other vehicles to enter or leave the site.

Therefore subject to the submission of amended plans to cover the above, Officers consider that in combination with the widened access, the revised layout would provide safe access for all vehicles and pedestrians and that a satisfactory level of parking would be provided within the site in accordance with policies LT11 and LT18. The deferral of the application would provide the applicant the opportunity to submit the revised plans required by the Highway Authority, but in the event that this application is determined as currently submitted it is considered that the submission of the revised layout plan could be secured by planning condition.

Other Issues

The application refers to planning condition 40 which relates to the approved flood evacuation plan. Condition 40 requires the submitted plan to be implemented and maintained and no amended or updated plan has been submitted with the current application. It is therefore considered that condition 40 remains reasonable and necessary to make the development acceptable and therefore it is recommended that no changes are made to condition 40.

Conclusion

It is considered that the proposed gabled dormer windows are not an appropriate design solution because the design of the Mill building has been based upon the industrial character and appearance of a mill and the gabled windows would add a domestic element which would conflict with the general design approach and the Authority's adopted design guide.

Officers have however maintained positive discussions with the applicants about an alternative design option which would be to increase the height of the building to provide traditional windows to the third floor, effectively increasing the height of the building to four storeys. Having considered this potential alternative design solution, Officers and the applicants are in agreement that this would be the preferred approach in terms of design.

There are no objections to the other proposed design changes or access and parking revisions subject to the submission of amended plans to overcome the concerns raised by the Highway Authority.

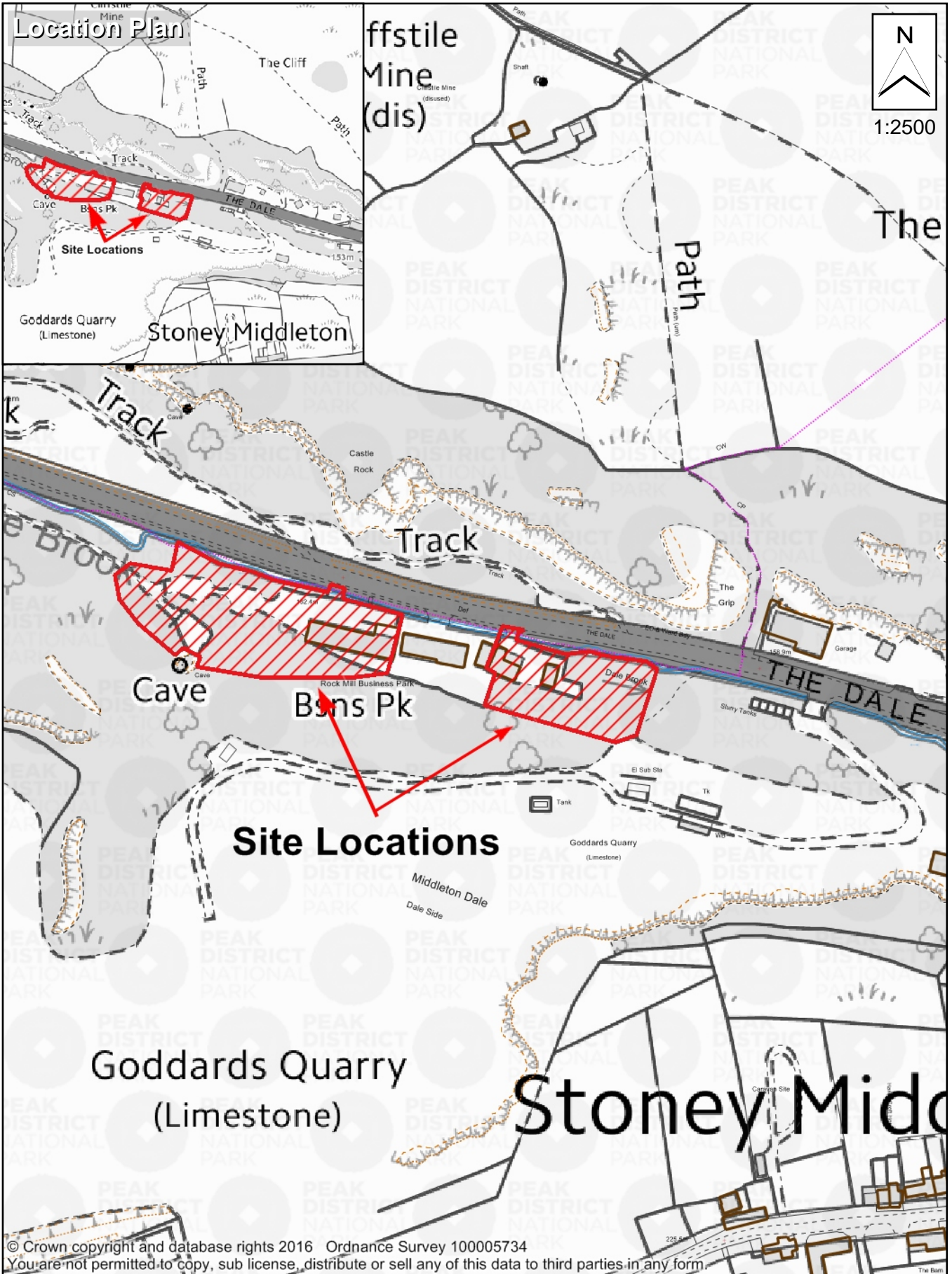
Therefore Officers recommend that Members consider whether increasing the height of the Mill building to four storeys could be an acceptable alternative design approach and, if so, recommend deferral of the application to allow for further negotiations and the submission / re-consultation on amended plans.

Human Rights


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

List of Background Papers (not previously published)

Nil



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| Committee Date: | 11/11/2016 | Title: Rock Mill Business Park |  PEAK DISTRICT NATIONAL PARK |
| Item Number: | 8 | The Dale | |
| Application No: | NP/DDD/0616/0564 | Stoney Middleton | |
| Grid Reference: | 422427, 375647 | | |

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9. FULL APPLICATION – INCREASE THE SIZE OF AN EXISTING HORSE EXERCISE MANEGE AND ASSOCIATED WORKS AT LANE FARM, BAR ROAD, CURBAR. (NP/DDD/0616/0526 425340 / 374344 P5936 SPW 17/06/2016)

APPLICANT: MRS R WARREN

Site and Surroundings

Lane Farm is located in open countryside to the south of Curbar. It is accessed off Bar Lane, via a 260m track.

On the wider site there is a dwelling and a range of stables. Behind the house to the north on slightly higher land there is a horse riding arena (manege) which forms the application site. The field within which the riding arena is located slopes and as a result the existing arena has been cut and filled into the landscape to create the level area required. At present the riding arena is well screened by the existing trees and a hedgerow on its northern edge. A large Ash tree overhangs part of the site area proposed for the riding arena extension.

There are many public rights of way in the vicinity. The closest is approximately 15m away and affords passing glimpses of the arena. The site is also open to the occasional view from Baslow Edge. At present the existing trees and hedgerow on the site provide effective filtering and screening from many of the more distant vantage points along Baslow Edge, however occasional views of the light coloured surface can be achieved and also the field where the riding arena would extend into.

There are two other horse riding arenas in the vicinity that are open to clear view from Baslow Edge, one is just to the east of the site on higher ground, which although screened by some trees it nevertheless stands out as it has a light coloured surface, in contrast the other is to the south at Grislow Fields farm and whilst this has a dark coloured surface it stands out due to a lack of landscape screening.

The site is located in the landscape character type of 'Valley Farmlands with villages' within the landscape character area 'Derwent Valley'.

Proposal

The proposal is to extend the existing riding arena on three sides from 29m x 15m to 42.5m long and 22m wide. This will require further cut and fill of the site to make the larger level surface.

Officers have negotiated amended details for the surfacing so that it is now proposed to be all a dark coloured surface using rubber chippings.

The enlarged arena would be bounded by a post and rail fence, and the existing hedge down the north side transplanted and extended. A number of trees close to the existing manege are shown to be removed to make way for the extension.

RECOMMENDATION:

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

- 1. Standard time limit**
- 2. Development in accordance with the submitted plan 1606/02C and specifications and as amended by the submitted tree protection plan '028/03' and specifications, subject to the following conditions or modifications.**

3. The horse riding arena hereby approved shall be ancillary to and remain within the same planning unit as Lane Farm, and for private use of the occupants of that dwelling only. The horse riding arena shall not be used for commercial purposes or livery.
4. There shall be no external lighting/flood lighting on the site throughout the life of the development.
5. The surfacing of the riding arena hereby approved shall have a dark coloured finish in black rubber chippings to match the submitted specification and shall be permanently so maintained.
6. No trees on the site shall be wilfully damaged or destroyed or felled, topped, lopped or uprooted without the prior written consent of the National Park Authority, other than those which are specifically shown on the approved plan '028/03' for removal. Any trees proposed for removal shall be replaced as part of a replanting scheme to be submitted to and agreed in writing by the Authority. Such a replanting scheme shall be submitted at the same time as any felling proposals.
7. No works or development shall take place until full details of the mitigation planting scheme have been submitted to and approved by the Authority. These details shall include, as appropriate:
 - Planting plan (to include sufficient width of planting on the west, north and east sides of the riding arena/manege to provide adequate screening in the opinion of the Authority)
 - Softworks specifications and planting schedules, noting species, planting sizes and proposed numbers / densities
8. All soft landscape works shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice and shall be carried out during the first available planting season.
9. A schedule of landscape maintenance for a minimum period of five years shall be submitted to and approved by the Authority and shall include details of the arrangements for its implementation. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Authority gives its written consent to any variation.

A landscape management plan, including maintenance schedules for the retained trees (T4, 5, 7-9) and mitigation planting shall be submitted to and approved by the PDNPA prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use.

Key Issues

- The impact on the landscape, amenity and on existing trees.

History

1991 – Planning permission refused for a 36m x 18m riding arena (NP/WED/291/104). The application was refused as it occupied an isolated location 60m south of Lane Farm and

approximately 240m south of the village of Curbar. Although partly screened it was open to view from the public footpath to the west and also from distant vantage points. The riding arena required substantial earth moving works and would have been visible from the adjacent footpath and would reduce the attractiveness of the landscape and alter the character of the National Park and set a clear precedent.

The refusal was appealed and dismissed, the inspector finding that the manege would be formed with a cut and fill operation to provide an artificial surface about 36.5m x 18m with a cutting slope up to 2.4m high and an embankment up to 1.5m high. The Inspector considered this would be a visually significant change to the appearance and character of the area and that the proposed screen planting could accentuate the artificial character of the earthworks. He concluded that the proposed riding arena would be visually obtrusive and would have a significantly detrimental effect on the appearance of the natural character of this part of the National Park.

1996 – Planning permission granted for a 29m x15m riding arena and landscaping. This is now the existing arena. Planning conditions required the landscaping to be carried out, for the large ash tree to be protected during works, restricted it to private use only and prevented any illumination of the arena.

2014 –Planning permission granted for the retention and alteration of a stable building (NP/DDD/1213/1137). Planning conditions required it to be private domestic stabling, ancillary to Lane Farm, and for no commercial or other purposes.

2015 – Planning advice given that planning permission would not be required for solar panels on an outbuilding.

There has no pre-application advice sought in relation to the current application.

Consultations

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

District Council – No response to date

Curbar Parish Council – Object, they draw attention to a Planning Inspectors decision on another riding arena in the national park which explained great weight should be given to conserving the landscape and scenic beauty in National Parks. The main issues for that appeal being –

- The effect of the development on the character and appearance of the area and the valued characteristics of the Peak District National Park.
- And whether any harm in respect of the first issue would be outweighed by any need for the development.

The Parish Council explain that the existing arena at Lane Farm measuring 29m x 15m was approved as a compromise when the previous owner applied for a 36.5 x 18m arena. The larger proposal was rejected by the Authority and dismissed on appeal. They quote the Planning Inspector's finding on the main issue: *"I have come to the conclusion that the proposed manege would be visually obtrusive and would have a significantly detrimental effect on the appearance and natural character of this part of the National Park"*.

The Parish Council considers the current application for 42.5m x 22m arena clearly is immensely more intrusive in the topography, lying as it does beneath the iconic landscape of Baslow Edge. The site is clearly visible from the Edge and from the two footpaths to the north and west which run directly adjacent to the field in which the manege is situated. There is no justification in the

application as to why the need for development should outweigh the protection of the National Park (The Parish Council's full response is on the web site).

Officer Comment -The previously refused manege was in a different field and is not directly comparable to the current proposal which needs to be determined on its individual merits. Whilst the Parish Council have suggested that any harm needs to be outweighed by a justification for the proposed development in this case, subject to conditions, officers have not found harm to the National Parks landscape.

PDNPA Landscape Architect – Initially commented that the relatively mature planning on the east / north is doing its job and screening the existing facility well in wider views. If this is cleared then the proposed enlarged facility would be a prominent element in views.

On reconsultation following receipt of the tree survey commented as follows: Key concern is over views from Baslow Edge. The plans indicate a significant reduction in depth of the existing screen planting on the east / south east edge of the riding arena. Therefore a greater width of planting needs to be proposed here than is currently shown to ensure adequate screening. Ideally the riding arena could be moved slightly over to the north-west to enable retention of more of the existing vegetation. *Officer Note – The agent had considered moving the arena in this way as it was a suggestion also raised by the applicants own tree consultant, however the applicant did not wish to move the arena in this way and consequently the agent and tree consultant proposed a mitigation strategy instead.*

The proposals also reduce the distance between the riding arena and the footpath to the west so wrapping the screen planting on the west edge of the manege would also be appropriate. The scheme could be acceptable with suggested conditions.

PDNPA Tree Conservation Officer – The tree survey is acceptable provided the contractors follow the method and protocols outlined.

Representations

One representation has been received objecting to the proposal on the following grounds

- The riding arena is too big and would be located in open countryside where the Authority would not normally permit a riding arena.
- In 1991 an application for a manege, in the same location, measuring 36mx18m (NP/WED/291/104) was refused and a subsequent appeal was dismissed (T/APP/M9496/A/91/187816/P8).
- The proposed manege would have an area more than double that of the existing manege and would be 47% greater in area than the 1991 dismissed appeal.
- Although the reduced size of the arena was the main factor that persuaded officers in 1996, another factor swaying the 1996 approval was the landscaping scheme, which would now be destroyed. A new scheme would take years to mature and seems unlikely to be capable of providing 'cover' for such a large arena.

This representation is available in full on the web site.

Main Policies

Relevant Core Strategy policies: GSP1, GSP2, GSP3, GSP4, DS1, L1, RT1, T7.

Relevant Local Plan policies: LC3, LC4, LR7, LC20.

Core Strategy (CS) Policy GSP1 would not permit development that failed to achieve National Park purposes. CS policy GSP3 deals with the detailed development management principles and requires that development must conserve and enhance all valued characteristics of the site and buildings that are subject to the development proposal. It pays particular attention to design in accordance with the Authority's design guide, impact on the character and setting of buildings; scale of development appropriate to the character and appearance of the national park; siting, landscaping and building materials.

CS policy DS1 deals with the principle of the development and explains that in all settlements and in the countryside recreation development is acceptable in principle. CS Policy RT1 deals with recreation and states that development must conform to the following principles; new provision must justify its location in relation to environmental capacity, scale and intensity of use and be informed by the Landscape Strategy. It goes on to say that, where appropriate, development should be located in or on the edge of settlements. In the open countryside, clear demonstration of need for such a location will be necessary.

Local Plan Policy (LPP) LR7 deals specifically with facilities for keeping and riding horses. This is permissive provided the development does not detract from the landscape or valued characteristics of the area, either individually or cumulatively; it is located adjacent to existing buildings or groups of buildings; it is not likely to cause road safety problems; and does not constitute a nuisance to local residence, landowners or farmers by noise, smell or other adverse impacts.

LPP LC4 deals with the detailed treatments of proposals. Particular attention is paid to *inter alia* the use and maintenance of landscaping to enhance new development and any nuisance, or harm to the rural character of the area caused by lighting.

Local Plan policy LT18 explains that a safe access is a pre-requisite of any development.

Local Plan Policy LC20 deals with protecting trees and other landscape features put at risk by development. It requires planning applications to provide sufficient information to enable their impact on trees, woodlands and other landscape features to be properly considered and where such development is acceptable, adequate space must be left for their replacement with appropriate species.

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

Assessment

The site is in the open countryside to the south of Curbar. The need for this location relates to it being a private facility ancillary to Lane Farm for use by the occupants of Lane Farm only. The proposed larger riding arena would be formed by extending the existing one which is located in the field behind the house. The site is open to public view from the footpath immediately to the south of the site and is also open to view from more distant vantage points from Baslow Edge where the existing tree planting has worked well to filter and screen most views of the site. Occasional glimpses of the arena, due to its existing light coloured surface, can however be achieved from Baslow Edge.

The proposal to extend the riding arena would result in the existing screening hedge having to be relocated and a considerable number of existing trees having to be removed. Because of the loss of trees a tree survey has been undertaken to help justify the proposal and retain as many as possible. The survey also assesses the impact of the scheme on the large Ash tree which, along

with other trees are shown in the amended landscaping scheme to be retained and protected during construction.

The landscape character type area is the 'Derwent Valley' and the landscape character type is 'Valley Farmlands with Villages' which the Authority's Landscape Strategy and Action plan describes as (amongst other things) an enclosed landscape, with views filtered through scattered hedgerows and streamline trees. Tree cover in this landscape character type varies throughout the landscape. There is a mixture of mature hedgerow trees, mainly ash, oak and sycamore, as well as small blocks of woodland, both broadleaved and coniferous, which filter views. There are occasional isolated, discreet blocks of ancient semi-natural woodland. Relevant priorities from the action plan include. Protecting historic hedgerows and in some locations managing and enhancing linear tree cover and amenity trees.

Officers were concerned that the loss of some 13 existing trees combined with the extension of the riding arena with its light surfacing could significantly exacerbate its impact on the landscape. This concern has also been expressed in the consultation responses and representations. In particular the Authority's Landscape Architect was initially concerned, but following the receipt of the tree survey he now considers that the landscape impact could be acceptable subject to a detailed landscaping scheme. The key concern of the Authority's Landscape Architect is over views from Baslow Edge. This is because the plans currently indicate a significant reduction in depth of the existing screen planting on the east / south east edge of the riding arena and consequently the Landscape Architect requires a greater width of planting proposed here than is currently shown to ensure adequate screening. Additionally the proposals also reduce the distance between the riding arena and the footpath to the west so wrapping the screen planting on the west edge of the manege would also be needed. The officer view is that these issues can be reasonably addressed via submission of a landscaping scheme.

Officers have also negotiated a dark surface for the riding arena which would help reduce its impact as the dark surface would be less obtrusive in the surrounding landscape than the present light coloured surface. This also can be secured by a planning condition.

External lighting can raise landscape and light pollution issues at horse riding arenas. None is shown on the plans, but often applicants seek to install this and the impact of this can be very harmful on the landscape character of the area, and particularly upon dark skies. Planning conditions can be used to ensure there is no external lighting and are therefore recommended in this case to avoid such harm, given the sensitive setting of the site.

The proposed riding arena is not close enough to a dwelling other than the farm house itself to cause amenity issues, and any impact on the farm house itself would be under the control of the occupants as it would be ancillary to the dwelling, so this raises no amenity issues.

As submitted the application lacked details about the proposed use of the manege. Clarification has been provided which confirms that the proposal is made for a private non-commercial use for the benefit of the applicant who keeps a total of up to 5 horses. This scale of operation is acceptable and should not generate a significant amount of comings and goings over and above that of a private dwelling to cause any amenity issues for nearby properties.

A more intensive use on a commercial basis or livery may have a greater impact and would need to be assessed on its individual merits. Planning conditions can be used to ensure that the proposal is not commercial and is for private use. Such a condition will also achieve the Highway Authority's objectives as they have suggested a similar condition in their consultation response.

Conclusion

Subject to the above suggested conditions the proposal will not harm the character and

appearance of the National Park landscape and will not harm the amenities of the site or neighbouring properties. The loss of existing trees is considered acceptable given the scheme protects those of value and conditions provide for additional landscape mitigation to be agreed.

Taking all the above factors into account, the proposal is considered to be in accordance with the policies of the development plan and is therefore recommended for conditional approval.

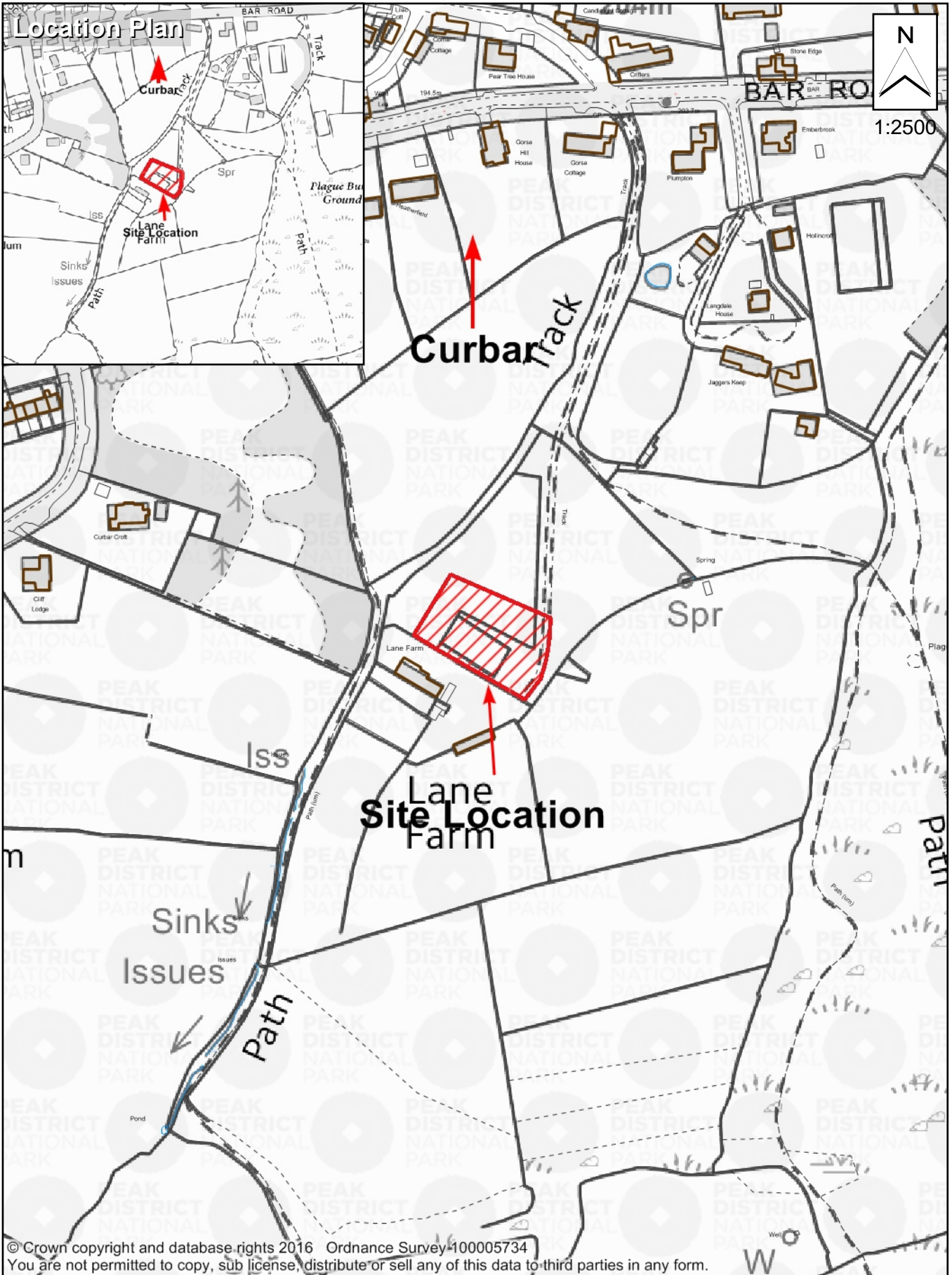
Human Rights


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: | 11/11/2016 | Title: Lane Farm Bar Road Curbar |  PEAK DISTRICT NATIONAL PARK |
| Item Number: | 9 | | |
| Application No: | NP/DDD/0616/0526 | | |
| Grid Reference: | 425340, 374344 | | |

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10. FULL APPLICATION – CHANGE OF USE TO 3 AFFORDABLE DWELLINGS AT HURST WATER TREATMENT PLANT, DERBYSHIRE LEVEL (NP/HPK/0916/0875, P.8289, 405202 / 393910, 02/09/2016/AM)

APPLICANT: PAUL MILNER

Site and Surroundings

The application site includes the former water works building and its curtilage and is located approximately 1.7km to the east of Glossop. Glossop lies outside of the National Park, with Hurst Road, 180m to the west of the site indicating the boundary line at the nearest point. The site is separated from the edge of Glossop by open fields and the Glossop and District Golf Course and is therefore considered to be in open countryside.

The site is dominated by a substantial building which was erected in 1960 to serve the former Hurst Reservoir. This use has since ceased following the decommissioning and removal of the reservoir and the building on site is vacant. The building measures 23m by 7m with a further single storey flat roofed section measuring 21m by 5.2m and almost covering the whole of the front elevation. The building is constructed from gritstone with the main part under a shallow pitched roof. The site area which forms the curtilage of the building extends to approximately 0.25 hectares. There is a block of woodland to the immediate south of the site and the golf course lies across the access lane to the north.

The nearest neighbouring properties are the buildings relating to the golf club to the north west and two domestic properties located to the south east and adjacent to the application site. Access to the building is via the existing private way which serves the golf club and the neighbouring dwellings.

Proposal

The conversion and alteration of the former water works building to create three affordable dwellings.

The submitted plans show that part of existing building would be converted to create the proposed three dwellings with the existing flat roofed element of the building closest to the access road demolished and replaced with two smaller elements to provide access. New window and door frames would be installed within the existing openings, three new door openings would be created on the rear elevation and seven roof lights installed on the front elevation.

Each of the three dwellings would provide accommodation on two floors with bedrooms above open plan living space. Plots 1 and 2 on the submitted plans would each have a total of four bedrooms and a gross internal floor area of 117.9m² and 121.7m² respectively, Plot 3 would have two bedrooms and a total gross internal floor area of 75.3m².

Parking space would be provided to the front of the building and garden space to the rear and side. The submitted plans indicate that a boundary would be erected to the side of the converted building but it is not clear on the plans what the size of the garden areas would be or what is proposed for the land adjacent to the building or the existing holding tanks.

RECOMMENDATION:

That the application be REFUSED for the following reasons:

1. **No housing need survey or other evidence has been submitted to demonstrate a proven need for the proposed affordable housing. Given the sparsely populated nature of the Parish of Charlesworth and in the absence of any compelling evidence to demonstrate that there is an un-met demand for affordable housing within the Parish it is therefore considered the application has not demonstrated any proven need for the proposed development and is therefore contrary to saved Local Plan policy LH1 (i) and the Authority’s adopted Supplementary Planning Guidance ‘Meeting the local need for affordable housing in the Peak District National Park’.**
2. **The total floor area of proposed four bedroom dwellings named Plot 1 and Plot 2 would be substantially greater than the floor space guidelines within paragraph 7.2 of the Authority’s adopted Supplementary Planning Guidance ‘Meeting the local need for affordable housing in the Peak District National Park’. The development would also be set in a large plot potentially providing large garden areas to each of the proposed dwellings. It is therefore considered that the proposed dwellings would not be affordable by size or type to local people on low or moderate incomes contrary to saved Local Plan policy LH1 (iv).**
3. **It is therefore considered that the proposed development would not address eligible local needs for homes that remain affordable contrary to Core Strategy policy HC1 A. The application building is modern and of no architectural, historic or vernacular merit therefore the conversion of the building to create open market dwellings would be unsustainable development contrary to Core Strategy Policies GSP1, GSP2, GSP3, HC1, saved Local Plan policy LH1 and the National Planning Policy Framework.**

Key Issues

- Whether there is a proven local need for the proposed affordable housing.
- Whether the proposed dwellings would be affordable by size and type to local people on low or moderate income.
- Whether the development would preserve the amenity of neighbouring properties.
- Whether the development would be served by safe and suitable access and adequate parking and turning arrangements.

History

2015: NP/HPK/1114/1162: Planning permission granted conditionally for conversion of building into B1 Class managed office space comprising of 12 office units and associated parking.

2014: NP/HPK/0514/0493: Demolition of water works building and change of use for the stationing of caravans for occupation by gypsy-traveller site, with associated development including hard standing, utility building and external lighting, refused.

Appeal against the 2013 decision for change of use to a dwelling dismissed.

2013: NP/HPK/0513/0441: Change of use from former waterworks to dwelling including partial demolition and re-modelling of building, refused.

2012: NP/HPK/0312/0239: Change of use of building to dwelling and office, refused.

2011: NP/HPK/0811/0831: Change of use of building to dwelling and commercial office, refused.

Appeal against the 1998 decision for change of use to a dwelling dismissed.

Consultations

Highway Authority – No objections subject to conditions to secure site construction compound, parking and bin storage.

Borough Council – No response to date.

Parish Council – No response to date.

Representations

The Authority has received a total of eight letters of representation. Four of the letters support the application and four object. The reasons given in support or objection are summarised below, the letters are available to read in full on the website.

Support

- Previous applications have not been suitable and this is the most appropriate re-use of the building put forward to date.
- The site has not been used for over 20 years and is a dilapidated state and therefore has an impact on the surrounding area.
- The development is needed to improve the site in a positive way.
- More housing is needed in the area.
- There is a shortage of this kind of housing within the parish.

Object

- Object to the application due to the sites previous planning history.
- The building is not worthy of conversion due to its location within open countryside.
- The proposal will have an impact on local wildlife and there is also poor access to the site.
- The east facing gable end of the building overlooks the neighbouring property and is in close proximity. There is insufficient information to show how this would be addressed and where boundaries lie.
- A turning area was required on previous applications for road safety issues.

Main Policies

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

Relevant Local Plan policies: LC4, LC17, LC18, LC24, LH1, LH2, LT11 and LT18

National Planning Policy Framework

The National Planning Policy Framework (The Framework) is a material consideration which carries particular weight where a development plan is absent, silent or relevant policies are out of date.

Paragraph 55 of the Framework says that housing should be located where it will enhance or maintain the vitality of rural communities. New isolated homes in the countryside should be avoided unless there are special circumstances.

Paragraph 115 of the Framework says that great weight should be given to conserving landscape and scenic beauty in National Parks and that the conservation of wildlife and cultural heritage are important considerations and should also be given great weight. Paragraph 115 refers to the National Parks and the Broads Circular which states that Government Policy is that the National Park should encourage affordable housing to meet local need and that the Parks are not suitable locations for unrestricted housing and therefore does not provide general housing targets.

Development Plan

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

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

- i. there is a proven need for the dwelling(s). In the case of proposals for more than one dwelling, this will be judged by reference to an up to date housing needs survey prepared by or in consultation with the district council as housing authority; and
- ii. the need cannot be met within the existing housing stock; and
- iii. the intended occupants meet the requirements of the National Park Authority's local occupancy criteria (policy LH2); and
- iv. the dwelling will be affordable by size and type to local people on low or moderate incomes and will remain so in perpetuity; and
- v. the requirements of Policy LC4 are complied with.

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

L1 and L2 state that all development must conserve landscape character and biodiversity, LC17 and LC18 provides detailed criteria to assess proposed development where it would or could impact upon protected species or habitats.

LT11 and LT18 require satisfactory parking and safe access as a pre-requisite for any development. LC24 requires appropriate assessment and treatment of contaminated land.

Wider Policy Context

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

Assessment

Need and affordability

The application site is considered to be within open countryside as it is separated from the edge of Glossop by open fields and the Glossop and District Golf Course. The conversion of the application building to create open market housing would not be in accordance with policy HC1 C or the Framework as the development would not be required to achieve conservation or enhancement of a valued vernacular or listed building. A proposal to convert the building to a market dwelling was refused planning permission by the Authority in 2013 and the subsequent appeal was dismissed.

Therefore, conversion of the building to housing would only be acceptable in principle and in accordance with policies DS1 and HC1 A if the conversion was to affordable housing which would address eligible local needs for homes that remain affordable, with occupation restricted to local people in perpetuity.

Saved Local Plan policies LH1, LH2 and the adopted affordable housing SPD provide detailed policy for the assessment of applications for affordable housing within the National Park. Relevant policies require a proven need for the proposed dwellings and in the case of a proposal for more than one dwelling (as is the case here) state that this will be judged by reference to an up-to-date needs survey prepared by or in consultation with the Borough Council as housing authority. Paragraph 4.2 within the SPD indicates that a survey should be carried out at Parish level to identify local need for affordable housing.

The application is not supported by any up-to-date housing need survey and no other evidence has been submitted to indicate that there is a proven need for the proposed dwellings within Charlesworth parish. There is also no evidence of any named individuals with a local qualification in accordance with policy LH2 who would be able to occupy the proposed dwellings.

The applicant states that a site visit has been conducted by the Peak District Rural Housing Association (PDRHA) to assess if the site would fit their criteria for potential re-development. It is reported that the site was rejected as it does not fit within their criteria due to the site not being within close proximity to a village.

The part of the Parish of Charlesworth which is located within the National Park is very sparsely populated with the majority of land moorland with isolated farms focused around Derbyshire Level and Chunal. In the absence of an up-to-date housing need survey or any other compelling evidence to demonstrate that there is an un-met need for affordable housing within Charlesworth it is therefore considered that the application does not demonstrate any proven need for the proposed development and therefore the proposals are contrary to policies HC1 and LH1 (i). The comments from the PDRHA re-inforce this conclusion.

Officers also have significant concerns that the proposed dwellings would not be affordable by size and type to local people on low or moderate incomes. HC1 A states that the occupation of affordable housing will be restricted to local people in perpetuity. The applicant has not indicated whether or not he would be willing to enter into a legal agreement with the Authority to restrict the occupation of the proposed houses, but irrespective of this fact Officers consider that the two larger four bedroom dwellings would not be of a size or type that would be affordable to people in housing need.

The affordable housing SPD at paragraph 7.2 sets out floor space guidelines with a maximum size of 87m² for a five person dwelling. The floor space of proposed Plot 1 and Plot 2 (117.9m² and 121.7m² respectively) would be significantly above the maximum floor space guideline. The application site also includes a significant amount of land around the existing building and in the absence of proposed defined curtilages Officers are also concerned that the dwellings would be provided with large gardens which would also undermine their affordability.

Given the floor space of the proposed dwellings and the size of the plot it is therefore considered that the proposed dwellings would not be size or type to remain affordable and therefore that the proposals are contrary to LH1 (iv).

Landscape / visual impact

The proposal would make use of a previously developed site and the conversion would be contained within the existing building without any significant extensions. The proposed use and car parking areas would be effectively contained within the curtilage of the existing building. The application site is located in a slight dip to the south of the golf course and is generally well screened in the wider landscape by existing mature tree planting associated with the golf course and by the woodland to the immediate south of the site.

Closer views into the site are limited to a section of the Derbyshire Level (a highway approximately 160m to the west of the application site) and from parts of the adjacent golf course, the two nearest neighbouring dwellings and from parts the private way which provides access to the site from Hurst Road. It is therefore considered that due to the established tree planting around the site, the re-use of the existing building as dwellings along with the associated hard standings and parked cars would not have an adverse impact upon the scenic beauty of the wider National Park landscape.

Officers do have some concerns in regard to the proposed design. There are no objections to the removal of the existing flat roofed section of the building and conversion of the remainder, subject to some minor design amendments to roof lights and window and door fenestration. However, the introduction of the proposed rendered entrance porches would be a retrograde step and would spoil the lane side elevation of the building.

Subject to appropriate design amendments and the submission of a comprehensive landscaping scheme, it is considered that the proposed development would not have an adverse landscape or visual impact or harm the character or appearance of the building. Officers have not pursued amendments in this case due to the strong concerns in regard to the principle of the development.

Impact upon neighbouring properties

Concerns have been raised by the occupants of the neighbouring property in regard to the impacts of the proposed development.

The application site shares a boundary with the neighbouring dwelling. The proposed use would take place within the shell of the existing building, and no further extensions are proposed along this boundary. It is therefore considered that the development would not be any more overbearing to the neighbouring property or overshadow that property compared to the existing building.

The south east facing gable of the building does look towards the neighbouring property at a distance of approximately 9m (gable to gable) or 4.25m to the boundary. The existing windows on this elevation would be retained, the gable window would serve a kitchen / living room at ground floor and a bedroom at first floor.

Officers have visited the site and the neighbouring property and consider that if clear glazing was used then occupants of the neighbouring property would be likely to suffer a significant loss of privacy due to occupants of the bedroom in particular being able to look out through these windows towards the neighbouring dwelling and its rear garden contrary to policy LC4. However, a scheme for obscure glazing would satisfactorily mitigate this potential impact by preventing views into and out of the dwelling from the neighbouring property. This could be secured by a suitably worded planning condition.

The occupants of the neighbouring property own and manage the woodland to the rear (south west) of the site. This woodland would be overlooked by occupants of the dwellings. The woodland does not form part of the domestic garden of the neighbouring property and therefore, subject to an appropriate boundary treatment, it is considered that overlooking of activities within the woodland would not have such a significant impact upon privacy or amenity to warrant refusal of planning permission.

Highway safety and amenity of road users

Access is via a private way which serves the site, the golf course, neighbouring properties and the former reservoir site. The private way is single track with a passing place adjacent to the golf club car park. The private way joins Hurst Road, which is relatively narrow for 130m before meeting Fairways Close to the north, where the road widens up to the junction with the A57. There is no public footpath along the route other than this last section between the A57 and Fairways Close.

The Highway Authority's consultation response advises that whilst the proposal would be likely to result in an increase in vehicular activity associated with the site, this would be considerably less than those associated with the office use which is subject to an extant planning permission granted in 2015.

Having to the Highway Authority comments, Officers consider that traffic generated by the proposed development would not be likely to harm highway safety or the amenity of road users. There is adequate space and visibility along the access to allow vehicles and pedestrians to be aware of each other and pass safely and there are places along the access where vehicles would be able to pass each other. Visibility onto Hurst Road / Derbyshire and the A57 is acceptable.

Ecology

The application site is located approximately 260m to the north west of the land forming part of the South Pennine Moors Special Area of Conservation (SAC), Peak District Moors Special Protection Area (SPA) and the Dark Peak Site of Special Scientific Interest (SSSI).

No comment has been received from Natural England but given that there were no objections to the office development approved in 2015 it is considered that the proposal would have less impact upon and therefore not have any significant impact upon designated sites. In coming to this conclusion Officers have also considered the reduced scale of the proposed development, the proposed use, intervening distance and the lack of direct access from the application site.

The applicant has previously submitted a report following a survey of the building by an ecologist as part of the 2015 office conversion. The bat report found no evidence of bats and considered the site to offer low potential with very limited suitable habitat available. It is therefore considered that subject to appropriate mitigation secured by planning condition that the development could take place without harming individual bats and populations of bats in the area and secure enhancement in accordance with L2 and LC17.

Other issues

The site was formerly used to treat water and the Environmental Health Officer has previously commented that that ground contamination was likely to be an issue here. The applicant has submitted reports following ground surveys which have indicated that any ground contamination is not serious and could be dealt with by appropriate mitigation. It is therefore considered that subject to an appropriate planning condition any ground contamination could be mitigated in accordance with LC24.

Conclusion

The application is not supported by any up-to-date housing need survey and no other evidence has been submitted to indicate that there is a proven need for the proposed three dwellings within Charlesworth parish. There is also no evidence of any named individuals with a local qualification in accordance with policy LH2 who would be able to occupy the proposed dwellings. It is therefore considered that the proposals do not demonstrate any proven need for the proposed housing and therefore the proposals are contrary to policies HC1 and LH1 (i).

The floor space of the two proposed four bedroom dwellings is significantly above the maximum floor space guideline within the Authority's affordable housing SPD. Given the floor space of the proposed dwellings and the size of the plot it is considered that the proposed dwellings would not be a size or type to remain affordable and therefore that the proposals are contrary to LH1 (iv).

It is therefore considered that the proposed development would not address eligible local need for homes which remain affordable with occupancy restricted to local people in perpetuity. In the absence of any other special circumstances which could justify the creation of the proposed three houses on the site it is therefore considered that the proposed development is contrary to relevant development plan policies and the National Planning Policy Framework.

In the absence of any further material considerations the proposal is therefore recommended for refusal.

Human Rights

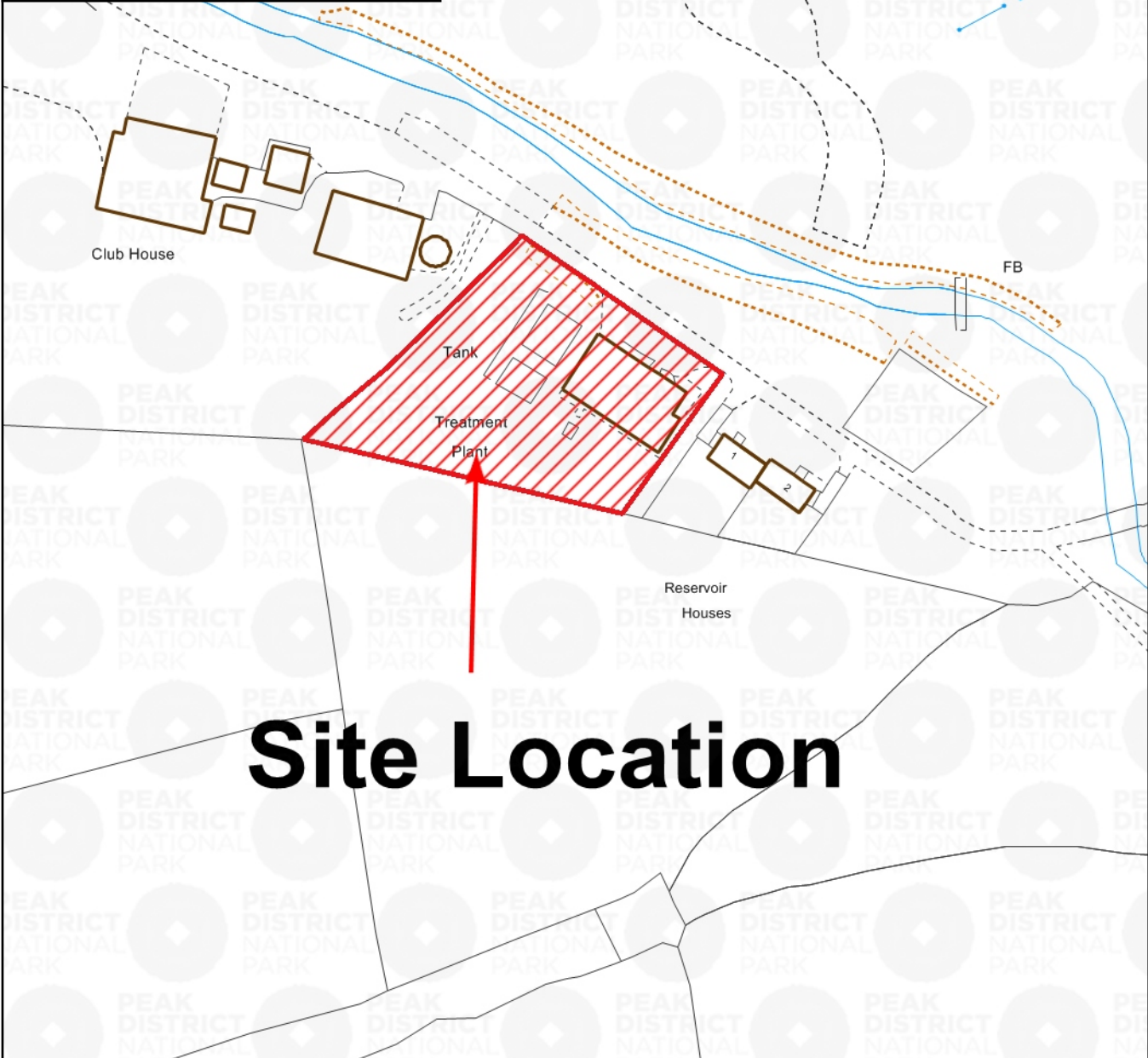
Any human rights issues have been considered and addressed in the preparation of this report.

List of Background Papers (not previously published)

Nil




1:1250



Site Location

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|-----------------|------------------|---|--|
| Committee Date: | 11/11/2016 | Title: Hurst Water Treatment Plant Derbyshire Level |  PEAK DISTRICT NATIONAL PARK |
| Item Number: | 10 | | |
| Application No: | NP/HPK/0916/0875 | | |
| Grid Reference: | 405202, 393910 | | |

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11. FULL APPLICATION – ERECTION OF WOODEN PODS FOR CAMPING AT NETTLEBEDS FARM, TOP HOUSE LANE, WINCLE, (NP/CEC/0816/0804. P4075, 12/9/2016 395031 / 365493/SC)

APPLICANT: MR RICHARD LOMAS

Site and Surroundings

Nettlebeds Farm is a working farm, situated about 1km west of Wincle and extending to around 32 hectares (79 acres), with the applicant renting a further 24 hectares (60 acres) at Swythamley and another 8 hectares (20 acres) at Adlington. It comprises a detached farmhouse with a nearby complex of modern and traditional farm buildings, which nestle into the lower valley slopes to the east of Rookery Wood. Access is via an 880m section of single track lane from Wincle and then via a further 715m long section of private track to the farm complex itself.

A Public Right of Way (PRoW) runs in a north south direction, passing through the farm yard, which then continues westwards down through Rookery/Kiss woods. The nearest neighbouring properties are Broomhill Cottage Farm 375m to the north, and Wincle Grange (Grade II Listed), sited approximately 500m to the east.

Proposal

Permission is being sought to change the use of part of an agricultural field for the erection and installation of 3 camping pods and associated works.

RECOMMENDATION:

That the application be REFUSED for the following reason:

- 1. By virtue of the siting, size and layout of the proposed camping pods and the engineering works required to facilitate the development on this sloping site, the proposed development would appear unduly intrusive, having an unacceptable adverse visual impact on the character of the surrounding landscape and consequently harming the valued characteristics of the National Park. The development would therefore be contrary to Core Strategy policies GSP1, GSP3, L1 and RT3, saved Local Plan policies LC4 and LR3 and to policies in the National Planning Policy Framework, including the provisions of Paragraph 115 relating to development in National Parks.**

Key Issues

- Principle of development.
- Landscape and visual impact.

Planning History

- 2016 - Prior notification for the erection of an agricultural building – Accepted.
- 2015 - Part barn conversion into dwelling (retrospective application) – Approved.

Consultations

Highway Authority - No Objection

District Council - No response to date

Parish Meeting - Support - Reason: The need for farmers to diversify to maintain income for their

property/farmland and to expand tourism in the area.

National Planning Policy Framework (NPPF)

Paragraph 17 of the NPPF sets out core planning principles including supporting sustainable economic development and high standards of design.

Paragraph 28 states that planning policies should support economic growth in rural areas and should take a positive approach to sustainable new development.

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.

Main Development Plan Policies

Relevant Core Strategy policies: GSP1, 2, 3, DS1, L1, RT3

Relevant Local Plan policies: LC4, LR6, LT18

Core Strategy (CS)

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

DS1 allows for leisure and tourism development in open countryside outside of the National Park's named settlements

RT3 states amongst other things, that static caravans, chalets or lodges will not be permitted.

L1 says that development must conserve and enhance valued landscape character, as identified in the Landscape Character Assessment and other valued characteristics.

Local Plan (LP)

LC4 considers design, layout and landscaping and points out that particular attention will be paid to scale, form, mass and orientation in relation to existing buildings.

LR6 requires, that where self-catering accommodation is permitted outside a settlement limit, its use will be restricted to holiday accommodation.

LT18 states that safe access is a pre-requisite for any development within the National Park.

Relevant Guidance

The Authority's Landscape Strategy and Action Plan offers further relevant guidance on the application of landscape conservation policies in the Development Plan. In this case, the landscape around the application site is characterised as 'Slopes and Valleys with Woodlands'. This is defined as an undulating, in places steeply sloping topography, with an interlocking pattern of fields and blocks of woodland both ancient and secondary. There are patches of semi-improved and acid grasslands on steeper slopes with permanent pasture in small fields.

Assessment

Principle of development

Policies within the National Planning Policy Framework are regarded as material considerations.

In particular, paragraph 28 states that policy should support sustainable rural tourism that benefits businesses in rural areas, communities and visitors and which respect the character of the countryside. In this respect, the Framework supports the proposed development in principle provided it would conserve the landscape character and other valued characteristics of National Park. Within the Development Plan, Core Strategy (CS) Policy DS1 allows for leisure and tourism development in open countryside outside of the National Park's named settlements.

CS Policy RT3 relates to Caravans & Camping, setting out an approach which favours small touring camping and caravan sites, provided they are well screened. The explanatory text to the policy explores the wider characteristics of caravan and camping sites and accepts the need to improve the quality of facilities, but only where it is of a scale appropriate to the site and, crucially, the character of the landscape in which it is located. CS policy RT3 (B) is especially relevant to this case, as it confirms that static caravans, chalets or lodges will not be permitted.

Policy is quite clear in its view on statics, chalets and lodges. However, supporting paragraph 10.26 of the Core Strategy refers to exceptions for statics, chalets and lodges, and states that they may be acceptable in some locations where they are not intrusive in the landscape and can be accommodated without harm to landscape character and other valued characteristics, then structures such as camping pods could be acceptable. Consequently, there is strong justification for taking a precautionary approach over landscape impact, especially if there is no enhancement proposed.

Landscape and visual impact

The application seeks planning permission for the change of use of the land for the siting of three timber framed camping pods (and associated engineering works), to be occupied as holiday accommodation. These structures are not considered a temporary and transient use, with the camping pods being located permanently on the land and therefore the impact of the proposed change of use would be more comparable to siting static caravans.

As stated in the above text, policy RT3 (B) specifically says that static caravans will not be permitted, while the supporting text says that, exceptionally, static caravans, chalets or lodges may be acceptable in locations where they are not intrusive in the landscape. In this case, the key issue here is whether or not the proposed development would be well screened in the landscape (in accordance with RT3 (A)).

The proposed camping pods and associated engineering operations, would be sited on a sloping area of open field, approximately 120 metres to the north of the main farm complex and 15m in from the western margin of the field, which itself is bounded by a ribbon of mature trees. The three pods would be positioned in a line. Starting from a post and wire fence (that splits the field), the first pod would be sited 10m from the fence, the second 11m from the first pod and the third approximately 14m from the second pod.

The pods themselves would measure approx. 6.8m in length x 3.48m in width x 3.2m to the highest point of the roof. To accommodate the pods on a level base would require some cutting out of the sloping field. There is no indication on the submitted plans, showing what, if any foundation/base materials would be required for this operation. Furthermore, no parking or outdoor amenity space has been included with the proposal; however, the applicant has said that parking could be accommodated within the farmyard area. Access to the pods would be directly across the field from the main farm gravelled driveway, sited approximately 100m to the east of their proposed location.

One of the key characteristics of this local landscape character (as stated in the Authority's Landscape Strategy and Action Plan) is of an undulating, in places steeply sloping, topography, with an interlocking pattern of fields and blocks of woodland both ancient and secondary and patches of semi-improved and acid grasslands on steeper slopes with permanent pasture in small fields.

From this aspect, it is considered that the camping pods would be visible from the PRoW that runs in a north-south direction to the east of the application site. In this case, the site chosen for the pods would occupy a particularly sensitive location, therefore appearing unduly intrusive within the surrounding countryside. The pods would be seen as permanent features in the landscape and their harmful visual impact could be further increased through the introduction of domestic paraphernalia, such as temporary outdoor seating and barbeque/cooking areas, which can often be associated with holiday accommodation.

In addition, the pods would be sited within 100m of the neighbouring property's field boundary (Broomhill Cottage), where the camping pods and their associated holiday use, could potentially create a harmful impact on the quiet enjoyment of their amenity.

Other issues

The Highway Authority has raised no objections to the proposed development, as it would not affect the existing farm access/highway. In addition, the application details refer to sewage being disposed of through a septic tank. The Environment Agency's guidance on 'Water supply, wastewater and water quality' is that if connection to a public sewage treatment plant is not feasible, then a package treatment plant should be considered as a viable long-term sewerage option. In this case, should the proposal be considered acceptable in all other respects, this would need to be addressed by a revised submission or a planning condition.

Conclusion

The proposed development would be sited within an open countryside setting, where it would be visible from nearby vantage points. In this location, it is considered the scheme would have a harmful impact upon the character and scenic beauty of the National Park, contrary to Development Plan Policies and the National Planning Policy Framework, as indicated within the above report.

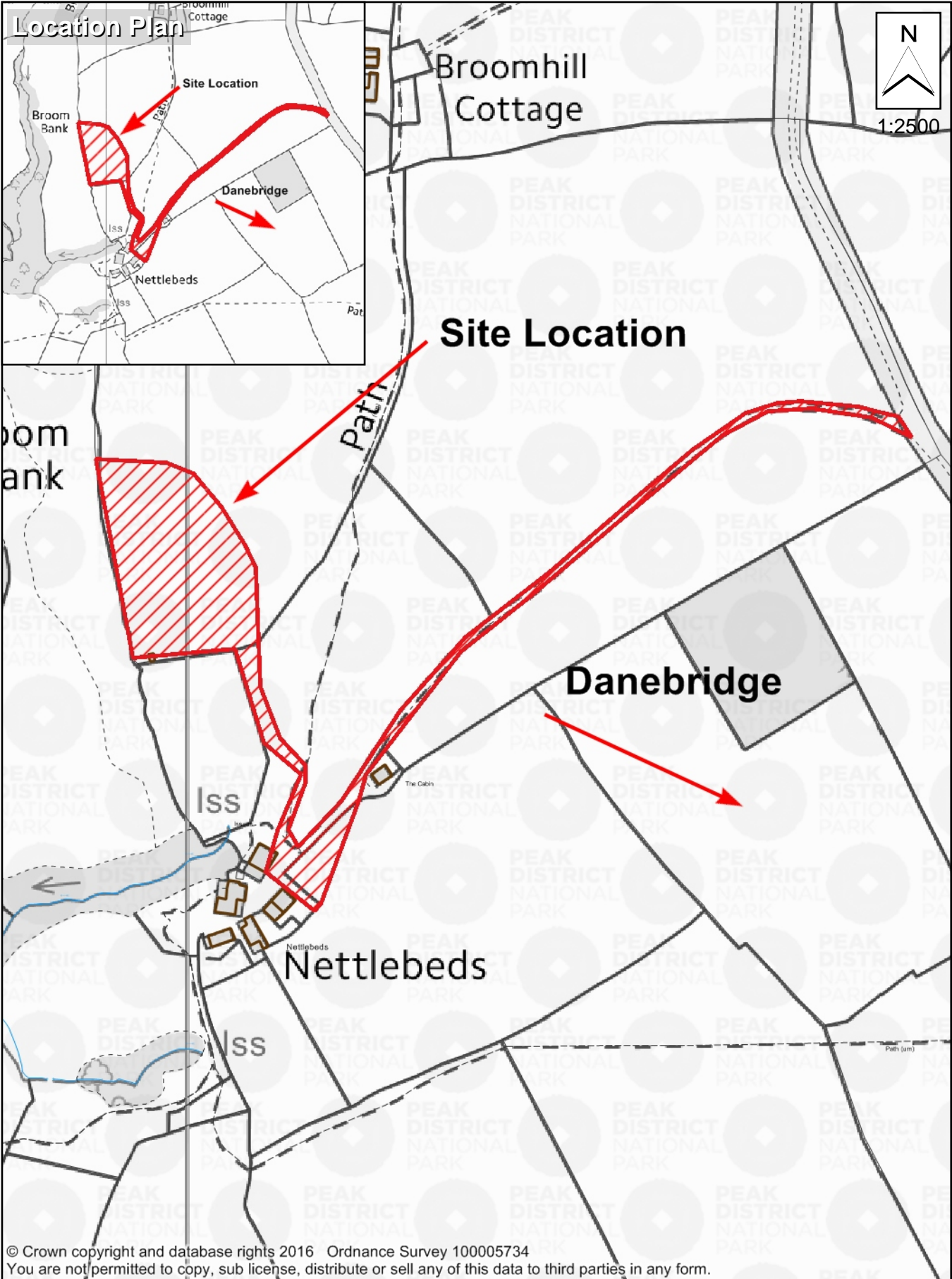
In this case, your Officers have assessed the proposal against Development Plan policies, the National Planning Policy Framework, and all other material considerations and concluded that it represents a form of development that was not capable of being amended in a way which would make the scheme acceptable within the current application. Notwithstanding this, the applicant has been given the opportunity to withdraw the proposed scheme and re-submit with Officers prepared to discuss and consider a possible alternative location/scheme. However, this was not forthcoming in the expected timeframe, therefore the recommendation is for refusal on the grounds set out above.

Human Rights

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

List of Background Papers (not previously published)

Nil



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|-----------------|------------------|---|--|
| Committee Date: | 11/11/2016 | Title: Nettlebeds Farm Top House Lane Wincle |  PEAK DISTRICT NATIONAL PARK |
| Item Number: | 11 | | |
| Application No: | NP/CEC/0816/0804 | | |
| Grid Reference: | 395031, 365493 | | |

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12. FULL: SINGLE STOREY LEAN-TO EXTENSION TO THE REAR ELEVATION, THE COACH HOUSE, MAIN STREET, GREAT LONGSTONE (NP/DDD/0916/0917 P.6191 419802/371936 15/09/2016 DH)

APPLICANT: MR AND MRS TAFT

Site and Surroundings

The property is a detached dwelling on the north-west side of the village of Great Longstone; it stands on the north side of Main Street to the west of the junction with Moor Road, and lies within the Great Longstone Conservation Area.

The dwelling is a conversion of the one of the former stable blocks of Longstone Hall, which was listed Grade II* in September 1951; it stands approximately 40m to the west of the Hall. Both the upper and lower stable blocks were listed Grade II in their own right in July 1967; they stand behind the high walls of the Hall grounds and have both been converted into dwellings. The nearest neighbouring properties to The Coach House are Longstone Hall, The Stable House, the Tithe Barn 23m to the north, and The Farm, which is also listed Grade II and stands on the opposite side of Main Street.

The dwelling is two storey, constructed of rubble limestone with sandstone quoins and dressings, under a cement tile roof; the ground level at the rear is higher than at the front of the dwelling. The principal elevation faces south and has a central doorway with sandstone lintel and quoins, to the left there is a two light window with chamfered mullion, and another above, to the right a cart door entrance with a rounded head, a further two light window is above the cart door. The rear elevation is largely solid with two plain glazed windows, one at ground floor level and one at first floor level, and there is one plain glazed window at first floor level in each gable. A single storey store is attached to the east gable. This has a lean-to form with a solid wall at the rear. Part of it has been brought into use as a dining room for the dwelling, with a glazed frontage, and part is in use as a garden store/workshop.

Proposal

The erection of a single-storey lean-to extension to the rear of the property. This extension would be constructed from limestone walls under a blue slate roof and would create a downstairs toilet to the property. The extension would measure 1.5 metres by 2.5 metres externally (1.2 x 1.75m internally).

RECOMMENDATION:

That the application be REFUSED for the following reason.

- 1. The proposed development would harm the significance of the Coach House (Grade II listed), and the setting of Longstone Hall (Grade II* listed). In the absence of any public benefits which could outweigh the harm that has been identified it is therefore considered that approval of the proposals would be contrary to Core Strategy policy GSP3 and L3, Local Plan policies LC4, LC5, LC6 and LH4 and the National Planning Policy Framework.**

Key Issues

- Whether the proposed development would detract from the character, appearance or amenity of The Coach House, its setting or neighbouring properties.

History

NP/WED/0381/117 - Conversion of store to dwelling - Granted subject to conditions 1981

NP/WED/0486/125 – Renewal of above conversion of store to dwelling - Granted subject to conditions 1986

NP/WED/0491/194 & 195 - Planning permission and Listed Building Consent for conversion of store to dwelling - Granted subject to conditions 1991

NP/DDD/0602/310 - Erection of potting shed (retrospective) – Granted subject to conditions 2002

NP/DDD/1103/0809 & 0810 - Planning permission and Listed Building Consent for extension of shed to form greenhouse - Granted subject to conditions 2004

NP/DDD/0609/0523 - Listed Building Consent for erection of satellite dish - Granted subject to conditions 2009

NP/DDD/0416/0304 & 0305 – Planning permission and Listed Building Consent for proposed shower room extension to dwelling – Withdrawn 31 May 2016

NP/DDD/0716/0631 - Retrospective application for conversion of store to dining room and creation of kitchen store cupboard - Granted unconditionally 1 September 2016

Consultations

Highway Authority – No objection.

District Council – No response to date.

Parish Council – No objection.

PDNPA Cultural Heritage: Recommend refusal for reasons set out below.

Representations

One letter of support has been received which considers the development will not have an adverse effect on the neighbouring property to the north.

Main Policies

In principle, DS1 of the Core Strategy is supportive of extensions to existing buildings. However, as the application site is a Grade II listed building, and stands within the Great Longstone Conservation Area, policy L3 of the Core Strategy and Local Plan policies LC5 and LC6 are relevant. These policies seek to ensure the existing character and appearance of the Conservation Area will be preserved and, where possible, enhanced, including its setting and important views into or out of the area; 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.

Local Plan policy LH4 provides specific criteria for assessing extensions to dwellings. LH4 says extensions and alterations to dwellings will be permitted provided that the proposal does not:

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

The Authority has adopted three supplementary planning documents (SPD) that offer design guidance on householder development namely the Design Guide, the Building Design Guide and the Detailed Design Guide on Alterations and Extensions. This guidance offers specific criteria for assessing the impacts of householder development on neighbouring properties.

Wider Policy Context

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

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

Assessment

The proposed ground floor extension would provide a downstairs toilet for the property. It is a simple lean-to form of a modest size which is clearly subservient to the dwelling. The outer walls would be constructed of natural limestone with a Hardrow tile roof, to match the host building's roof. The new extension would have just one small opening, measuring 600mm by 200mm, in the west elevation, this window is shown on the plans to have full sandstone surrounds to match the detailing of the host building.

As the Coach House is a Grade II listed building, the impact of the proposed extension on the character and significance of the listed building and its setting, and its relationship to the Grade II* Longstone Hall and impact on the setting of the Hall, and other listed buildings in the vicinity need to be taken into account.

The early C19th Coach House is individually Grade II listed. It is situated within the curtilage of the Grade II* listed Longstone Hall and is an important element in the historic setting of the Hall, as part of the significant complex of its former ancillary outbuildings. The rear wall of the Coach House and the adjacent boundary wall (curtilage listed) form a continuous building line leading towards the Hall.

The historic form of the Coach House is as a small, simple, plain, robust, rectangular ancillary outbuilding. Although there is now an internal connection between this building and the attached former garage, externally this has had little physical impact on the original massing, scale and appearance of the Coach House: the converted single-storey structure retains its original subservient form adjacent to the Coach House gable wall, with its timber and glass front elevation set back slightly from the front elevation to the latter, enabling the main building still to

be read in its original form. The overall external footprint of the Coach House with attached garage/store has not been altered, despite the conversion taking in part of the former garage, which was not as originally approved, but which has been regularised by means of a retrospective application (NP/DDD/0716/0631). It is therefore considered that any additional extension of the Coach House beyond the existing footprint, to further expand the already-enlarged living accommodation, would result in an unacceptable level of harm to the building's historic significance. The proposed extension will not reflect or respect the character or appearance of the Coach House and will alter its historic form and massing, breaking the continuous building line formed by the rear elevation of the building and adjacent wall, and altering the rear elevation which has a plain, simple character and appearance.

It is acknowledged the extension would be sited at the rear and would only protrude from the existing building by 1.5m, and would have a mono-pitch roof with a low eaves height, but even an extension of this scale and form is considered to have an unacceptable impact on the designated heritage assets. It is also acknowledged that the applicants have a personal need for a downstairs toilet, which the size and layout of the existing building make it difficult to accommodate. Whilst officers are sympathetic to this need, the proposed extension is considered to be unacceptable for the reasons set out above. Given the relatively small size of the proposed extension and the fact that the accommodation has been extended into the adjacent single storey building, officers have suggested that space could be found within the existing building rather than breaking the strong line of the rear wall of the listed building.

It is concluded that the proposed extension does not meet the requirements of policies L3 and LC6 because it would adversely affect the historic interest and integrity of the listed building, altering its historic character and appearance, and enlarging the size of this historically small outbuilding to an unacceptable extent.

By virtue of the siting of the proposed development at the rear of the building, and its modest size and scale the extension would not have any impact on the special qualities of the nearby Conservation Area, from which it could not be seen. Similarly, the siting of the extension within the curtilage of the property, the only opening facing west, and the size and scale of the extension, the extension would not have any detrimental impact on the amenities of neighbouring properties. Therefore, it is considered that the proposal complies with the requirements of GSP3, LC4 in terms of its likely impact on the amenities and enjoyment of the neighbouring properties.

Conclusion

It is therefore concluded that whilst the application meets the requirements of policies in the Development Plan and national planning policies in the Framework in terms of the extension itself, it is considered that the extension will cause harm to the character, appearance and significance of the original building, its setting, and the setting of neighbouring listed buildings. Accordingly, the application is recommended for refusal.

Human Rights

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

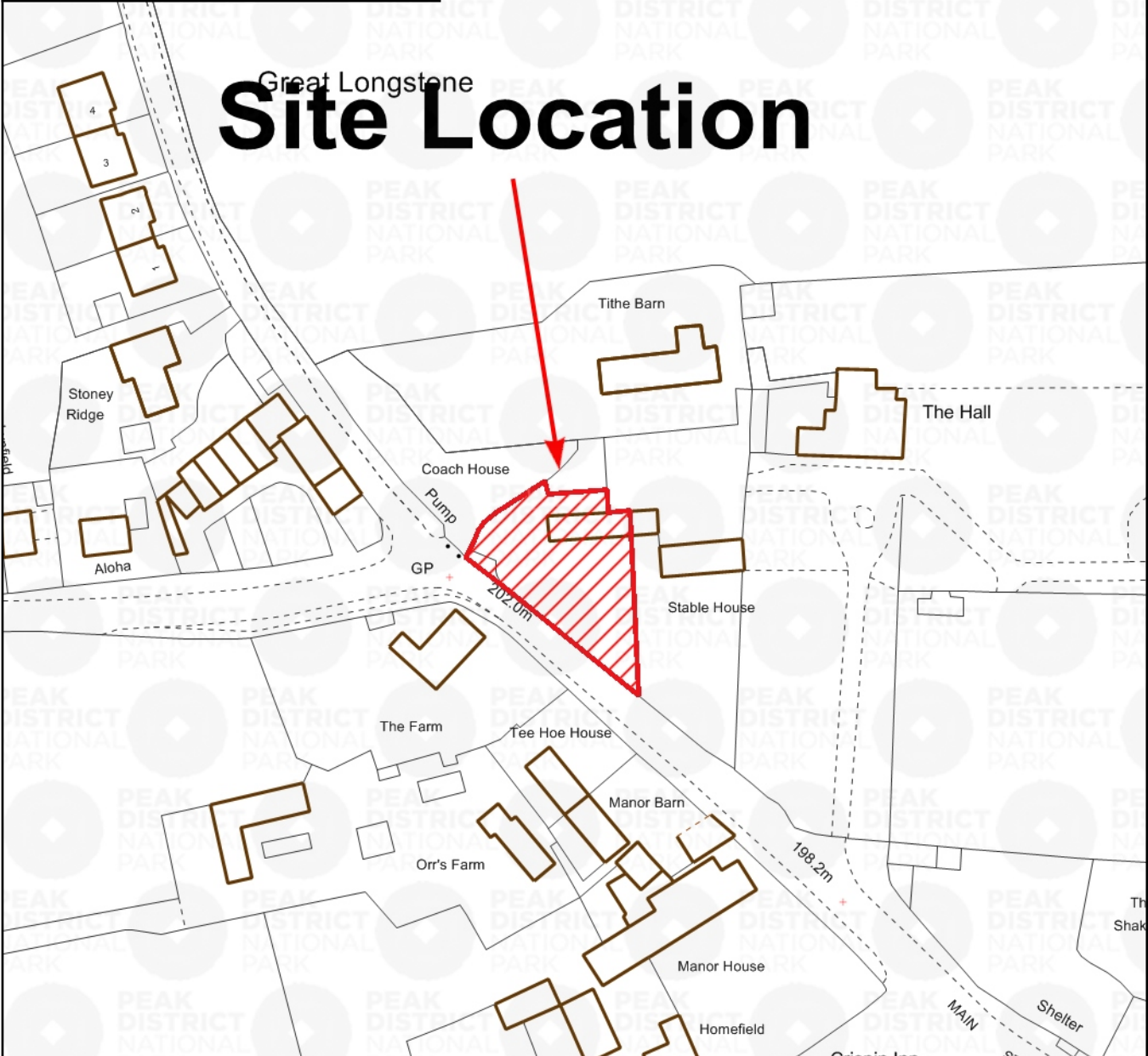
List of Background Papers (not previously published)

Nil




1:1250

Great Longstone Site Location



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| Committee Date: | 11/11/2016 | Title: Coach House Main Street Great Longstone |  PEAK DISTRICT NATIONAL PARK |
| Item Number: | 12 | | |
| Application No: | NP/DDD/0916/0917 | | |
| Grid Reference: | 419802, 371936 | | |

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13. LISTED BUILDING CONSENT: SINGLE STOREY LEAN-TO EXTENSION TO THE REAR ELEVATION, THE COACH HOUSE, MAIN STREET, GREAT LONGSTONE (NP/DDD/0916/0926 P.6191 419802/ 371936 15/09/2016 DH)

APPLICANT: MR AND MRS TAFT

Site and Surroundings

The property is a detached dwelling on the north-west side of the village of Great Longstone; it stands on the north side of Main Street to the west of the junction with Moor Road, and lies within the Great Longstone Conservation Area.

The dwelling is a conversion of the one of the former stable blocks of Longstone Hall, which was listed Grade II* in September 1951; it stands approximately 40m to the west of the Hall. Both the upper and lower stable blocks were listed Grade II in their own right in July 1967; they stand behind the high walls of the Hall grounds and have both been converted into dwellings. The nearest neighbouring properties to The Coach House are Longstone Hall, The Stable House, the Tithe Barn 23m to the north, and The Farm, which is also listed Grade II and stands on the opposite side of Main Street.

The dwelling is two storey, constructed of rubble limestone with sandstone quoins and dressings, under a cement tile roof; the ground level at the rear is higher than at the front of the dwelling. The principal elevation faces south and has a central doorway with sandstone lintel and quoins, to the left there is a two light window with chamfered mullion, and another above, to the right a cart door entrance with a rounded head, a further two light window is above the cart door. The rear elevation is largely solid with two plain glazed windows, one at ground floor level and one at first floor level, and there is one plain glazed window at first floor level in each gable. A single storey store is attached to the east gable. This has a lean-to form with a solid wall at the rear. Part of it has been brought into use as a dining room for the dwelling, with a glazed frontage, and part is in use as a garden store/workshop.

Proposal

The erection of a single-storey lean-to extension to the rear of the property. This extension would be constructed from limestone walls under a blue slate roof and would create a downstairs toilet to the property. The extension would measure 1.5 metres by 2.5 metres externally (1.2 x 1.75m internally).

RECOMMENDATION:

That the application be REFUSED for the following reason.

1. The proposed development would harm the significance of the Coach House (Grade II listed), and the setting of Longstone Hall (Grade II* listed). In the absence of any public benefits which could outweigh the harm that has been identified it is therefore considered that approval of the proposals would be contrary to Core Strategy policy L3, Local Plan policies LC5 and LC6 and the National Planning Policy Framework.

Key Issues

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

History

NP/WED/0381/117 - Conversion of store to dwelling - Granted subject to conditions 1981

NP/WED/0486/125 – Renewal of above conversion of store to dwelling - Granted subject to conditions 1986

NP/WED/0491/194 & 195 - Planning permission and Listed Building Consent for conversion of store to dwelling - Granted subject to conditions 1991

NP/DDD/0602/310 - Erection of potting shed (retrospective) – Granted subject to conditions 2002

NP/DDD/1103/0809 & 0810 - Planning permission and Listed Building Consent for extension of shed to form greenhouse - Granted subject to conditions 2004

NP/DDD/0609/0523 - Listed Building Consent for erection of satellite dish - Granted subject to conditions 2009

NP/DDD/0416/0304 & 0305 – Planning permission and Listed Building Consent for proposed shower room extension to dwelling – Withdrawn 31 May 2016

NP/DDD/0716/0631 - Retrospective application for conversion of store to dining room and creation of kitchen store cupboard - Granted unconditionally 1 September 2016

Consultations

Highway Authority - No comments.

District Council - No response to date.

Parish Council - No objection.

PDNPA Cultural Heritage - Recommend refusal for reasons set out below.

Representations

Four letters have been received regarding the proposal, one states that the extension will not be viewable from their property and therefore they have no objections. The other three representations support the proposal, citing the following reasons:

- Extensions to such conversions add to the interest and general appeal of them
- It would not detract from the buildings historic status or appearance
- It would enhance the practicality of the dwelling
- It is essential for the applicants to maintain independent living

Main Policies

Core Strategy Policy L3 relates to cultural assets of archaeological, architectural, artistic or historic significance. It states that:

- A. Development must conserve and where appropriate enhance or reveal the significance of historic assets and their settings
- B. Other than in exceptional circumstances development will not be permitted where it is likely to cause harm to the significance of any cultural heritage asset

- C. Proposals will be expected to meet the objectives of any strategy covering the National Park that has, as an objective, the conservation and where possible the enhancement of cultural heritage assets

Local Plan policy LC5 relates to development in Conservation Areas, it states that applications should assess and clearly demonstrate how the existing character and appearance of the Conservation Area will be preserved and where possible enhanced.

LC6 relates to listed buildings and says that development will not be permitted if it would:

- c. Adversely affect the character, scale, proportion, design, detailing of, or materials used in the listed building or result in the loss or irreversible change to original features or other features of importance or interest
- d. In particular, development will not be permitted if it would directly, indirectly, or cumulatively lead to (i) changes to the plan form which involve removal of original walls, and;
- e. Conversion of a listed building to a use other than that for which it was designed will not be permitted unless it can accommodate the new use *without enlargement*. The new use must not involve or lead to changes to the listed building or its setting that would adversely affect its architectural or historic interest

Wider Policy Context

The above 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.

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

The National Planning Policy Framework, paragraph 17, sets out 12 principles which should underpin decision making, with regard to works to listed buildings planning decisions should 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. Paragraph 56, attaches great importance to the design of the built environment, and paragraph 57 states that it is important to plan positively for the achievement of high quality and inclusive design for all development. 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.

Legislation

The National Park Authority has a statutory purpose under the Environment Act 1995 to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park.

The Planning Act 1990: 66(1) states that “In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority Shall have special regard to the desirability of preserving the building or its setting.”

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.

Assessment

The proposed ground floor extension would provide a downstairs toilet for the property. It is a simple lean-to form of a modest size which is clearly subservient to the dwelling. The outer walls would be constructed of natural limestone with a Hardrow tile roof, to match the host. The new extension would have just one small opening, measuring 600mm by 200mm, in the west elevation, this window is shown on the plans to have full sandstone surrounds, again, to match the detailing of the host building. As such, in general design terms, the extension is considered to be in line with policies and guidance.

By virtue of the siting of the proposed development at the rear of the building, and within the high walls which surround the Hall grounds, it would not have any impact on the special qualities of the nearby Conservation Area from public vantage points.

However, the host property is a Grade II listed building, and although it is acknowledged the extension would be sited at the rear where the ground level is higher than that of the Coach House, and is a modest size which is minimised by the differing ground level, the character and significance of the listed building and its setting, and its relationship to the Grade II* Longstone Hall and impact on the setting of the Hall, and other listed buildings in the vicinity need to be taken into account.

The early-C19th Coach House at Great Longstone is individually Grade II listed. It is situated within the curtilage of the Grade II* listed Longstone Hall and is an important element in the historic setting of the Hall, as part of the significant complex of its former ancillary outbuildings. The rear wall of the Coach House and the adjacent boundary wall (curtilage listed) form a continuous building line leading towards the Hall.

The historic form of the Coach House is as a small, simple, plain, robust, rectangular ancillary outbuilding. Although there is now an internal connection between this building and the attached former garage, externally this has had little physical impact on the original massing, scale and appearance of the Coach House: the converted single-storey structure retains its original subservient form adjacent to the Coach House gable wall, with its timber and glass front elevation set back slightly from the front elevation to the latter, enabling the main building still to be read in its original form.

The overall external footprint of the Coach House with attached garage/store has not been altered, despite the conversion taking in part of the former garage, which was not as originally approved, but which has been regularised by means of a retrospective application (NP/DDD/0716/0631). It is therefore considered that any additional extension of the Coach House beyond the existing footprint, to further expand the already-enlarged living accommodation, would result in an unacceptable level of harm to the building's historic significance, and would be contrary to LC6 (e). This is reinforced by the Authority's Design Guide, which states that, “*The guiding principle behind the design of any conversion should be that the character of the original building and its setting should be respected and retained.....When converting traditional buildings, new uses should not require the construction of extensions or ancillary buildings.*”

The proposed extension will not reflect or respect the character or appearance of the Coach House and will alter its historic form and massing, breaking the continuous building line formed by the rear elevation of the building and adjacent wall, and altering the rear elevation which has a

plain, simple character and appearance. As a stable block it is unlikely that the building would have had any openings or additions to the rear elevation.

The dwelling is a conversion of the one of the former stable blocks of Longstone Hall, which is listed Grade II*, the application site stands approximately 40m to the west of the Hall. The rear elevation of the building and the Tithe Barn conversion 23m to the north, provide a frame through which the Hall is visible, it is therefore considered that any addition to the rear of the Coach House would impact on the setting of the Grade II* Hall.

No exceptional circumstances have been presented to justify the harm it is felt would result from the addition of a rear extension to the property. Although the applicants have demonstrated a potential personal need for a toilet facility on the ground floor, in the near future, they have been advised that the application is not thought to be acceptable in policy terms, and additionally, there is sufficient internal space within the converted garage to accommodate a downstairs bathroom facility. This could be wholly reversible and could be removed when no longer required to meet the immediate needs of the current occupants.

It is concluded that the proposed extension does not meet the requirements of policies L3 and LC6 because it would adversely affect the historic interest and integrity of the listed building, altering its appearance and historic character as a stable block, and enlarging the size of this historically small outbuilding.

Conclusion

It is therefore concluded that the extension will cause harm to the character, appearance and significance of the original building, its setting, and the setting of neighbouring listed buildings. Accordingly, the revised application is recommended for refusal.

Human Rights

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

List of Background Papers (not previously published)

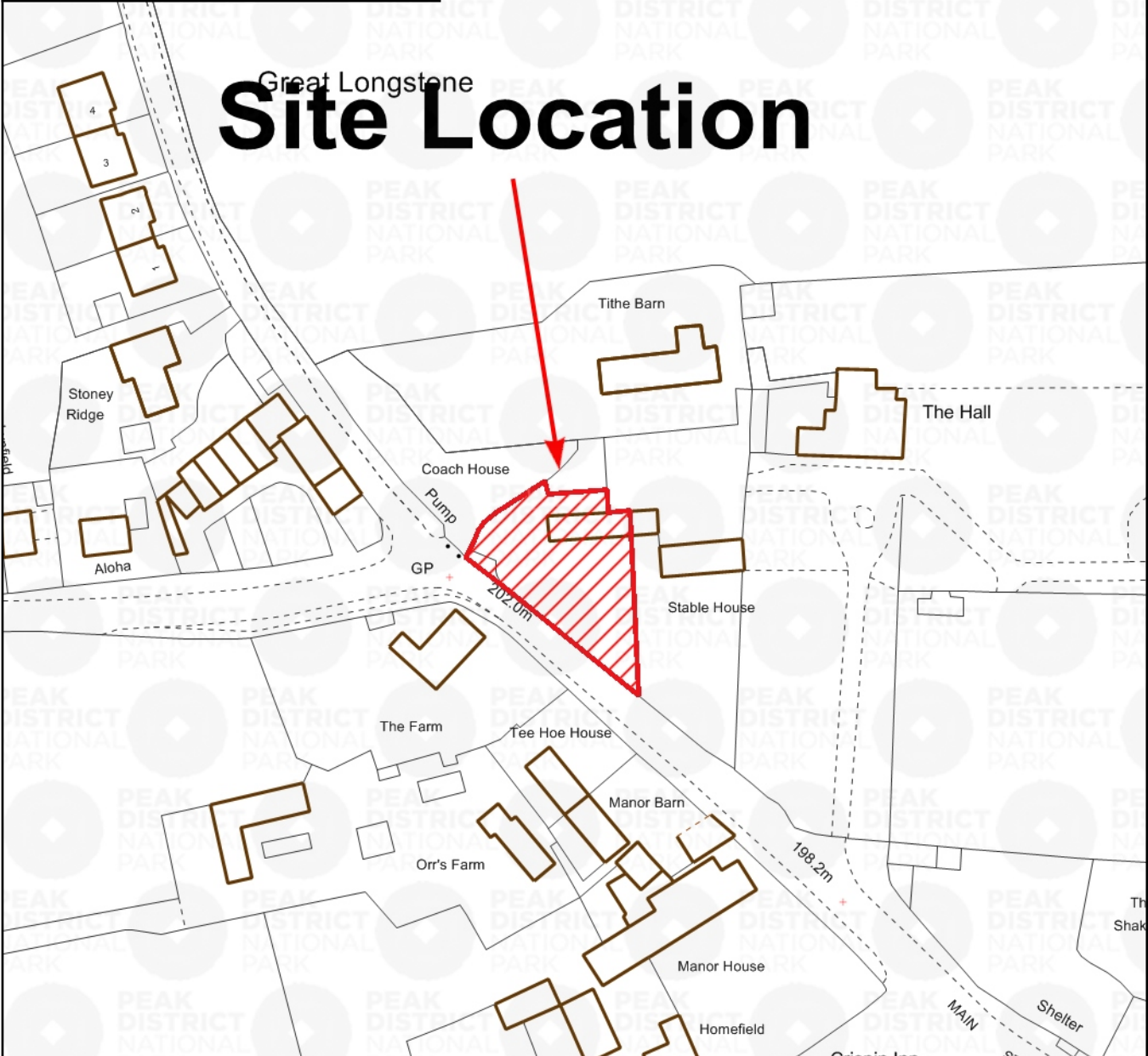
Nil

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1:1250

Great Longstone Site Location



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| | | | |
|-----------------|------------------|---|--|
| Committee Date: | 11/11/2016 | Title: Coach House Main Street Great Longstone |  PEAK DISTRICT NATIONAL PARK |
| Item Number: | 13 | | |
| Application No: | NP/DDD/0916/0926 | | |
| Grid Reference: | 419802, 371936 | | |

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14. FULL APPLICATION - PROPOSED GENERAL PURPOSE STORAGE AND LIVESTOCK HOUSING BUILDING TO REPLACE EXISTING BUILDINGS AT ADES CROFT, LOWER SMITHY LANE, TADDINGTON (NP/DDD/0916/0936 P.9029 19/09/2016/TS)

APPLICANT: MRS CHARLOTTE BRADY

Site and Surroundings

The application site comprises of a detached bungalow and associated small holding with an area of approximately 0.25 hectares. The site lies to the north of the main body of Taddington village and is accessed from Lower Smithy Lane. Neighbouring residential properties lie to the south of the site and there is a mix of open fields, residential curtilage and farm buildings to the north, east and west. The site lies within Taddington Conservation Area.

Proposal

Planning permission is being sought to erect a general purpose storage and livestock housing building to replace existing buildings.

The proposed building would be sited approximately 20.5 metres away from the rear elevation of the host dwelling Ades Croft. The building would be 13.716 metres wide and 7.010 metres deep. It would be constructed with a concrete panel plinth with vertical Yorkshire boarding above. The eaves height would be 2.438 metres and ridge height 3.254 metres. The building would have two open fronted bays and one enclosed area. The proposed building would have a footprint of 96 square metres.

The building would occupy a similar position within the site to an existing wooden framed and corrugated sheeting building that is in a poor condition. There is also a dilapidated wooden garage to the east of the site. Both of these existing buildings would be demolished. This would result in a net reduction from the existing floor space of around 60 square metres.

The submitted information states that the proposed building would be used for car, equipment, fodder and hay storage and also for livestock accommodation, for example during lambing or for a pony. This would represent a continuation of how the existing buildings are used.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions:

- 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 accordance with the submitted plans, drawing number 1148-001 (Elevation Details), received by the National Park Authority on 16th September 2016.**
- 3. The use of the building hereby approved shall remain ancillary to the host dwelling at Ades Croft.**
- 4. The building hereby approved shall not be brought into use until all buildings identified for demolition on submitted site plan reference 1148-002 have been completely removed.**

Key Issues

1. Whether the proposed outbuilding by virtue of its size and design detailing, detracts from the character and appearance of the existing dwelling and its setting

2. Whether the proposed development detracts from the open and undeveloped character and appearance of the immediate and surrounding landscape.

3. Whether the proposed development would preserve or enhance the character of the Taddington Conservation Area.

History

2012 Full planning permission granted conditionally for a first floor extension to the existing bungalow (NPP/DDD/0312/0277)

2015 Full planning permission granted conditionally for a single storey rear extension (NPP/DDD/0915/0826)

Consultations

Highway Authority – No objection subject to use remaining ancillary to Ades Croft

District Council – No comments received

Parish Council – No objection. Note that the building will have a smaller footprint than the existing buildings that would be removed.

Representations

Four letters of support have been received which state that the existing buildings are a blot on the landscape and the replacement of them with the proposed new building would result in a visual improvement/enhancement.

One letter of comment has been received which questions the extent of agricultural use.

Main Policies

Relevant Core Strategy policies:

Policies GSP1, GSP2 and GSP3, require that particular attention is paid to the impact on the character and setting of buildings and that the design is in accord with the Authority's Design Guide and development is appropriate to the character and appearance of the National Park.

DS1 supports appropriate forms of development in named settlements, which includes Taddington.

L1 establishes that development should conserve and enhance landscape character and other valued characteristics.

Relevant Local Plan policies:

Saved Local Plan policies LC4 & LH4 state, that development will not normally be permitted where it would not respect, would adversely affect, or would lead to undesirable changes in the landscape or any other valued characteristic of the area. Further stating, that an appropriate scale, siting, landscaping, use of materials and a high standard of design will all be required if consent is to be granted. Policy LC4 goes on to establish that particular attention will be paid to the amenity, privacy and security of the development and of nearby properties.

Policy LC5 requires development in Conservation Areas to preserve or, where possible, enhance, the character and appearance of the Conservation Area.

Policy LC13 states that new agricultural buildings will be permitted provided that they meet relevant criteria relating to their position, design, scale, impact on valued characteristics and impact on landscape.

National Planning Policy Framework

Paragraphs 56 - 66 require good design whilst paragraphs 109 -116 promote the protection of sensitive landscapes. It is considered that in this case, there is no significant conflict between the above policies in the Development Plan and more recent Government guidance in the Framework with regard to the issues that are raised.

Assessment

Principle

The site is within the settlement boundary for Taddington. Whilst relevant local policies allow for the construction of appropriate new buildings for agricultural use, it is apparent that the new building proposed in this instance would be for a combination of general domestic use (e.g. car storage) and use associated with the smallholding that is more akin to agricultural use (e.g. feed storage, livestock accommodation). The size of the smallholding, at approximately 0.25 hectares, is not of a scale that would ordinarily be likely to justify an agricultural building of the size proposed. Likewise, a building of this size may not ordinarily be considered to be of an appropriate size for a domestic outbuilding.

However, it is important to note in this instance that the proposed building would replace two separate existing buildings and this would result in a net reduction in floor space of approximately 60 square metres. Furthermore, it is apparent that the existing buildings are also in a combination of domestic and agricultural use.

As discussed further below, there would be a clear enhancement benefit arising from the replacement of the existing, poor condition buildings with a single, smaller building. As such the proposal is considered to be acceptable in this instance and in accordance with policies GSP1, GSP2, GSP3, DS1 and L1.

Design and Materials

The proposed building would be constructed with a concrete wall to a height of 1 metre with vertical Yorkshire timber boarding above. The roof of the building would be cement sheets finished in slate blue and would include six roof lights. The building would comprise of three bays, two of which would be open fronted with the other one enclosed. It is considered that the design and materials of the proposed building are appropriate for this location. The proposal is considered to accord with policies LC4, LC13 and LH4 in this respect.

Conservation Area

The existing buildings are in a poor condition and do not make a positive contribution to the character of the Conservation Area. It is considered that the removal of the existing buildings and their replacement with a single building with a more compact footprint would result in a minor enhancement to the Conservation Area. It is considered that the proposal accords with policy LC5 and the guidance contained within the National Planning Policy Framework in this respect.

Impact on Landscape

It is considered that the overall reduction in built form at the site would be beneficial in terms of the impact on landscape. The site lies to the north of the main part of Taddington village and is set within a band of predominantly undeveloped fields that lie in between the village and the A6 to the north. There is also a public footpath approximately 80 metres to the west of the site. As

such, the existing buildings have a prominence in the landscape and it is considered that their removal and replacement with a new building with a smaller footprint would have a reduced impact on landscape character than the existing situation and would therefore represent betterment in this respect.

It is considered that the proposed development would not have a major visual impact on its landscape setting and would offer some enhancements over the existing situation. It is therefore considered that the proposed development would accord with the landscape conservation objectives set out for the National Park in paragraph 115 of the Framework and policies in the Authority's Development Plan including core policies GSP1, GSP2 and L1 of the Core Strategy.

Amenity and Neighbourliness

The proposed building would be sited approximately 40 metres from the nearest third party dwellings, which lie to the south of the site. It is considered that the scale and position of the proposed building would not result in any significant harm to the residential amenity of occupiers of any nearby properties. Given that the use of the proposed building would represent a continuation of the use of the existing buildings, there is no reason to conclude that there would be any unacceptable increase in noise or other associated disturbance. The proposal is considered to accord with policy LC4 in this respect.

Conclusion

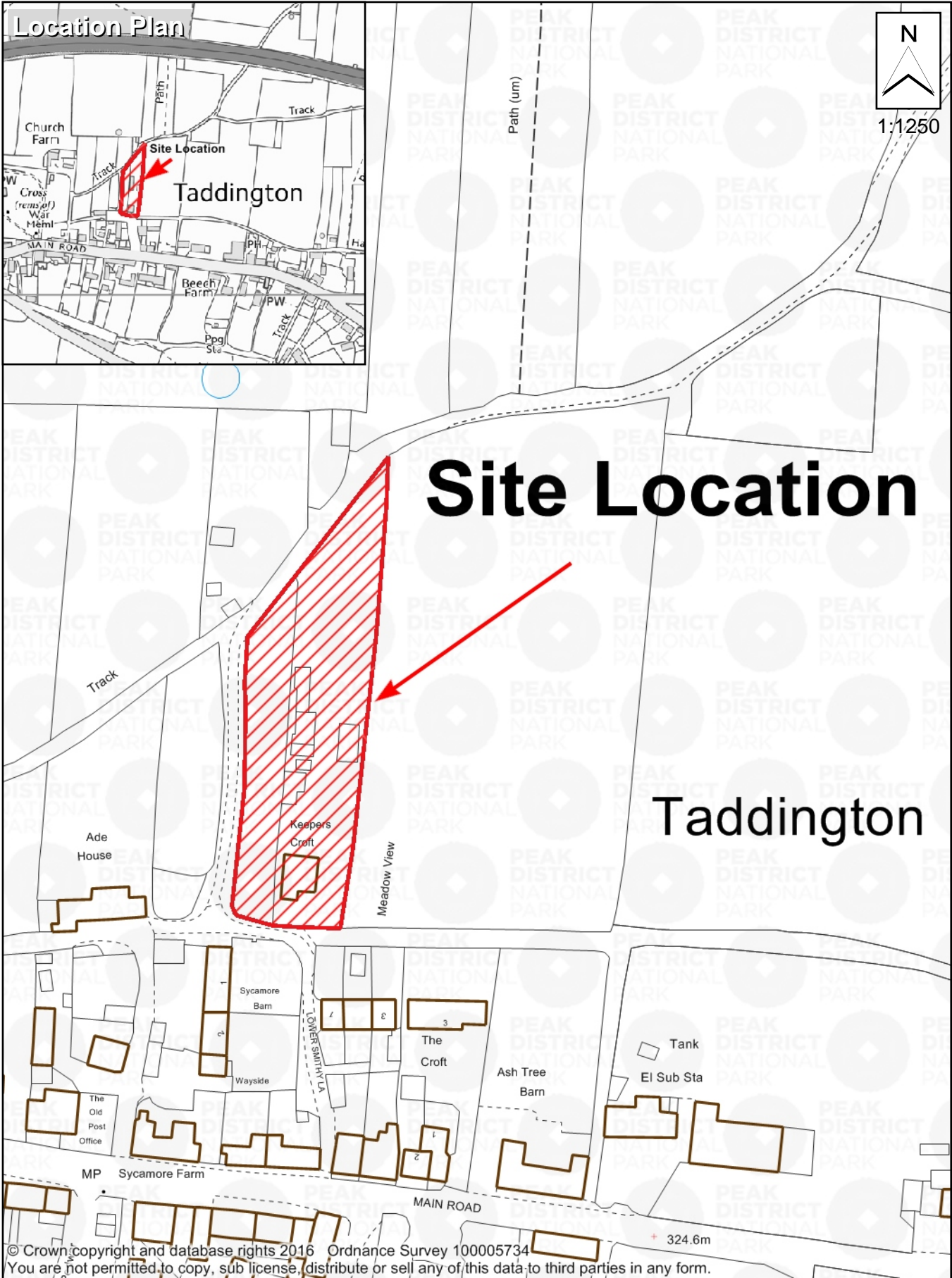
It is therefore concluded that the application complies with national planning policies and the relevant policies in the Development Plan and that there are no other relevant considerations that indicate that the application should not be approved subject to appropriate planning conditions. In reaching these conclusions, significant weight has been attached to the desirability of replacing the existing building. The application is therefore 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



| | | | |
|-----------------|------------------|---|--|
| Committee Date: | 11/11/2016 | Title: Ades Croft Lower Smithy Lane Taddington |  PEAK DISTRICT NATIONAL PARK |
| Item Number: | 14 | | |
| Application No: | NP/DDD/0916/0936 | | |
| Grid Reference: | 414334, 371133 | | |

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15. **DESIGNATION OF SADDLEWORTH PARISH AS NEIGHBOURHOOD PLAN AREA (IF)**

Purpose of the report

1. To designate Saddleworth neighbourhood area under the *Localism Act 2011 Schedule 9*.

Key issue

2. Under Schedule 9, section 61G of the Localism Act 2011, the power to designate an area as a neighbourhood area is exercisable by the Authority when a relevant body has applied. Saddleworth Parish Council is a relevant body and has applied to Oldham Council and the National Park Authority.

3. **Recommendation:**

That Members designate the area of Saddleworth Parish as a neighbourhood area (the area shown on the map in Appendix 1), under the *Localism Act 2011 Schedule 9, section 61G*.

How does this contribute to our policies and legal obligations?

4. Under the Town and Country Planning Act 1990 (as amended), the National Park Authority has a statutory duty to assist communities in the preparation of Neighbourhood Development Plans. Applications for designation of a neighbourhood area are made under Neighbourhood Planning (General) Regulations 2012 {as amended by The Neighbourhood Planning (General) (Amendment) Regulations 2015}. Neighbourhood areas are defined under the Town and Country Planning Act 1990 61G.
5. This proposal contributes to our Corporate Strategy for 2016 - 2019, which has, as a cornerstone for a solid foundation, '*Delivering our planning and other advisory services in a way that helps communities deepen their understanding and support for the special qualities of the National Park*'. If adopted, a neighbourhood plan or neighbourhood development order would form part of the Local Development Plan for the National Park.

Background

6. The Authority Meeting on 5 October 2012 approved procedures for processing notifications received from communities under the Localism Act 2011. For notifications to designate neighbourhood areas it was resolved that these be determined by Planning Committee (Minute 72/12).
7. On 25 February 2016 Saddleworth Parish Council notified this Authority of its intent to designate the whole of Saddleworth Parish as a neighbourhood area. (See Appendix 2). Designation of a neighbourhood area is necessary for parish councils wishing to undertake neighbourhood development plans. The Localism Act 2011 (Part 6 chapter 3, Schedule 11) sets out the LPA responsibilities as:
 - Designating the neighbourhood area
 - Advising or assisting communities in the preparation of a community right to build order
 - Checking a submitted order meets the legal requirements
 - Arranging for the independent examination of the order
 - Determining whether the community right to build order meets the basic conditions

- and other legal requirements
 - Subject to the results of the referendum bringing the order into force
8. In accordance with the Neighbourhood Planning Regulations, a consultation on the proposed designation of Saddleworth as a neighbourhood area began on 19 August 2016 and ended on the 30 September 2016. The application was advertised on the National Park Authority's website from the 19 August 2016. It was also advertised on the Oldham Council website from 19th August and made available to view at Oldham Council offices from that date. The delay between notification of intent to produce a neighbourhood plan (February 2016) and the consultation period on the proposed neighbourhood area was driven by Oldham Council's standing orders and committee cycles rather than those of the National Park Authority.
9. Other publicity was undertaken as outlined below:
- Copies of the application and map were available to view during normal office hours at the offices of the Peak District National Park Authority, Bakewell, and at various locations in and around Saddleworth as well as at Oldham Council offices

There were 14 responses to the consultation of which 9 were from statutory bodies such as Natural England, and 5 were local responses from 4 individuals and 1 amenity organisation. All responses were submitted to Oldham Council. None were submitted to this Authority. All but one were supportive or offered no comment other than to request consultation at later stages and to pass on standard information and guidance to have regard to in plan making. This is a common response from organisations such as Natural England, Sport England, the Health and Safety Executive and Historic England. There were no responses that made specific reference to the National Park part of the Saddleworth Area. The objection was against the exclusion of Lees from the Saddleworth Neighbourhood Plan area on the grounds that Saddleworth and Lees District Councillors meet as a District Partnership of councillors representing the two parishes on Oldham Council. The Parish Councils operate separately however, and the letter at Appendix 3 explains to Oldham Council why Saddleworth Parish Council wishes to designate Saddleworth Parish as a neighbourhood area

Proposal

10. In determining the application, the Authority must have regard to the following issues:

(1) The desirability of designating the whole of the area of a parish council.

In the letter of application, and through the accompanying map the Parish Council has made clear that the area proposed for designation as a neighbourhood area is the whole area for which the Council is responsible.

There are no reasons why the whole of the parish should not be designated.

(2) The desirability of maintaining the existing boundaries of areas already designated as neighbourhood areas.

There are no adjoining parishes designated as neighbourhood planning areas so no potential conflict

(3) Consideration of whether the area should be designated as a business area.

Designation of a business area would only apply if the area is wholly or predominantly business in nature. This is not the case in this instance so no business area

designation is proposed

Are there any corporate implications members should be concerned about?

Financial

11. There are no costs incurred by the Authority in advertising the statutory consultation to designate a neighbourhood planning area since the populated part of the Parish lies predominantly outside the National Park and, apart from the web based notice of consultation, the advertising has been undertaken by Oldham Council. By agreement with Oldham Council the Authority will claim £1000 of the £5000 available to Oldham Council for designation of a neighbourhood planning area. Further costs of PDNPA officer support will be negotiated with Oldham Council.

Risk Management:

12. The steps taken by the Authority (as set out in this report) in response to the Localism Act, means that the risk of failing to meet government standards or legal obligations is low.

Sustainability:

13. • Environmental Management – there is no impact at this stage. These matters will be considered as part of the Authority's assessment of the plan itself.
- Equalities – all work on community planning takes into account equalities issues.

Background papers (not previously published)

14. None.

Appendices

Appendix 1: Map of proposed Saddleworth Neighbourhood Area

Appendix 2: Letter of application

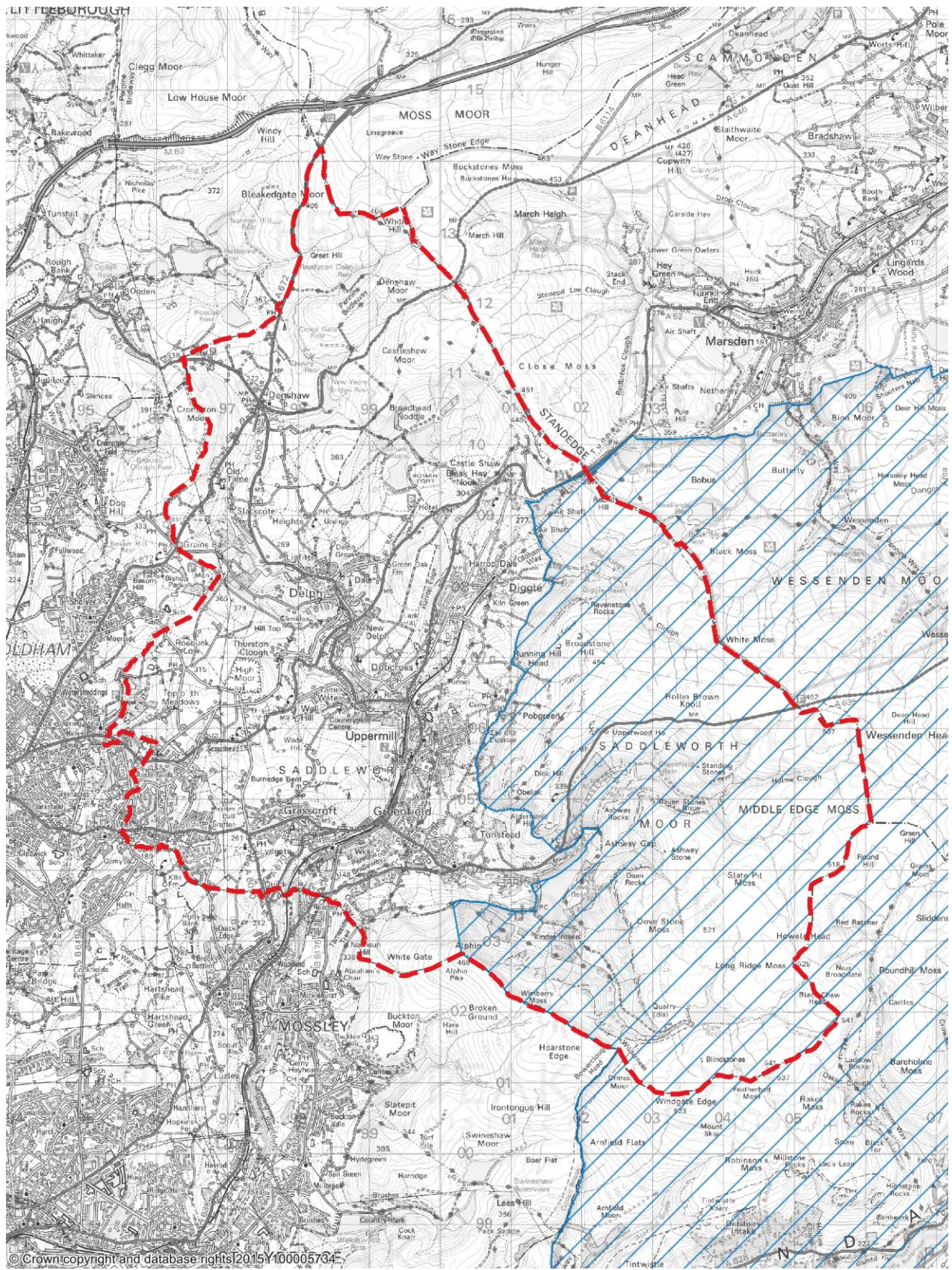
Appendix 3: Follow up letter to Oldham Council October 2016 in response to consultation

Report Author, Job Title and Publication Date

Ian Fullilove, Policy Planner, 3 November 2016

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Appendix 1: Map of Proposed Saddleworth Neighbourhood Area



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Appendix 2: Letter of application

Mr John Scott
Director of Conservation and Planning
Peak District National Park Authority
Aldern House
Baslow Road
Bakewell
Derbyshire
DE45 1AE

25th February 2016

SADDLEWORTH NEIGHBOURHOOD PLAN – APPLICATION FOR DESIGNATION AS A NEIGHBOURHOOD PLANNING AREA

This application is made by Saddleworth Parish Council.

The application covers the whole parish as shown on the map that accompanies this letter. Given that the parish falls within two local planning authority areas this application is made to both Oldham Metropolitan Borough Council and the Peak District National Park Authority. Discussions have been held with both of these bodies on this application and we are seeking your support in co-ordinating the six week designation consultation and approval process.

The Parish Council is a relevant body for the purposes of section 61G of the 1990 Act and seeks to prepare a neighbourhood plan for the whole of Saddleworth parish for the following reasons:

1. To give local people more say in the future planning of the area, and reflect the needs and priorities of local people;
2. To support the strategic needs set out in the Local Plans;
3. To plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plans; and
4. To set out a positive shared vision for the future of Saddleworth and to promote sustainable development.

The Plan will seek to look at some or all of the following:

- a) Housing type and mix;
- b) Infrastructure;
- c) Historic buildings – possibly by resurrecting the local list of buildings;
- d) Landscape;
- e) Protection of identified community facilities;
- f) Appearance of the villages – possibly with a separate section within the plan, or separate policies within the plan for each village. This could build on work already undertaken for the Conservation Area appraisal exercise;
- g) Development management policy for future renewable energy development;
- h) Policy setting out how monies from Community Infrastructure Levy would be spent;
- i) Design policy (including materials);
- j) Areas for more restrictive planning policy within the Green Belt e.g. conversions, stables;
- k) Policy to protect existing employment uses;
- l) Policy to encourage development of small businesses and homeworking;

- m) Greenspace protection, improvement and enhancement;
- n) Protection and improvement of sports facilities; and
- o) Policies to look at transport issues.

We would now ask you to formally start the designation in process alongside Peak District National Park Authority at the earliest available opportunity.

Should you have any further questions please contact me.

Yours sincerely

Pam Bailey
Clerk to the Council

Appendix 3: Follow up letter to Oldham Council October 2016 in response to consultation



SADDLEWORTH

Parish Council



Mr Stephen Irvine
Head of Planning
Oldham Council
Civic Centre
West Street
Oldham
OL1 1UQ

14th October 2016

**SADDLEWORTH NEIGHBOURHOOD PLAN – APPLICATION FOR DESIGNATION
AS A NEIGHBOURHOOD PLANNING AREA**

Further to my letter of 25th February 2016 I would like to make the following submission to support the application in accordance with Part 2 of the 2012 Regulations.

Saddleworth is a civil parish incorporating the rural settlements and communities of Austerlands, Delph, Denshaw, Diggle, Dobcross, Friezland, Grasscroft, Greenfield, Grotton, Lydgate, Scouthead, Springhead and Uppermill all of which, prior to the 1974 local government reorganisation, were part of the West Riding of Yorkshire. The area is recognised by statutory bodies and by the community and the activities of Saddleworth Parish Council involve all individual settlements within this area. Each of the villages has its own Community or Residents' Association which works closely with the Parish Council.

Our residents recognise that Saddleworth has a unique identity and culture and wish to have more influence over what happens in their area, but particularly the use of land, rather than leaving decisions to others who lack the benefit of local knowledge. In particular, our residents have a desire to ensure that development is sustainable.

The proposed area is appropriate in spatial planning terms. It does not overlap an existing Neighbourhood Area or include land within another Parish or Town Council's administrative boundaries. The proposed Neighbourhood Area will sit comfortably with the electorate and the existing sense of community that currently exists.

Yours sincerely

Pam Bailey
Clerk to the Council

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16. HEAD OF LAW REPORT - PLANNING APPEALS (A.1536/AMC)

1. APPEALS LODGED

The following appeal has been lodged during this month.

| <u>Reference</u> | <u>Details</u> | <u>Method of Appeal</u> | <u>Committee/ Delegated</u> |
|------------------------|--|----------------------------|-----------------------------|
| ENF 13/0040 3156666 | Enforcement Notice regarding: 1. Without planning permission, the erection of a building 2. Without planning permission, engineering operations comprising the excavation of material from the Building footprint and bank to its rear and the incorporation of the excavated material into an existing slope the intended use of which appears to be a turning circle to facilitate the use of the Building on land adjacent to Swallow Cottage, Pilhough Road, Congreave | Written Representations | Delegated |

2. APPEALS WITHDRAWN

There have been no appeals withdrawn during this month.

3. APPEALS DECIDED

The following appeals have been decided during this month.

| <u>Reference</u> | <u>Details</u> | <u>Method of Appeal</u> | <u>Decision</u> | <u>Committee/ Delegated</u> |
|-----------------------------|---|----------------------------|-------------------------|-----------------------------|
| NP/DDD/0416/0325 3152338 | Deposit of spoil at Swallow Cottage, Pilhough | Written Representations | Allowed with conditions | Delegated |

The Inspector felt that the proposal complied with Policy CC3 of the Authority's Core Strategy Development Plan and represented a more sustainable solution overall than transferring the soil off-site with the significant number of lorry movements that would incur. The Inspector noted the Authority's comments in relation to Policy CC3 and in particular its insistence that 'on site' must mean the exact application site. However the Inspector found this to be an excessively rigid and unreasonable interpretation of the policy. In any event the red-line boundaries for both the garage and spoil applications encompass the wider site and therefore in that regard the soil is not being deposited off-site. Compliance with Policy CC3 does not however obviate the requirement for the development to accord with the overall aims of paragraph 115 of the Framework or the provisions of the development plan in terms of landscape protection. The Inspector's view is that once the works are complete and the hedge reinstated along the driveway edge, the spoil would be barely perceptible from public viewpoints in the area. The resulting gradient would closely respect the general lay of the land to the north of the appeal site which in turn reflects the typical character described in the LCA, therefore little evidence to support the Authority's view that it would be a large and obtrusive land-form.

| | | | | |
|-----------------------------|--|-------------------------|-----------|-----------|
| NP/DDD/1215/1167 3152332 | Erection of Domestic Garage and Store at Swallow Cottage, Pilhough | Written Representations | Dismissed | Committee |
|-----------------------------|--|-------------------------|-----------|-----------|

The Inspector states that the 2012 permission is incapable of being implemented as the original building has been demolished and therefore has assessed the scheme on the basis of a new building in light of the plans and supporting information submitted by the Appellant. The Inspector found the building to be a substantial structure that would be physically and visually divorced from other buildings in the vicinity and in an elevated position. The building would be readily apparent from the woodland path to the rear of the site particularly in the winter months. It would also be prominent in views from Pilhough Lane to the north and the four-way junction. The Inspector also concurred with the Authority that the building would also be visible in more distant views although not in a manner that could reasonably be described as prominent. The Inspector concluded that the development would impose a significant mass of discordant built development upon the landscape where none currently exists. It would thus have a significant adverse effect on the character and appearance of the area of the PDNP and would conflict with Policies LC4 and LH4 of the LP and Policies GSP1, GSP2, GSP3 and L1 of the Core Strategy and the Framework. Collectively these seek to ensure that development proposals secure the statutory aims of the PDNP, and respect, conserve and enhance all valued characteristics of the site and buildings with particular reference to the effect of the proposal on the character and setting of buildings, and the landscape within which they sit.

| | | | | |
|-----------------------------|---|---------|--|-----------|
| NP/DDD/1014/1045 3053101 | Demolition of existing factory building and the subsequent construction of a total of 26 dwellings including 4 'affordable' and conversion of former factory buildings to 2 dwellings at Dove Dairy, Stonewell Lane, Hartington | Hearing | Allowed, planning permission granted with conditions | Committee |
|-----------------------------|---|---------|--|-----------|

The Inspector stated that the level of attendance at the hearing sessions and the views expressed during them highlighted the importance of this site, and proposals for it, to people in the locality. The appeal scheme would enable the remediation of a derelict site that is very prominent and discordant in the National Park landscape that includes Hartington and its heritage assets. Redeveloping the former factory would enhance the character and appearance of Hartington and the National Park. It would enable an identified need for affordable housing in this area to be addressed in part. Developing elsewhere would not meet that need, or the need to remediate a derelict site that through its scale and form detracts from the landscape and scenic beauty of the National Park. The redeveloped site would enhance the landscape and associated recreational opportunities in the National Park. It would contribute to the local economy, and provide social and environmental benefits. For these reasons the appeal scheme complies with CS policy GSP1, GPS2, GPS3, HC1, L1, DS1 and CC5, LP Policies LC4, LC5 and LC22, and the relevant parts of the Framework. In this case, the adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits that the appeal scheme would provide. For these reasons, exceptional circumstances in the public interest exist to justify the development proposed. No considerations have been found to outweigh the identified compliance with development plan and Framework policy.

4. **RECOMMENDATION:**

That the report be received.