

Public Document Pack

Peak District National Park Authority

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



Our Ref: A.1142/1583

Date: 2 March 2017



NOTICE OF MEETING

Meeting: **Planning Committee**

Date: **Friday 10 March 2017**

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 meetings 03/02/2017 & 10/02/2017** (*Pages 1 - 26*)
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 - Continuation of stone extraction (in the form of block) from the consented area under varied conditions, the proposed extension to a permitted area of stone extraction and amendment of the permitted restoration landform at New Pihough Quarry (NP/DDD/0712/0760, M5982, JEN)** (*Pages 27 - 70*)
Site Plan
7. **Full Application - Erection of four dwellings for local need on land at Town End, Taddington (NP/DDD/1216/1259. P4250, 19/12/2017 414745 / 370961/SC)** (*Pages 71 - 82*)
Site Plan

8. **Full Application - Change of use of land to a seasonal caravan & camping site and change of use of an outbuilding for mixed use at Wallbrook House, Higg Lane, Longnor (NP/SM/1216/1201. P11323, 2/12/2016 409698 /360879/SC) (Pages 83 - 92)**
Site Plan
9. **Full Application - The installation of a 30M lattice tower supporting 2 no antennas, 2 no transmission dishes, 1 no 1.2M satellite dish on a support pole, 1 no generator, 3 no equipment cabinets and a meter cabinet within a secure compound 12M X 4,4M and development ancillary thereto, near Hagg Barn, Snake Road, Bamford, Hope Woodlands (NP/HPK/0217/0118, P.3301, 416382 / 388677, 3/2/2017/JK) (Pages 93 - 102)**
Site Plan
10. **Full Application - Single storey extension to form a meeting room, small brew area, storage and lavatory at St Christopher's Church, Shrigley Road, Pott Shrigley (NP/CEC/1215/1153, P.10305, 394469/379169, 4/12/2015/JK) (Pages 103 - 118)**
Site Plan
11. **Full Application - Change of use from A2 to A3: from bank to restaurant at Bank House, Main Road, Hathersage (NP/DDD/1016/1081 423019 / 381537 P2054 & P6715 SPW 03/11/2016) (Pages 119 - 130)**
Site Plan
12. **Full Application - Use of land to accommodate up to 25 tents during the months of May and September at Barn Farm, Barton Hill, Birchover (NP/DDD/1216/1226, P4930, P1163, 15/12/2016, 424376/362275/ALN) (Pages 131 - 140)**
Site Plan
13. **Listed Building Consent Application - Removal of existing chipboard twin external doors to south east elevation and the provision of replacement doors in oak. The removal of existing concrete sill to the doors with a new stone sill at Bakewell Tourist Information Centre, Old Market Hall, Bridge Street, Bakewell (NP/DDD/0117/0019), P6021, 06/01/2017, 421862/368571/TS) (Pages 141 - 146)**
Site Plan
14. **Full Application - Erection of an all-purpose agricultural building at Lane Head Road, Little Hayfield (NP/HPK/1016/0977 403106 / 389087 P3448 SPW 05/10/2016) (Pages 147 - 154)**
Site Plan
15. **Advertisement Consent Application - Proposed interpretation panels at Blacka Moor Nature Reserve, Sheffield (NP/S/1116/1157, P.5572 + 7293, 21/11/2016, 427615 / 380592, MN) (Pages 155 - 160)**
Site Plan
16. **Peak District National Park Authority consultation response to development of 586 dwellings, incorporating 78 affordable units, 2800M2 commercial floorspace (Class B1), shop and cafe, with associated vehicle, cycle and pedestrian infrastructure (Outline) at Cawdor Quarry, Permanite Works and part of Snitterton Fields, Matlock Spa Road, Matlock DDDC REF: 16/00923/OUT (TS) (Pages 161 - 172)**
Site Plan 1

Site Plan 2
17. **Head of Law Report - Planning Appeals (A.1536/AMC) (Pages 173 - 176)**

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.

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. From 3 February 2017 the recordings will be retained for three years after the date of the meeting.

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
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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 3 February 2017 at 12.00 pm

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

Chair: Mr P Ancell

Present: Cllr D Birkinshaw, Cllr P Brady, Cllr C Carr, Cllr D Chapman, Cllr A 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 and Cllr D Williams

Apologies for absence: Cllr A McCloy.

1/17 CHAIR'S ANNOUNCEMENTS

The Chair confirmed that the order of the meeting would be item 6 first, then a lunch break at approx. 12.30pm with item 7 starting at 1.00pm. He stated that he would only take declarations of interest relating to item 6 in the first part of the meeting and then take declarations relating to item 7 in the second part of the meeting at 1.00pm.

2/17 MINUTES OF PREVIOUS MEETING 9 DECEMBER 2016

The minutes of the last meeting of the Planning Committee held on 9 December 2016 were approved as a correct record subject to the following amendment:

MINUTE 160/16 MINUTES OF PREVIOUS MEETING

MINUTE 150/16 FULL APPLICATION - CHANGE OF USE TO 3 AFFORDABLE DWELLINGS AT HURST WATER TREATMENT PLANT, DERBYSHIRE LEVEL

The amendment to minute 150/16 stated under minutes of the previous meeting was amended by deleting the words 'related to water management and treatment in the area'.

3/17 MEMBERS DECLARATIONS OF INTEREST

Item 6

Cllr A Hart stated that he would only be observing this meeting as he had not completed the refresher planning training and therefore would not speak or vote on the item.

Cllr J A Twigg stated that she had been at a Derbyshire County Council Planning meeting when the ROMP for the adjoining site had been approved.

4/17 PUBLIC PARTICIPATION

Fifteen members of the public had given notice to speak at the meeting on item 7 only.

5/17 REVIEW OF OLD MINERAL PERMISSION APPLICATION - OLD MOOR QUARRY (TUNSTEAD), WORMHILL, BUXTON

It was noted that Members had visited the site during the previous month.

The Minerals Team Manager introduced the report and emphasised that planning permission was already in place and that this report was to review and determine the conditions only.

In response to Members' queries the Minerals Team Manager stated that the site was monitored regularly, that the tree belt would be retained and the faces restored. She also stated that there had been no mention of rare orchids in the extensive ecological report.

The recommendation as set out in the report and the conditions as set out in Annex 1 of the report were moved and seconded. The motion was then voted on and carried.

RESOLVED:

That the Review of Old Mineral Permission scheme at Old Moor Quarry be determined for the purposes of Paragraph 9 of Schedule 13 of the Environment Act 1995 and in line with the conditions set out in Annex 1 of the minutes.

The meeting was adjourned at 12.28pm for a short lunch break and reconvened at 1.00pm.

Chair: Mr P Ancell

Present: 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 and Cllr D Williams.

Apologies: Cllr A McCloy.

6/17 FULL APPLICATION - OPERATIONAL FACILITIES FOR BROSTERFIELD CAMPING AND CARAVAN SITE TO INCLUDE AMENITY BUILDING, NEW ACCESS, MANAGER'S ACCOMMODATION AND ASSOCIATED ANCILLARY FACILITIES AT BROSTERFIELD CARAVAN SITE, FOLOW

The following declarations of interest were made:

Mr P Ancell declared that he had not been involved in preparation or discussion of the planning application. He had received emails from Foolow Parish Council, Mr Vickers, Mr Molyneux, Mr Martin, Mr Wills and Mr Hardwick.

Cllr D Chapman declared that he had not been involved in preparation or discussion of the planning application. He had received emails from Foolow Parish Council, Mr Vickers, Mr Molyneux, Mr Martin, Mr Wills and Mr Hardwick.

Cllr Mrs L Roberts declared that she had not been involved in preparation or discussion of the planning application. She had received emails from Foolow Parish Council, Mr Vickers, Mr Molyneux, Mr Martin, Mr Wills and Mr Hardwick. She also stated that she was present at the Authority meeting on 24 May 2013 but she had not discussed or voted on the issue.

Cllr D Williams declared that he had received emails from Mr Vickers and Mr Wills.

Cllr A Hart stated that he would only be observing this meeting as he had not completed the refresher planning training and therefore would not speak or vote on the item.

Cllr Mrs K Potter declared that she had received emails from Mr Molyneux, Mr Martin, Mr Vickers, Mr Wills and Dr Owens. She also declared that she was a member of CPRE and knew one of the speakers, Mr Youatt, as he is an ex-member of the Authority's staff. Cllr Mrs Potter stated that she was present at the Authority meeting on 24 May 2013 but she had not discussed or voted on the issue.

Cllr H Laws declared that he had not been involved in preparation or discussion of the planning application. He had received emails from Foolow Parish Council, Mr Vickers, Mr Molyneux, Mr Martin, Mr Wills and Mr Hardwick.

Ms S McGuire declared that she had received 2 letters from Dr Owens and emails from Mr Vickers and Mr Wills. She also stated that she knew 3 of the speakers Dr A Tickle, Dr Owens through discussions of National Park issues and Mr Folkard as he is involved in the Stanage Forum, Eastern Moors Partnership and Sheffield Moors Partnership as is Ms McGuire.

Cllr P Brady declared that he had not been involved in preparation or discussion of the planning application. He had received emails from Foolow Parish Council, Mr Vickers, Mr Molyneux, Mr Martin, Mr Wills, Mr Hardwick and Dr Owens. He also declared that he knew 2 of the speakers – Mr Youatt and Mr Hardwick. Cllr Brady stated that he was present at the Authority meeting on 24 May 2013 but he had not discussed or voted on the issue.

Cllr J A Twigg declared that she had received the same emails as other Members and that she knew most of the speakers as their County Councillor.

Cllr C Howe declared she had received emails from Mr Martin, Mr Molyneux, Mr Wills, Mr Vickers, Mr Hardwick and a letter from Dr Owens.

Cllr J Macrae declared he had received emails from Mr Martin, Mr Molyneux, Mr Wills, Mr Vickers, Mr Hardwick and a letter from Dr Owens. He also stated that he was a member of CPRE and the Authority.

Cllr C Carr declared he had received email from Mr Vickers and a letter from Dr Owens.

Mr R Helliwell declared he had received letters from Dr Owens and emails from Mr Molyneux, Mr Vickers and Mr Wills. He also declared that he knew 4 of the speakers – Mr Youatt, Dr Tickle, Mr Folkard and Mr Marsden. Mr Helliwell stated he was a Member of the Authority.

Cllr D Birkinshaw declared that he had not been involved in preparation or discussion of the planning application. He had received emails from Foolow Parish Council, Mr Vickers, Mr Molyneux, Mr Martin, Mr Wills and Mr Hardwick.

Mr John Scott, Director of Conservation and Planning declared that he had represented local objectors at the 2010 planning appeal inquiry and had been instructed by Mr Molyneux and Mr Vickers. He had stated his views on the 1998 application at the inquiry and supported the Authority's position. He considered that his interest was non-prejudicial.

The Planning Manager introduced the report and stated that since the report had been written as further 12 letters of objection had been received giving 108 in total. A consultation response had been received from Natural England stating that they had no objections and did not recommend any conditions.

The Planning Manager stated that officers considered that it was clear that the 1998 planning permission had been implemented as landscaping and fencing had been put in, caravans had been using the site and there was evidence of provision of a passing place. The certificate of proposed lawful use was also clear. He stated that the discontinuance order would reduce harm to the site and the landscape by amending the conditions of the 1998 permission, subject to confirmation by the Secretary of State. It was noted that the Secretary of State had received a request to call this application in, so in the event of the Committee resolving to approve the application, DCLG would require notification of the resolution before a decision notice could be issued.

The following spoke under the public participation at meetings scheme. Mr Wills requested a change to the order of the speakers but this was refused by the Chair:

- Mr S Hardwick, Peak Park Watch, Objector
- Mr J Youatt, Objector
- Mr S Molyneux, Objector
- Ms E Nancolas, Village Resident and Objector
- Mr A Marsden, Objector
- Mr J Church, Objector
- Mrs J Vickers, representing Mr R Vickers, Objector
- Mr D Martin, Objector
- Mr S Slater, representing Mr P Slater, Objector
- Mrs J Wills, Objector
- Dr A Tickle, Friends of the Peak District, Objector
- Mr H Folkard, Objector
- Dr P Owens, Objector
- Mr S Wills, Chair of Foolow Parish Meeting, Objector
- Ms T Shirley, Applicant

The Director of Conservation and Planning stated that the 1998 planning permission had included several conditions and condition 5 referred to the provision of a vehicle passing place on the private road prior to implementation. Other conditions related to foul drainage, use of the site over the season and landscaping. He referred to correspondence in 1999 with an agent working for the landowner which stated that passing spaces were already available at either end of the private road and there was correspondence on the file which shows that this was agreed, therefore officers believe the permission was implemented and it is extant. The 1998 planning consent is a realistic fall back position. The Assistant Solicitor stated that no evidence to refute the existence in 1999 of a parking space as a passing place as referred to in the agent's letter and use by caravans had been presented and the Committee should make a fair and reasonable decision as to implementation on the evidence available to it.

The Committee voted to continue the meeting beyond 3 hours.

In response to Members' queries the Director confirmed that a landscape assessment had been submitted with the application and was available to view on the Authority's website. He also stated that officers had looked at the site and that the applicant had been treated neutrally as any other applicant would be treated.

The Chair stated that the recommendation as set out in the report had been moved but was not seconded. A motion for refusal due to the scale of development, impact on the landscape, and impact on the Foolow community due to traffic and disturbance was moved and seconded.

Members queried if the discontinuance notice could be dealt with separately or deferred. Officers stated that it could be deferred.

The motion for refusal was then voted on and carried.

RESOLVED:

- 1. That the application by REFUSED for the following reasons:**
 - a. Scale of development resulting in an adverse impact on landscape**
 - b. Impact on the local community through traffic and disturbance**

- 2. That consideration of a Discontinuance Order be DEFERRED.**

The meeting ended at 3.34 pm

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Annex 1

Schedule of Conditions – Old Moor

The Site and Scope of Conditions

1) These conditions shall apply to the whole of the remaining development in the area shaded blue on drawing no. T067-00058 Rev A ('the Site') to which the planning permission APP/5172/A/74/9176 (the 'relevant permission') relates, and are due to supersede all the conditions to which this permission is subject, with effect from the date which is six months from the date of this schedule, i.e. from 16/01/17. From that date, the development shall be undertaken only in accordance with these conditions.

Reason: To establish control over the extent of the development and hence, to protect local amenity, and in accordance with paragraph (7), Schedule 13 of the Environment Act 1995.

Approved Details

2) The development to which the relevant permission relates shall only be undertaken in accordance with the following documents and plans or as otherwise required by the conditions below:

- Drawing No. T67/20 - Planning Permission and Landownership Boundary
- Drawing No. T67/22 – Planning Permission and Landownership Boundary
- Drawing No. T67/023 – Site Layout and Features
- Drawing No. T67/026 Rev B – Quarry Development Plan Stage 1
- Drawing No. T67/027 Rev B – Quarry Development Plan Stage 2
- Drawing No. T67/028 – Quarry Development Plan Final
- Drawing No. T67/029 – Illustrative Restoration Cross Sections
- Drawing No. T67/030 Rev A – Tunstead/Old Moor Restoration Stages 1 and 2
- Drawing No. T67/031 Rev B – Tunstead/Old Moor Quarry Restoration Masterplan
- Drawing No. T67/032 – “Manstock” Soil Storage Design
- Drawing No. T67/038 – Noise Monitoring Locations
- Drawing No. T67/039 – Dust Monitoring Locations
- Drawing No. T67/040 – Vibration Monitoring Locations
- Drawing No. T67/041 – Water Monitoring Locations
- Drawing No. T67/078 – Walling Stone Storage Plan
- Planning Supporting Statement and Accompanying Appendices A to K dated 31 August 2013
- Environmental Statement Volumes 1 to 5 dated August 2013, as amended by:
 - Summary Statement of the Supplementary Environmental Information Folder A dated December 2014
 - Technical Annex D – Ecology and Natural Heritage Revised November 2014
- Supplementary Hydrogeological Report – letter dated 19 November 2014 from Hafern Water
- Restoration and Aftercare Strategy dated November 2014 (v5)
- Habitat Loss and Gain Matrix
- Woodland Management Scheme dated March 2015
- Ecological Management Plan dated December 2014
- Confidential Badger report dated August 2013

- Letter dated 19 March 2015 from Lafarge Tarmac Ltd

Reason: To apply appropriate control over the parameters of the development, including relevant mitigation controls to be observed, to protect local amenity.

Duration

3) The extraction of minerals from and the depositing of mineral waste at the Site shall cease by 31 January 2040. The removal of all plant and machinery, all other operations approved by the relevant permission and restoration (other than aftercare) of the Site shall be completed by 31 December 2046.

Reason: To comply with Part 1 of Schedule 5 to the Town and Country Planning Act 1990 that requires all planning permissions for mineral working to be subject to a time limit condition.

Availability of Plans

4) From the date that these conditions take effect until the completion of the development, a copy of these conditions, including all plans, drawings and documents hereby approved, and any other plans, drawings or documents subsequently approved in accordance with these conditions, shall always be kept available at the Tunstead Quarry site offices for inspection during prescribed working hours.

Reason: To ensure that all necessary documentation for the purposes of monitoring and securing compliance with the planning permissions are available to site staff.

Extraction limits

5) The winning and working of minerals at the Site shall not take place outside of the area edged in orange on drawing number T067/028.

Reason: For the avoidance of doubt and to protect local amenity and the environment.

6) The amount of mineral to be extracted from the Site, together with any mineral extracted from Tunstead quarry in pursuance of planning permission code nos. 1946 IDO, 1986/9/2/5, 1986/9/2/8, HPK/581/559, HPK/022937 and HPK/030328 shall not exceed a combined total of 10 million tonnes in any calendar year. A record of annual amounts of mineral extracted will be kept by the operator and made available to the Mineral Planning Authority upon request.

Reason: To enable the Mineral Planning Authority to monitor the progress of the site and to protect local amenity.

7) No extraction of limestone shall take place below 227m AOD.

Reason: To ensure control over the ongoing development and to protect local amenity and the environment.

Quarry Development

8) a) The winning and working of minerals and associated development at the Site shall be carried out only in accordance with the working programme and phasing plans contained in drawings numbers T67/026 (Rev B), T67/027 (Rev B) and T67/028 submitted in support of

application code nos. R1/1197/11 and R1/0913/27, except to the extent that they might be amended by these conditions.

b) There shall be no soil stripping beyond the limit of soil stripping shown on drawing number T67/026 Rev B before 1 January 2024.

Reason: To ensure control over the ongoing development and restoration of the site and hence, to protect local amenity.

9) In addition to the provision of Condition 8 above, not later than 12 weeks from the date these conditions come into effect, and then again every two years from the date that these conditions come into effect, the operator shall submit to the Mineral Planning Authority a detailed 'Quarry Development Plan'. The Quarry Development Plan shall provide the following details:

- an up to date topographical survey plan on an Ordnance Survey base and at a scale in the range of 1:1250 to 1:5000, identifying the current position and level of each quarry face;
 - faces to be worked during the forthcoming 2 year period;
 - anticipated mineral extraction levels and depths to be reached and details of the storage of overburden in the forthcoming 2 year period;
 - areas for the deposit of mineral waste in the forthcoming 2 year period;
 - soil stripping to be carried out in the forthcoming 2 year period;
 - restoration to be carried out, including soil depths, in the forthcoming 2 year period;
- and
- aftercare to be carried out in the forthcoming 2 year period.

Reason: To ensure control over the ongoing development and restoration of the Site and hence, to protect local amenity.

10) The following dates shall be notified in writing to the Mineral Planning Authority no later than seven working days in advance:

- the stripping of soils or overburden within the Site;
 - the commencement of the winning and working of mineral within each stripped area;
- and
- the completion of winning and working of minerals within each working area of the Site.

Reason: To ensure control over the on-going development of the site.

11) No crushing, grading, screening or other treatment or processing of minerals shall take place within the Site outlined in red on drawing no. T67-00058 Rev A.

Reason: To ensure control over the on-going development of the site.

12) Any walling stone arising from dry stone walls removed in the course of the development shall be retained and either used directly for the creation of dry stone walls constructed during restoration works, or stored in the location shown on drawing number T67/078.

Reason: To ensure control over the on-going development of the site.

Archaeology and Soil Handling

13) (a) At least 8 weeks prior to the commencement of soil stripping operations a Written Scheme of Investigation for an archaeological watching brief shall be submitted to the Mineral Planning Authority. No soil stripping shall commence until the Written Scheme of Investigation has been approved in writing by the Mineral Planning Authority. The scheme shall include an assessment of significance and research questions; and:

- i) The programme and methodology of site investigation and recording;
- ii) The programme and provision to be made for post investigation analysis and reporting;
- iii) Provision to be made for publication and dissemination of the analysis and records of the site investigation;
- iv) Provision to be made for archive deposition of the analysis and records of the site investigation;
- v) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

b) No soil stripping shall take place other than in accordance with the Archaeological Written Scheme of Investigation approved under condition (a).

c) Within a period of 12 weeks from completion of each phase of soil stripping the archaeological site investigation and post investigation analysis and reporting shall have been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (a) and the provision to be made for publication and dissemination of results and archive deposition shall have been secured.

Reason: To allow any items of archaeological interest that may be present at the site to be documented prior to the stripping of soils.

14) Top soil and sub soils arising from future soil stripping operations shall be stored separately and shall only be stored at the location shown on plan T67/032.

Reason: In the interests of amenity and to ensure that the site can be restored as proposed.

15) Any stockpiles, or stored soils and overburden shall be left to naturally vegetate with spot treatment of weeds in May and October, unless a seeding mix and treatment plan is submitted for the written approval of the Mineral Planning Authority.

Reason: To prevent the establishment rank grassland

Restriction of Permitted Development Rights

16) Notwithstanding the provisions of Article 3 and Part 17 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015:

- a) no fixed plant or machinery, buildings or structures in the nature of plant or machinery and no mobile processing plant shall be placed or erected on the Site after the date this permission comes into effect without the prior written approval of the Mineral Planning Authority.
- b) Other than for the final placement of mineral waste for the purposes of quarry restoration in accordance with the approved plans, no mineral waste shall be deposited outside those areas shown on drawing numbers T67/026 (Rev B), T67/027 (Rev B) and T67/028 without the prior written approval of the Mineral Planning Authority.

Reason: To protect the amenity of the National Park.

Plant and Machinery

17) At such time as they are no longer required for the approved development, all plant, structures, other installations, tanks, machinery and temporary buildings shall be dismantled and removed from site.

Reason: To protect local amenity.

Access and Protection of Highway

18) The sole means of operational and HGV vehicular access to the Site shall be from Tunstead Quarry via the existing causeway bridge shown on plan T67/023.

Reason: In the interests of highway safety and local amenity.

Hours of Operation

19) Except in emergencies to maintain safe operational practices, the nature and circumstances of which shall be notified to the Mineral Planning Authority as soon as practicable, the following operations at the Site shall only be undertaken within the following hours:

- Soil and overburden stripping, and movement and placement of soils:
0630 - 1800 hours Monday to Friday and 0700-1300 hours on Saturdays. There shall be no soil stripping, movement or placement of soils on Sundays or on a public or a bank holiday.
- Blasting:

0900 - 1700 hours Monday to Friday and 0900 - 1300 on Saturdays. There shall be no blasting on Sundays or on a public or a bank holiday.

Reason: In the interests of local amenity and to mitigate a potential source of noise.

Noise

20) a) Subject to paragraph (b) to this condition, the received noise levels as measured at any residential property shall not exceed 55 dB $L_{Aeq1hour}$ (free field) between 0700 hours to 1900 hours and shall not exceed 42 dB $L_{Aeq1hour}$ (free field) at all other times.

b) During noisy short term activities at the site, (including such activities as *'soil-stripping, the construction and removal of baffle mounds, soil storage mounds and spoil heaps, construction of new permanent landforms and aspects of site road construction and maintenance'* as referred to in the National Planning Practice Guidance or any successor document), the received noise level limits, as measured at any residential property may exceed the limits set out in part (a) of this condition during the daytime only (0800 hours to 1800 hours) for periods not exceeding a total duration of 8 weeks in any 12 month period. During these periods, the received noise levels shall not exceed 70dB(A) $L_{Aeqhour}$ free field at any residential property.

Reason: In the interests of local amenity and to enable the Mineral Planning Authority to control the noise generated by the development.

21) From the date that these conditions come into effect, the noise management and monitoring procedures set out in Appendix H – Noise Management and Monitoring Protocol

of the Supporting Statement shall be fully implemented and thereafter they shall be complied with at all times for the remainder of the development.

Reason: In the interests of local amenity and to enable the Mineral Planning Authority to control the noise generated by the development.

22) The results of the noise monitoring survey undertaken in accordance with condition 21 above shall be submitted annually to the Mineral Planning Authority commencing one year from the date that these conditions come into effect.

Reason: In the interests of local amenity and to enable the Mineral Planning Authority to control the noise generated by the development.

23) Silencers shall be fitted, used and maintained in accordance with manufacturer's instructions on all vehicles, plant and machinery used on the Site.

Reason: To control the impact of noise generated by the development in the interest of local amenity.

24) The reversing warning system on all vehicles associated with the winning and working of minerals on the Site, shall be non-audible, ambient or low tone devices.

Reason: To control the impact of noise generated by the development in the interest of local amenity.

Lighting

25) No new permanent fixed external lighting shall be erected or operated on the Site, except in accordance with a scheme that has been submitted and approved in writing by the Mineral Planning Authority. The scheme shall then be implemented as approved.

Reason: To protect the amenity of the area and the habitats of bats.

Dust

26) All operations for the winning and working of minerals, restoration works and ancillary operations at the Site shall be carried out in such a manner so as to minimise the generation of dust. Suitable dust prevention and control measures shall be implemented and maintained at all times during the carrying out of the approved development. At such times as any operation gives rise to visible levels of dust leaving the Site which cannot otherwise be controlled, that operation shall be temporarily suspended until such time as conditions improve or the operation can be effectively controlled.

Reason: In the interests of highway safety and local amenity, and to mitigate a potential source of dust.

27) From the date that these conditions come into effect, the dust management and monitoring procedures set out in Appendix J - Dust Management and Monitoring Protocol of the Supporting Statement shall be fully implemented and thereafter they shall be complied with at all times for the remainder of the development.

Reason: In the interests of local amenity, to ensure the control of dust from the site and to enable the Mineral Planning Authority to monitor the impacts of dust arising from the site.

28) The results of monthly dust monitoring undertaken in accordance with condition 27 above shall be submitted to the Mineral Planning Authority on the 31 January each year from the date that these conditions come into effect.

Reason: In the interests of local amenity, to ensure the control of dust from the site and to enable the Mineral Planning Authority to monitor the impacts of dust arising from the site.

Ground Vibration

29) Ground vibration from blasting operations at the Site:

- i) at any residential property or sensitive property shall not exceed a peak particle velocity (ppv) of 6mm/sec in 95% of all blasts measured over any period of 6 months and no individual blast shall exceed a ppv of 12mm/sec;
- ii) at the railway boundary shall not exceed ppv of 12 mm/sec.

Reason: To mitigate a potential source of vibration, protect the amenity of the area and maintain the integrity of the railway infrastructure.

30) From the date that these conditions come into effect, the mitigation and monitoring procedures set out in the Vibration Monitoring Protocol in Appendix I of the Supporting Statement, shall be fully implemented and they shall be complied with at all times for the remainder of the development. The recording and monitoring of every blast design and every blast (including air overpressure) shall be carried out at the locations shown on plan T67/040.

Reason: To mitigate a potential source of vibration and protect the amenity of the area.

31) Blast monitoring results shall be retained for 5 years and shall be supplied to the Mineral Planning Authority within 14 days of a request being made.

Reason: To protect the amenity of the area.

32) A siren shall be sounded before the firing of each blast.

Reason: To protect the amenity of the area.

Drainage and Prevention of Pollution

33) All surface water drainage and foul water drainage systems shall be maintained in working order at all times. There shall be no direct discharge of foul or contaminated surface water from the site into either the groundwater or any surface waters.

Reason: In order to protect the environment and watercourses.

34) Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, or the combined capacity of the interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses shall be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the

bend.

Reason: In the interests of protecting the local hydrological and hydrogeological environments from potential pollution.

35) The monitoring of groundwater within the Site shall be carried out in accordance with the Groundwater Monitoring Protocol set out in Appendix K of the Supporting Statement and Plan T67/041. The monitoring of groundwater shall also include:

- Water level monitoring of the two sumps in Tunstead and Old Moor Quarries, at the same frequency as that specified in Protocol for groundwater monitoring boreholes i.e. monthly.

All ground water monitoring data which is generated from the monitoring required by this condition shall be submitted to the Mineral Planning Authority every two years from the date that these conditions take effect.

Reason: In order to protect the environment and watercourses.

36) A groundwater monitoring report shall be submitted to the Mineral Planning Authority every two years from the date these conditions take effect, which shall include:

- The presentation of all data and hydrographs;
- Comment on any changes to the monitoring system, including problems with boreholes and their means of rectification;
- Comments upon trends, correlation to rainfall and any potential difficulties which the data indicates relating to water management and impacts upon the external water environment. Should any adverse impacts on the external water environment be identified, arising from operations at the Site, mitigation measures shall be proposed and submitted to the Mineral Planning Authority for written approval. These measures shall then be implemented as approved.

Reason: In order to protect the environment and watercourses.

Ecology

37) There shall be no clearance of trees, scrub, hedgerows or grassland during the bird nesting season (i.e. March to August inclusive) in any year unless otherwise approved in writing by the Mineral Planning Authority.

Reason: To ensure that nesting birds are not disturbed on site as a result of the operations.

38) The operator shall:

- i) prior to 15 March each year, in liaison with an appropriate ecological advisor, prepare and submit to the Mineral Planning Authority a plan showing the areas of rock-face to be worked over the next 12 month from 15 March;
- ii) during the period 15 March – 30 April allow the ecological advisor access to the site so as to enable it to observe any peregrines nesting in the site or in its vicinity;
- iii) on or before 15 May each year, in liaison with the ecological advisor, identify and provide details to the Mineral Planning Authority of any safeguards required to be undertaken to ensure that working of those areas of rock face is in compliance with the protections now afforded to peregrines and their eggs and nests under the Wildlife & Countryside Act 1981 and is carried out in a manner that is designed to avoid harming any

peregrines or peregrine nests and eggs ; and

iv) carry out all working of the areas of rock face in conformity with all safeguards identified in any details provided in accordance with point iii above.

Reason: To ensure that the operator takes appropriate advice regarding the protection of peregrine falcons.

39) A survey to ascertain the presence of badger and of any inhabited badger setts at the Site shall be undertaken annually from the date that these conditions come into effect. The survey shall cover areas of the site considered necessary by a qualified ecologist to protect the badger interest. A report of the findings of the survey and details of any further mitigation measures in addition to the measures that are already set out in the Confidential Badger Report dated August 2013, shall be submitted to the Mineral Planning Authority for written approval within one month of the survey date. Any mitigation measures that are approved shall then be implemented as approved.

Reason: To ensure that the development takes place without detriment to badgers and to monitor the badger population on the site.

40) The artificial badger sett shall only be constructed at the location shown at Ecological Management Plan Figure 2 (dated 06/14).

Reason: This specific location is required in order to avoid the loss of calcareous grassland.

41) Every 5 years from the date that these conditions come into effect the operator shall submit to the Mineral Planning Authority for its written approval:

i) an Ecological Management Report identifying the works undertaken at the site over the previous 5 years including

- Species and habitat surveys
- Species and habitat management and mitigation
- Compensation habitat creation
- Review of the techniques and specifications deployed in the execution of such works and an assessment of their relative success; and

ii) the operator's proposed Ecological Management Plan for each subsequent 5 years.

Each Ecological Management Plan which is approved by the Mineral Planning Authority shall be fully implemented over the relevant 5 year period as approved.

Reason: In order to conserve and enhance ecology.

Landscaping and Tree Belts

42) All completed boundary landscaping and woodland areas, as detailed in the Woodland Management Scheme dated March 2015 pages 31 to 36, shall be retained and maintained throughout the duration of the quarrying operations in accordance with the provisions of the Woodland Management Scheme dated March 2015, except as amended by conditions of this permission.

Reason: In order to ensure the continuing screening benefits of the landscaping and woodland.

43) An up to date report on the condition of the boundary landscaping and woodland areas

and an updated Woodland Management Scheme shall be submitted to the Mineral Planning Authority every five years from the date these conditions take effect for its written approval. The development thereafter shall be carried out in accordance with each successive updated Woodland Management scheme as approved.

Reason: In order to ensure the continuing screening benefits of the landscaping and woodland.

44) Tree planting in boundary landscaping and woodland areas, as detailed in the Woodland Management Scheme dated March 2015 pages 31 to 36, shall be maintained in accordance with the principles of good forestry and husbandry for the duration of the permission, and any shrubs or trees which die or become seriously diseased or are missing shall be replaced with plants of the same species or such alternatives species as may be approved by the Mineral Planning Authority (for the avoidance of doubt 100% replacement is required).

Reason: To secure the successful establishment of the landscaping of the Site

Restoration

45) The Site shall be restored for use for agriculture and include features of calcareous grassland, daleside rollover grassland, open water and woodland in accordance with the scheme shown on drawing no T067/031 Rev B, entitled Tunstead and Old Moor Quarries Restoration Plan, dated April 2013, subject to those amendments to the restoration that are provided by other conditions.

Reason: To secure the proper restoration of the Site.

46) Prior to the commencement of restoration in any part of the Site, the operator shall give the Mineral Planning Authority no less than 28 days' notice. The notice shall include:

- identification of the area to be restored on a scaled plan; the nature and source of restoration materials to be employed;
- the depth of restoration material to be placed;
- soil placement methods;
- the expected duration of those restoration works;
- planting details for that phase, to include species mixes, stock numbers, sizes, planting specification and vermin protection;
- the seed mixes and seeding rates to be employed in cultivation.

Reason: To ensure control over the ongoing development and restoration of the Site and hence, to protect local amenity.

47) The quarry floor (as shown on drawing number T067/031 Rev B) shall be restored to:
i) a species rich pasture seeded with a seed mix that has been submitted to and approved in writing by the Mineral Planning Authority.
ii) a tree and shrub planting species mix that shall be as detailed in the Restoration and Aftercare Strategy dated November 2014 (v5) at paragraph 3.4.69, i.e.

- 40% Sycamore (main canopy);
- 20% Beech (main canopy);
- 10% Rowan (sub canopy);
- 5% Hawthorn (sub canopy);

- 10% Hazel (sub canopy);
- 5% Wild Privet (shrub canopy);
- 5% Holly (shrub canopy); and
- 5% Guelder Rose (shrub canopy).

Reason: To ensure the restoration of the land and contribute to BAP habitat targets in order to enhance the National Park.

48) The Quarry faces infill planting species mix shall be as detailed in the Restoration and Aftercare Strategy dated November 2014 (v5) at paragraph 3.4.71, i.e.

- 30% Sycamore (main canopy);
- 20% Field Maple (main canopy);
- 10% Rowan (main canopy);
- 5% Crab apple (sub canopy);
- 5% Bird Cherry (sub canopy);
- 5% Yew (shrub and sub canopy);
- 5% Hawthorn (shrub canopy);
- 10% Hazel (sub canopy);
- 5% Goat Willow (shrub canopy); and
- 5% Holly (sub canopy).

Reason: To secure the proper restoration of the land.

49) The soils placed on the quarry floor (as shown on plan T067/031 Rev B) for restoration shall be placed with topsoils first then subsoils as the final surface.

Reason: To secure the proper restoration of the land and to ensure the Site is restored to agriculture and contributes to BAP habitat targets in order to enhance the National Park.

50) The Mineral Planning Authority shall be notified in writing of the completion date of restoration in each area of the Site, as notified under condition 46 above, within 1 month of such completion.

Reason: To ensure control over the ongoing development and to secure the proper restoration of the Site.

51) No later than 12 weeks from the date these conditions come into effect, and then annually from the date these conditions come into effect, a Restoration and Aftercare report shall be submitted to and approved in writing by the Mineral Planning Authority. The report shall identify the works undertaken for the purpose of restoration and aftercare at the Site in the preceding year and include details of:

- Quarry restoration works;
- Habitat creation works;
- Woodland management works;
- Aftercare undertaken;
- A review of techniques and specifications deployed in the execution of such works and an assessment of the success of these.

Reason: To ensure control over the ongoing development and restoration of the site and hence, to protect local amenity.

Aftercare

52) On completion of restoration works at the Site or in each area, as notified to the Mineral Planning Authority under condition 50 above, the Site or phase shall be subject to a five year aftercare period. The aftercare period shall commence on the date of written confirmation from the Mineral Planning Authority that the land concerned has been satisfactorily restored.

Reason: To ensure that the land is brought into aftercare when it is satisfactorily restored.

53) No later than 6 months prior to the programmed completion of restoration of the Site or in any part of the Site as notified to the Mineral Planning Authority under condition 46 above, an aftercare scheme or schemes shall be submitted to and approved in writing by the Mineral Planning Authority. The aftercare scheme/s shall have regard to the Restoration and Aftercare Strategy dated November 2014 and include details of:

- i) secondary soil treatment (e.g. stone picking);
- ii) fertiliser applications (based on soil analysis);
- iii) weed control;
- iv) re-seeding areas of failure as necessary;
- v) habitat development;
- vi) watering and draining;
- vii) grazing management;
- viii) pond margins establishment;
- ix) wetland maintenance;
- x) phased management and maintenance of walling and fencing;
- xi) the management of tree belts and woodland;

The scheme(s) shall be implemented as approved by the Mineral Planning Authority.

Reason: To ensure the aftercare of the reinstated land to the required standard in accordance with approved schemes and annual programmes.

54) For the first five years following implementation of restoration in each area, planting shall be maintained in accordance with the principles of good forestry and husbandry, and any shrubs or trees which die or become seriously diseased or are missing shall each season following planting be replaced with plants of the same species or such alternatives species as may be approved by the Mineral Planning Authority (for the avoidance of doubt 100% replacement is required).

Reason: To secure the successful establishment of the landscaping of the Site

55) During September of each year, unless otherwise agreed in writing by the Minerals Planning Authority, after the date that these conditions take effect until the cessation of the development, an annual aftercare meeting shall be convened between the site operator, representatives of the Mineral Planning Authority and any other interested party whose attendance is agreed by both the site operator and the Mineral Planning Authority to review the progress of the development of the Site and in particular any restoration and/or aftercare proposed to commence or be completed that year.

Reason: In the interests of establishing the adequate restoration of the site and to monitor aftercare performance.

Footnotes

Hours of Operation

1) Except for the operations specified in condition 19 which are subject to restricted operational hours, all other operations associated with the winning and working of minerals, the secondary crushing, screening, processing, grading, external despatch and internal transfer of minerals, the operation of pumps, ancillary equipment and essential maintenance may be carried 24 hours a day throughout the year.

Environment Agency

2) The applicant's attention is drawn the following comments from the Environment Agency:

- Nothing should be imported or deposited on the site other than strictly uncontaminated, inert material. This helps to protect the groundwater quality in the area and the underlying Principal Aquifer.
- Consideration should be given to the potential to create a more varied and undulating depth of water as part of the permanent water features associated with the Tunstead and Old Moor Quarry restoration plan. Doing so will enhance the biodiversity of such a large expanse of water and will complement the ephemeral ponds proposed for the Bold Venture Site.

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MINUTES

Meeting: **Planning Committee**

Date: Friday 10 February 2017 at 10.00 am

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

Chair: Mr P Ancell

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

Apologies for absence: Mr R Helliwell, Ms S McGuire, Cllr J Macrae and Cllr A McCloy.

7/17 MEMBERS DECLARATIONS OF INTEREST

Item 7

Some Members had received an email from the applicants agent Mr Jim Mundy. It was noted that Councillors Birkinshaw and Hart had not received it.

Councillor Patrick Brady, personal, as a friend of the owner of an adjoining field who had not objected to the application. Councillor Brady also knew the applicant's agent Mr Jim Mundy who had undertaken work on his behalf.

It was noted that Councillor Mrs Judith Twigg had received a telephone call from the applicant suggesting that Members needed more information before making a decision. She agreed to provide more details during the discussion.

Item 8

It was noted that Councillor Mrs Kath Potter had received an email from Mr Andrew Gregory a former Director of Blockstone.

8/17 PUBLIC PARTICIPATION

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

9/17 FULL APPLICATION - PROPOSED ERECTION OF LOCAL NEED AFFORDABLE DWELLING ON LAND TO SOUTH OF HORSE LANE, MONYASH

Members had visited the site the previous day.

The following spoke under the public participation scheme:

- Mr Howard, Applicant

RESOLVED

To **APPROVE** the application subject to a section 106 agreement limiting occupancy to the applicant as first occupier and to local need thereafter and requiring the removal of the existing buildings, hardstanding and fencing on Horse Lane and the re-instatement of the land to agricultural use and the following conditions:

1. **2 year implementation time limit.**
2. **Adopt amended plans.**
3. **Prior to commencement of the development submit and agree details of the final finished levels of the dwelling hereby approved. Thereafter the dwelling to be constructed in accordance with agreed details.**
4. **Remove permitted development rights for alterations, extensions, outbuildings and boundaries.**
5. **Before any other operations are commenced a new vehicular access shall be created to Horse Lane in accordance with the application drawings, laid out, constructed and provided with visibility sightlines extending from a point 2.4m from the carriageway edge, measured along the centre line of the access, to the extremities of the site frontage abutting the highway in each direction. The land in advance of the sightlines shall be maintained in perpetuity clear of any object greater than 1m in height (0.6m in the case of vegetation) relative to the adjoining nearside carriageway edge.**
6. **The premises, the subject of the application, shall not be occupied until 2 on-site parking spaces (each measuring a minimum of 2.4m x 4.8m) have been provided for in accordance with the application drawings laid out and constructed as may be agreed with the Local Planning Authority and maintained thereafter free from any impediment to designated use.**
7. **Prior to occupation adequate bin storage and a bin dwell area for use on refuse collection days shall be provided as per the application drawings clear of the public highway, within the site curtilage clear of all access and parking and turning provision and retained thereafter free from impediment to designated use.**
8. **The mitigation measures contained within the Flood Risk Assessment by Oldfield Design (ref 15103f dated 25 October 2016) shall be fully implement prior to occupation of the dwelling hereby approved and shall be maintained throughout the life of the development.**
9. **Hard and soft landscaping scheme to be submitted and agreed including details siting and appearance of any proposed oil/lpg tank.**
10. **Mature tree in western corner of site to be protected during development.**
11. **Sample panel of stonework prior to erection of stonework and sample of roof slate to be agreed prior to commencement of roof.**

12. **Details of disposal of any spoil resulting from the development to be submitted to and agreed in writing by the National Park Authority.**
13. **Foul sewage shall be dealt with by means of a package sewage treatment plant unless otherwise agreed by the National Park Authority. Full details of the position and design of the plant shall be submitted to an agreed in writing and the plants shall be installed in accordance with the agreed details prior to occupation of the dwelling.**
14. **Any new power supply to the property to be located completely underground.**
15. **Minor architectural and design details.**

10/17 FULL APPLICATION - PROPOSED AGRICULTURAL BUILDING TO SERVE SHEEP ENTERPRISE AT WELLCROFT FARM, OLDFIELDS LANE, GRINDON

Members had visited the site the previous day.

The following spoke under the public participation scheme:

- Mr Craig Barks, Agent

RESOLVED:

To DEFER the application to obtain more information on the following:

1. **The viability of alternative sites.**
2. **Options for protecting the gap between the house and farm buildings.**
3. **Design options for reducing the impact of the proposals on the landscape.**
4. **Issues relating to the protection of the well and its water supply.**

Following consideration of this item the meeting was adjourned from 11.05am to 11.10am.

11/17 FULL APPLICATION - REPLACEMENT DWELLING - GATE CLOSE, THE FOLD, STONEY MIDDLETON

Members had visited the site the previous day.

Page 1 of the report was amended to reflect that the amended plans had replaced blue slate tiles with Rosemary clay tiles.

The following spoke under the public participation scheme:

- Mr Jim Mundy, Agent

As Councillor Patrick Brady had declared a personal interest in this item he confirmed that he would speak but not vote on the application.

Following a telephone conversation with the applicant Councillor Mrs Judith Twigg advised that the family had strong local connections with Stoney Middleton and before developing the current proposals they had intended to convert the existing building but had been unable to develop proposals that would address the needs of their teenage family which could not be met with existing houses in the village.

RESOLVED:

To REFUSE the application for the following reason:

- 1. The proposed replacement dwelling fails to accord with Local Plan policies LH5, LC4 and LC5. The replacement dwelling is not a similar size to the existing dwelling and, both on its own merits and in the context of the appearance of the existing building, the proposed massing and design are considered to harm the character and appearance of the built environment and conservation area, and would be more intrusive in the landscape than the existing building.**

12/17 STANTON MOOR MINERAL LIAISON GROUP - MINUTES AND PROGRESS REPORT (JEN)

The recommendation as set out in the report were amended to reflect the dates of meetings held during 2016.

The Director of Conservation and Planning reported that from his perspective the time invested in supporting this group was worthwhile as it helped the parties involved to talk to each other and gain an understanding of their perspectives. He confirmed that this group had been used as a model for setting up other groups such as the one for the RHS Show at Chatsworth. It was also noted that in future the Group may meet less frequently after formal decisions on the future of quarrying in Stanton Moor had been determined.

It was noted that since the last annual report a new Chair had been appointed to the Group.

RESOLVED:

- 1. To note the minutes of meetings of the Stanton Moor Minerals Liaison Group held on 22 February 2016, 25 July 2016 and 2 November 2016.**
- 2. To confirm that the Group continues to operate during 2017 as constituted in 2014.**
- 3. To agree that Peter Stubbs continues to Chair meetings of the Group held during 2017.**

13/17 MONITORING & ENFORCEMENT QUARTERLY REVIEW - JANUARY 2017

The Committee received a summary of work carried out by the Monitoring and Enforcement Team between 1 October 2016 and 31 December 2016 and were shown 'before and after' photographs of some of the resolved cases. As the Member

Representative for Planning Enforcement Councillor David Chapman provided his views on the work of the team and recent and forthcoming changes in working practices.

Members expressed their thanks for the work carried out by the team

In discussing some of the cases highlighted in the report Members expressed concern about the impact fly-tipping on private land may have on landowners and the landscape and suggested that this should be monitored.

RESOLVED: To note the report.

14/17 HEAD OF LAW REPORT - PLANNING APPEALS DECEMBER 2016 - JANUARY 2017

In considering the report it was noted the recent Housing White Paper included proposals to introduce charges for appeals against planning decisions.

AGREED: To note the report.

The meeting ended at 12.30 pm

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6. FULL APPLICATION: CONTINUATION OF STONE EXTRACTION (IN THE FORM OF BLOCK) FROM THE CONSENTED AREA UNDER VARIED CONDITIONS, THE PROPOSED EXTENSION TO A PERMITTED AREA OF STONE EXTRACTION AND AMENDMENT OF THE PERMITTED RESTORATION LANDFORM AT NEW PILHOUGH QUARRY (NP/DDD/0712/0760, M5982, JEN)

APPLICANT: Blockstone Ltd

Proposal

The application proposes a 1.0 hectare extension into agricultural land lying immediately south of the existing New Pilhough Quarry (5.9 hectares). The planning application boundary includes the whole of the currently permitted area in addition to the proposed extension, since approval of the application would require alterations to the currently permitted working and restoration schemes. As part of the proposal the applicant is offering to agree to a revocation of the current (suspended) permission at Stanton Moor Quarry (approximately 1.7ha in area)

The proposal was initially submitted in 2012 as a resubmission of an earlier application which was refused by Planning Committee. The application initially proposed the extraction of 89,330 tonnes of dimensional stone product. The applicant was advised that further information was required in order to determine the application.

The application then went into abeyance while further work was made on progressing the Review of Old Mineral Permission (ROMP) scheme at Stanton Moor Quarry (the applicant is the operator of both quarries). This work progressed the ROMP and better established the volumes of mineral likely to arise at Stanton Moor Quarry. It became clear that the proposal as it originally stood was unlikely to be supported by officers as the tonnage sought at New Pilhough was an inequitable exchange for the remaining permitted operations at Stanton Moor Quarry.

In 2016, the proposal was amended at New Pilhough by the submission of an amended working scheme seeking the extraction of 50,000 tonnes of dimensional stone product from the extension area of 1ha, in addition to the 17,524 tonnes remaining in the existing permitted area.

The Environmental Statement was assessed and found still relevant to the reduced scale of scheme. An additional landscape and visual assessment was provided in line with officer's request, in order to assess the impacts of the revised working scheme.

Other parameters of the development proposed remain the same as the application as initially made in 2012 and are summarised as follows:

- Continued extraction of building stone from the currently permitted quarry area.
- The continued use of the existing haul road from the Quarry to Birchover Road.
- The removal of permitted rights to haul stone from the Quarry on Saturdays, thereby limiting traffic to weekdays only.
- Restricted times for lorry movements during weekdays to avoid school drop off/pick up times.
- No change to the daily lorry movements already permitted being not more than 10 movements (5 "inbound" via Stanton-in-Peak and 5 "outbound" via Birchover) Monday to Friday.
- Restoration of the site reflecting existing and adjacent land uses, including the planting of woodland, creation of heathland, provision of some grazing land which will contribute to biodiversity targets, and provision of specific wildlife habitats.
- The voluntary relinquishment, without compensation, of the valid planning permission for quarrying at Stanton Moor Quarry.

- A continuation of the current output restriction of 18,000 tonnes per annum.
- There will be no blasting (other than back powder used to split stone) and none of the stone will be processed to produce construction aggregate.
- A standoff of around 40m between the extension area and Sheepwalk Wood.
- In line with the existing permission, the winning of stone shall continue until 31 December 2022 and restoration will be completed within 12 months after this date.

The proposal includes phased working and placement of waste stone, overburden and soils for restoration in a progressive manner. The earliest areas of restoration are the highest areas of the site to the north and west and are proposed to take place in phase 1 of the development. The bottom part of the site will have waste stone and overburden placed into it throughout the further 2 phases, and be used to provide access to the extension area, with final regrading and surface restoration to be carried out after the cessation of extraction.

Site and Surroundings

New Pilhough Quarry lies on the western side of the Derwent Valley, on the crest of the hillside that forms Stanton Moor. Stanton-in-Peak village lies about half a mile to the west of the site while the village of Stanton Lees lies approximately $\frac{3}{4}$ mile to the southeast. The quarry is situated 250m from the Stanton Conservation Area to the west and 650m from Stanton Moor Scheduled Ancient Monument (SAM), which lies due south. Dale View Quarry, operated by another company, adjoins the application site. The current working area of Dale View lies immediately south of the application site. To the immediate west of New Pilhough Quarry is Sheepwalk Wood, which lies between the quarry and Stanton-in-Peak village. To the north, the land falls away towards the settlement of Congreave and onwards down to the valley of the River Wye.

Stanton Moor Quarry is approximately 1.7ha in area and lies around 1 kilometre south of New Pilhough Quarry on the central-western edge of Stanton Moor. The permitted boundary of the quarry encompasses part of the Stanton Moor Scheduled Monument (SM), which was designated on the basis of its bronze age archaeology. The Nine Ladies Stone Circle lies within the SM boundary and is approximately 230m east from the Stanton Moor Quarry permission boundary. In 1999 Blockstone Ltd made an application to the Department for Culture, Media and Sport seeking Scheduled Monument Consent for winning and working of mineral in part of the quarry within the SAM. The consent which was subsequently issued allowed working in part of the scheduled area, but refused working in the rest of the scheduled area (within the planning permission). A compensation claim was made for the area in which working is prohibited and the Lands Tribunal was used to establish the value of the land. Compensation was paid but this was agreed outside the tribunal and is not a matter of public record. The Moor is also designated as access land and a number of footpaths dissect the area. Stanton Moor has a high level of recreational use. The Moor is designated as Natural Zone within the Authority's Development Plan. The Natural Zone wholly encompasses Stanton Moor Quarry.

Background

Historically, there have been a number of old mineral permissions within the Stanton Moor area. Over time, some of these have been consolidated and replaced with modern permissions in less environmentally damaging locations at the edge of the moor.

This approach was formalised by the adoption of the Stanton Moor principles in 2000. The principles embrace the principle of extensions to sites on the edge of the moor, in exchange for the relinquishment of permissions on the central part of the moor, which would otherwise cause environmental harm. The old mineral permission at Stanton Moor Quarry is the last of the old mineral permissions in the Stanton Moor area.

In line with those principles, in April 2002, a consolidating application was permitted at New Pilhough Quarry, which included an extension to the permitted area of the site and also secured:

- (i) the relinquishment of Dungeon Quarry;
- (ii) the construction of a short haul road between Lees Road and Birchover Road;
- (iii) the commitment to investigate and apply for an alternative long haul route;
- (iv) relinquishment of part of Stanton Moor Quarry and;
- (v) a moratorium on working the remainder of Stanton Moor Quarry for a period of five years. In 2012 Planning Committee established the on-going relevance of these principles in relation to the current application.

RECOMMENDATION:

That the application be APPROVED subject to:

- 1. The prior completion of a Section 106 planning obligation whereby the applicant, and all those with an interest in the application site and Stanton Moor Quarry, formally agrees to:**
 - (a) the revocation of planning permission 1898/9/34 for the winning and working of gritstone issued on 6 February 1952 and restoration works in relation to scrub removal, relating to land at Stanton Moor Quarry without compensation**
 - (b) the revocation of planning permission reference NP/DDD/1001/434 issued on 24 April 2002 relating to land at New Pilhough Quarry without compensation**
 - (c) the use of the stone solely for dimensional stone purposes and not for the purposes of aggregates**
 - (d) the aftercare of the proposed site application area for a period of 10 years following the completion of the development and restoration**
- 2 Conditions covering the following:**
 - **Duration – winning and working to cease not later than 31 December 2022 and restoration within one year of the cessation of winning and working or by 31 December 2023 whichever is the soonest.**
 - **Hours of operation 6:30 – 19:00 Monday to Friday and 6:30 – 16:00 Saturdays.**
 - **Haulage, including up to 10 total movements (5 In – 5 Out) Monday – Friday between the hours of 07:00 – 18:00, no movements on Saturdays, and a footnote reminding the operator of their agreement to avoid School starting and finishing times. Weekly reporting of vehicle movements.**
 - **Phasing of works.**
 - **Output limited to 18,000 tonnes per year, and a total extraction limit of 67,524 tonnes with weekly reporting of stone leaving the site.**
 - **Site access by the short haul road.**
 - **Planting.**
 - **Ecology.**
 - **Landscape.**
 - **Archaeology.**
 - **Noise.**
 - **Blasting.**
 - **Dust.**
 - **Restoration and aftercare, including details to be submitted for the restoration of the short haul road.**
- 3. That authority be delegated to the Director of Conservation and Planning and the Head of Law jointly to determine the details of the Section 106 agreement.**

4. That authority be delegated to the Director of Conservation and Planning to approve the final details of the conditions.
5. That a Prohibition Order is not made in relation to Stanton Moor Quarry.
6. That authority be delegated to the Head of Law to make Revocation Orders in relation to:
 - (a) the revocation of planning permission 1898/9/34 for the winning and working of gritstone issued on 6 February 1952 and restoration works in relation to scrub removal, relating to land at Stanton Moor Quarry without compensation
 - (b) the revocation of planning permission reference NP/DDD/1001/434 issued on 24 April 2002 relating to land at New Pilhough Quarry without compensation

Key Issues

- Whether the proposed development complies with the provisions of the development plan;
- Whether the proposed extension to the existing quarry is acceptable in environmental terms and is an equitable exchange for the relinquishment of Stanton Moor Quarry;
- Whether the proposed relinquishment of the existing permission at Stanton Moor Quarry represents an overall net benefit to the National Park, is in the public interest and represents a relevant material planning consideration;

History

- | | |
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| 1985 | Unauthorised working within New Pilhough Quarry commenced on the misunderstanding that a planning permission issued in 1952 covered the site. (The 1952 consent covered Dale View Quarry immediately to the south of the site). |
| 1986 | Regularising application submitted. Application subsequently approved subject to the signing of a legal agreement revoking consent for a quarry near the Nine Ladies Stone Circle on Stanton Moor (Boden Stone Quarry). |
| 1989 | Legal agreement signed and permission issued subject to conditions, including duration (valid until 31 December 2006), output and lorry movements. |
| 1998 | Application for extraction of area to the west of the existing quarry using the existing access. It was recommended for refusal on the grounds that there was no need for the development as reasonable alternatives existed; on highway safety issues and; it was not in the public interest to allow the development. Prior to the decision notice being issued, the application was withdrawn. |
| 1999 | A further application NP/DDD/0399/227 submitted for the extraction of an area to the west of the existing quarry, including the development of a haul road from the site over the Lees Road to join the Birchover - Stanton road. This would divert traffic from Pilhough, Rowsley and Stanton Lees, but redirect it though Birchover and/or Stanton-in-Peak. Planning permission refused on the grounds that there was no need for the development since reasonable alternatives existed and as such it was not in the public interest to allow the development; and on highway safety grounds. |

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- 2000 Two applications submitted. The first NP/DDD/0800/335 was for a one-field extension to the west of the existing site, subsequently withdrawn prior to the Committee meeting to focus on the second application.
- The second application NP/DDD/0399/227 was for a two field extension to New Pilhough Quarry and included a haul road to the Birchover Road, revocation of Dungeon Quarry and part of Stanton Moor Quarry, an agreement not to work the remainder of Stanton Moor Quarry for 5 years, and a unilateral undertaking which committed the company to make an application for a full haul road to avoid all the villages around Stanton Moor. This application was considered by Planning Control Committee in May 2001 and refused. The applicant appealed against the decision and a public inquiry was scheduled, but the appeal was subsequently withdrawn by the applicant.
- 2001 Application DDD1001434 made to consolidate the applicant's interests in the area. This included: renewal of consent for the existing quarry; 1.7ha extension of the existing quarry; construction of short haul road from the quarry to Birchover Road; capping and planting the Parish Tip; relinquishing reserves at Dungeon quarry; relinquishing part of Stanton Moor quarry and not working the remainder for five years; commitment by legal agreement to make an application for a long haul road to reduce traffic through Birchover and Stanton in Peak. This proposal was granted permission in 2002.
- 2004 Application refused for an increase in the permitted output from 18,000 tonnes per annum to 28,000 tpa. NP/DDD/0804/0879
- 2005 Breach of Condition Notice served in relation to output exceeding 18,000 tonnes per annum.
- 2006 Applications made for a new dedicated long haul route NP/DDD/0106/0039; and NP/DDD/0206/0118 for 1.8 ha extensions to the north and south of New Pilhough Quarry and relinquishment of Stanton Moor Quarry permission. The haul route application was considered by Planning Committee in June 2007 and refused. The extension application was recommended for refusal but withdrawn prior to committee.
- 2008 Application for variation of condition 17 to allow for a temporary increase in annual output to 24,000 tonnes per annum for two years. Application recommended for approval but subsequently withdrawn. NP/DDD/1008/0896
- 2011 Continuation of stone extraction, (in the form of block) from the consented area of New Pilhough Quarry under varied conditions, the proposed 146,970 tonne extension to a permitted area of stone extraction at New Pilhough Quarry and amendment of the permitted restoration landform, refused (NP/DDD/0811/0766). Appeal submitted but subsequently withdrawn by the applicant.
- 2012 Current application ref NP/DDD/0712/0760 submitted. Application went into abeyance pending receipt of further information about Stanton Moor Quarry.
- September 2016 Further information received.

Consultations

There have been four main consultation exercises in relation to this proposal. The first round was in July 2012 and was the initial proposal and Environmental Statement, and an amendment to this was consulted on in December 2012. The third round was the amended scheme in 2016. The final consultation was in 2017 and was an amendment to the restoration scheme.

Some consultees have understandably found the amendment of the application, some 4 years after initial submission, confusing and have found it difficult to understand which aspects of the initial information remain relevant to the amended scheme. Officers have addressed these concerns by reorganisation of information on the Authority's website to more strongly identify the dates of submission of information and providing the Parish Councils which raised concerns about the volume of information with a document setting out the history of applications made in relation to the site.

In addition, after the initial consultation responses in 2016 suggested a public meeting, the applicant responded by holding a public drop-in session to display plans and discuss the proposal with residents and stakeholders who wished to attend.

Officers have also attended the Stanton in Peak Parish Council meeting and explained the proposals. A separate meeting was held as a result of that with a Parish Councillor, Friends of the Peak District, Stanton Against the Destruction of Our Environment and Stanton Lees Action Group to discuss concerns about the proposals and identify conditional limits which could address those concerns. Finally, the matter has been a standing item on the Stanton Moor Minerals Liaison Group, involving the operators, Parish Councils, landowners and amenity bodies.

Derbyshire County Council (as Highway Authority) 2012 – The Highway Authority is seeking the reinstatement of the access to the site at the end of the development. In addition, the Highways Authority would like an annual sum of £1000 to be secured by s106 agreement to contribute to the upkeep and maintenance of the highway. *Note – officers do not consider the financial contribution meets the necessary tests for a s106 agreement. The Highway Authority can already use powers in the Highways Act to seek financial contributions in relation to extraordinary damage to the highway. If damage is not extraordinary, then the normal upkeep of the highway is an obligation for the Highway Authority and is funded by locally collected rates and taxes.*

No further comments.

Derbyshire County Council (Planning) – 2016 consider the proposals will have a minimal impact on the wider landscape.

District Council (EHO) – 2012 no objections as long as the existing noise limit that applies to the quarry is also applied to this application. In addition, I would recommend that any reversing sensors that are fitted to vehicles are of the directional type, such as white noise reversing sensors.

2016 – No further comments.

Stanton in Peak Parish Council – 2012- object to the Blockstone application as it stands by a majority vote of two to one. Council was pleased to see progress has been made in:

- 1) Keeping to the 18000 tonne limit.
- 2) No lorry movements on Saturdays and during school opening and closing hours.
- 3) The Tonnage has been reduced towards equitable levels

However Council was forced to reject the application as it considered that:

- a) Not enough emphasis and detail is placed on the final in particular the haul road;
- b) Consider a stand-off of 40m from Sheepwalk Wood should be provided, information should be sought regarding any known data on root spread from the tree species along the edge of the wood to ensure the stand-off provides for full growth.
- c) The long term care after restoration to ensure the management and would consider an insurance bond provided by the company as the best way of guaranteeing this.

January 2013 - Further comments from Stanton in the Peak Parish Council. There is little support in the parish for further quarrying at New Pilhough Quarry. Previous applications have been influenced by fears that Stanton Moor quarry would be worked and an equitable arrangement seemed likely. However as the ROMP deadline (*this refers to the deadline for submitting environmental information in respect of the statutory review of the Stanton Moor Quarry permission and that permission has therefore been in statutory suspension for a period of more than 2 years*) has now passed, the imposition of a prohibition order on Stanton Moor will ensure that this is completely out of the equation and there are no grounds to support an application for an extension to New Pilhough.

In looking at the additional information supplied council was pleased to note that some of the issues in our comments of 22 September have been addressed however the following points have not been satisfactorily addressed:

- 1) No 40m stand-off. We consider 20 metres inadequate protection for Sheepwalk Wood and the 40 metres not only protects the trees and woodland but also increases the distance from the village.
- 2) The aftercare detail is lacking there is no bond.
- 3) Nothing is mentioned about landscaping/removal of the haul road on completion of quarrying.

October 2016 - -. The Council are pleased to note that this application includes the proposed relinquishment of all existing rights to quarrying at Stanton Moor Quarry, thereby ending a protracted period of time which has led to uncertainty for the Parish regarding the possible recommencement of quarrying close to the protected Scheduled Ancient Monument. Council have concerns over the proposed extension at New Pilhough and wish to raise the following points:

PDNPA commissioned GWP to undertake an assessment of exploitable reserves at Stanton Moor Quarry in 2014, the findings of that report estimated just under 29,000 tonnes, 50,000 tonnes is inequitable.

A maximum tonnage per annum is proposed at 18,000 tonnes. With no current weighing facilities at New Pilhough what assurance can be given that extraction would be restricted to an agreed limit?

Previous over quarrying has taken place at New Pilhough which has led to a breach of planning control with a subsequent notice being issued. Council are keenly aware that previous applications have been submitted to extract from the same extension area but at much higher rates of extraction, what guarantees can be given that only permitted tonnage would be extracted?

The latest submission includes the Environmental Statements which were originally submitted in 2012 these relate to a higher yield of block from the quarry, stating some 89,330 of removal block, highlighting the question already raised regarding how extraction quantities can be clearly regulated should this application be successful.

Concerns regarding stability of the proposed extension area, following the face failure in 2013 and also the stability of the area already excavated close to the boundary of Sheepwalk Wood. Absence of a bond.

Council would wish to see a similar conditioned stand-off area to that which the neighbouring

quarry operator has consented to maintain.

The proposal uses noise information which was supplied to support a planning application dated 2012, no more recent noise assessment is included and therefore no consideration has been given to the cumulative noise levels of New Pilhough Quarry and the adjacent Dale View Quarry upon residents and also users of Stanton Moor.

Council wish to see 'deep excavation' signs placed in at the boundary with Sheepwalk Wood.

Council are concerned that heavy quarry vehicles crossing Lees Road are not currently subject to a wheel wash facility at the quarry exit and would wish to see such a facility in place should permission be granted.

Council would not expect to see any increase in the number of vehicle movements currently permitted or a change in routing from the current arrangements.

December 2016 - Following the public drop in session held at Stanton-in-Peak village hall the Parish Council made the following additional comments: Comments were made by the company regarding the potential for there to be 'exceptional circumstances' where additional tonnage may have to be taken in order to stabilise areas of the proposed new extraction area. In particular 'corners' were the topic of discussion, with a 'quick calculation' being made that should these need to be removed, then tonnage could increase to some 65,000 tonnes. If an agreed limit of 50,000 tonnes were to be granted, then conditions should be clearly set to ensure that limit is not breached, no matter what reasons are given that block has to be taken from a face, it should not be removed from site. A limit is a limit to be strenuously monitored and enforced.

The current extraction monitoring methods in relation to New Pilhough Quarry, have already been commented upon by Council, this is a continuing concern. Once removed from the site, any over quarrying cannot be rectified, other than via sanctions on the company. Council would like a robust and proactive method of reporting evidenced on a 3 monthly basis, with clear extracted figures and clear projected figures, rather than the reliance on figures confirmed 12 months after the event. As Council are represented at the Stanton Moor Mineral Liaison meeting, this is a forum which could be used to confirm compliance without breaching any business confidentially concerns.

Council still have concerns regarding the amount of extraction that could take place. The 2016 plan is little changed from that of 2012, which planned to yield much higher levels of block. Should the requested limit of 50,000 tonnes be reached quicker than the phases indicate, what effect would that have on the proposed restoration plan?

January 2017 - Amended Restoration scheme: Council wishes to record our understanding that this amendment is due to the Peak Park wishing to encourage the return of raptors which have used this rock face for the past three years. Council supports the creation and maintenance of sustainable habitats for wildlife.

13 February 2017 – following a meeting on 6 February 2016 with interested parties and the head of Minerals Planning at PDNPA the PC make the following additional comments.

As previously stated, Council are pleased to note from correspondence received from PDNPA that this application would provide the necessary legal revocation of all existing rights to quarrying at Stanton Moor Quarry. This would be in the form of a binding 106 agreement, which would include a revocation order on further quarrying at Stanton Moor Quarry. We understand from the head of Mineral Planning at PDNPA that the order would be in place prior to the commencement of any quarrying extension at New Pilhough Quarry. We also understand that should this application be successful, then no objection to the revocation order would be submitted.

Council would wish to see any consented application clearly condition the extraction to just 50,000 tonnes of block, and only block. There should be no exceptional circumstances where the company could extract and remove from site any tonnage over the agreed 50,000 tonnes over the total period of this proposed consent, should it be successful. Council would also wish to see conditions set at a maximum annual tonnage of block restricted to 18,000 tonnes, together with a total extraction condition set at 50,000 tonnes of block.

Council have stated that they would wish to inspect tonnage extraction figures and vehicle movement statistics throughout the period of working, in order that they can report to the parish that no over quarrying is taking place. This reporting would not negate that of the PDNPA. The company have advised PDNPA that they are willing to provide such additional monitoring to the Parish Council.

In order to provide accurate figures without a weigh bridge, which the PDNPA would find intrusive on the landscape, figures would have to be provided via the weighing mechanism on the lifting bucket for every load leaving the site.

Vehicle movements in and out of New Pilhough Quarry would need to be conditioned at 5 in, 5 out per day Monday to Friday only. All vehicle movements out to be via the two short haul roads onto Birchover Road through Birchover Village, with return journeys via B5056 and Stanton Village, Main Road and Lees Road. Council understand it is not possible to include provision to avoid school drop off/pick up times, but would expect the company to be cognisant of these times for additional safety reasons.

Although no up to date noise assessment has been submitted with this 2016 amendment to the earlier submitted 2012 application, PDNPA advise that operationally noise would be within the required limits, including the cumulative aspects of two working quarries side by side.

Concerns regarding a protective land standoff against Sheepwalk Wood would be mitigated by an area designated for block storage and staff facilities with no quarrying undertaken. This standoff equally would provide an additional buffer for residents in parts of Stanton village closest to any extension.

Further improvements have been proposed and are to be implemented to walling and safety fencing around the existing quarry void and any extension area. It is also understood that improvements to the entrances to both parts of the haul road would be undertaken.

Council conclude that the on-going protection of the whole of Stanton Moor is and always has been of utmost concern, previous planning applications have proved to be inequitable in terms of tonnage exchange, whilst still questionable in terms of the quality of stone being revoked at Stanton Moor Quarry for the good quality block at New Pilhough, it is recognised that this trade in of the Stanton Moor permission would lead to greater protection for the moor and the local amenity. The proposed extension to New Pilhough Quarry would be over a relatively short period of time with complete restoration proposed following extraction of 50,000 tonnes of block.

Council would wish to see restoration commence within 3 months of the end of extraction should this application be granted. Restoration of both the quarried area and both sections of the haul road, with the haul road sections fully restored would need to be included in a consented restoration plan.

Western Power (2012) - In principle WPD have no objection to the proposed extension of the quarry. I would highlight though that there is an 11,000 volt overhead line that runs adjacent to Lees Road into Stanton on the Peak. This overhead line is vital to maintain supplies to the village and any encroachment of the quarry towards this requiring the line to be diverted would be chargeable to the quarry. *Note – the proposal does not encroach on the overhead line.*

Darley Town Council (2012) - Do not have any objections as long as the site is restored.

South Darley Parish Council (2012) -The B5057 passes through a number of settlements, Winster, Wensley, Darley Bridge and Darley Dale. As the route passes through these villages it is subject to narrowing of the carriageway, steep gradients and poor horizontal curvature in places. Also many residential properties immediately abut narrow footways.

We would most strongly object to this route being used and would also draw your attention to the fact that it has a 7.5t weight limit.

If the application is accepted we would expect the Peak Park to monitor closely vehicle movements per day and ensure that the annual tonnage removal is as stated in the application. Likewise we would expect all reinstatement to be completed to the standards proposed and within the timescale stated.

If the Peak Park are able to give assurances on the above points then we would have no objection to the application.

Note – The Authority are unable to control the use of the highway beyond specifying the direction vehicles will turn on leaving the site. The use of the highway is not a planning matter, but in line with other road users, HGV operators must comply with highway restrictions.

Birchover Parish Council (2012) - The PC have continuing concerns about the equitability of swaps and the absence of a full haul road. The most important issue for the PC is the regulation of quarrying to modern planning conditions.

2016 - Birchover Parish Council were pleased to see that this matter is close to being finally resolved and have no objections, subject to no increase in the size and frequency of lorries.

Rowsley Parish Council (September 2012) - As the National Park Authority has previously stated they believe that Stanton Moor quarry could yield in the region of 67,000 tonnes of stone, as opposed to Blockstone's estimate of 146,970 tonnes, then an equitable land swap with New Pilhough would be 67,000 tonnes and no more.

December 2012 – reiterates previous comments, adds that the Parish Council would request that a Prohibition Order be served immediately on Stanton Moor Quarry, currently in suspension.

2016 - We believe that a new planning application is required. Council feel that the current amended application is unacceptable. It is too complex to follow with so many historical documents, together with new papers within an undetermined history of previous applications, refusals, appeal, resubmissions etc. It lacks transparency and is therefore too difficult to pass an informed response. *Note – a document setting out the history of the site was provided to the Parish Council.*

There needs to be a further public consultation meeting so that local residents have the opportunity to question relevant bodies to understand the proposals and allow time for informed local representations to be made. *Note – a public drop-in was subsequently held.*

Under THE OBLIGATIONS of the draft Section 106 agreement there is in bold capitals **SAVE THAT** nothing shall prohibit further planning permission/development of NP quarry - this goes totally against the Stanton Moor Principles - PDNPA need to guarantee that this is last remaining permission. *Note – although this appears in the draft provided by the applicant, it is unlikely to appear in the final document. It would be unnecessary to include this as an agreement entered into under s106 cannot limit an individual or company's right to apply for planning permission in future if they wished to. Given that the relinquishment of old mineral permissions on Stanton Moor has been a material consideration in the grant of planning permission to date, the absence of any further old mineral permissions in the Stanton Moor Area appears to officers to significantly affect the prospects of future major proposals in the area. The development plan policies do not support major development in National Parks other than in exceptional circumstances.*

There are no systems of control and monitoring at NP quarry. There are no weighbridges and Blockstone have previously breached their existing output restrictions.

Given that wastage estimates on the application given are between 80-85% this could mean a total extraction in the region of 540,000 and 720,000 tonnes. What guarantees can be given that only 50,000 tonnes of block will be won.

The revised application raises serious questions about the future life of the quarry. Potentially 50,000 tonnes would be extracted within 3 years (18,000 x 3 = 54,000). This raises the critical issue of the need for a Bond (to ensure that restoration is carried out).

There appear to be two recent events that are missing from the officer's papers and chronology:

- the retrospective application for the relocation of the mess room following the serious face failure and consequent fine of £30,000 (incl costs) by HSE for Blockstone failing to carry out a Geo Technical survey
- the financial collapse/bankruptcy of Realstone Ltd

Mineral Planning Guidance 7 (MPG 7) advises that there may be exceptional circumstances where it would be reasonable for a Mineral Planning Authority to seek a financial guarantee to cover restoration costs:

(c) where there is reliable evidence of the likelihood of either financial or technical failure

We have previously requested:

- that a stand-off Buffer zone be established between Sheepwalk Wood and the extension to the limit of Dale View Quarry permissions to protect the wood from the quarry face, and that Sheepwalk Wood is protected
- the removal of the haul road on both sides of Lees Road on completion of quarrying with appropriate landscaping

The restoration plans of New Pilhough quarry need to be seen in the context of the restoration of the now extended Dale View quarry and appropriate drawings and plans need to be seen as a whole not separately.

Environment Agency – 2012 – No Objections.

2016 & 2017 – No objections. The applicant is advised to contact the Environment Agency to discuss whether any of the proposals falls under the requirements of the Mining Waste Directive.

Natural England – No comments, refers to Authority to standing advice.

Historic England – 2016 - consider that 1) That the public benefits of the surrender of existing planning consent on Stanton Moor in areas of high archaeological and cultural heritage sensitivity (in exchange for those in the present application) are robustly underpinned by mineral resource and heritage impact assessments.

2) That great weight is given to the desirability of conserving scheduled monuments (and archaeological sites of demonstrably equivalent importance) as set out in National Planning Policy Paragraphs 132 and 139 and that this is applied in respect of the Bronze Age burial, ceremonial and settlement remains on Stanton Moor, and evidence for medieval, post-medieval and 19th to early 20th century activity.

2017 – No further comments.

PDNPA Tree Conservation Officer – 2016

The existing stand-off, does not allow much of a buffer zone between the wall and the quarry face.

Regarding the trees, they seem to be Ok with minimal root growth showing on the quarry face, but there is no consideration for any settlement/ severer weather erosion, regarding the location of the dry stone wall this should have adequate allowance in future

BS:5837:2012 *Trees in relation to design demolition and construction Recommendations* gives a formula to work out the Root Protection Area.

Whilst at the site I did an average count of diameter in wood adjacent to the proposed extension area and came to a 2 to 3 metre stand-off from the quarry side of the wall, this would allow the quarry to install secondary security fencing and a safe zone for the tree stock.

PDNPA Ecology – 2012

Concluded that the proposals have a limited ecological impact and, with mitigation and restoration along the lines proposed, have significant potential for long-term ecological enhancement. Therefore no objections to the proposals subject to conditions relating to the detail of restoration and extended aftercare. In addition, the associated revocation of extant permissions for Stanton Moor Quarry would have overall ecological benefits.

2016

Existing habitats/species at New Pilhough

Grassland

The area of grassland interest that was noted during the site visit in the proposed extension area is also highlighted in the EIA. This is likely to have a good seedbank and we would like to see the soils from here used in the phased restoration as soon as it is stripped, rather than being stored in a bund. The soils will need to be used in a suitable location that is likely to support a similar habitat to that mentioned above.

Bats

Prior to the felling of the trees identified in the Environmental Statement, those identified as having high to moderate potential for supporting bats must be checked by a suitably qualified Ecologist for roosting bats. EPS Licencing will be required should bats be present. If bats are not found to be present, felling of the trees should follow the 'soft felling' techniques as outlined in on page 145 of the Environmental Statement. Support bat boxes to be fixed to suitable trees within Sheepwalk Wood as proposed.

Whilst surveying the tree for bats the Ecologist should also check for evidence of barn owl as a tree has habitat potential. Suitable mitigation will need to be provided should this species be present.

It should be conditioned that timber from the felled trees is retained on site and used to create deadwood habitat piles within restored woodland areas.

Birds

A bird survey was not undertaken when the EIA was previously updated. A Schedule 1 bird

species are now nesting within the cliff face within the extension area. Where nests are being used, it will be necessary to avoid working on these faces until after the breeding season. As best practice the overall breeding period should be regarded as February to the end of August. It will be important to ensure that suitably accessible and undisturbed ledges are available during the life of the quarry operations and are also provided as part of the restoration scheme.

All other mitigation measures that are presented in the EIA (section 8.6) will need to be conditioned.

Restoration of New Pilhough

Details of site restoration is presented in the ECUS 2016 LVIA and the November 2012 restoration details and should be controlled by condition.

We support the plant sourcing suggested in the LVIA in sections 1.2.29, 1.2.30 and 1.2.31.

Heathland establishment:

Do not feel it is necessary to apply measures to lower the pH, especially as the application of sulphur would only have a temporary effect. The best approach would be to ensure that the heathland restoration takes place in the first year, with monitoring taking place in years 2 and 3 of the aftercare period.

We would prefer the use of heather brash (rather than seed), which has been shown to provide good establishment and also help stabilise bare soils. A suitable donor site would need to be selected. Ideally, heather brash should be collected from Stanton Moor, given its proximity. The brash would be spread directly after collection, so there would be no need for heat or smoke treatment as suggested in section 1.2.37. Section 1.2.38 refers to heath plug planting. We do not feel that plug planting is necessary here, especially for bilberry as there is a risk of spreading *Phytophthora*.

Section 1.2.39 refers to fencing the heathland habitat to avoid problems with grazing domestic and wild animals. We do not feel that fencing to a specification to avoid rabbits grazing is required. Instead, the heathland, grassland and woodland habitats should be split by stone wall boundaries, in a way that is in keeping with the surrounding landscape.

Section 1.2.40 refers to future management and grazing of the site once the heathland has established. We support the approach with suggested changes of stocking levels.

Native Woodland and Native Woodland Edge/ Scrub Planting:

Works should be carried out in accordance to the LVIA, but with the following changes:

The scheme should include a mixture of natural regeneration and planting (from seed collected and grown on, as suggested in Section 1.2.31) on this site. Previous restoration plans referred to the natural establishment of birch and hawthorn and this should be included in the scheme. Trees to be planted should include: Pedunculata oak (40%), rowan (10%), holly (10%) and hazel (5%). The grass mix given in table 3 of the LVIA is fine. The remainder of the area should be left to colonise naturally.

Section 1.2.46 refers to the spraying of evergreen plants with anti-desiccant S600. This is not necessary – the only evergreen plant is holly, which is likely to have been pot grown and unlikely to suffer from desiccation. We would also recommend that no composts or fertilizers are used in establishing the trees.

Local Provenance Hay Meadow:

The LVIA refers to the establishment of hay meadow on this site. Given the size of the area and the topography, we would recommend that this is changed to species rich pasture, but still managed with stock removal between May and July (inclusive) to allow plants to flower and seed.

The LVIA refers to two different methods of collecting donor seed for grassland establishment. We would recommend that the same, or similar green hay method as used at Dale View is applied in line with advice from ecology.

Once the sward has established, the pasture areas will be managed through grazing which will be restricted to sheep or cattle at a stocking level not exceeding 0.6 Livestock Units (LSU) per hectare, during April and May each year. All stock shall be excluded from the pasture from May to July inclusive to allow plants to flower and seed. Grazing will resume from August to October at the above stocking density. Stock will be removed over the winter months (November to March inclusive). The grazing regime will be monitored and where change is necessary, this must be agreed with the PDNPA.

Rocky exposure: We support the retention of cliff faces as part of the restoration scheme. We are happy that the scheme has been revised to create a 25m high face, which should provide more suitable nesting habitat for nesting birds, including schedule one species

Invasive species: Himalayan balsam has been recorded at Dale View Quarry and on surrounding lands. There is also the potential for contamination with other invasive species from machinery coming in and out of the site. A condition is required to ensure that the site is monitored for invasive species. Suitable control measures will need to be put in place should any invasive species be found to be present and these measures need to be agreed with the PDNPA.

Restoration of Stanton Moor Quarry:

Heather is regenerating well on this site, along with other acid grassland plants and it is likely that the ground flora would develop into a heathland, acid grassland mosaic, if not hampered through the development of scrub on this site. Bird's-foot trefoil is also present here, which is one of the larval food plants of the green hairstreak butterfly and dingy skipper, which have both been recorded at Stanton Moor. The establishment of this moorland mosaic will also provide habitat for other invertebrate specialists recorded at this site. The regenerating birch and gorse threaten to undermine the establishment of the moorland mosaic. As agreed with Archaeology, part of the restoration proposals for Stanton Moor Quarry would involve the removal of the trees and an agreed amount of the gorse in a sensitive manner to avoid damaging any historic quarry features and workings identified in the previous survey work. This will require the use of low impact methods to achieve the required ecological restoration. The following methods should be employed:

- Hand cutting.
- Cutting and treating stumps, not removing or grubbing out roots, where scrub or trees are growing on or out remains/features of archaeological significance.
- Burning the brash produced on site on burning tray (rather than the ground surface) and in a location away from known archaeological features.

PDNPA Archaeology (2012) - Given the site's proximity to Stanton Moor - which has extensive remains of Neolithic and Bronze age date, the possibility that further sub-surface remains may come to light cannot be discounted. In order to ensure that any previously undiscovered deposits that may be revealed in the course of the preparation of the extension area for working can be recorded, I would recommend that any soil strip be archaeologically monitored. In order to ensure that this takes place I would recommend that conditions be attached to any grant of planning permission to secure the watching brief.

2016 - The extension of New Pilhough Quarry will result in a continuation of the negative impacts of quarrying operations on the setting of the Station Moor Scheduled Ancient Monument. But, this is outweighed by the heritage benefits to the nationally important Scheduled Ancient Monument from the relinquishing of the quarrying rights at Stanton Moor Quarry. This is because the renewal of quarrying at Stanton Moor quarry has the potential to:

- Threaten the physical survival of previously discovered archaeological features of the Scheduled Ancient Monument in the overlap between the quarrying permissions and the scheduled area. This would harm the significance of the Scheduled Monument.
- The visual and aural intrusion from any renewal of quarrying and associated activities at Stanton Moor Quarry would affect the setting of the Scheduled Monument, and its atmosphere and amenity value, severely diminishing opportunities for quiet enjoyment of the moors and its archaeological features. This would result in harm to the Scheduled Monument.

By removing the possibility of future quarrying at Stanton Moor quarry the future of the scheduled archaeological remains, both physically and their setting is secured from further immediate harm through quarrying operations at Stanton Moor Quarry. This outcome is in accordance with the aims of PDNPA's 2007 *Stanton Moor Conservation Plan*, particularly Policy Aim C to '*Reduce and control the adverse impacts which mineral extraction and related activities have on opportunities for the quiet enjoyments and intellectual, spiritual and aesthetic appreciation of the scheduled monument within its setting*' and the sub-aims thereof, particularly C1.2 '*Seek the resolution of statutory planning issue relating to mineral extraction and tipping at Stanton Moor Quarry...*'.

The removal of the possibility of future quarrying at Stanton Moor quarry will also remove the negative impact of quarrying operations on the 19th century quarrying remains, as the remains will not be destroyed. If quarrying at Stanton Moor quarry is renewed it will result in a loss of these features, and any buried prehistoric ground surfaces that survive. But, removing the threat of future quarrying is not the same as preserving the historic quarrying features. Without proactive management the remains of standing buildings, walls etc. will decay and erode over time and the evidential value of the historic quarry workings will be eroded. However, in weighing any planning balance, the benefits to the nationally important Scheduled Ancient Monument on Stanton Moor resulting from the revocation of quarrying rights at Stanton Moor Quarry are far more significant and must be weighed strongly against the gradual loss of significance due to the gradual decay and erosion of the evidential value of historic quarry workings that are not of national importance.

As part of the restoration proposals for Stanton Moor Quarry, as an absolute minimum a no harm policy should be taken to the historic quarry features and workings identified the previous survey work. Any works that take place, to remove scrub etc. should not disturb or damage the surviving archaeological remains. This will require the use of low impact methods to achieve the required ecological restoration, such as:

- Hand cutting.
- Cutting and treating stumps, not removing or grubbing out roots, where scrub or trees are growing on or out remains/features of archaeological significance.
- Burning the brash produced on site on burning tray (rather than the ground surface) and in a location away from known archaeological features.

The basic survey work undertaken previously by Trent and Peak Archaeology in 1998 and Archaeological Research Services in 2014 as part of the ROMP, which map the location of archaeological features, should be used as part of the ecological restoration to identify archaeological sensitivities, and tailor methodologies in those areas accordingly. This will be essential in order to avoid damage to archaeological remains. If/when a scheme of the proposed works is drawn up, I can review this, and liaise with the contractor to ensure archaeological remains will not be harmed.

PDNPA Landscape 2016 - Wherever possible trees and seeds should come from local

provenance and natural regeneration should be encouraged. It may be advisable to collect tree seed and start propagating now using a local nursery. Seed source and mix for the unimproved grassland mix should be provided along with NVC H9 seed source.

Proposed habitats are acceptable. Consideration will need to be given to the long term management of the site after the first 5 years. This may include fencing areas or new gritstone walls to enable grazing to take place. If these are likely to have a visual impact their location should be provided as part of this scheme.

In 1.2.8 there is mention of a 5m high topsoil storage bund. It is advisable to store topsoil in mounds not exceeding 2m high as any higher has an effect on the quality of the soil. Is there any chance in being able to reduce the height of this mound in accordance with the BS?

2017 I have no landscape objections to the restoration it is all in accordance with previous discussions with the applicant. The proposal to retain a higher face for the benefit of raptors is to be welcomed and the higher face will not be viewed in the landscape.

With regards to the adjacent restoration scheme I do not see a conflict between the two proposals as the main viewpoints into the quarries are from different directions.

The Health and Safety Executive were also consulted but did not make any comments.

Representations

2012

64 letters of support were received in relation to the application. Of these, 40 were from people who identify themselves as being employees or family members of employees of the applicant or Real Stone, a company which at that time was the sister company of the applicant, registered at the same address and was the primary customer for the stone produced. Reasons set out for supporting the application were:

- Employment
- Provision of stone benefitting the built environment
- The proposal is considered equitable
- Benefit of 20m stand-off
- Proposal is in accordance with Stanton Moor Principles
- Quarrying forms part of the heritage of the area
- The proposal will create habitat
- The proposal is considered small scale
- There is a demand for the stone

4 letters of objection were received in 2012. Reasons set out for objection the application were:

- Vehicle movements generated by the proposal and associated with amenity impacts
- The stand-off between the proposal and Sheepwalk Wood should be greater
- No bond is offered to secure restoration
- The equitability of the proposal

Friends of the Peak District comments include that although the proposal is an improvement on the previous application, in terms of reduction in tonnage and larger stand-off from Sheepwalk Wood, they conclude that the proposal remains inequitable, and therefore not an exceptional circumstance. On the basis of the information available about tonnage at Stanton Moor FOPD would be unable to support an application with a saleable volume of stone above 65,000 tonnes.

A general comment was received in 2012 which neither supported nor objected to the application but commented that the PDNPA needs to be sure of the equitability of the proposal.

2016

In 2016 after the submission of amended information, those people who made representations were contacted and advised of the submission.

Six further representations were received at this time. All objected to the planning application, and the reasons included:

- Concerns that more stone could be extracted than applied for
- Concerns that the number of vehicle movements equates to more tonnage than sought
- Absence of a weighbridge
- Concerns that tonnage would not be effectively controlled by condition
- Swap inequitable in tonnage and quality of stone terms
- A Prohibition Order should be made

In 2017 Friends of the Peak District made further comments. They now consider the reduced scale proposal is equitable and support the application subject to some safeguards as follows:

- Relinquishment of Stanton Moor Quarry prior to the development commencing at New Pilhough
- Extraction limited to 50,000 tonnes of block taken off site
- Sharing of information about block removed and vehicle movements
- Maximum tonnage of 18,000 tonnes
- Vehicle movements and routes to be agreed and avoidance of school drop off times
- A buffer zone between extraction and Sheepwalk Wood as set out in plans
- Commencement of restoration within 3 months of cessation of extraction

Main Policies

National Planning Policy Framework

The National Planning Policy Framework (NPPF) was published on 27 March 2012 and replaced a significant proportion of central government planning policy with immediate effect. The Government's intention is that the document should be considered to be a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. In the National Park the development plan comprises the Authority's Core Strategy 2011 and saved policies in the Peak District National Park Local Plan 2001. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and more recent Government guidance in the NPPF with regard to the issues that are raised.'

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

Along with the need to give great weight to considerations for the conservation of wildlife and cultural heritage, paragraph 115 of the NPPF confirms the highest status of protection in relation to landscape and scenic beauty, reflecting primary legislation.

Paragraph 116 goes on to say that Planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest. Consideration of such applications should include an assessment of:

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

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

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

Local Policy

The Peak District National Park Core Strategy (2011) and ‘Saved’ policies of the PDNP Local Plan (2001) is part of the Development Plan.

Relevant Peak District National Park Core Strategy policies include: GSP1, GSP2, GSP3, GSP4, L1, L2, L3, DS1, MIN1, T1 and T4.

Relevant Peak District National Park Local Plan ‘Saved’ policies include: LM1

Policy GSP1 relates back to the Park’s statutory purposes and states that applications for major development within the National Park will only be permitted following rigorous consideration of the criteria in national policy. Where a proposal for major development can demonstrate a significant net benefit, every effort to mitigate potential localised harm and compensate for any residual harm would be expected to be secured.

Policy GSP2 builds upon this by stating that opportunities should be taken to enhance the valued characteristics of the National Park. Proposals intended to enhance the National Park will need to demonstrate that they offer significant overall benefit to natural beauty, wildlife and cultural heritage of the area. This is expanded in policy L1 which relates directly to the conservation and enhancement of landscape character and other valued characteristics. Policy GSP3 refers to development management principles. Relevant criteria listed in this policy relate to appropriate scale of development in relation to the character and appearance of the National Park, impact on access and traffic, and impact on living conditions of communities. Policy GSP4 recommends the use of conditions and legal agreements to ensure that benefits and enhancement are achieved. Collectively, GSP1, GSP2, GSP3, GSP4 and L1 provide overarching principles for spatial planning in the National Park and the delivery of national park purposes when considering

development proposals, including mineral proposals, to ensure that the valued characteristics and landscape character of the area are protected.

Core Strategy policy L2 seeks to conserve and enhance any sites, features or species of biodiversity and where appropriate their setting. It also seeks to adopt the same approach to features or site of geodiversity importance. Other than in exceptional circumstances, development will not be permitted where it is likely to have an adverse impact on sites of biodiversity or geodiversity importance. Similarly, policy L3 seeks to ensure that development conserves and, where appropriate, enhances or reveals the significance of archaeological, architectural, artistic or historic assets and their settings, including statutory designations. Development will not be permitted other than in exceptional circumstances where it is likely to cause harm to the significance of any such asset.

Policy DS1 seeks to direct development to the most sustainable locations based on a range of criteria. In all settlements and in the countryside outside the Natural Zone the policy specifies a range of developments that are acceptable in principle, which includes mineral working. This is subject to the need to ensure that the principles contained within policy DS1 be considered in relation to other relevant and specific core policies of the plan.

Specific to minerals, Core Strategy policy MIN1 states that proposals for new mineral extraction or extensions to existing mineral operations (other than fluorspar proposals and local small-scale building and roofing stone which are covered by MIN2 and MIN3 respectively) will not be permitted other than in exceptional circumstances in accordance with the criteria set out in National Planning Policy in MPS1 (as in above paragraph). Part B of policy MIN1 in the Core Strategy states that restoration schemes will be required for each new minerals proposal or where existing sites are subject to mineral review procedures. Where practicable, restoration will be expected to contribute to the spatial outcomes of the Plan (either generally or for the constituent landscape character areas of the National Park). These outcomes will focus mainly, but not exclusively, on amenity (nature conservation) after-uses rather than agriculture or forestry, and should include a combination of wildlife and landscape enhancement, recreation, and recognition of cultural heritage and industrial archaeological features.

Saved policy LM1 of the Local Plan states that mineral development will not be permitted unless adverse impacts on the valued characteristics and amenity of the area can be reduced to the minimum practicable level, or eliminated, and the development is acceptable given the need to conserve and enhance the National Park. The applicant must provide satisfactory evidence that the development can be completed within an agreed period. LM1 also states that where necessary planning obligations will be sought to address matters which cannot be dealt with by means of planning conditions, including the extinguishment of existing planning permissions.

Core Strategy policy T1 seeks to conserve and enhance the National Park's valued characteristics in a number of ways, including minimising impacts of traffic within environmentally sensitive locations. Policy T4 specifically relates to freight traffic, stating that where developments require access by large goods vehicles they must be located on and / or be readily accessible to the Strategic or Secondary Road Network.

Wider Policy context

Stanton Moor Principles

The Stanton Moor Principles do not form an explicit part of the planning policies of the Authority as they are not part of the Peak District Local Plan or the Peak District Core Strategy. They were however taken into account by the Authority in determining the policy content of the Peak District

Core Strategy and policies therefore reflect the Stanton Moor Principles.

The Stanton Moor Principles where relevant are considered to be a material planning consideration in the determination of planning applications, having regard to the statutory provisions of s38(6) of the Planning and Compulsory Purchase Act 2004. That section states: *“If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise”*

The Stanton Moor Principles were agreed by the Authority's Planning Control Committee on 27 October 2000, following a period of consultation. The consultation concluded in a meeting with interested parties on the 12 October 2000. This meeting was attended by representatives of the parish councils, landowners, mineral operators, English Heritage, action groups and officers of the Authority, and was observed by the Chair and Vice-Chair of the Committee.

The Principles agreed by Planning Committee were minuted as follows:

“That the following principles be taken into account when considering mineral proposals within the Stanton Moor Area.

(a) There is an acceptance that quarrying for building stone will continue in the area for the foreseeable future. The Authority encourages the use of natural stone for building provided the scale and the environmental impact of working can be adequately controlled or mitigated. A number of the consents in the locality do not expire until 2042. Mineral working will therefore continue to have an impact on the local area particularly in terms of traffic generation. The emphasis must therefore be on controlling this impact rather than believing that it can be eliminated.

(b) The Authority has a responsibility for conserving the landscape, wildlife and cultural heritage of the area. In particular it would wish to see the cessation or very severe curtailment of working in the central section which includes Lees Cross/Endcliffe and Stanton Moor quarries. These sites adjoin or overlap the Scheduled Ancient Monument and any working would be likely to cause environmental damage and would spoil the special character of the area. There are however valid planning consents covering these areas and these are unlikely to be given up lightly by the landowners and operators. As a general principle the Authority would wish to see working concentrated in the northern and southern groups of quarries.

(c) Any proposals for variation or extension of existing workings must also put forward an acceptable means of minimising the impact of working and traffic on local residents. This is likely to involve restrictions on lorry movements and/or new or improved lorry routes.”

On 14 September 2012, a report was taken to Planning Committee to establish the on-going relevance of these principles. The Committee resolved:

That the Stanton Moor Principles agreed by the Authority on the 27 October 2000 and incorporated into the Stanton Moor Conservation Plan agreed with English Heritage in 2007, which enshrine the Core Strategy principle of the exchanges of historic planning consents for more environmentally acceptable alternatives, remain in place unchanged until the two current applications (for New Pilhough Quarry and Birchover Quarry) are determined, as they provide specific locational advice that remains valid and relevant to planning decision making.

The application under current consideration is the ‘current application (for New Pilhough....)’ referred to in the resolution.

Stanton Moor Conservation Plan

The purpose of this Conservation Plan is to provide a long-term framework for conservation management of the Stanton Moor Scheduled Monument and its setting. The Plan assesses not

only the complex significance of the moor but also the range of factors which impact upon it. It builds on this information to develop policies which will enable the significance of the moor to be sustained or enhanced, and which will attract maximum support from those involved in transforming policy into practice.

The plan identifies the following current and potential impacts of quarrying on the moor to include:

- the substantial visual and aural impact of current quarrying and associated activities close to the south-western boundary of the moor, which detract from the setting of the scheduled monument, diminish opportunities for its quiet enjoyment, and detract from the rural character of approach routes to the moor;
- the impacts of potential renewal of quarrying at Stanton Moor Quarry on the setting, atmosphere and amenity value of the scheduled monument;
- any physical threat posed by potential renewal of quarrying at Stanton Moor Quarry to archaeological remains within and on the boundary of the 'overlap' area at the east of the quarry, and any environmental threat posed to the immediate setting of further remains adjacent to the eastern perimeter of this overlap area;
- the potential future impact of any substantial expansion of mineral extraction operations to the north of the moor;
- the visual and aural impact of quarry vehicles on the immediate setting of the moor, and on the rural atmosphere of the moor's approach zone.

The plan sets out that in 2003, Stanton Moor was classified by English Heritage (East Midlands Region) as a Scheduled Monument at High Risk, principally because of the serious threat posed by mineral extraction to the integrity, setting and amenity value of the monument.

Section 106 planning obligations

This application is put forward on the premise of including additional material planning considerations which if deemed necessary could not be secured by planning condition and would instead have to be secured by a planning obligation under section 106 of the Town and Country Planning Act (1990). This could either be in the form of a legal agreement between the applicants and the Authority or in the form of a unilateral undertaking put forward only by the applicants. Government guidance is a material consideration in determining planning applications. Previously, Circular 05/2005 provided the government's guidance regarding s.106 planning obligations and included a series of five policy tests which should all be met before matters are included in planning obligations. The circular stated that it is ultimately a matter for the courts to decide whether an obligation is valid and material in any particular case. The Courts have previously found that obligations that go beyond the policy tests but nevertheless meet the statutory requirements of the 1990 Act are still valid and material. The five tests under Circular 05/2005 have however been amended by Regulation 122 of The Community Infrastructure Regulations 2010; this now requires that a planning obligation must be:

- (i) necessary to make the proposed development acceptable in planning terms;
- (ii) directly related to the development; and
- (iii) fairly and reasonably related in scale and kind to the development.

Compliance with these tests is discussed where appropriate in the following sections.

Assessment

Stanton Moor Quarry Reserves and Prohibition Order

Stanton Moor Quarry was permitted by the Minister for Local Government and Housing in 1952 and is listed as 'active' under the Environment Act 1995. No modern working conditions for the remaining area of the permission have been determined. The permission is currently valid until

2042. The statutory Review of Old Mineral Permissions (ROMP) provisions contained in the Environment Act 1995 was stalled, as insufficient environmental information was submitted to allow a determination of new conditions and the Authority could not insist on the information being provided. In these cases, 'active' but "stalled" sites under the Environment Act 1995 could legally continue to be worked without modern conditions.

Town and Country Planning (Environmental Impact Assessment) (Amendment) (England) Regulations 2008 ("the 2008 Regulations") sought to resolve the stalled sites issue. These regulations obligate applicants to submit the required information (unless otherwise agreed), and if the information is not forthcoming within the requisite time limits the planning permission is suspended. At the end of two years of suspension the Mineral Planning Authority is obliged to consider making a Prohibition Order, employing a series of tests to assess if an Order should be made.

Several extensions of time were agreed for the submission of information showing how the Stanton Moor Quarry would be worked, and the environmental impact of this, in order to allow the Authority to determine modern working conditions. These extensions of time were agreed on the basis that an application for an extension at New Pilhough would be forthcoming which would be broadly in line with the Stanton Moor Principles. If such an application was approved, it would negate the need for submission of information and determination of the ROMP at Stanton Moor Quarry. In addition, working was not taking place at the quarry so there was no demonstrable harm being caused.

The Stanton Moor Quarry ROMP was held in abeyance with the agreement of the Authority until 31 October 2010. However, no revised working scheme was received by the Authority and no request was made by the applicant for an extension of time before that date, so the site fell into automatic suspension.

Should the operator wish to re-commence working at Stanton Moor Quarry, they would first need to ensure that the current automatic suspension be lifted. This can only be achieved through the submission of the requisite information to enable the Authority to make a full assessment of the working proposals and the potential environmental effects arising. That assessment would then be used as a basis to ensure that appropriate and modern working conditions were imposed on the reviewed permission. Since the site is 'active', as defined by the Environment Act 1995, the Authority could not impose conditions which restricted the asset value and viability of the site without risking payment of compensation.

Once the site had been in automatic suspension for 2 years, the Town and Country Planning Act 1990, as amended by the 2008 Regulations, requires the mineral planning authority to make a Prohibition Order where working has 'permanently ceased'. The Act states that the mineral planning authority may assume that the winning and working or the depositing has permanently ceased only when—

- (a) no winning and working or depositing [for which permission is not suspended] has occurred, to any substantial extent, at the site for a period of at least two years; and
- (b) it appears to the mineral planning authority, on the evidence available to them at the time when they make the order, that resumption of the winning and working or the depositing [for which permission is not suspended] to any substantial extent at the site is unlikely".

The fact the mineral permission has been automatically suspended for two years is not, on its own, sufficient grounds to conclude that work has permanently ceased but it is a factor that should be taken into account. It must appear to a MPA that winning, working or depositing have permanently ceased before it is under a duty to make a prohibition order

This interpretation has been confirmed by the a letter from the Secretary of State dated 25 March 2013, the national PPG of 6 March 2014 and the Inspectors report and Secretary of State's decision in the case of the Oxfordshire County Council (Thrupp Farm), Radley) Prohibition Order 2012 (July 2014)

When assessing whether or not the resumption of working at the site is “unlikely”, MPG14 paragraph 122 indicates the MPA must “take account of all considerations material to that decision” which “would include the quality and quantity of workable mineral and whether there is a real and genuine intention to work the site”. In addition to these factors, MPG4 paragraph 15 indicates the MPA should also “weigh evidence supplied by the operators/owners on the pattern and programme of their operations, including forecasts of trends in production and markets for their products”.

On 15 November 2013 Planning Committee considered the evidence available to determine whether working at Stanton Moor Quarry had ‘permanently ceased’. In the report officers concluded that: *‘taking account of all the factors, it is difficult for officers to conclude that work has permanently ceased. Nor is it clear cut that it has not. Further information is required which would show a working scheme and to provide information about the quantity and quality of stone that can be extracted within that scheme, in order to properly assess whether it is viable to extract stone from the site, and whether therefore it can be finally concluded that there is a genuine intention to do so.’*

The Committee resolved to defer the decision on whether work had permanently ceased in respect of Stanton Moor Quarry. In order to bring the matter to a full conclusion, the Authority sought to progress the Review of the Old Mineral Permission and in doing so imposed a four month deadline on the company to provide the information needed to do so. If the Review of the Old Mineral Permission could not then be progressed because the necessary information was not provided by the company within the deadline specified, then a further report to consider whether mineral winning and working has permanently ceased at the site would be brought to Planning Committee.

The operator was notified of the resolution and the need to provide further information by letter on 25 November 2013 and was given four months from the date of that letter to provide information including:

- A phased working scheme should be supplied showing all winning and working and tipping of mineral waste within the red line area.
- details of phasing until 2042 including direction of working and faces to be worked, storage of any soils and overburden arising, tipping (including a volumetric assessment of the capacity and material arising to be tipped), access into the void, depth of working;
- The phasing plans must show levels, including the land outside the red line adjacent to the permitted area and sections should be provided;
- plans for restoration and aftercare;
- an assessment of the total volume of material to be extracted and a breakdown of this into soils, overburden, waste, and stone;
- the quantity of stone should also be broken down qualitatively into, block, walling, rockery stone and aggregate.
- environmental information to assess the impacts and mitigate the scheme of working proposed.

Information was provided to the Authority within the 4 month time period and was sent out to consultation.

The working scheme was passed to a geotechnical consultant to make an assessment of the adequacy of the scheme and the site's ability to be worked as proposed. Dr Alan Cobb of GWP has been employed as a consultant by the Authority in relation to this site since at least 2006,

and has advised officers about the volume of mineral in the site and viable working.

As a result of Dr Cobb and statutory consultee's comments, the information provided lead to further requests for information relating to the practical implementation of the scheme, geological resource available and the environmental impacts of the scheme. The information requested was provided and was not inadequate in terms of the basis on which it was requested, but equally, it lead to requests for further environmental information as it was not sufficient to allow the ROMP to be determined.

In October 2014 GWP produced a report for the PDNPA which assessed the amended scheme for working submitted by the applicant, and made an estimation of the maximum feasible excavation of the quarry. GWP estimated that 11,581m³ (26,058 tonnes) could be recovered within the footprint using an adequate design and compliance with quarry safety legislation.

The exchange of information continued over two years. The most recent amended quarry design has been produced by the applicant's agent, which they contend would result in 22,765 m³ (50,083 tonnes) of stone. GWP estimate that the same scheme would result in 20,032m³ (44,070 tonnes) of stone. Notwithstanding these tonnages, GWP advises that there are still aspects of the scheme which need further investigation before the ROMP could be determined. This includes further information about:

- The quarry access ramp in Phase 1 which still shows an unacceptably steep section between 296mAOD and 202mAOD where contours indicate the bend to have a gradient of 1v in 4h on the centre line so that the outer 3m width of the road only would have a gradient of 1 in 4 or flatter.
- New cut and fill slopes in quarry backfill which are designed with gradients of 1v in 1h including the 11-13m high slopes above the working area in Phase 2 and 3. Notwithstanding the more limited time scale of the quarrying operations in these faces, GWP believe that that risk from loose material on these slopes falling or rolling into the excavations will be hard to mitigate fully.
- The failure in the northern wall which has not been adequately investigated taking into account what can be seen on historical post 1945 aerial photographs of the site of by close inspection of the failed section of wall.

Although, for the above reasons, there is still not sufficient information to finally determine a ROMP (because the Environmental Statement does not assess the impacts sufficiently and is therefore incomplete), there is sufficient information to determine that the likely tonnage available at the site is somewhere between 26,058 tonnes and 50,083 tonnes. In reality, the only way to achieve absolute certainty about the volume of stone in the site is to work it.

Wardell Armstrong were subsequently contracted by the Authority to produce a viability report based on:

- information about reserves from GWP and the applicant;
- taking into account information provided confidentially to the Authority about the applicant's costs and profits;
- Costs of commencing extraction at the site including works likely to be required by a determination of conditions;
- Costs of extraction including, rates and royalties.

The Wardell Armstrong report concludes that *'even the most pessimistic reserve estimate can be demonstrated to yield a potential profit significantly in excess of the required upfront costs to reopen the quarry. The consent area is accordingly financially viable'*.

The applicant's engagement in the ROMP process and discussions and considerable submissions by way of amendments to working schemes has demonstrated a sufficient intention

to work the site. The primary intention of the applicant is to pursue the alternative development at New Pilhough (in line with the Stanton Moor Principles). However, it cannot be concluded that there is therefore no intention to work Stanton Moor Quarry as an alternative if an application is not successful.

Both GWP and the applicant agree that the permission area contains strata suitable for the extraction of blockstone and other quarry products. The consultants disagree on the quantity of reserves of the quarry products and various aspects of the working schemes. Work carried out by Wardell Armstrong demonstrates that the reserve is financially viable.

Officers consider that there is satisfactory evidence that the tests for making a Prohibition Order are not satisfied in this case. Even if the application is refused, it is considered that Committee should resolve that, based on the evidence available, a Prohibition Order should not be made at this time.

Environmental Considerations: Stanton Moor Quarry

The alternative to permitting this proposal is the working of Stanton Moor Quarry. This would require the determination of modern working conditions. The ROMP procedure does not call into question whether or not the planning permissions should or should not have been granted, and a ROMP application cannot be refused.

The applicant can claim compensation as a result of any reviews of planning conditions where:

- i. the mineral planning authority determines conditions different from those submitted by the applicant; and
- ii. The effect of new conditions, other than restoration or aftercare conditions, is to prejudice adversely to an unreasonable degree either the economic viability of the operation or the asset value of the site, taking account of the expected remaining life of the site.

Under the terms of the Environment Act, Stanton Moor Quarry is an 'Active' site and there would be considerable uncertainty about the restrictions the Authority could place on the development without attracting a claim for compensation.

It is a material consideration to assess the environmental harm that would be caused by working at Stanton Moor Quarry following the potential determination of modern working conditions and whether this harm would be acceptable within the remit of the National Park.

Significant environmental harm would be caused by working Stanton Moor Quarry. Whilst an assessment of the tonnages between the two quarries may illustrate an unequal exchange at the lowest estimate of reserves at Stanton Moor, tonnage alone is not the sole criterion upon which to base this judgement. The assessment must also take account of the environmental impacts that might result at both sites if permission is either granted or refused.

Working at Stanton Moor Quarry would be wholly unacceptable and would cause irreparable damage to the archaeology, ecology, amenity uses and landscape of this part of the National Park. It would be entirely at odds with fundamental National Park purposes.

Stanton Moor Quarry is location partly with the Scheduled Monument and by removing the possibility of future quarrying at Stanton Moor quarry the future of the scheduled archaeological remains and their setting is secured from further immediate harm. This outcome is in accordance with the aims of the Authority's 2007 *Stanton Moor Conservation Plan*, particularly Policy Aim C to *'Reduce and control the adverse impacts which mineral extraction and related activities have on opportunities for the quiet enjoyments and intellectual, spiritual and aesthetic appreciation of*

the scheduled monument within its setting’ and the sub-aims thereof, particularly C1.2 ‘*Seek the resolution of statutory planning issue relating to mineral extraction and tipping at Stanton Moor Quarry...*’.

The removal of the possibility of future quarrying at Stanton Moor quarry will also remove the negative impact of quarrying operations on the 19th century quarrying remains, as the remains will not be destroyed. If quarrying at Stanton Moor quarry is renewed it will result in a loss of these features, and any buried prehistoric ground surfaces that survive.

If operated, Stanton Moor Quarry would also affect the setting of the Monument, the tranquillity of the area, and negatively impact the recreational use of the area with noise, dust and disturbance.

The revocation of Stanton Moor Quarry in exchange for an extension to New Pilhough would create net environmental benefit to the National Park, as greater environmental and cultural heritage interest exists at Stanton Moor Quarry. It is considered that Stanton Moor Quarry is a significantly more damaging alternative than the proposed extension to New Pilhough Quarry, and this represents an exceptional circumstance under part (iii) of the criteria set down in MPS1. It is also a material planning consideration in its own right which supports the proposal, since the alternative of working the existing permission at Stanton Moor Quarry is not acceptable.

The revocation of the permission at Stanton Moor Quarry would therefore provide certainty over the long term conservation of the area covered by the permission and this is considered to be in the public interest. The proposal represents an opportunity for enhancing the valued characteristics of the National Park, which will be of overall benefit to the natural beauty, wildlife and cultural heritage of the area. This is in accordance with the policies contained in Core Strategy policies GSP1 and GSP2. The revocation would be secured by clauses in the section 106 agreement setting out that the site would not be worked from the date of the agreement and that there would be no objection to, or compensation claimed in relation to the subsequent making of a Revocation Order. This would provide sufficient controls to ensure that the permission on the land is removed in perpetuity in the public interest. This meets the tests set out for legal agreements in the National Planning Practice Guidance.

New Pilhough Quarry

The proposal is considered to be major development, based on the scale of the proposal, the cumulative impacts and the sensitivity of the location of the site, and therefore must be assessed against the following criteria in NPPF paragraph 116

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

Those principles follow into Core Strategy policy MIN1. The starting point is that major mineral developments will not be permitted in National Parks other than in exceptional circumstances.

Need for the development and alternatives

When the application is considered in relation to the level of permitted reserves of gritstone/sandstone that already exist within the National Park, it is difficult to justify that the proposal is required to meet a national need, or that there are insufficient alternative supplies available. There is a concentration of existing active sites within the Stanton Moor area (including

Dale View and Birchover quarries) which collectively produce a significant output of gritstone/sandstone of a variety of hues and textures. There is a range of other sandstone quarries at different locations across the National Park producing building stone, with active quarries at Chinley Moor (Hayfield), Shire Hill (Charlesworth), Stoke Hall (Grindleford) and Wimberry Moss (Rainow) all serving a variety of local and more remote markets. Reserves of sandstone/gritstone amounted to 8,777,184 tonnes (Mt) in 2015, based on sales figures in 2015 this is equivalent to 637 years. If the scope is broadened out to include reserves in sites outside the National Park within the administrative area of Derbyshire County Council this figure increases and justification of the need for the development is further reduced.

The applicant states that permitting the site has played an important role in the local economy in providing alternative employment in the Park, adding to the diversity of the local economy. Nevertheless, it is important to note that while the need for minerals justifies employment, the need for employment does not in itself justify mineral extraction in a National Park.

In summary, it cannot be convincingly demonstrated that there is a national need for the development and alternatives do exist both within and outside the National Park. Whilst there is some local economy benefit, on balance the proposal cannot be considered to be in accordance with these criteria in their own right, and must be fully considered with the proposed relinquishment of the planning permission at Stanton Moor Quarry.

Effects on the environment, amenity and recreation

The application is accompanied by an Environmental Statement detailing the various effects that the development proposal may give rise to. These are considered in turn below.

Traffic

The existing 2002 planning permission contains an upper daily limit of 10 HGV movements (5 in, via Stanton-in-Peak, 5 out via the short haul road and left onto Birchover between 0700 – 1800 hours) Monday to Friday, and 6 total movements (3 in, 3 out) on a Saturday (between 0700 – 1600 hours).

All existing outbound traffic must cross over Lees Road and use the small haul road to access Birchover Road, from where they are required to turn left towards Birchover, and then continue down through the village to reach the junction with the B5056. From there, access to the A-road network can be gained by either travelling north (to the A6 at Haddon) or south to reach the A5012 at Grangemill.

The operator avoids HGV's travelling through Stanton in Peak or Birchover during school starting or finishing times, and this is carried out by the operator as a matter of goodwill. Although some consultees have sought this to be included in a condition, it is not normally considered acceptable to limit the generally permitted use of the highway beyond the site itself. If the use of the highway requires limiting, this would be a matter for the Highway Authority. The existing footnote has served to remind the operator to behave in a neighbourly manner, and the Authority has had no feedback that this is not working in practice.

It is not possible to control the use of the public highway by a legal agreement. Conditions can be applied requiring that HGV vehicles only turn left from Stanton in Peak into the haul road and turn left (to Birchover) leaving the haul road. It is in the operator's interest to maintain the pattern of entering the site through Stanton in Peak and leaving via Birchover as this arrangement minimises the risk of meeting HGV's travelling in the other direction on roads with limited passing opportunities. The operator is proposing to continue the operation of 5 HGV's into and 5 HGV's out of the site Monday to Friday between 0700 – 1800. The proposal is seeking to discontinue any further Saturday movements.

Vehicle weight is limited to 32 tonne gross and vehicles carrying stone must be 6 or 8 wheel rigid tipper style bodies. Currently permitted output is 18,000 tonnes per annum (tpa).

Some representations are concerned with highway cleanliness. The operator of any mineral site has a duty to keep the highway clean of mud and debris. Wheel washes can be used to achieve this where necessary. At New Pilhough, exiting lorries use the 'short-haul road' and the lorries have to travel some distance before getting onto the highway network, which does remove much of debris that can accumulate on wheels. Few complaints have been received in connection with mud on the road outside New Pilhough Quarry and officers have not noted this to be an issue in carrying out routine site monitoring. Occasional use of a road sweeper has been contracted by the operator in the event of particularly poor weather conditions. Officers do not consider that the addition of a wheel wash at the site would provide additional benefit, and would in itself constitute a visual impact increasing the industrialised appearance of the site. Good maintenance of the haul road and the conditional requirement that this be used, is considered sufficient to address this issue.

The application proposes that the winning and working of mineral will cease by 2022 with restoration taking a further year. This is the same end date as currently permitted, (although it is likely that the remaining mineral of less than 18,000 tonnes would be worked out before that date), so the proposal does not extend the impact of the development in terms of traffic movements, or increased time period from current permitted levels.

The alternative traffic impacts which would be likely to arise from a ROMP determination are not certain, as it has not been determined, but they would certainly be likely to be higher than those arising from the proposal.

It is considered that in traffic terms the proposal does not strictly accord with the policy principles outlined in T1 or T4 as the development does not have ready access direct onto the Strategic or Secondary Road Network and clearly has an impact on the local road network and other users. Local Plan Policy LM1 requires that adverse impacts on the valued characteristics and amenity of an area be eliminated, or reduced to the minimum practicable level. Whilst the proposal would increase the tonnage exported from the site (from that currently permitted), it would not lead to an increase in the total number of HGV movements permitted on a day-to-day basis, the current limit of 10 movements would not alter. The duration of the development will also remain the same. Benefits will arise from the proposed cessation of Saturday movements. Additionally, the proposal to relinquish Stanton Moor Quarry would contribute positively to a reduction in total HGV movements on the local road network, which is a material consideration. Therefore, on balance, whilst the proposal would have some adverse effects, it is considered that there are sufficient benefits to justify a recommendation contrary to policy.

Landscape and visual impact

The extension area is located parallel to, but two fields back from, Lees Road and is partially visible to users of that road. The footpaths onto Stanton Moor from Lees Road have a gentle incline and so the site of the proposed extension is also visible from points along those footpaths. Those views are interrupted by the presence of established trees on both sides of Lees Road. Long range views of the site from the other side of the valley, from Darley Dale, from the road up to Beeley Moor and from parts of Rowsley are largely obscured by the presence of Dale View Quarry to the east of New Pilhough. The village of Stanton-in-Peak lies on lower ground to the west of the quarry such that views are screened by the intervening landform and woodland of Sheepwalk Wood.

Some of the objectors initially commented that in order to make the proposal more equitable in tonnage terms that the area of proposed extraction be reduced by introducing a stand-off or buffer from Sheepwalk Wood to tie in laterally with the stand-off that the adjoining Dale View Quarry. In 2016 the working plans were amended and now the stand-off sought is incorporated

into the design. This also accounts (along with revised phasing) for the reduction in tonnage arising from the proposal.

The proposal would intensify the cumulative impact of quarrying in the area from the current levels. However, the applicant proposes a number of specific measures to mitigate this impact. The phased nature of working would be tied into progressive restoration of those areas of the quarry that have been worked out. The higher areas of the site to the north and east would be restored during phase 1 and reduce the appearance of the scale of the site in the landscape. This is a matter which could be secured by condition.

The operational plant is limited to mobile plant which is parked overnight and at weekends adjacent to the existing building at the southwest corner of the existing quarry area. The building is painted Vandyke Brown in line with the existing permission and is visually contained in part by its location adjacent to the woodland. It is proposed that the building be retained in that location for the duration of the development with an operational mineral loading area. The height and location of stored mineral can be dealt with by condition.

Reinstatement of the haul road is presently conditioned in the existing permission and this conditional requirement can be carried forward into a new permission.

The Authority's Landscape Architect has raised concerns about the height of soil stockpiles, as soil stored above 2m can be negatively affected in terms of its structure. In the revised scheme, soils stripped from the extension area would be used immediately in the restoration of areas to the north of the site. This has the benefit of avoiding storage altogether, and ensuring that the seed stock of some of the more valuable species in the grassland will be placed in an appropriate position for this seed stock to contribute to the biodiversity of the restored area. This can be controlled by condition.

The proposed restoration scheme involves returning the land to primarily agriculture and nature conservation, comprising species-rich neutral grassland in the base of the site, with natural regeneration on the sloping landform. The highest points of the site would be restored to woodland adjacent to Sheepwalk Wood, and to heather based heathland to the east. The measures needed to achieve these habitats can be controlled by condition, as set out in the Authority's ecologist's comments.

The separate habitat areas will need to be divided in order to allow proper management and separate grazing regimes as appropriate. In order for this to be appropriate in the landscape, it is considered that dry stone walls should be used, and the submission of details of where these walls will be located will need to be subject of a scheme submitted under a condition.

The existing walling between Sheepwalk Wood and the quarry is in a poor state of repair and has a detrimental visual impact. The operator has agreed to address this forthwith and a condition can secure this maintenance.

The proposals have been drawn up to take account of the proposed restoration of immediately adjoining land within Dale View Quarry. There will be an area between New Pilhough and Dale View of land at original surface level. This has been retained to ensure that the quarry faces remain stable. Its retention will not create an unacceptable landform when the sites are restored, and the Authority's Landscape Architect is satisfied that there is no conflict between the two sites as the main viewpoints into the quarries are from different directions.

The finished landform will be a hollow valley feature with a retained face to the south and slopes to the north through the centre of the site. The retained faces on the southern site boundary, will provide important habitat, but will not be visible in the wider landscape.

Finally, the applicant states that although no detailed landscape and visual assessment has been made of the discontinuance of working at Stanton Moor Quarry through relinquishment of the remaining consent, it should be noted the proposal will have a beneficial impact in that no further working would take place at Stanton Moor Quarry. It is acknowledged that the proposed development is in a less exposed position than Stanton Moor Quarry and it is considered that the impacts of this proposal are less significant, and can more easily be mitigated, than the likely impacts of development re-commencing at Stanton Moor Quarry.

The mitigation proposed to reduce the impact of the development is considered to be acceptable. Officers consider that the proposed development can be controlled to minimise the adverse effects on the characteristics and amenity of the area in terms of landscape and visual impact and therefore the application is in accord with policies L1, and MIN1.

Noise and dust

It is proposed that the site be worked by removing stone from the faces with a hydraulic excavator, and then split into smaller sizes using black powder blasting. No further processing would take place on site. Quarry development work (soil stripping, tipping waste stone in restoration etc.) also constitutes part of the proposed development which could cause environmental disturbance such as noise, dust or vibration.

Noise

The ambient environmental noise at any location will vary according to the activities in progress around that location. In the vicinity of a busy motorway for example, the noise level will remain fairly constant due to the relatively steady noise input from road traffic, whereas the noise level close to a source of high noise over short periods, such as an airport, will vary over a much wider range. It is, therefore, necessary to consider how to quantify the existing noise levels in an area in order to accurately assess the acceptability of the introduction of a new noise source. The background noise level, defined as the LA90 parameter, represents the noise level exceeded for 90% of a measurement period, or the ninety percentile level. It generally reflects the noise level in lulls between noise events and generally ignores the effects of short term higher noise level events. The equivalent continuous sound pressure level of LAeq parameter, is a measure of the average sound energy over a given time period. It will include noise from all contributing sources. Unless the noise level at the receiving point is perfectly steady, LAeq will always be higher than the LA90 over any one, measurement period.

The Technical Guidance which accompanies the National Planning Policy Framework is the latest Government advice applicable to the control of noise from surface mineral workings in England. The National Planning Policy Framework makes it clear that minerals planning authorities should ensure that unavoidable noise emissions are controlled, mitigated or removed at source. It further recognises that mineral planning authorities should also establish appropriate noise limits for extraction in proximity to noise sensitive properties. Subject to a maximum of 55dB(A)LAeq, 1h (free field), mineral planning authorities should aim to establish a noise limit at the noise-sensitive property that does not exceed the background level by more than 10dB(A).

It is recognised, however, that in many circumstances it will be difficult to not exceed the background level by more than 10dB(A) without imposing unreasonable burdens on the mineral operator. In such cases, the limit set should be as near that level as practicable during normal working hours (0700-1900) and should not exceed 55dB(A) LAeq, 1h (free field).

A survey was undertaken in November 2011. Three potentially noise-sensitive monitoring locations were chosen at various distances from the quarry boundary, New Pilhough Cottage (Pilhough), Beighton House and Edelweiss Bungalow (Stanton-in-Peak). Of these, Pilhough Cottage is the closest property to the north of the quarry, Beighton the closest to the north west of the proposed quarry extension and Edelweiss the closest property within Stanton-in-Peak to the west. The surveys were two hours in duration and undertaken to establish the existing noise levels at the three properties. Noise predictions were then made based on 'worst-case scenarios' to indicate the maximum noise level to which a particular property may be exposed during at least some part of the working of the site, i.e. when operations are undertaken at their closest distance to noise sensitive properties and at minimum depths.

In all three locations the worst case scenario predicted noise level dB Laeq 1hr did not exceed a level of 42 (soil stripping) and 43 (mineral extraction) and in all cases the levels were well within NPPF criteria of not greater than 10 dB Laeq1hr above existing background noise level and less than 70 dB Laeq 1hr for site preparation and restoration work. The predicted noise levels also fell within the currently permitted level of 45 dB Laeq 1hr.

Two public footpaths near to the proposed extension may be affected by noise from site activity, Footpath 4 on the western edge of Sheepwalk Wood and Footpath S9 in a south east direction from Lees Road. The NPPF does not offer any guidance on acceptable levels for locations such as these although it was offered in previous guidance found in the former MPG 11. In the absence of any up to date direction the applicant used this previous guidance against which to assess the predicted levels.

The relevant part of MPG 11 was paragraph 43 where an acceptable level for public open spaces was given as 65 dB LAeq 1h. It is this level that has been used in this assessment, although MPG 11 specifically stated that footpaths and bridleways should not normally be regarded as noise sensitive. The worst case predicted noise levels for site activity for Footpaths 4 and S9 is predicted to be 59 dB LAeq (1 hour) and 58 dB LAeq (1 hour) respectively. Both levels are within the former MPG 11 criterion of 65 LAeq (1h).

The District Council Environmental Health Officer has raised no overriding objections to the noise surveys submitted and recommends the re-imposition of conditions controlling noise emissions. Although the NPPF technical guidance suggests that levels below 55dB Leaq 1hr should not be imposed, it is considered reasonable in the circumstances to specify 45 dB Leaq 1hr, as has previously been the limit, due to the very quiet and tranquil setting in the National Park, the potential for noise to affect amenity receptors including footpaths and access land at the Scheduled Monument, and the residential properties location a significant distance from the site. This would be consistent with the appeal decision relating to the installation of stone saws at Dale View Quarry in 2015. Although noise complaints have been received over the years, this has often been due to the qualities of the noise rather than the level, and no evidence has been found by the District Council that the level of 45 dB Leaq 1hr has been breached.

The noise effect of current quarrying in the area already detracts, to some extent, from the setting of the Scheduled Monument and diminishes opportunities for the quiet enjoyment of it. Current quarrying also detracts from the rural character of approach routes to the moor. However it is proposed to specify 45dB Leaq 1 hr which would have the effect of no additional noise impact which would further diminish opportunities for the quiet enjoyment of the approach to the SAM and the rural character of the approach routes to the moor.

In summary, it is considered that noise generation from the proposed development can be acceptably controlled by condition, to cover noise levels, restriction of reversing beepers and hours of operation, and therefore the proposal is considered to be in accordance with policy LM1 and the NPPF.

It is considered that the extraction of mineral at Stanton Moor Quarry would be likely to result in greater levels of noise generation through the production of aggregate products. In addition, the noise arising would be likely to have a detrimental effect on the setting of the monument and amenity users to the moor, due to its location at the central part of the moor.

Dust and Air Quality

The ES includes a chapter on Air Quality which considers the potential impact of dust emissions arising as a result of the proposal being granted permission. The report concludes that on the basis of prevailing climatic conditions on the site and the operations proposed that it is unlikely that any decrease in local air quality would arise through the proposed development. Any dust event would be limited and of short duration. In addition, the ES considers the likely effect of dust particulates in accordance with the National Air Quality Objectives and concludes that the proposed development would not increase risk to human health and therefore the best practice measures proposed for dust control are entirely adequate. No adverse comments on the impact dust emissions have been made by the District Council Environmental Health Officer (EHO).

A dust event will only occur if the necessary conditions are present. It is necessary to have a fine material available which is able to be picked up, carried and then deposited by the wind. Such materials are more readily available if dry and physically disturbed. Thus not all site operations are dusty because of the lack of physical disturbance. There must also be a wind of sufficient strength to transport fine particles, and for a particular property to be at risk the wind must blow in that particular direction from the source.

The critical wind speed at which a particle becomes airborne depends on many factors including particle size, shape and density. For most mineral dusts the critical wind speed is about 5.4 metres per second (12 MPH, or 11 knots or Force 4 on the Beaufort Scale). For a dust event to occur there must also be a failure of dust control measures. It is generally considered that particles of less than 30 micron would be carried by wind and thus become fugitive.

In considering the climatic conditions, it is clear the winds will predominate from the south west quadrant with an analysis of the number of dry windy working days giving a maximum of some 32 such days likely in a south west direction in any one year.

The nearest properties to the development are located to the north west of the proposed extension. Analysis in the application shows that the number of days during which wind is from the east at above 5.4 metres per second is approximately 3.5% or 13 days per annum.

The projected PM10 concentration for the site in 2015 is 11.8 µg/m³, which combined with the potential site attributable load of 1 µg/m³ gives a concentration of 12.8 µg/m³ for 2015. Such a projected concentration would be expected to produce less than 1 daily exceedance of 50 µg/m³ in 2015. Hence stone extraction at New Pilhough Quarry would satisfy the Air Quality Objectives for England (excluding London) of no more than 7 exceedances per year of a 24 hour mean of 50 µg/m³ and an annual mean of 20 µg/m³, both to be met by the end of 2010.

It is proposed that dust arising from the proposal can be minimised by the use of fixed internal haul routes and speed controls in the site, and by progressive restoration which would ensure that the area exposed to wind erosion would be minimised. Any dust generated can be mitigated through the use of water, and a road sweeper, as and when necessary. Conditions relating to such matters already appear on the current planning permission and have proven effective in controlling dust generation. They could be re-imposed on any new permission and therefore the proposed development can be acceptably controlled by conditions, thus making it compatible with policy LM1.

It is considered that the extraction of mineral at Stanton Moor would be likely to result in greater levels of dust generation through the production of aggregate products. In addition, the dust arising would be likely to have a detrimental effect on the setting of the monument and amenity users to the moor, due to its location at the central part of the moor.

Vibration

The ES submission does not include a specific section on the effects of vibration arising from the proposed development, but the techniques employed in generating the stone blocks that are subsequently removed off site is described within the 'Working Proposals and Restoration' chapter. Black powder is used in dimensional stone quarrying as it is a low explosive that has the benefit of retaining the structure and integrity of the block (compared to high explosives normally used in aggregate quarries). The use of black powder blasting as proposed is the only likely source of vibration. Black powder is placed into holes drilled into a larger block of stone, a charge is added and the explosive is detonated to split rather than shatter the stone. This is an extremely low impact form of explosive technique and is unlikely to have a significant effect. This is confirmed by the absence of any comments on vibration from the Environmental Health Officer at the District Council, or recorded complaints about this issue.

In order to minimise any risk of disturbance caused by blasting, conditions can be imposed to ensure only dimensional stone is produced, black powder is used and that blasting is only carried out at specific times during quarry operations. Such conditions already exist on the current permission. It is considered that the proposed development can be acceptably controlled by condition and is in accordance with policy LM1.

It is considered that the extraction of mineral at Stanton Moor would be likely to result in greater levels of vibration generation through the production of aggregate products. In addition, the vibration would be likely to have a detrimental effect on the setting of the monument and amenity users to the moor, due to its location at the central part of the moor.

Archaeology

The proposed quarry extension lies in close proximity to Stanton Moor, which has extensive archaeological interest in relation to Bronze Age remains and includes an extensive Scheduled Ancient Monument. The area is of regional and national archaeological importance in a landscape which has remained largely undisturbed since the enclosure of the Moor in the post-medieval period. The Archaeological investigation included:

- the outcome of a desk-based and walk-over assessment of the development site as initially undertaken by the Liverpool Museum Field Archaeological Unit (June 2005)
- the results of a walk-over survey undertaken by Archaeological Research Services Limited (March 2008)
- a subsequent geophysical and trenching survey (October 2008)

Given this context, the archaeological study was not just confined to the 1.0 ha proposed extension area, but included consideration of the archaeology of the wider area. A desk study was undertaken considering existing archaeological records, surveys, maps and aerial photographs. Some of the information assessed has been previously collected in connection with recent planning applications in the area. A walk-over survey was conducted in March 2008 followed by a geophysical and trenching survey of the proposed extension area in October 2008.

The archaeological evaluation was unable to identify any datable archaeological features or deposits. Worked flint was discovered but that is not unusual given that the southern boundary of the proposal area abuts the boundary of Dale View Quarry in which Neolithic material culture was discovered previously. In view of the close proximity of the site to evidence of Neolithic activity, and the discovery of flint artefacts within some of the trenches the report recommends that a watching brief be undertaken on the topsoil strip with particular attention being given to the recovery of any stray finds from the topsoil. Adequate provision will be made for the excavation and recording of any deposits that might be encountered.

The Authority's archaeologist has assessed the information submitted with the application and is content that the proposed mitigation to cater for any archaeological finds is appropriate. She has recommended that a suitably worded condition can be applied to the permission to control this aspect of the development. The proposal is therefore considered to be in accordance with policies LM1 and L3 as the adverse impact on the heritage features can be mitigated by condition.

Consideration should also be given to the proposal to relinquish the planning permission for Stanton Moor Quarry. The site lies partly within, or immediately adjoining, the Scheduled Ancient Monument of Stanton Moor. It also lies wholly within the Natural Zone. In view of the significant archaeological significance of the area, the removal of planning permission for Stanton Moor Quarry would lead to conservation and protection of this important archaeological feature, in line with Core Strategy L3 and in line with the comments provided by English Heritage.

Some restoration works are required at Stanton Moor. The works relate to scrub control and the Authority's archaeologist advises that any works that take place should not disturb or damage the surviving archaeological remains. This will require the use of low impact methods to achieve the required ecological restoration, such as:

- Hand cutting.
- Cutting and treating stumps, not removing or grubbing out roots, where scrub or trees are growing on or out remains/features of archaeological significance.
- Burning the brash produced on site on burning tray (rather than the ground surface) and in a location away from known archaeological features.

These works can be specified in the Revocation Order and section 106 agreement.

If mineral extraction took place at Stanton Moor quarry, there would be a significant impact on the protected archaeology on the Moor. The current proposal is therefore a net benefit to the archaeology of the National Park.

Ecology

The proposed extension site is species-poor, semi-improved and improved grassland with a small area of species-rich semi-improved grassland which is considered to be of local value for nature conservation. This would be lost through the proposed development but the immediate reuse of the soils in restoration would ensure that the seed stock is retained and benefits the restoration of the site. Soils should be either stripped outside of the bird breeding season to avoid potential disturbance to ground nesting birds, or the area should be checked for nest sites by a suitably qualified Ecologist and any areas where nesting is taking place will need to be left until young have fledged.

Surveys have been carried out in relation to protected species and have identified that none will be affected by the proposed development. Five mature trees (comprising beech, ash and pendunculate oak) will need to be felled along field boundaries within the extension area and some of these contain features with some potential to be of interest to roosting bats. The applicant has proposed mitigation in the form of suitable bat boxes, arranged three to a tree, on

appropriate trees around the site. In addition, the application proposes to allow larger sections of cut/felled timber to be retained on site preferably as close to as possible to the site or origin to mitigate the loss of invertebrate populations.

Prior to the felling of the trees identified in the Environmental Statement, those identified as having high to moderate potential for supporting bats must be checked by a suitably qualified Ecologist for roosting bats. EPS Licencing will be required should bats be present. If bats are not found to be present, felling of the trees should follow the 'soft felling' techniques as outlined in on page 145 of the Environmental Statement. There is also potential for disturbance to nesting birds to occur if tree felling and site clearance is undertaken during the bird nesting season (March-August inclusive). Nesting birds are protected from damage and disturbance under the Wildlife and Countryside Act 1981 (as amended) and if damage or disturbance to nesting birds were to occur this would constitute a significant impact.

In addition, replacement bat roost habitat will be provided. Three purpose-made bat boxes will be fixed to suitable trees within Sheepwalk Wood at four to six metres above ground level.

Timber from the felled trees should be retained on site and used to create deadwood habitat piles within restored woodland areas to contribute to habitat creation and biodiversity.

The Authority's ecologist advises that Tree SE3 also has the potential to support barn owl (a Schedule 1 species). Whilst surveying the tree for bats, the Ecologist should also check for evidence of barn owl. Suitable mitigation will need to be provided should this species be present.

A bird survey was not undertaken when the EIA was previously updated. A Schedule 1 bird species are now nesting within the cliff face within the extension area. Where nests are being used, it will be necessary to avoid working on these faces until after the breeding season, as has occurred to date in the operations. These birds generally nest between beginning of March to the end of June. Other birds may also nest in the quarry including rock-nesting house martins, extending the nesting period to further into the season. As best practice the overall breeding period should be regarded as February to the end of August. It will be important to ensure that suitably accessible and undisturbed ledges are available during the life of the quarry operations and are also provided as part of the restoration scheme, the proposed plans facilitate this.

All other mitigation measures that are presented in the EIA (section 8.6) will need to be conditioned.

Restoration of New Pilhough

The restoration methodology is presented in the ECUS 2016 LVIA and the November 2012 restoration details. Details of site restoration should be controlled by condition rather than by the submission of a Landscape and Ecology Master plan which is not appropriate for short term development.

Heathland establishment:

Section 1.2.34 refers to adding sulphur products to the soil if the pH is too high. Soils were tested prior to finalisation of the restoration scheme to determine whether the soils would support heathland communities and a pH of 5 was recorded. The soils in surrounding area support heathland communities and we do not feel it is necessary to apply measures to lower the pH, especially as the application of sulphur would only have a temporary effect. As the heathland restoration is proposed to take place in the first phase it can be monitored through the operation life of the site. If the restoration is not deemed to be successful, then this area will be reviewed and either further attempts to restore to heathland or grassland communities will be

sought. This should be controlled by condition.

Section 1.2.36 refers to the collection of heather seed. However, the use of heather brash, has been shown to provide good establishment and also help stabilise bare soils. heather brash should be collected from Stanton Moor, given its proximity. The location, timing and low ground pressure collection methods would need to be approved by condition. The brash would be spread directly after collection, so there would be no need for heat or smoke treatment as suggested in section 1.2.37. The brash would need to spread on site by hand to a depth of approximately 2cm. This can be controlled by condition.

Section 1.2.38 refers to heath plug planting. Plug planting is not necessary here, especially for bilberry as there is a risk of spreading Phytophthora. This should be omitted by condition.

Section 1.2.39 refers to fencing the heathland habitat to avoid problems with grazing domestic and wild animals. However, fencing to a specification to avoid rabbits grazing is not considered necessary. Instead, the heathland, grassland and woodland habitats should be split by stone wall boundaries, provided in phase 1 of the development with the restoration. The location of stone wall boundaries could be subject to the submission of a scheme for approval under a condition.

Section 1.2.40 refers to future management and grazing of the site once the heathland has established. We support the approach put forward in the LVIA, but would recommend setting the grazing density at 0.3LU/ha, ideally grazing with cattle. Stock will be removed over the winter months (November to March inclusive). The grazing regime will be monitored and where change is necessary, this will need to be specified in a legal agreement.

Native Woodland and Native Woodland Edge/ Scrub Planting:

Works should be carried out in accordance to the LVIA, but with the following changes:

The scheme should include a mixture of natural regeneration and planting (from seed collected and grown on, as suggested in Section 1.2.31) on this site. Previous restoration plans referred to the natural establishment of birch and hawthorn and this should be included in the scheme. Trees to be planted should include: Pedunculuate oak (40%), rowan (10%), holly (10%) and hazel (5%). Bilberry should be omitted for reasons given above. The grass mix given in table 3 of the LVIA is fine. The remainder of the area should be left to colonise naturally. The spacing of the tree planting should provide opportunity for the natural establishment of birch and hawthorn. There should be 3-10m spacing in the main planting area, averaging 6m spacing. Spacing should be greater on the woodland edge, with 5-10m spacing, averaging 7.5 m to allow natural regeneration. This can be specified by condition.

1.2.43 refers to sub soiling – this is probably not necessary given that the site will have been recently restored and should be omitted by condition.

Section 1.2.46 refers to the spraying of evergreen plants with anti-desiccant S600. This is not necessary – the only evergreen plant is holly, which is likely to have been pot grown and unlikely to suffer from desiccation. We would also recommend that no composts or fertilizers are used in establishing the trees. This can be controlled by condition.

Local Provenance Hay Meadow:

The LVIA refers to the establishment of hay meadow on this site. Given the size of the area and the topography, we would recommend that this is changed to species rich pasture, but still managed with stock removal between May and July (inclusive) to allow plants to flower and seed.

Section 1.2.52 refers to ground preparation of 150mm depth of topsoil, placed over ripped subsoil to a depth of 150mm. There may be no definition between topsoil and subsoil at this site. There is also no need to rip subsoil's first. This can be controlled by condition.

The LVIA refers to two different methods of collecting donor seed for grassland establishment. We would recommend that the green hay method as used at Dale View is applied here. Green hay provides better establishment than seed collection using a brush harvester. The method of collection, location of a suitable donor site and timing of collection will need to be subject to a condition.

Once the sward has established, the pasture areas will be managed through grazing which will be restricted to sheep or cattle at a stocking level not exceeding 0.6 Livestock Units (LSU) per hectare, during April and May each year. All stock shall be excluded from the pasture from May to July inclusive to allow plants to flower and seed. Grazing will resume from August to October at the above stocking density. Stock will be removed over the winter months (November to March inclusive). The grazing regime will need to be controlled by condition or s106 agreement.

Rocky exposure:

The retention of higher 25m cliff faces as part of the restoration scheme was sought by officers to provide habitat and is welcomed. This will provide more suitable nesting habitat for nesting birds, including schedule one species. The height of this feature needs to be controlled by condition.

Invasive species:

Himalayan balsam has been recorded at Dale View Quarry and on surrounding lands. There is also the potential for contamination with other invasive species from machinery coming in and out of the site. A condition is required to ensure that the site is monitored for invasive species and a scheme submitted for approval setting out control regimes if necessary.

Stanton Moor Quarry restoration

The proposed planning permission for an extension at New Pilhough Quarry involves the voluntary relinquishment of the 1952 planning permission for the winning and working of gritstone at Stanton Moor Quarry. Stanton Moor Quarry falls within an area of Ecological Importance and we support the removal of permissions at this site. As part of the voluntary relinquishment, we recommend the following restoration measures.

Restoration of Stanton Moor Quarry:

Heather is regenerating well on this site, along with other acid grassland plants and it is likely that the ground flora would develop into a heathland, acid grassland mosaic, if not hampered through the development of scrub on this site. Bird's-foot trefoil is also present here, which is one of the larval food plants of the green hairstreak butterfly and dingy skipper, which have both been recorded at Stanton Moor Quarry. The establishment of this moorland mosaic will also provide habitat for other invertebrate specialists recorded at this site. The regenerating birch and gorse threaten to undermine the establishment of the moorland mosaic. Part of the restoration proposals for Stanton Moor Quarry should involve the removal of the trees and an agreed amount of the gorse in a sensitive manner to avoid damaging any historic quarry features and workings identified in the previous survey work. This will require the use of low impact methods to achieve the required ecological restoration. The following methods should be employed:

- Hand cutting.
- Cutting and treating stumps, not removing or grubbing out roots, where scrub or trees are

growing on or out remains/features of archaeological significance.

- Burning the brush produced on site on burning tray (rather than the ground surface) and in a location away from known archaeological features.

These measures can be controlled by s106 agreement and by a subsequent Revocation Order.

Schedule 5 to the Town and Country Planning Act 1990 provides powers to enable mineral planning authorities to impose “aftercare conditions” on the grant of planning permission in relation to land which is to be used for agriculture, forestry or amenity following mineral working. The ultimate aim behind the concept of aftercare is that, over time, the land will be brought to a standard whereby it does not have to be treated differently from undisturbed land.

There are several limitations on the imposition of aftercare conditions one of which is that an operator cannot be asked to complete steps which will stretch beyond five years from point at which the land is restored. However, in some limited circumstances it may be appropriate to extend the period of recuperative management of all or part of a site. In such instance aftercare may be extended by mutual consent where this will enable reclamation objectives to be met.

The proposed restoration over the larger part of the site is to agricultural based conservation. This type of conservation is sensitive to how the land is managed and the Company, and the landowner, recognise that in order to maintain the conservation benefits then there may be a need to agree an extended aftercare period. It is considered that a 10 year period beyond the standard 5 years will provide a suitable period to enable habitats, and the management of them to be properly established.

In summary, the proposed extension area has limited ecological value and the loss of features of interest can be satisfactorily mitigated by the immediate reuse of soils, retention of felled timber on site to create invertebrate habitat and the provision of a number of bat boxes on the vicinity of the site.

The proposal also offers long term benefits through the provision of an extended period of aftercare to ensure that maximum nature conservation benefit is achieved post-restoration. It therefore accords with policies L2, and LM1. In addition, the proposed revocation of Stanton Moor Quarry would permanently secure a range of well-established and ecologically diverse habitats which collectively form an important part of the landscape character and is included within the Natural Zone. Conservation of this valued landscape character would be in accordance with policy L1.

Other matters

The proposal, if approved, would lead to the development at New Pilhough Quarry being subject to a new planning permission. However, the existing permission (NP/DDD/1001/434) would still exist in legal terms and therefore the operator would, in theory, have the choice whether to implement the new permission or to carry on operating under the old permission. To ensure this circumstance could not arise, it would be necessary to limit the implementation of the existing permission by way of a section 106 planning obligation. Replacement and revocation of the existing permission in this way would provide clarity as to exactly what planning conditions the site was being worked to.

Some of those who made representations on the application have requested that if the Authority is minded to approve the application that a financial bond be secured from the applicant to provide some assurance that the restoration as detailed in the proposal will be undertaken. National guidance sets out that financial guarantees to ensure the reclamation of mineral sites will normally only be justified in exceptional cases. Such cases, include:

- very long-term new projects where progressive reclamation is not practicable, such as an extremely large limestone quarry;
- where a novel approach or technique is to be used, but the minerals planning authority considers it is justifiable to give permission for the development;
- where there is reliable evidence of the likelihood of either financial or technical failure, but these concerns are not such as to justify refusal of permission

It is considered that none of these exceptional circumstances apply to this case. Restoration of parts of New Pilhough Quarry has already been undertaken and the Authority has no evidence to indicate that the applicant will be subject to financial or technical failure. The company has recently been sold to a larger business, and this is likely to make them more robust to failure. The face failure which was the subject of the HSE action, is a matter of a separate regime. The site is now subject to closer monitoring with the HSE and in any case, in the unlikely event of face failure this would be unlikely to prevent restoration.

Concerns have also been raised about the mechanisms for monitoring output. Some consultees have suggested a weighbridge be installed at the site. The output of stone from the site is recorded by use of a calibrated bucket to weight stone. This has the same practical effect as a weighbridge but without the visual impact of a large piece of industrial equipment. It is not considered reasonable or desirable (given the visual impact) to require a weighbridge.

The operator is happy to agree to the retention and examination of vehicle movement records and records of output from the site. In addition the operator is willing to agree to the weekly provision of output figures from the site. This can be controlled by condition.

The operator has also indicated a willingness to share output information with the Parish Council and the other community groups. The quarry manager has expressed a desire to have a better on-going relationship with the community as neighbours. It is hoped that this does take place, and officers will use the Stanton Moor Mineral Liaison Group and established relationships with stakeholders to encourage this.

The maximum total output from the site of 67,524 tonnes (which would be 50,000 tonnes from the extension area and the remaining reserves in the existing permitted area) should be subject to condition.

An annual output limit of 18,000 tonnes should also be specified by condition. The combination of these conditions, which must all be complied with, will provide good monitoring and control of the development.

Some representations have expressed concern that the site area is unchanged but that the stone volume arising is now smaller. This is largely explained by the working plans which now propose a smaller area of extraction, a less deep level of excavation, and a different arrangement of phasing.

Friends of the Peak District have suggested that a restoration condition should require restoration by one year of the cessation of extraction or by 31 December 2023 whichever is the soonest, in order to prevent the site being left unrestored if working ceases. This is considered acceptable in this circumstance, given the sensitivity of the area and the short term nature of the permission.

Conclusion

The proposed extension to New Pilhough Quarry is major development and would not normally be acceptable in policy terms. However, when considered in the context of the Stanton Moor

Quarry permission being revoked then the proposal would result in a significant net conservation and enhancement of the National Park.

In considering the application there is a need to take into account national and local policies, consultation responses, representations, the application and environmental statement and all relevant material planning considerations. Statute requires that in dealing with planning applications local planning authorities should consider each on its merits and reach a decision based on whether the application accords with the relevant development plan, unless material planning considerations indicate otherwise. Where applications do not meet these requirements they may be refused. However, in some instances it may be possible to make development proposals acceptable which might otherwise be unacceptable, through the use of planning conditions, or where this is not possible, through planning obligations.

Major development of the type proposed in this application is contrary the NPPF and MIN1 other than in exceptional circumstances. It cannot convincingly be demonstrated that there is a national need for the development and other alternative reserves and resources exist that would be less damaging to the National Park. Although the proposal would not significantly increase the amount of gritstone permitted for extraction in the National Park (especially when considering that the increase in reserves would be offset to a large degree by the relinquishment of reserves in Stanton Moor Quarry), it is still contrary to policy.

An exceptional circumstance exists in the environmental gain that would be achieved in the revocation of Stanton Moor Quarry. Additionally, it is also important to note that the supporting text to policy MIN1 cites New Pilhough to be a location where a potential exception to policy is likely to occur over the exchange of the historical Stanton Moor Quarry.

The proposal is also contrary to policies T1, T4 and LM1 as effect of the traffic on amenity cannot be acceptably mitigated. However, the applicant has offered to cease any further HGV movements on a Saturday, which will provide some benefit to the local amenity. Additionally, the existing consent at Stanton Moor Quarry and the limited extent to which restrictive conditions would be able to be imposed is a material consideration which is considered sufficient to justify a recommendation contrary to policy.

Core Strategy policy GSP1 requires that all policies must be read in combination. Therefore, whilst the proposal may not entirely accord with policies identified above, a material consideration is the voluntary revocation without compensation of the permission at Stanton Moor Quarry. This is a site with greater environmental and amenity value than the proposed extension area. The effects of working the proposed extension will be less than the effects of working Stanton Moor Quarry, and can more easily be mitigated or controlled.

The proposal presents an opportunity to achieve significant overall benefit to the National Park, and this approach accords with the principles contained in Core Strategy policies GSP1, GSP2 and GSP4.

In addition, the applicant has demonstrated that the proposed development can be controlled to minimise the impact and has proposed measures which offer enhancement in the long term, which is in line with policies GSP3, L1, L2 and L3. It is accepted that, tonne-for-tonne, the proposed extension may likely to yield a higher volume of stone compared to lower estimates of available stone at Stanton Moor Quarry, however, it is not possible to be absolute in the estimation of tonnage. The level of information provided has been very considerable, and there is no certainty that more information would provide greater clarity. The potential environmental harm that could be caused by working Stanton Moor Quarry is also taken into account, on balance, the proposal represents a significant overall benefit to the National Park.

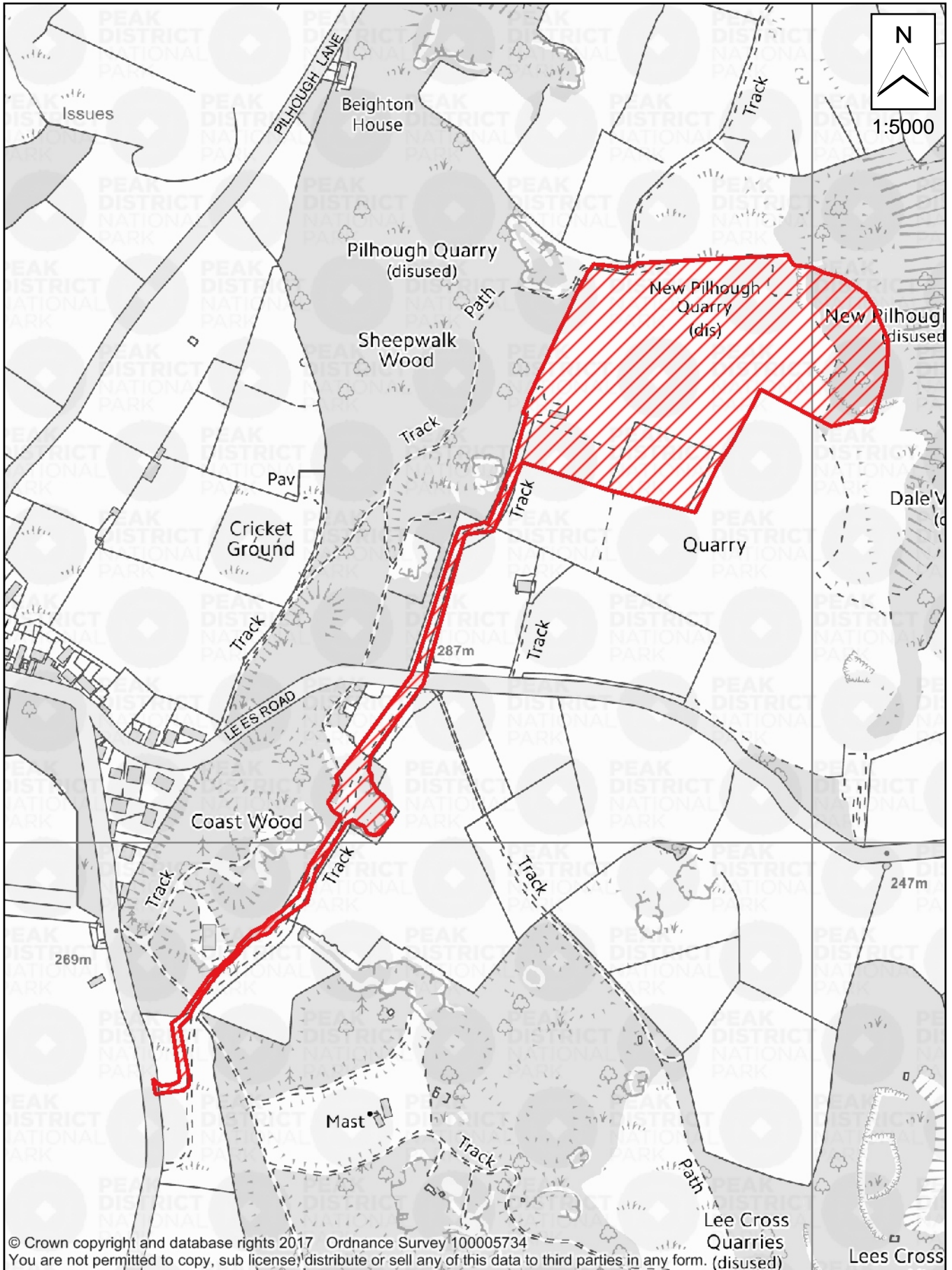
Human Rights

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: 10/03/2017
 Item Number: 6
 Application No: NP/DDD/0712/0760
 Grid Reference: 424863, 364418

Title: New Pilhough Quarry
 Stanton in Peak



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7. FULL APPLICATION - ERECTION OF FOUR DWELLINGS FOR LOCAL NEED ON LAND AT TOWN END, TADDINGTON. (NP/DDD/1216/1259. P4250, 19/12/2017 414745 / 370961/SC)

APPLICANT: PEAK DISTRICT RURAL HOUSING ASSOCIATION (PDRHA)

Site and Surroundings

The application site is located towards the eastern edge of Taddington village and forms part of a triangular parcel of land, which is bordered on the north by Main Road and on the south by Townend. To the east are a number of dwellings with their outbuildings/garden areas backing onto the development site. Opposite the site, on the southern side of Townend, lie two traditional cottages and a barn conversion. The development site takes up the central part of the triangle and is enclosed by drystone walling on its north and southern edges, with an historic field boundary wall separating the development site from the remaining and smaller triangular plot of land to the west. The eastern boundary consists of a mixture of hedging, fencing and open space. The site has an area of approximately 0.12 Hectares (0.29 Acres) which gradually rises across the site from east to west. Within the site are a number of mature trees, with an existing field entrance at the north east corner of the plot. The whole development site lies within the Taddington Conservation Area.

Proposal

The erection of 4 affordable local needs dwellings with associated parking and landscaping. The dwellings would comprise three 2 storey two bed roomed houses and 1 two storey three bed roomed property, laid out in a terrace arrangement. The properties would be constructed of limestone under blue slate roofs, with timber windows and doors. The two bed units would have a floor area of approximately 73 square metres and the three bed unit having a floor area of around 83 square metres. All are within the Authority's current maximum size guidelines for affordable local needs dwellings. The scheme also proposes 8 parking spaces, two per dwelling, with associated hard and soft landscaping treatment to the site boundaries and surfacing.

RECOMMENDATION:

That the application be APPROVED subject to the completion of a S.106 legal agreement relating to affordability/local needs and subject to the following conditions:

- 1. Time Limit (2 years).**
- 2. Adopt amended plans.**
- 3. Withdraw permitted development rights for alterations, extensions, porches, ancillary buildings, walls, fences and satellite dishes.**
- 4. Submit and agree finished floor levels prior to commencement.**
- 5. Any services to be completely underground.**
- 6. Submit and agree a revised hard and soft landscaping scheme.**
- 7. Appropriate highway conditions.**
- 8. Minor design details.**
- 9. Submit and agree a scheme of environmental management.**

10. Protected species mitigation measures.

11. Written statement of investigation with regard to archaeology to be submitted and agreed.

12. Recommendations of submitted arboricultural report to be fully implemented.

1. Whether the proposal complies with the relevant policies relating to the provision of affordable local needs housing.
2. The impact of the development on the character and appearance of the street scene and the Conservation Area.
3. Whether the proposed dwelling is considered acceptable in terms of its design, landscaping, ecology, highways and amenity impacts.

Planning History

Pre-application advice regarding the proposal. Otherwise no previous planning history.

Consultations

Highway Authority - Should the National Park Authority be minded to approve the application, then in the interests of highway safety, conditions are requested to allocate space within the site curtilage for site accommodation, storage of plant and materials etc., new access created and provided with visibility sightlines, the access drive to Main Road being no steeper than 1 in 15 for the first 10m from the nearside highway boundary. The access should not be gated within 5m of the highway limits and where fitted, shall open into the site only and prior to occupation, adequate bin storage and a bin dwell area for use on refuse collection days shall be provided.

District Council - Fully support the proposal for four affordable houses, which is considered an important scheme for the community of Taddington and would deliver much needed affordable housing for rent through a local housing association.

Parish Council - Comments prescribed in full below:

1. *In consultation with residents has found widespread support for affordable housing to meet local needs in Taddington.*
2. *Shares the concerns of some residents that there has been inadequate public consultation in selecting the most suitable site for an affordable housing development in Taddington.*
3. *With the help of residents living close to the proposed development, has identified the potential impact on wildlife and trees and on the amenities of neighbours as issues of concern that need to be carefully evaluated.*
4. *If it is considered by the NPA that the Townend site is, in principle, acceptable for development, has concerns about the treatment and layout of the area to the rear of the dwellings which also fronts onto adjoining dwellings and which is inadequate for a prominent site in a conservation area. In particular, it objects to:*
 - a) *The general layout of the car parking areas which should be broken up and softened by planting, and taken further from the houses in Townend to lessen noise and nuisance and widen the planting strip.*

- b) *The use of post and rail fencing rather than stone walls or hedging.*
 - c) *The additional lighting*
 - d) *The wooden huts. A small built lean-to to each house would be more in character and also provide more privacy and usable garden space for the residents.*
5. *If planning permission is granted, conditions should include:*
- e) *Parking spaces to be used only for residents and visitors private cars.*
 - f) *No wheeled bins to be stored along the frontage.*
 - g) *No further accesses, including pedestrian, onto Main Road.*

The Parish Council requests the above points are considered and that minimum delay is found with the development of affordable housing in Taddington. We are conscious that the 2016 survey showed the demonstrable need for affordable housing in the area.

PDNPA Landscape Architect - No objection, subject to provision of a landscape plan, showing proposed landscaping for areas under the trees and in the front gardens, screen planting to the south being a continuation of the existing hedge along the rear of the wall and hedging maintained at a minimum of 2 metres in height. In addition, grass should be provided to the front of the properties rather than shrubs and the proposed paths placed hard against the existing wall on Main road. The use of black Coroline (corrugated bitumen) sheeting to the roofs of the outbuildings would be more appropriate than slate.

PDNPA Ecology - Support the recommendations in the submitted Ecological Assessment. In addition, would like to see biodiversity enhancements incorporated into the development, such as bat roosting features into the new buildings. Swallows were also noted on the site; therefore consideration should also be given to making provision for this species.

PDNPA Tree Conservation - No objections, subject to the recommendations covered in section 6 of the submitted Arboricultural Survey being carried out.

PDNPA Archaeology - No objection, subject to a condition requiring an Archaeological Watching Brief, to allow any archaeological remains encountered during the development to be preserved by record and mitigate the harm to the archaeological interest of the site.

PDNPA Built Environment – Not supportive of the housing along the northern edge of the site as currently proposed. The character to the north of the plot is one of openness and space and any development would undermine this open character. If any development were acceptable, it should be confined to the south side, where if set well back from the road and screened by trees along the southern boundary and where the houses would be less visible from within the Conservation Area.

However, if minded to approve the development, then in order to mitigate the potential negative impact on the character and appearance of the Conservation Area, houses positioned to the north side of the plot should be set as far back as possible from the existing boundary wall that runs along the back edge of the verge, retaining grass verge on north boundary, retain historic drystone boundary walling, reduce window/door detail on rear elevations. Create visual separation on front elevations by positioning downpipes between dwellings. Also advised that if sheds are needed, these should be constructed more traditionally of stone and slate roofs.

Third Party representations

There have been 24 individual letters of objection (A generous number accepting the need for the provision of affordable housing in principle) and 1 letter of support, all of which have been summarised below. (Full accounts of all letters can be viewed on the Authority's Website Planning Pages).

Objections to the proposal

- Adverse impact on the Conservation Area.
- Contrary to Development Plan Policies.
- Lack of community involvement in the selection process.
- Other sites are more preferable within the village.
- Adverse impact on and the loss of trees.
- Adverse impact on wildlife.
- Impact on important open green space.
- Road safety and parking concerns.
- Loss of privacy - Noise and disturbance to existing residents.
- Light pollution - additional street lighting/car headlights.
- Foul sewage and drainage issues.

Support for the proposal

- Development would enhance the village.
- Minimal environmental impact.
- No long term impact on wildlife.
- Appropriate consultation.
- Sustainability of local communities.

Other Bodies

CPRE - Summary - *'New development for affordable housing in Taddington should be encouraged outside the Conservation Area and/or where it will also enhance the Conservation Area. The application site is the least appropriate of the potential development sites within Taddington; and the layout, design, parking arrangements and impact on the existing features of the site add up to a significant negative impact on the Conservation Area'*.

Local and National Housing Policy

Both National Planning Policy (NPPF) and local policies in the Development Plan set out a consistent approach to new housing in the National Park. Paragraph 54 in particular states, that in rural areas local planning authorities should be responsive to local circumstances and plan housing development to reflect local needs, particularly for affordable housing.

Main Development Plan Policies

Relevant Core Strategy policies: GSP1 ,2, 3, 4, DS1, HC1, L2, L3

Relevant Local Plan policies: LC4, LC5, LC16, LC17, LC20, LC21, LH1, LH2, LT11, LT18

Core Strategy (CS)

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

GSP3 requires 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 reflects the objectives of national policy, indicating that new build development for affordable housing will be acceptable within or on the edge of the settlements of which it lists, which includes Taddington.

HC1 states, that provision will not be made for housing solely to meet open market demand and prioritises the delivery of affordable housing to meet local needs within named settlements.

L3 is particularly relevant, as it deals with Cultural heritage Assets. It explains that development must conserve and where appropriate enhance or reveal the significance of historic assets and their setting.

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.

LC5, states, that applications for development in a Conservation Area, or for development that affects its setting or important views into or out of the area, should assess and clearly demonstrate how the existing character and appearance of the Conservation Area will be preserved and, where possible, enhanced.

LH1 make provision for local needs affordable housing and LH2 set out the qualifying criteria.

LT11 & LT18 require adequate means of access and parking facilities in new development.

LC17, LC18 & LC19, jointly seek to ensure that no harm is caused to protected species as a result of development being carried out, and that where appropriate safeguarding measures are exercised.

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

LC21, LC22, LU1 & LU2 require adequate measures to deal with utilities infrastructure.

CC1 and the associated supplementary planning document on Climate Change and Sustainable Development, encourage incorporating energy saving measures and renewable energy into new development.

Further Supplementary Planning Guidance is provided in the National Park's Design Guides and Meeting the Local Need for Affordable Housing in the Peak District.

Officer Assessment

Need & Affordability

In applying the relevant housing policies of the Development Plan to this scheme, it is considered critical that the proposed dwellings would represent the more affordable housing criteria, to meet

an identified local need. This would be subject to a Section 106 legal agreement being attached to control occupancy and affordability. Policy further requires schemes of 3 or more dwellings to be carried out by a registered social landlord.

The District Rural Housing Enabler carried out a Housing Need Survey with assistance from the Parish Council in March 2016, which identified 12 households in need of affordable housing in Taddington and its adjoining parishes. The consultation response from the District Council states that PDRHA has liaised closely with the District Council on the house type and tenure of the scheme, which reflects the local need identified in the survey. The response also states that provision of affordable housing is the District Council's strategic priority and it has allocated £80,000 towards the development costs. The proposed scheme also has funding from the Homes and Communities Agency (HCA)

The result of the needs survey indicates that there is a strong interest in shared ownership; however, only 4 of the 12 households were able to afford a 50% share of a shared ownership property. Further respondents in the survey had expressed an interest in shared ownership, and whilst having the income, do not possess the savings needed for a deposit on a 50% share (around £10,000). Therefore it is considered the predominant tenure requirement would be for affordable rent. In this case, the applicants consider it would be difficult for prospective buyers to take out a shared ownership mortgage in the present financial market; hence all the proposed dwellings are intended to be 100% affordable rent.

All the dwellings meet the 87m² maximum floor area set out in the Local Plan. The rent for the properties would be set at local housing allowance, in this case, £110.19 per week for the 2 bedroomed dwellings and £128.19 per week for the 3 bedroomed dwelling. Subsequently, Officers consider that the applicant has demonstrated there is sufficient need and that the 4 dwellings proposed adequately reflect the findings of the Housing Needs Survey in respect of their type and scale. The principle of the proposal therefore, meets the requirements of Development Plan Policies, in relation to affordable local needs dwellings.

Suitability of the site for residential development

The Authority's Adopted SPD on affordable housing states that the Authority's intention is to ensure that within any named settlement, the best possible site is selected for larger developments of 3 or more dwellings. Consequently before an application of a greenfield site for 3 or more dwellings is considered, the applicant will be expected to demonstrate that a thorough search of brownfield sites (derelict land and empty building) has taken place. Only in the event of no such site being available should the search for the best greenfield site be undertaken and suitable sites within the settlement should be given preference.

Site appraisal work has been undertaken in Taddington, involving the PDRHA, Planning Officers, the District Council Rural Housing Enabler and Taddington Parish Council, to identify the most suitable site for a small development of affordable homes for local people. A number of potential sites were investigated and some were ruled out at an early stage for various reasons. A brownfield, derelict site in the centre of the village close to the Memorial Hall was identified as having potential, but it is understood that owner has other plans and according to the PDRHA is unwilling to sell. A site within the garden of School House was also investigated but in 2014 the owner was unwilling to sell.

A further site was identified towards the western end of the village close to the school. The site is narrow and sloping and whilst development would not be impossible and the landowner has expressed a willingness to sell, it would be more difficult to achieve than on the chosen site. It is also more outlying than the current site being on the very western edge of the settlement. On balance officers considers that in the context of the SPD a sufficient search of alternative sites

has been carried out with input from the Parish Council as representatives of the village and that the proposed site is judged to be the most suitable of available sites.

In this instance, Planning Officers consider the form and layout of the proposed housing, signifies a rational and balanced extension to this part of the village. Although the development would result in loss of part of the open space, the site represents the best available location and its development would not be detrimental to the character of the village and the wider Conservation Area.

Layout, Design and Landscaping

Layout

The development site is an area of open space on the eastern fringe of the village, but is not specifically referred to as important open space in the Authority's Village Conservation Appraisal. The site itself rises gradually from east to west and is currently in an overgrown condition. The main depth of the site is approximately 40 metres from the north to the south boundary and around 37 metres from east to west (at its widest point). The proposed layout would comprise a terrace of four dwellings, sited approximately 5.5 metres back from the north roadside edge and apart from the access road into the site, would entirely enclose the site frontage.

Car parking for the dwellings would be situated to the rear of the dwellings, between the garden areas and the southern boundary of the site. The car parking layout is arranged in a block of 5 spaces and 3 spaces respectively and in such a way that allows the parking spaces not to interfere with the roots of close by veteran trees and with a degree of separation from properties on the south side of Townend, for these not to be adversely affected by the development. In streetscape terms, whilst the scheme is a relatively concentrated development of the plot, the form and layout are considered to be appropriate to the vernacular style of the area and subsequently deemed to preserve the character and appearance of the village Conservation Area.

Design

The houses would be constructed of natural materials throughout, with timber window and door frames. The eaves height would be 4.3 metres, with the overall height to the ridge of 7 metres. The gable width would be 6.3 metres reflecting the local vernacular. Some minor design revisions have been requested, these relate to the inclusion of plain stone door hoods on the front roadside elevation of the dwellings, a reduction in openings on the rear elevations, the incorporation of stone walling to the rear garden boundaries and the creation of a bin dwell area. In addition, the proposed sheds would be repositioned within the garden areas to appear less intrusive. Whilst these amendments to the plans have not been submitted prior to writing the report, they should be available for presentation at the planning committee meeting. Consequently, with the required amendments to the design, this is considered a sympathetic scheme, that reflects the size, character and appearance of traditional limestone cottages.

Landscaping

The submitted layout drawings do not show any detailed landscaping, Officers have therefore requested a more detailed landscaping plan to be submitted and agreed, which should incorporate the following; retention of all stone boundary walling to the site, retention of grass verge on the north roadside boundary, stone walling to the rear gardens of the dwellings, materials to be used for hard surfacing to the access, footways and car parking, inclusion of native hedging along the southern boundary close to the existing stone boundary wall, with further screen planting between the southern wall and car parking spaces, including areas under the trees and in the front garden areas. Two mature trees within the site (one on the south west

corner of the site and one to the east side of the site) are to be retained and protected, in concurrence with recommendations in the submitted Aboricultural Assessment, which is supported by the Authority's Tree Conservation Officer.

Impact on the Conservation Area.

The development site is an area of open space within the Conservation Area, on the eastern fringe of the village, but is not specifically referred to as important open space in the Authority's Conservation Appraisal of the settlement. Whilst the Authority's Conservation Officer does not agree with the location and siting of the proposal, it is considered the layout of the dwellings follow a pattern that is often seen in the village in the form of terrace properties, whose front elevations face the main road.

Whilst the arrangement displays a relatively concentrated development of the plot, the design, form and layout are considered to be appropriate to the vernacular style of the area. It is also important to note, that the application site does not cover the whole of the triangular piece of open land. The western end of the area (beyond the historic wall boundary) would remain undeveloped and therefore continue to provide an area of open space.

Notwithstanding her concerns, the Conservation Officer had put forward a proposal of measures to mitigate/minimise the harm to the Conservation Area, should the proposal be recommended for approval. These are considered to have been reasonably addressed, with the properties being set back at an acceptable distance from the main roadside, the wide grass verge (north boundary) remaining largely unaltered and retained (aside from a slight widening of the access) and the retention of the historic field boundary, which separates the development site from the adjoining parcel of land to the west.

Additionally, other design details are to be addressed with amended plans before the committee meeting, such as reducing the amount of openings on the rear elevation of the properties and the placing of downpipes to create a visual separation on the front elevations of the dwellings. Moreover, traditional stone walling would be incorporated to the rear boundaries of the houses, than previously proposed timber fencing.

Whilst the Conservation Officer had advised the sheds should be stone under a slate roof, it is considered in this instance, that due to their location within the rear gardens of the dwellings, it would not be incongruous to accept a simple timber construction, under a black corrugated sheet roof, particularly if the timber is painted or stained in a recessive grey colour. It is therefore considered, that with the addition of revised design and landscaping plans, the scheme would present a sympathetic development to the locality, which in turn is considered would preserve and maintain the special qualities of the surrounding Conservation Area in accordance with policies L3 and LC5.

Impact on Neighbourliness

The closest properties to the development site are located on the opposite side of Townend, with their architectural frontages facing towards the site. Whilst the properties are around 13 metres away from the boundary of the site, the approximate distance between their frontages and the rear elevations of the proposed dwellings is around 37 metres. The main elevations of the properties to the east of the development mainly face out over open fields, with only the rear garden areas and outbuildings abutting the site. Consequently, it is considered, there would be little or no adverse impact on the living conditions of these surrounding properties and that due to the extent of separation, from the new dwellings, the impact on the privacy and any perception of overlooking would be negligible. As such the proposals comply with Core Strategy policy GSP3 and Local Plan policy LC4 in these respects.

Highway/Access

Saved Local Plan policies LT11 & LT18 require adequate means of access and parking facilities in new development. There are no objections to the application in terms of highways safety, subject to conditions relating to allocation of space within the site curtilage for site accommodation, storage of plant and materials during construction, the new access created and provided with the requested visibility sightlines and the access drive (to Main Road) being no steeper than 1 in 15 for the first 10 metres from the nearside highway boundary. In addition, the access should not be gated within 5 metres of the highway limits and where fitted, shall open into the site only and prior to occupation, with adequate bin storage/bin dwell area for use on refuse collection days being provided. Moreover, the properties would have their own vehicular, pedestrian access points and parking spaces which considered, would not interfere with the amenities of adjoining residents or highway safety. Consequently and subject to the appropriate conditions being appended to the decision, the development is considered acceptable in highways terms.

Other matters

The Authority's Ecologist raises no objections to the development, subject to recommendations being followed in the submitted Ecological Appraisal. These include vegetation and clearance of the site to be carried out outside of the bird breeding season. If this is not possible then any vegetation/buildings to be removed or disturbed should be checked by an experienced ecologist for nesting birds immediately prior to works commencing. In addition, a great crested newt Habitat Suitability Index (HSI) assessment should be undertaken for all ponds identified within 500 metres of the edge of the proposed development. If suitable great crested newt breeding ponds are identified with connecting habitat to the proposed development site, it is likely that a Full Great Crested Newt Survey would be required.

With regards to bats. Since the initial report was compiled, the red line boundary of the site has changed with the barns to the east of the site no longer located within the site boundary. In this case, the Ecological Consultant has reviewed the amendments to the boundary of the proposed development and is satisfied that the buildings with bat roost potential, would not now be impacted by the proposal, therefore no further bat surveys are required. However it is recommended that any lighting to be installed on the site, both during and post development should be directed away from the area of the barns, to ensure no disturbance to bats which may be utilising them. In this case, and subject to the following conditions being followed, the development is considered to be in accordance with Core Strategy policy L2 and Local Plan policy LC17 with respect to impacts on ecology.

The Authority's Archaeologist has raised no objections, subject to a condition requiring an Archaeological Watching Brief, to allow any archaeological remains that may be encountered during the development, to be preserved by record and mitigate the harm to the archaeological interest of the site. In this case and subject to the results of the Watching Brief, the development is considered to be compliant with Core Strategy policy L3 and Saved Local Plan policy LC16.

An arboricultural survey has been submitted with the application. This identifies that none of the trees present within or closely surrounding the development site are protected by a Tree Preservation Order. However, the site is situated within the Taddington Conservation Area. In this case, two veteran trees within the site edged red would be retained and protected, one close to the south western corner of the site and one on the south eastern side. Both are considered to be far enough away from the proposed dwellings not to pose a risk to occupants. Two lesser trees on the northern boundary of the development site would be removed due to the close proximity to the footprint of the dwellings. In this case, the Authority's Tree Conservation Officer has raised no objections to the works, subject to the recommendations covered in the submitted Arboricultural Survey being carried out. These recommendations are extensive and can be read

in full on the Authority's Planning Web Pages. Consequently and subject to the appropriate condition to require these recommendations to be followed, the development would not have an adverse impact on trees in accordance with Saved Local Plan policy LC20.

Environmental Management

The agent states that the new dwellings will be super-insulated to reduce energy use with a sustainable heating system and low water use fittings, further stating that a number of other options are also being considered which include ground source heat pumps. In this case, Officers consider an appropriate condition should be included in the decision, requesting further exploration by the applicants regarding the use of alternative renewable energies. Notwithstanding this, the proposed use of traditional materials should minimise weathering and enhance the sustainability of the buildings throughout their longevity. Moreover, the dwellings would require compliance with recently upgraded building regulations.

Conclusion

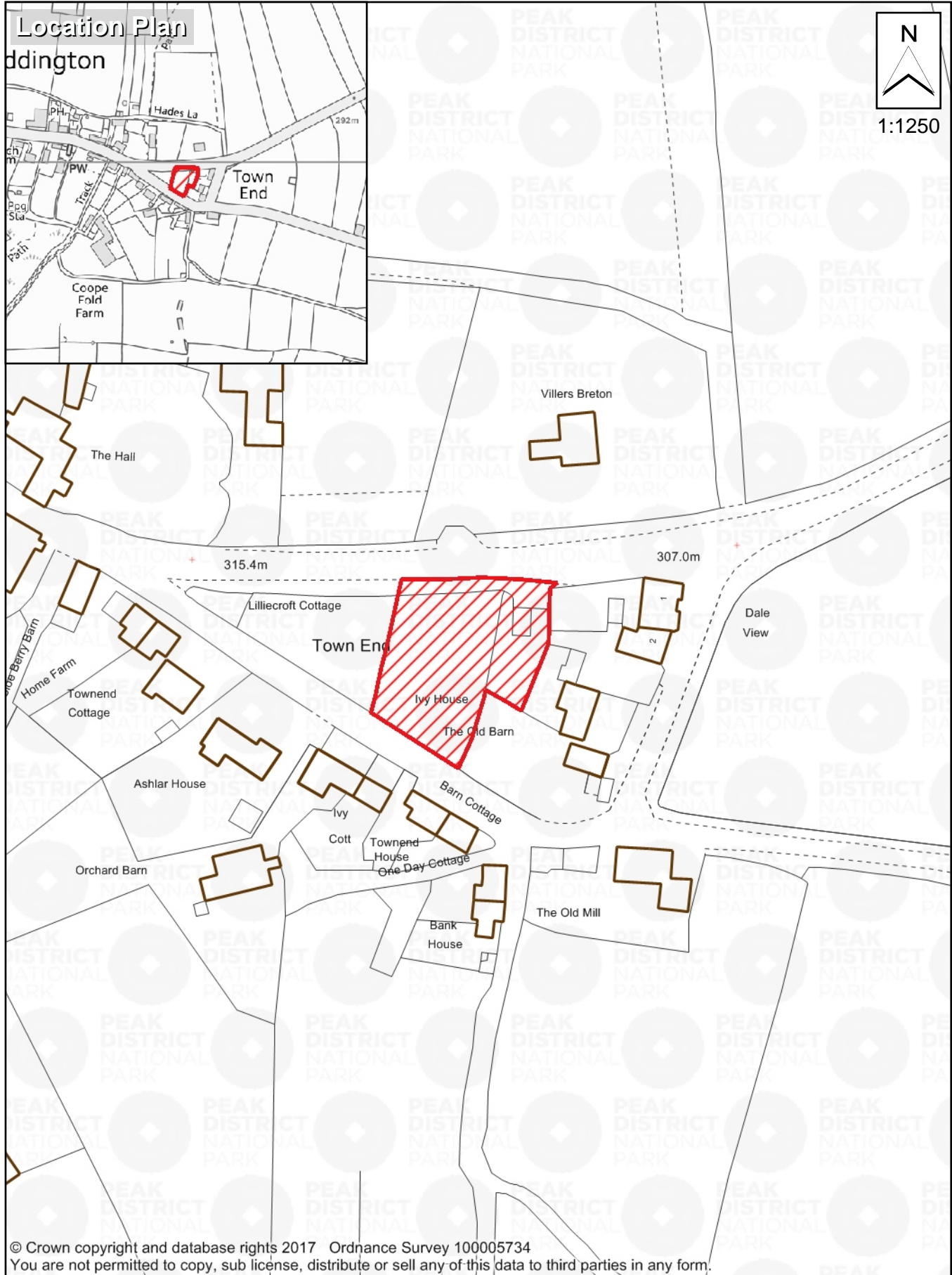
This is considered to be a sympathetic scheme for four affordable houses that will meet an identified local need for the village and complies with National and Development Plan Policies. Subject to the completion of a S.106 relating to affordability and local occupation criteria, the scheme is recommended for approval.

Human Rights

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

List of Background Papers (not previously published)

Nil



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Committee Date:	10/03/2017
Item Number:	7
Application No:	NP/DDD/1216/1259
Grid Reference:	414709, 370981

Title: Land at Town End,
Taddington



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8. FULL APPLICATION - CHANGE OF USE OF LAND TO A SEASONAL CARAVAN & CAMPING SITE AND CHANGE OF USE OF AN OUTBUILDING FOR MIXED USE AT WALLBROOK HOUSE, HIGG LANE, LONGNOR. (NP/SM/1216/1201. P11323, 2/12/2016 409698 /360879/SC)

APPLICANT: MRS M GOODWIN

Site and Surroundings

The development site is located at Wallbrook House, which is situated in open countryside approximately 450 metres north east of Brund and borders the west side of Higg Lane (Unclassified highway). The land amounts to approximately 2.2 acres and is largely flat and open to public view. The perimeter of the field is generally contained within a mix of post and rail fencing, sheep fencing, supplemented with some native hedging and a low drystone walling. The nearest dwelling is Hulme House, a grade II listed farmhouse, sited approximately 60 metres to the north east and on the opposite side of Higg Lane.

Wallbrook House itself is a traditional detached farmhouse, with a single garage constructed from Davy block under a corrugated concrete roof, with ample space within the plot for parking and turning of vehicles. The boundary is enclosed by drystone walling with pedestrian and vehicular access directly from Higg Lane. A further outbuilding of non-traditional construction is located approximately 17 metres to the south of the farmhouse, with the campsite having a separate entrance around 90 metres south of the main dwelling.

The domestic curtilage of the dwelling is surrounded on the north and west sides by a certified camping site/field. A triangular piece of land to the south of the campsite is used for drainage and incorporates the access track to the camping field. A small outbuilding close to the south west of the farmhouse has been converted to accommodate toilets and washing facilities in connection with the campsite. According to the applicant, the site currently holds a certificate for 5 caravans and unlimited tents for use by members of the Camping and Caravanning Club and other recreational organisations.

The landscape character type for the area is defined as Upper Valley Pastures lying in the South West Peak. This is described as a settled pastoral valley landscape, with scattered trees along hedgerows around settlements and following streams. Fields of permanent pasture are divided by hedgerows and occasional drystone walls, with dispersed gritstone farmsteads constructed under stone or clay tile roofs.

Proposal

Permission is being sought, to change the use of the land to a seasonal caravan and camping site and change the use of an outbuilding for mixed use. The change of use to a seasonal campsite would allow the number of touring units to be increased from 5 to 12. The hard standings would be constructed of a cellular grass paving material, 4 of the pitches would remain in the current siting (west of the dwelling and outbuildings) and the remaining 8, positioned in a line along the western boundary of the campsite field. The changes to the garage building would allow a mix of domestic and ancillary uses in connection with the proposed increase in capacity of the campsite.

RECOMMENDATION:

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

1. By virtue of the siting and layout of the proposed touring caravan pitches in this exposed field setting and with the potential of unrestricted numbers of tents, the proposed development would appear unduly intrusive, having an unacceptable adverse visual impact on the character and appearance of the surrounding open landscape and the generally tranquil amenity of the area, harming the valued characteristics of the National Park. This would 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.
2. Owing to the increased use and close proximity of the camping site to nearby residential property, it is considered the proposed development would materially harm the living conditions of the occupiers of that dwelling. As such, it would conflict with Core Strategy Policy GSP3 and Local Plan Policy LC4, which seek amongst other things, to safeguard residential amenity.
3. Insufficient evidence has been provided to allow the Authority to properly determine whether the proposed development would not harm protected species, contrary to Core Strategy policy L2 and Local Plan policy LC17.

Key Issues

- The principle of the development.
- The landscape and visual impact of the proposed scheme and;
- The potential impact on the amenity of neighbouring property and;
- The potential impact on ecology and;
- The potential impact on the local highway

Planning History

2016 - Change of use of land to a seasonal caravan & camping site and change of use of an outbuilding for mixed use. Withdrawn to consider further ecological and landscape support.

2008 - Proposed change of use of a partly derelict outside toilet and stable area, into toilet and shower block and altered highway access. Granted conditionally.

2004 - The Authority was consulted by the Camping & Caravanning Club with regard to issuing a 5 caravan site licence. The Authority's response, responded explained that the site was highly visible from the road with little planting and that the site would have a detrimental impact upon the landscape. It was also identified that caravans coming from the north may have difficulty accessing the site due to its geometry.

Consultations

Highway Authority (HA) - No objection, subject to restricting the development being brought into use, until details of a hard material is provided and agreed for the surfacing of the campsite access, between the carriageway edge and the timber entrance gate.

District Council - No response to date

Parish Council - Object, stating that:

Although Fawfieldhead Parish Council support growth of the local economy and rural diversification they recommend that this planning application is rejected for the following reasons;

- 1) There is a significant number of letters from local residents objecting to this development and the Parish Council feels that it is proper to provide support to those residents. There does not appear to be any letter from local residents in support of the Application.*
- 2) There are letters from organisations based outside the Parish, including conservation groups, also objecting to further development at this site.*
- 3) Although there is little concrete evidence regarding noise and nuisance from this site there are possibly valid concerns about the “management presence” at the site at times, such as late evening, when any noise or nuisance may be a problem.*
- 4) Parish Councillors have concerns about “over-development” in an area with limited infrastructure, especially suitability of roads to carry the increase of traffic that further development of the site would clearly bring.*

PDNPA Landscape - The Authority's Landscape Architect states, that there are intermittent long distant views of the site from the Longnor Road (B5053) to the west, whilst clear views into the site can be seen from the adjacent Higg Lane to the east. With no planting proposed on the eastern boundaries, these views would remain, therefore considers there would be a visual landscape objection to the proposal.

However, should the application be minded for approval, the number of caravans should be reduced (8-10) the number of tents identified and restricted to areas away from the northern boundary of the field. The camping season should also be controlled to take into account the bird breeding season with no seasonal pitches and no caravan storage. A passing place near the drive entrance should also be considered in addition to the control of lighting both new and existing to confirm to dark skies (reduced light pollution).

PDNPA Ecology - the Authority's Ecologist (based on the submitted evidence) would wish to raise a holding objection, until additional information regarding the impact and possible mitigation of protected species has been submitted for consideration.

Notwithstanding this, should it be minded to grant the application, then Ecology would recommend restricting the number of caravans to 10, siting them closer to the existing buildings and planting low growing native shrubs along the eastern boundary. In addition, no camping on the site during the bird breeding season (March to July inclusive) with an adequate buffer between the boundaries of the site and camping area (6 metres). There should also be no additional lighting permitted as part of the development.

Third Party Representations

There have been 31 letters objecting and 17 letters supporting the application, all of which have been summarised below. (Full copies of all letters can be viewed on the Authority's website).

Main issues of Objection

- Highway concerns - Too many caravans for road network.
- Unacceptable noise levels from campsite - Damaging amenity of nearby residents.
- Lack of screening from surrounding landscape.
- Detrimental impact on ecological interests.

- No provisions for waste disposal.
- Negative impact on landscape, tranquillity and amenity of the area.
- The valley is already well supplied with campsites.
- Impact on nearby listed building.

Main issues of Support

- Impact on nearby residents would be minimal.
- Valuable to local economy.
- Well run and maintained site - Asset to community.
- Education of young people (Duke of Edinburgh Awards).
- Proposed enhancements will have a very positive impact.
- Local tourism should be encouraged and supported.

Two individual reports, the first an Ecology Report and the second a Local Highway Network Review, have been submitted on behalf of an objector. Once more, these can be read in full on the Authority's Planning Website Pages.

Other Independent Bodies:

Friends of the Peak District - Object on intensification of use of the site. Cite noise impact on local properties and risk of cumulative visual intrusion, if sites in the area are allowed to expand.

National Planning Policy Framework (NPPF)

Paragraph 17 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 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, L2, RT3

Relevant Local Plan policies: LC4, LC17, LC18, LC19, LR3, LR5, 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.

LR3 states amongst other things, that the development of a new touring camping and caravan site or small extension to an existing site will not be permitted, unless its scale, location, access, landscape setting and impact upon neighbouring uses are acceptable and it does not dominate its surroundings.

LR5 states that where the development of a touring or caravan site is acceptable, its use will be restricted to holiday accommodation.

Policies LC17, LC18 and LC19, jointly seek to ensure that no harm is caused to protected species as a result of development being carried out, and that where appropriate safeguarding measures are exercised.

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

Relevant Guidance

The Authority's Landscape Strategy offers relevant guidance on the application of landscape conservation policies in the Development Plan. In this case, the site is within the Upper Valley Pastures of the south west peak landscape character area.

Assessment

Principle of development

Policies within the NPPF 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 NPPF supports the proposed development in principle provided it would conserve the landscape character and other valued characteristics of National Park.

Within the Development Plan, DS1 allows for leisure and tourism development in open countryside outside of the National Park's named settlements. RT3 relates to Caravans & Camping, setting out an approach which favours small touring camping and caravan sites, provided they are well screened. Policy LR3 states that development of a new touring camping and caravan site or small extension to an existing site will not be permitted, unless its scale, location, access, landscape setting and impact upon neighbouring uses are acceptable and it does not dominate its surroundings.

Landscape and visual impact

The existing caravan site/camping field is located to the north and west of the main farmhouse and outbuildings. The eastern boundary of the field lies adjacent to the roadside (Higg Lane) and is contained by a low drystone wall with a post and wire fence behind. The north boundary is contained by post and wire fencing with intermittent hedging, the west side with a low drystone wall and post and wire fencing and the southern edge by a mix of post and wire and post and fence, which define the site boundaries from the open fields beyond. The existing caravan site/camping field is accessed off the main road, approximately 90 metres south from the main group of buildings and is laid to grass aside from 4 of the 5 approved pitches, which have hardstanding (limestone chippings) and associated electric hook-ups.

The proposed extension to the caravan site would involve no physical building work with minimal excavation. In this case, 4 caravan pitches would remain roughly in the same location as the existing, with the remaining 8 pitches laid in a row along the western flank of the site, around 5 metres between each pitch and 8 metres in from the western field boundary. The hard standings would be laid with a Bodpave® cellular grass paving material.

The camping field and access are undoubtedly visible from Higg Lane and also at distance from the Longnor Road ((B5053) and looking down from the minor road between Brund and Townend. From these aspects, it is considered the site chosen for the caravan pitches (combined with the potential of unlimited tents within the remainder of the field) would occupy a particularly sensitive and exposed location, therefore appearing unduly intrusive within the surrounding countryside, having a harmful visual impact, which could be further increased through the introduction of other domestic paraphernalia, such as temporary outdoor seating and barbeque cooking areas, which can often be associated with this type of holiday accommodation.

The scheme would introduce further planting of native species along the northern boundary of the site, which would provide more screening and restrict views in the longer term. However, this is considered would be in excess of 5 years or more, before it produced any impact. Moreover, no planting has been proposed on the Eastern boundary (alongside Higg Lane) therefore these views into the site would still be highly noticeable in this quiet area of the National Park.

Specifically, within the Authority's Landscape Strategy Section - Issues of Change - Tourism and recreation (Page 191) it states, "*This area receives less visitor pressure than many other areas of the National Park and is much valued by its variety of landscapes and tranquillity. Most of the recreation in the South West Peak is concentrated into a few honey-pot sites, with much of the remaining area receiving relatively few visitors...*"

Members should note that where there is a conflict between conservation and public enjoyment, then conservation interest should take priority (the Sandford Principle). In this case, it is considered there is a conflict between those purposes; therefore the Authority should attach greater weight to the first purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of the area, over the second purpose of promoting public understanding and enjoyment of the National Park.

Potential impact on the amenity of neighbouring property

The closest neighbouring dwelling (grade II listed Hulme House) lies to the north east, approximately 60 metres from the nearest tip of the application site and around 145 metres from the closest caravan pitch. In this case, it is considered with this degree of separation, the development would not affect the setting of the listed building. However, it is gauged, that the increased number of caravan pitches and unrestricted tent numbers combined would lead to a rise in site activity and potentially an escalation of noise and disturbance, creating a harmful impact on the quiet enjoyment and amenity of the neighbouring property, conflicting with policies GSP3, LC4 and LR3.

Potential impact on Ecology

The applicant has commissioned a Preliminary Ecological Appraisal and Bird Survey report, which considered the impact of the proposal on protected species and wildlife habitats in the vicinity of the development site. However, notwithstanding the reports assessment of impact and recommendations, the Authority's Ecologist still has concerns that the development will have an impact on the local breeding wader population during the bird breeding season. Stating, that without limiting noise and disturbance at key times of the year, it is likely to increase risks of breeding failure and also lead to displacement of curlew. It would also compromise the conservation efforts that have been taken on the adjacent land in encouraging greater numbers

of waders onto the site in the future.

Consequently, the Ecologist does not agree that the proposed mitigation put forward by the applicant would safeguard the local wader population and that further measures need to be explored. In addition, it is requested that additional information regarding the potential effect of the proposal on Barn Owls, which have been recorded in the area are also considered. Given the above, Ecology would wish to raise a holding objection, until the above information has been submitted for consideration. In this instance the applicant has stated, they would be more than happy and willing to commission further ecology work, as recommended by the Authority's Ecologist, should members be minded to approve.

Potential impact on the local highway

Third party objections, including an independent Local Highway Network Review objection have been submitted with regard to highway matters. In response, the Highway Authority states that Paragraph 32 of the NPPF affirms '*Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe*'.

In this case, they consider the place already operates as a camping/caravan site and that Higg Lane are typical of rural lanes in the Peak District. Further remarking, that the current application is for an increase in touring units of up to 7 and compared to the existing use of the site and Higg Lane, this cannot reasonably be considered to be severe. Therefore it would not be reasonable or appropriate to expect this small development to require upgrading Higg Lane.

Subsequently, the Highway Authority raises no objections, subject to a condition restricting the development being brought into use until details of a hard material has been provided and agreed for the surfacing of the campsite access, (between the carriageway edge and the timber entrance gate). The condition would ensure all the access track is surfaced in an appropriate material and the stretch between the carriageway edge and gate entrance are satisfactorily maintained. Subject to compliance with the condition the proposal is considered acceptable in accordance with LT18.

Use and alterations to garage/outbuilding

The garage building is detached and constructed of blockwork under a corrugated iron pent style roof. A metal roller shutter door on the eastern elevation faces Higg Lane. The garage would be used to accommodate a ride-on mower and other tools and implements used to manage the campsite. The application proposes some enhancement to the building, by re-roofing with blue/grey sheeting, with the blockwork on the south and east faced with natural gritstone with Yorkshire boarding above. The north and western sides would be rendered in the lower part and Yorkshire boarding above.

Whilst the alterations are considered an enhancement over the existing, this is a modern structure of no architectural merit. Consequently, Officers have requested (in addition to the proposed), that the roof of the building is equally pitched and clad in materials to reflect the existing dwelling. In this case, the agent has stated his clients would be more than happy to accept these changes should the proposal be granted permission.

Conclusion

The proposed development would be sited within an open countryside setting, where it would be visible from nearby and surrounding vantage points. In this location, it is considered the additional pitches and the potential increase in activity would have a harmful impact upon the character and scenic beauty of the National Park. In this case, Officers have assessed the proposal against Development Plan policies, the National Planning Policy Framework, and all

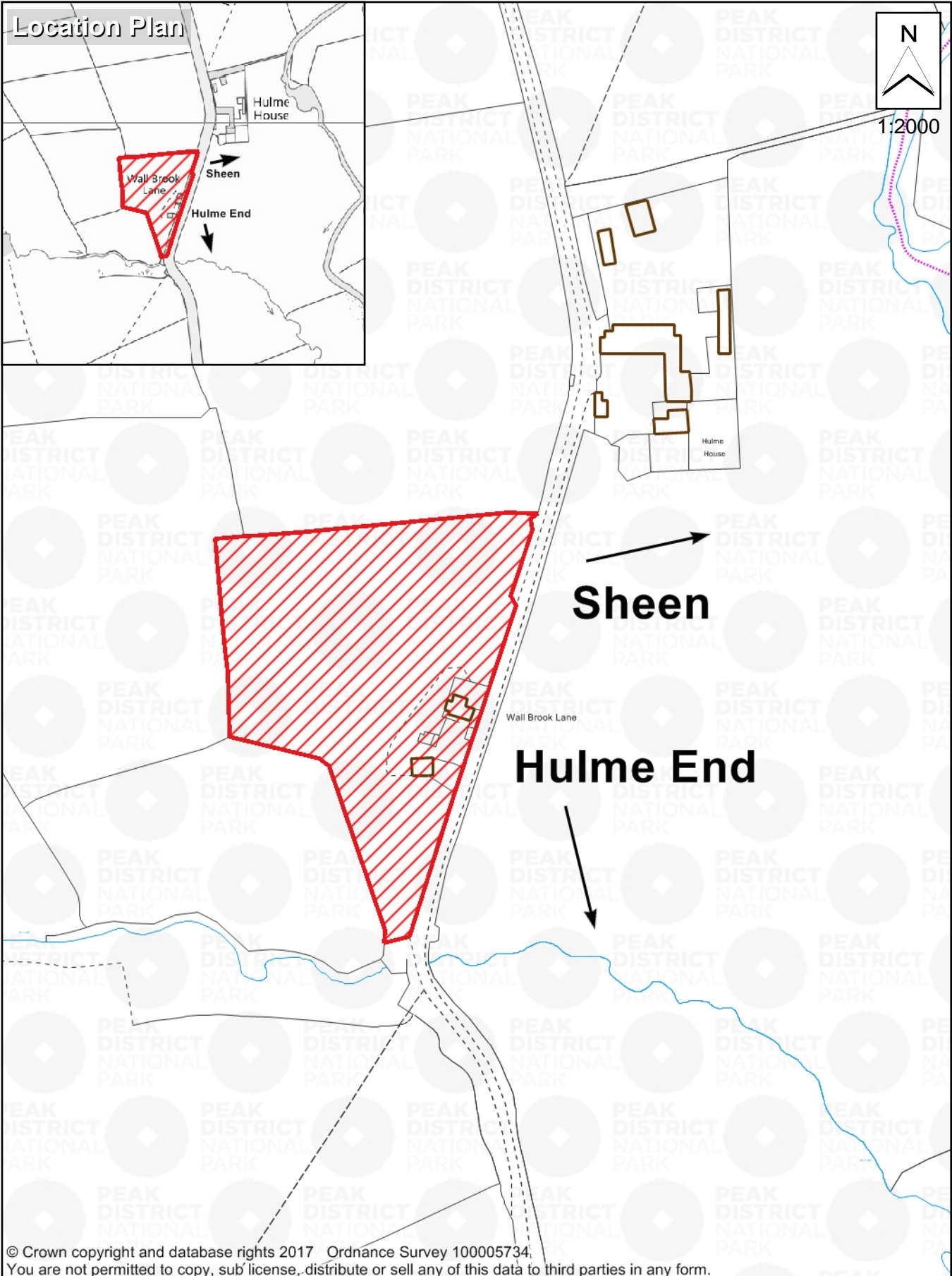
other material considerations and concluded that it represented a form of development that was not capable of being amended in a way which would make the scheme acceptable within the current application.


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:	10/03/2017	Title: Wallbrook House Higg Lane Longnor	 PEAK DISTRICT NATIONAL PARK
Item Number:	8		
Application No:	NP/SM/1216/1201		
Grid Reference:	409698, 360879		

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9. FULL APPLICATION – THE INSTALLATION OF A 30M LATTICE TOWER SUPPORTING 2 No ANTENNAS, 2 No TRANSMISSION DISHES, 1 No 1.2M SATELLITE DISH ON A SUPPORT POLE, 1 No GENERATOR, 3 No EQUIPMENT CABINETS AND A METER CABINET WITHIN A SECURE COMPOUND 12M X 4.4M AND DEVELOPEMTN ANCILLARY THERETO, NEAR HAGG BARN, SNAKE ROAD, BAMFORD, HOPE WOODLANDS (NP/HPK/0217/0118, P.3301, 416382 / 388677, 3/2/2017/JK)

APPLICANT: MR ANDREW BRAMALL – EE (UK) LTD

Site and Surroundings

The application site lies within coniferous woodland on the hillside some 120m to the north-east of the A57 Snake Road and 325m to the south-east Hagg Farm Outdoor Education Centre. Access to the site is via a forestry track which leads off the Hagg Farm access road close to its junction with the public bridleway which leads up through Haggtor Coppice to Lockerbrook and the Derwent Valley.

The forestry access track runs south-east through the coniferous woodland some 200m before rising up the hillside. It currently provides access to an existing Vodafone Mobile Base Station partway up the hillside which comprises of a 9m green lattice mast and equipment cabin. The track then climbs another 40-50m or so up to an open plateau within the woodland where the disused Hagg Barn sits, immediately below the steeply rising Haggtor Coppice.

The application site comprises a rectangular area (11.5m x 4.5m) of roughly level ground lying behind a dilapidated boundary wall on the northern side of the track across from the Vodafone mast. A short section of the track verge to provide access is also included in the application site area along with 120m or so of the steeper section of the forestry access track.

The site is completely surrounded by coniferous planting which has no conservation designation. Haggtor Coppice, an area of ancient and semi natural woodland lies 77m to the east and is also designated as Natural Zone. Behind this woodland and some distance to the north and east are areas of access land and land formally classified as SSSI, SPA and SAC. Consequently for planning policy purposes the site itself is considered to lie in the open countryside

Proposal

The construction of a mobile base station comprising a 30m high lattice mast carrying 2 transmission antennas and 2 dishes along with an associated ground level equipment cabinet, generator housing and electricity meter cabinet. In addition there would be a low level pole mounted 1.2m dish. The site would be contained within a 1.8m high fenced compound. The mast and all the equipment would be coloured RAL 6009 'fir green' (dark green). The compound would require 6 trees to be removed. 2 more would need to be removed along with 3m of boundary walling to provide access off the existing forestry track. Plans state the steeper section of the existing access track would be re-graded although no details have been submitted.

The site would provide part of the mobile radio voice and broadband communications service for the Emergency Services Network for the three emergency services, police, fire and ambulance (see background section below).

RECOMMENDATION:

That, subject to no further representations being received between the committee date and the 15 March raising material planning considerations contrary to the resolution, and any received being considered by the Director of Conservation and Planning in

consultation with the Chair/Vice Chair of Planning, the application be APPROVED subject to the following conditions:

1. Commence the development within 3 years
2. Carry out in accordance with specified approved plans
3. The mast, antennas, dishes, cabinets and all associated fencing shall all be pre-coloured dark green to RAL 6009 before installation and be permanently so maintained throughout the lifetime of the development.
4. Boundary walling to be rebuilt in accordance with approved plans before development brought into use.
5. New access track to be formed with crushed gritstone only.
6. Full details of the proposed regrading of the existing track to be submitted for written approval before any other works commence
7. Submit and agree details of construction compound for materials, workers parking and welfare facilities before any other development on the site.
8. Remove when no longer required for the mobile telecommunication purposes it was allowed or if the trees within a 100m radius of the mast are clear felled.
9. Retention of removed trees on-site within woodland as deadwood habitat.

Key Issues

- The principle of the development and whether, having regard to local policy, the proposal represents the least intrusive, technically feasible solution to meet the telecommunications need.
- The effect of the proposal upon the character and appearance of the landscape setting.

Planning History

2003 – Permission allowed on appeal for the existing 9m high Vodafone mast adjacent to the current application site after Planning Committee refusal of consent on grounds of landscape harm and the potential cumulative landscape impact from other sites/operators from the precedent which would be set had this been approved, without a co-ordinated plan for the valley.

Nearby relevant mast cases

2001– Planning permission granted for Airwave sites at Ashopton sawmill (25m mast), Rowlee Farm, (10m mast and stone equipment building), Snake Pass clearing (25m mast) and Snake Pass Summit (Underground equipment housing, antennae hidden within road sign),

2003 – Approval for 25m mast at Dinas Sitch Tor Snake Pass for Vodafone.

2004 - Approval for 18m mast at Doctors Gate Culvert Snake Pass for Vodafone.

Consultations

Derbyshire County Council Highways - No reply to date.

High Peak Borough Council – No reply to date

Derwent and Hope Woodlands Parish Council – No Reply to date

PDNPA Ecology – No objections but request conditions regarding materials storage, retention of cut timber on site for deadwood habitat and ideally avoidance of the bird breeding season.

Representations

None to date, however the public site notice period does not expire until 15 March, after the Planning Committee meeting. Consequently the committee resolution will need to be subject to no further representations raising new issues being received and in any case, those raised being considered further by the Director of Conservation and Planning in consultation with the Chair of Planning Committee.

Main Policies

National Planning Policy Framework

Paragraph 17 of the NPPF sets out core planning principles including supporting sustainable economic development and high standards of design taking into account the roles and character of different areas, recognising the intrinsic character and beauty within the countryside and supporting thriving rural communities.

Paragraphs 42 to 46 Sets out the governments support for high quality communications infrastructure which it sees as essential for sustainable economic growth and also for the vital role it plays in enhancing the provision of local community facilities and services. In particular it states that;

43. In preparing Local Plans, local planning authorities should support the expansion of electronic communications networks, including telecommunications and high speed broadband. They should aim to keep the numbers of radio and telecommunications masts and the sites for such installations to a minimum consistent with the efficient operation of the network. Existing masts, buildings and other structures should be used, unless the need for a new site has been justified. Where new sites are required, equipment should be sympathetically designed and camouflaged where appropriate.

44. Local planning authorities should not impose a ban on new telecommunications development in certain areas,

45. Applications for telecommunications development (including for prior approval under Part 24 of the General Permitted Development Order) should be supported by the necessary evidence to justify the proposed development.

46. Local planning authorities must determine applications on planning grounds. They should not seek to prevent competition between different operators, question the need for the telecommunications system, or determine health safeguards if the proposal meets International Commission guidelines for public exposure.

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.

Development Plan

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

Relevant Local Plan policies: LC4, LUT18

Relevant policies in the Development Plan are consistent with national planning policies in the NPPF because they promote sustainable agricultural development in the Peak District (including proposals for new buildings) where it is consistent with the conservation and enhancement of the National Park's scenic beauty, cultural heritage and wildlife interests.

Policy GSP1 relates back to the Park's statutory purposes and states that applications for major development within the National Park will only be permitted following rigorous consideration of the criteria in national policy. Where a proposal for major development can demonstrate a significant net benefit, every effort to mitigate potential localised harm and compensate for any residual harm would be expected to be secured. Policy GSP2 builds upon this by stating that opportunities should be taken to enhance the valued characteristics of the National Park and, (in part D) specific opportunities should be taken to remove undesirable features or buildings. This is expanded in policy L1 which relates directly to enhancement of landscape character, and policy L3 relating to the conservation and enhancement of features of archaeological, architectural, artistic or historic significance.

Policy GSP3 refers to development management principles. Relevant criteria listed in this policy relate to appropriate scale of development in relation to the character and appearance of the National Park, impact on access and traffic, and impact on living conditions of communities.

Policy GSP4 recommends the use of conditions and legal agreements to ensure that benefits and enhancement are achieved

Summary of Applicants Background briefing Note

The three emergency services (3ES) – Police, Fire and Ambulance currently use a mobile radio system (Airwave) to communicate within and between the three emergency services but this needs replacement. Currently Airwave delivers a secure and resilient critical voice communications network with high levels of coverage and availability, but the technology cannot deliver broadband data services, it is very expensive and contracts are beginning to expire. The Home Office will not be extending the contracts for Airwave beyond those necessary to achieve an efficient transition to the new service, which is to be known as the Emergency Services Network or ESN.

The Emergency Services Mobile Communications Programme (ESMCP) is the Home Office led programme responsible for replacing Airwave. ESMCP aims to provide an integrated critical voice and broadband data communications service for the 3ES based on enhancing a commercial 4G network, configured to give the 3ES priority over other users.

The Emergency Services Network (ESN) will be delivered across England, Scotland and Wales using a mix of existing and new sites. The ESN is required to be in place so that the 3ES can transition when Airwave contracts expire between 2017 and 2019. Throughout transition there will be interoperability between the two systems. A key requirement of ESN is to deliver coverage to major and minor roads which will require additional infrastructure to be provided by i) the Mobile Network Operator (EE) from which they will also offer a commercial service to mobile customers, and ii) Extended Area Services (EAS).

The EAS project will extend the coverage provided by EE and requires telecoms infrastructure to be secured in defined but primarily rural, remote and commercially unviable areas where little or no Mobile Network Operator coverage exists. The Home Office (HO) will be acting as the prime contractor to contract with suppliers for EAS sites. Sharing existing sites will be negotiated where possible but EAS coverage needs will mainly require new sites that the HO will then own and operate and from which it hopes to offer a commercial service. EE will install their active equipment and connect this to their core network. All sites will be retained by HO for use by the follow-on Mobile Services supplier. Positive relationships with stakeholders such as Local Planning Authorities, National Parks and potential landowners will therefore be vital to the successful delivery of ESN. The EAS team are also undertaking site acquisition for communications to emergency services aircraft above 500ft which is anticipated can be delivered through site sharing arrangements.

The key messages set out in the application are:

- ESN is providing critical national infrastructure to enable communications and interoperability for the police, fire and ambulance services in England, Scotland and Wales (including extension into remote areas) to help them cut crime, fight fires and save lives. ESN will provide the same capability as Airwave as well as an integrated 4G mobile broadband data service using the latest generation of mobile technology.
- Government has provided £1bn of investment to build and operate ESN but your support for the locating of new or enhanced equipment in rural locations will be vital to delivering the network by 2017, thereby improving public safety and reducing cost to the tax payer.
- In addition to the 3ES, ESN may offer a 4G mobile service to local EE customers, providing access to digital services that are increasingly essential to everyday life and business, and a 999 service to all mobile users. Other MNOs will have access to upgrade the new infrastructure should they wish to install their own equipment and offer services in future.
- Satellite solutions for backhaul are being considered where more cost-effective or timely.

Officer Assessment

Principle of Development

The application site lies in the open countryside outside the 'Natural Zone' and comprises part of an established area of coniferous forestry planting on the slopes of the A57 Snake Road Valley. The site itself is not subject to any special conservation designations and is sufficiently far away from such sites as to cause no effect upon them.

Core Strategy policy DS1 states that in the open countryside, outside the Natural Zone, utilities infrastructure development will be acceptable in principle.

The Authority's specific policy on telecommunications infrastructure is set out in saved Local Plan Policy LU5 follows the supportive stance of the NPPF and is similarly positively worded in permitting the principle of new mobile radio base stations and associated equipment in the open countryside, outside of the Natural Zone. This is however subject to the proviso that the landscape, built heritage or other valued characteristics of the National Park are not harmed; and it is not feasible to locate the development outside the National Park where it would have less impact; and the least obtrusive or damaging, technically practicable location, size, design and colouring of the structure and any ancillary equipment, together with appropriate landscaping, can be secured. Furthermore the policy states that wherever possible equipment should be mounted on existing masts, buildings and structures.

In this case the supporting documents and radio plot maps demonstrate the clear need for a mast both in this location and at this height to provide the necessary coverage of the main

A57 road. It is therefore clear that locating the mast outside the Park would not be feasible as it would not give the required coverage because of the intervening landform of the Snake Pass summit. The height needed for the antennas to cover the required area also rules out shared use of the existing Vodafone base station close by as that mast is only 9m high. The site at Rowlee Farm to the north is also ruled out on height grounds being a minimal structure on an existing building in full public view. There are no tall buildings nearby which could be used. The application therefore demonstrates to officer's satisfaction that a new mast is required in this location.

Consequently the development of a mobile radio base station at the site to meet the needs of the Emergency Services Network ESN is therefore acceptable in principle under National and local planning policy. The main issue is therefore whether the development in terms of its landscape and visual impact is acceptable in this location together with its impact upon any other valued characteristics.

Landscape considerations

The application site is located within the 'Moorland Slopes & Cloughs' area of the 'Dark Peak Landscape character type in the Authority's Landscape Character Assessment. A key characteristic of the area are its steep slopes and cloughs which rise to the moorland plateau above. It recognises that localised 20th century conifer plantations occur in this landscape character type, alongside more interesting relict areas of oak-birch woodland. Typically there are numerous springs and flushes arising on slopes and clough sides.

The application site sits on the side of the hill and wholly within later coniferous forestry planting which is fairly dense with trees generally around 19-20m high. Consequently, these trees provide an effective screen for most of the mast apart from the top 10m which would project above the tree cover immediately surrounding the site. However, due to the sloping hillside trees on the higher ground above (east) of the site will provide a much higher backdrop. The nearest public access points are from the Hagg Farm drive and the bridleway rising up through the Haggtor Coppice to the east of the site. From this right of way the trees, along with the landform provide a dense and effective total screen to the development. Public views from the distant bridleway across the A57 valley to the west are nearly a kilometre away and given this distance, provided the top of the mast is coloured dark green as proposed, it would not be a noticeable feature amongst the backdrop of trees.

Glimpsed public views of the woodland from the A57 are possible but given the nature of the road, these are fleeting views over relatively short distances. Travelling north on the A57 officers consider there may be an opportunity for a very minor glimpse of the mast top but this will be acceptable given the distance, scale together with the intervening trees and backdrop tree cover. Travelling south, in the vicinity of Hagg Farm officers consider there may be a short stretch of A57 where gaps between the roadside trees may afford views of the top of the mast against the skyline. Again however, the view would be over a short distance and given this and the dark colouring any view would not be considered to be prominent or intrusive in the wider landscape setting.

Overall it is concluded that despite the mast top projecting 10m above the immediate trees, it would not be generally visible from public vantage points because of the dense trees around and above the site. Any glimpsed views would be essentially only during the winter months, and along this very busy and winding road would in any case be minimal and, on balance, acceptable. This is especially so when balanced against the need and significant public benefit from this improved communications network. It should be remembered that whilst primarily the base station would support the 3ES, it would also bring improved mobile 4g coverage for the local community and of course the general public using the A57 and thus further enhance safety and community benefits.

The construction of the compound for the base station and its access spur off the existing forest track will result in the need to fell 8 trees. These are all conifers and most are not great specimens, being either stunted because of being planted too close to their neighbours or leaning. There are however a few which are in reasonable condition and whilst their loss is unfortunate, in the context of the surrounding plantation their loss will cause no adverse landscape impact outside the immediate site or from any public vantage points. Furthermore the impact on the immediate landscape setting is offset to a large extent by the benefits to existing retained trees from the space created and by the enhancement from the rebuilding of a 17m section of derelict drystone boundary walling beside the site. Furthermore the application proposes that all the development will be coloured dark green (RAL6009) which is appropriate for this setting.

On this basis officers therefore conclude that the proposed mast and associated development can be satisfactorily accommodated within this woodland without harm to the landscape.

Other material considerations

Access issues

There are no changes proposed to the Hagg Farm Drive which is a short single track metalled lane from the A57 Snake Road. This provides access to the Hagg Farm Outdoor Centre and for the first 100m or so also carries the popular bridleway leading from Ladybower which crosses the A57 at this point. The bridleway shares the Hagg Farm drive to just past the forest track gateway before it turns off and heads up the hillside through Haggtor Coppice over to Lockerbrook and Derwent. A standard timber gate gives access off Hagg Farm Drive to the development site via the existing forest track which is formed from hardcore and 'armoured' on the more sloping section with larger pieces of gritstone. Due to the needle drop from trees the track has currently largely 'greened' over. Whilst the application stated the steeper section was to be re-graded this is understood to simply mean that new material will be brought in to smooth and provide a better surface for vehicles using the track during the construction period. Provided any new material is conditioned to be natural gritstone there are no objections to what could normally be regarded as repair and maintenance of the track. The short new section of access way off the forest track through the boundary wall to the Base Station compound also needs to be formed in the same material and conditioned accordingly.

Amenity Issues

During construction there is potential for some disturbance to the operators of Hagg Farm and walkers/cyclists using the lane, however with careful access management by the contractor and liaison with the neighbour this should have little impact on their amenity. Once commissioned the site will operate without any adverse impacts and would only require minimal maintenance visits by an engineer.

Ecological considerations.

The site sits within plantation woodland although there are some scattered broadleaved trees. The Authority's Ecologist raises no objections but comments that removed trees should be retained within the woodland as deadwood habitat which is reasonable and can be covered by a planning condition. The concerns about construction impacts upon any broadleaved trees is already covered by a suggested condition requiring agreement over the construction compound and materials storage. The main issue was the request for the works to avoid the bird breeding season. In this case the installation, subject to this committee's approval, needs to be in place July 2017 to enable transfer of service so in this case it is not possible to avoid the bird breeding season. In this case any impact would be quite localised and within a relatively dense coniferous

plantation of lesser importance than the other semi-ancient woodland nearby of significantly higher ecological value. On balance it is therefore considered appropriate that the works go ahead on the basis that the need for the development and the very significant public benefits it brings outweigh potential harm to breeding birds.

Conclusion

The proposed development is required to meet a national need for the mobile emergency services network. The equipment cannot be located outside the Park and must be close to the road in this location to meet the required need for the coverage along the A57. The chosen application site together with the scale and dark colouring of the equipment is considered to make best use of the existing tree cover and thereby ensure the installation would cause no harm to the landscape or other valued characteristics of the area.

The proposed development is therefore considered to be in accordance with relevant policies in the development plan in terms of the main issues of need and landscape impact (policies DS1, LU5 and L1). The proposed development would not have any adverse impact upon highway safety (policy LT18) or the amenity of the nearby neighbouring properties (policy LC4). Whilst there will be some localised loss of trees and disturbance during construction, these impacts will be temporary and mitigated for within the suggested conditions.

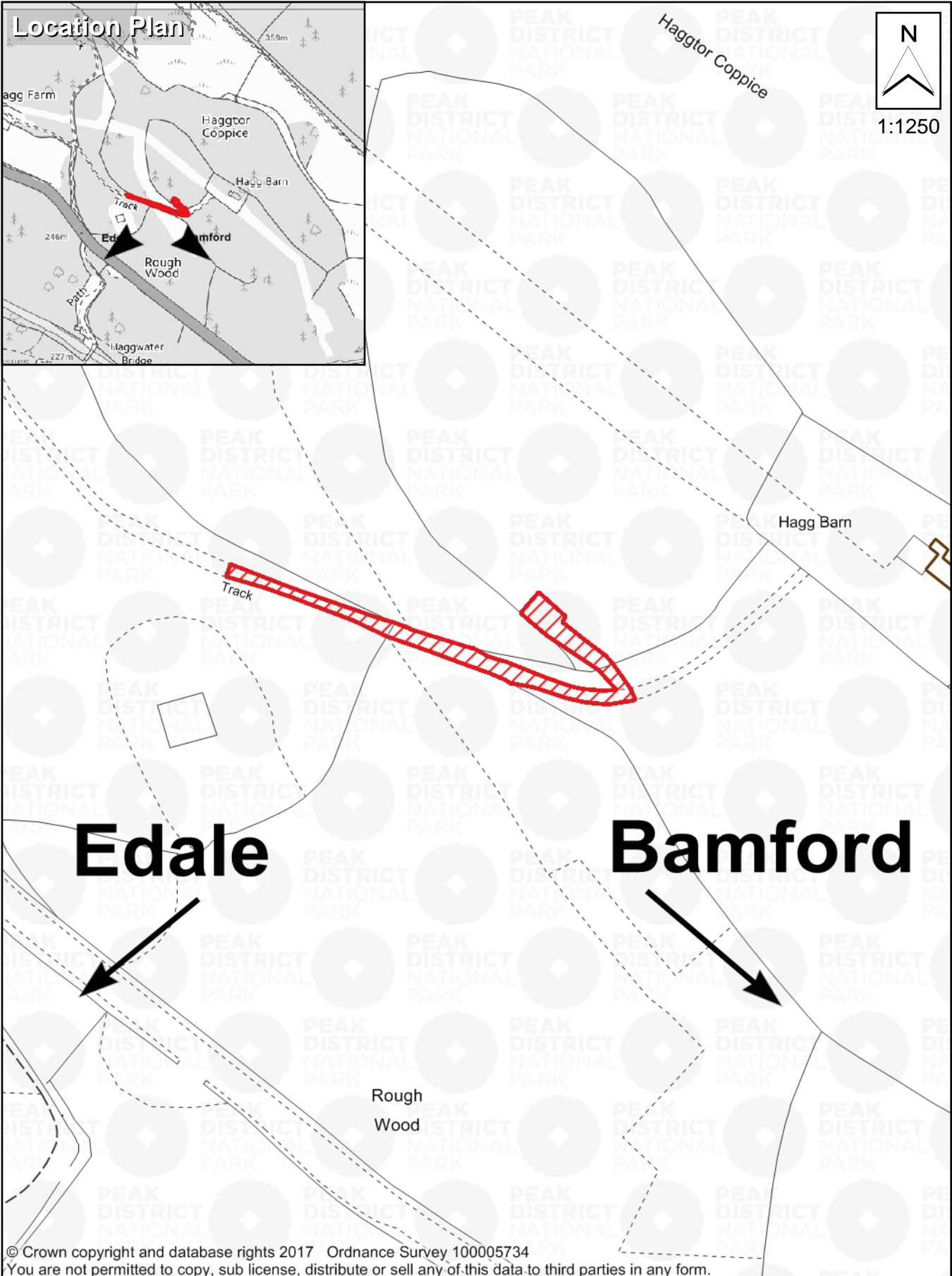
Therefore, in the absence of any further material considerations, it is considered that the proposed development is in accordance with the development plan and accordingly, the proposal is recommended for approval subject to the conditions outlined in this report.

Human Rights


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

List of Background Papers (not previously published)

Nil



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Committee Date:	10/03/2019	Title: Land Near Hagg Barn Snake Road Bamford	 PEAK DISTRICT NATIONAL PARK
Item Number:	9		
Application No:	NP/HPK/0217/0118		
Grid Reference:	416382, 388677		

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10. FULL APPLICATION – SINGLE STOREY EXTENSION TO FORM A MEETING ROOM, SMALL BREW AREA, STORAGE AND LAVATORY AT ST CHRISTOPHER'S CHURCH SHRIGLEY ROAD, POTT SHRIGLEY, (NP/CEC/1215/1153, P.10305, 394469/379169, 4/12/2015/JK)

Applicant: Mr Duncan Matheson

Site and Surroundings

St Christopher's Church is a Grade I Listed Church situated within the village of Pott Shrigley at the junction of Shirley Road, Bakestonedale Road and Spuley Lane. The main access and Lych Gate faces Spuley Lane and comes off the back of a small cobbled parking area which also serves the adjacent Church Cottages (listed Grade II) to the south of the Churchyard. Pott Shrigley primary school and village Hall lie across Spuley Lane to the east and are also listed grade II. To the north of the church, across Shrigley Road, there are further residential dwellings. To the west side of the churchyard between the churchyard and Shrigley Road there is a triangular block of trees covered by a Tree Preservation Order at the end of which is an access off the road leading to the village events field. In the end of the woodland there is an informal unsurfaced parking area for around two vehicles close to the west entrance into the churchyard.

The church dates mainly from the C15 and is constructed from coursed sandstone rubble under a stone-slate roof. The list description describes it *having 'nave and aisles of 2 bays, chancel, west tower and small south porch. Angle buttresses and rolled copings, 2 and 3-light windows of various forms, some with hood moulds ending in large stops carved as heads. West tower of 4 stages with deeply set west doorway and 2-light, louvred, bell opening; castellated parapet and pinnacles.'* The most recent alteration to the church was the addition around 1999 of a small single storey extension off the northern elevation to provide a WC with small vestibule which doubles as a "brew station".

Within the churchyard on the south side of the church is a standing cross which is a scheduled ancient monument. The whole of the site lies within the Pott Shrigley Conservation Area.

Proposal

The application seeks planning permission for a single storey extension off the north-west corner of the Church and joined to the existing WC extension. This would provide a meeting room (capacity for 40 sitting, 60 standing) accessed via new entrance lobby with external door and internal link into the church. At the back of the new entrance lobby link there would be a small store room and WC. The link into the church would be via the existing vestibule of the 1999 WC extension.

The extension would be constructed from with materials to match the church. The main meeting room element would have a rectangular plan and be approx. 8.7m long by 5.5m. It would abut the boundary wall to Shrigley Road with eaves set just below the parapet coping of the churchyard wall. It would be spaced off from the church and tower by 1.8m and 2.7m respectively. The entrance lobby/link element would wrap around the angled buttress on the NE corner of the main church and connect through to the existing toilet/vestibule with a part lean-to roof against the church building. An existing window in the 1999 extension lost to the new link corridor would be relocated from the west to the east elevation of the existing WC extension. Due to the differing roof heights between the proposal and the existing WC extension a small timber clad projecting gablet/vent would be formed above the ridge of the existing WC extension.

The west gable end of the extension would be fitted with a single oak planked door abutting a three light stone mullioned window opening fitted with divided double glazed timber frames. On the south elevation there would be a run of 2 No three-light, and 1 No two-light mullioned windows interspaced with ashlar panels to match the ashlar stone quoins and gable coping. The external entrance door would be an oak planked door set within an oak framed glazed screen above a low stone plinth wall.

The footprint of the meeting room would require the relocation of two gravestones as well as the existing northern pedestrian entrance off Shrigley Road. Plans show the gravestones would be re-laid flat as part of a proposed stone paved path around the new extension. A small self-set tree beside the boundary wall will be removed. The canopy and root protection area of an existing yew tree would partly overlap the footprint of the proposed extension.

Plans also show the informal parking area at the end of the TPO woodland being formalised to create 2 No accessible parking spaces, although it should be noted that this area is outside the application site area. It is however within the ownership of the church.

The application is supported by a Heritage Statement, Design & Access statement and Arboricultural Assessment.

There is no separate application for listed building consent for the proposed works because, as a church property, the building benefits from an ecclesiastical exemption meaning such issues are dealt with via a separate faculty application to the Diocesan Advisory Committee.

RECOMMENDATION:

That the application be REFUSED for the following reason.

- 1. The proposed development would harm the significance of the Grade I St Christopher's Church. In the absence of sufficient public benefits which could outweigh the harm that has been identified it is therefore considered that approval of the proposal would be contrary to Core Strategy policy GSP1, GSP3 and L3, Local Plan policies LC4, LC5, LC6 and the National Planning Policy Framework. The proposal therefore fails to conserve and enhance the special interest and setting of the church contrary to Section 66 (1) of the Planning (Listed Building and Conservation Areas) Act 1990.**
- 2 Harm to Pott Shrigley Conservation Area contrary to Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990, and paragraphs 131 and 132 of the NPPF as well as policy LC5 of the Local Plan.**
- 3 In the absence of an appropriate archaeological field evaluation to establish significance and impact of the proposed works, acceptance of the application fails to meet the information requirements of both PDNPA policy at LC16 and NPPF para 128.**
- 4 Inadequate information (out of date arboricultural assessment) to properly assess impact upon trees affected by the proposed development.**

Key Issues

- Whether the proposed development would conserve the significance of the Grade I listed Church, its setting and the setting of nearby listed buildings within the designated Pott Shrigley Conservation Area.

- The impact upon highway safety.
- The impact upon trees both within the churchyard and those outside covered by a tree preservation order.

Relevant Planning History

1998 – Planning permission refused for a single storey extension on the NW corner of the church to provide vestry, toilet and vestibule. The proposal was very similar, although smaller, to the current proposal. The reasons for refusal were that the position, form and detailing of the proposed extension were *“considered to be totally unacceptable.....as it would not only dominate the north and west elevations of the property but also part of the historical fabric of the building....the resulting adverse effect of the proposal on this fine Grade I listed building is considered to be totally unacceptable.”*

The Authority’s Historic Buildings Architect advised that a small extension positioned to the east of the diagonal corner buttress, without touching it, and extending north to the boundary wall, would be more appropriate and acceptable. As a result, the following application for the existing toilet and vestibule was subsequently approved in 1999.

1999 –Planning permission granted for a small extension close to the north west corner of church to provide WC and small vestibule.

2012 – Pre-application planning enquiry regarding an extension of the NW corner of the church. Officers advised that they could not envisage an acceptable proposal with an extension in the current proposed location. It was noted that gravestones will have to be relocated and bodies exhumed and reburied. The new extension would also visually obstruct the west window of the north aisle and form a dead space that would be difficult to maintain as it would be sandwiched between the east wall of the extension and west wall of the north aisle. The new meeting room would detract from the west tower when viewed from the churchyard and harm the setting of the structure, There would also be a poor relationship between the existing roofs and the roof of the new building. The proposed roof will be higher than the 1990s north extension resulting in an awkward detail. Officers were also concerned about the narrow roof proposed from eaves level of the north aisle, wrapping round one of the buttresses, to meet the roofs of the lower buildings and had reservations about the long continuous roof, that will be visible from the roadside.

2015 – Pre-planning enquiry regarding the proposed extension advised that the proposal was similar to previous enquiries in 2012 and alongside the same objections it was considered that the enquirer had not adequately explored the alternatives to attaching an extension on this part of the church.

2016 –Various tree works agreed with the Authority within the Churchyard to manage overgrown trees and clear scrub.

Consultations

Highway Authority – No objections

Notes that concerns have been raised in relation to the absence of off-street parking for visitors to the Church and parking congestion generally within Pott Shrigley. The Design and Access Statement (DAS) sets out that a number of the meetings the proposed extension is designed to accommodate, either currently take place within the Church, the nearby Village Hall or in people’s houses, none of which have associated off-street parking for the number of attendees indicated in the DAS. Concludes that traffic generation associated with the meetings expected to

take place in the proposed extension would not be expected to have a material impact on the existing parking conditions within Pott Shrigley.

Highway Rights of Way officer - the development does not appear to affect a public right of way.

District Council – No response to date.

Parish Council – Unable to reach a conclusion not having sufficient expertise to judge the architectural aspects of alterations to a Grade 1 listed building. However the room appears to be in the least obtrusive position if it is to be attached to the church and it is of a reasonable design. The Council's great concern is the lack of any parking provision and the likelihood that the worst situations will occur when the Church and the School are running events or activities concurrently. It was noted that the Village Hall is available to provide a suitable venue for additional activities outside school hours and terms.

Historic England – No objections – Recommend that the public benefits of the scheme are weighed against the minor level of harm which would occur to the significance of St Christopher's, in line with paragraph 134 of the NPPF. Comments that:

“St Christopher's Church in Pott Shrigley is a small, stone built parish church at the heart of a picturesque village. The building is compact in form, with a comparably large tower and was mostly constructed in the 15th century in the perpendicular style. It has escaped extensive remodelling except for the addition of the south porch in the early 20th century and a small extension in 2001, built to accommodate toilets. The high significance of the church is recognised in its designation as a grade I listed building, placing it in the top 4% of listed buildings in the county.

The surrounding village of Pott Shrigley is designated as a conservation area and includes a number of heritage assets such as the school and village hall, Pott Hall Farmhouse and Church Cottages, all of which are grade II listed. The church is at the centre of the settlement and conservation area, with the principle route way through sweeping up from the south before turning to head west. Located adjacent to this road, the church complex is defined by a stone wall which runs east west, whilst the historic churchyard stretches down to the south and includes a number of tombs and a listed cross.

The Church and its graveyard are not only significant in their own right as an important example of a relatively unaltered 15th century small parish church, located within its historic graveyard, it also forms a fundamental part of the character of Pott Shrigley and is a key building within the settlement.

The proposals have been the subject of pre-application discussions with ourselves and having carefully considered the proposals and their justification, we have stated our support for the scheme as recommended in Historic England's guidance document 'New Work in Historic places of Worship'. The application includes a statement of need. The justification for the additional facilities of a meeting room, brew space, storage and further toilet is detailed within this and has been previously accepted by ourselves, as we support the efforts of congregations to keep their places of worship in use wherever practical and we welcome proposals for additional facilities which will help sustain the buildings in the use for which they were intended.

There are, however, a number of ways in which these facilities could be provided at St Christopher's and these options are considered within the statement of need. The options include a free standing building in either the southernmost point of graveyard or on a separate parcel of land to the northwest of the church. These options have been discounted for a number of reasons, including cost and the remote location; as too has the option of providing the facilities within the existing body of the church, due to the compact nature of the building and its

sensitivity.

In light of these considerations we have accepted that of the options explored, linking a new build to the existing extension and extending along the boundary wall represents the option with the least harmful impact on the setting of the Grade I listed building and the character of the surrounding conservation area. It is recognised, however, that the projection of a new section of building forward of the tower and in some views, potentially obscuring the bottom sill of the window to the north aisle, would lead to a small level of harm occurring to the significance of the building. As such it will be necessary to weigh this harm against the public benefits of the scheme, including retaining the church in a viable use, as required in paragraph 134 of the National Planning Policy Framework.

Our document 'New Work in Historic Places of Worship' states that new work which appears to be a natural development of the church is often most successful and we have previously confirmed that we believe the architectural language, materials, mass and scale of the proposed extension help to make it less visible. The current scheme has also addressed our previously stated concerns regarding the potentially unutilised space created at the base of the tower, as a doorway has now been included, giving a function to that area.

Within our pre-application advice, we have also detailed the importance of addressing the buried remains and archaeology on the site. Whilst the application sets out that the archaeology will be dealt with at pre-application stage, this point in time has passed and we reiterate again the importance of ensuring that the archaeological matters are appropriately considered at the earliest stage.

In conclusion we considered that the need for the additional facilities to compliment the church have been justified in line with our guidance and that the preferred option represents the least harmful approach to providing these facilities and as such, we do not object to the application”.

The Society For The Protection Of Ancient Buildings (SPAB).

The Society maintains its views (letter of 12 March 2015 to agent) in respect of the design; and while we do not wish to object to the current application, we hope that there may still be an opportunity to revise the proposals in accordance with our previous advice.

SPAB pre-app advice direct to agent March 15

The Society considered this case in 2013 and concluded that a development at the West End may be the only solution to meet the needs of the parish, and that it would be the least obtrusive location for an extension. Notwithstanding this view, the Society urged the parish to ensure that all alternative options have been thoroughly explored with the LPA before permission for an extension is sought.

With regard to design matters, we had previously advised in 2013 that the proposals had much to commend them. In our view, the scheme was modest in size, not over ambitious, and the extension nestled into the village landscape. However, we did also feel that the design of the extension ought to be revised to provide a more contemporary response and clearer articulation at the juncture of the new facility and the North-West corner of the church. We therefore encouraged the preparation of thumbnail sketches to aid future discussions with ourselves and other consultees. It is disappointing therefore that we did not receive any sketches or further correspondence in this regard.

Given the character and interest of the church, its immediate setting and the wider context, we maintain our view that any new addition to the building should be modest and low key in its form and design. The current scheme, while still successfully modest and low key, does not appear to

differ greatly from the former proposal, the principal changes being to the fenestration and the relocation of the entrance.

Consequently, we would encourage further exploration of the design options and as per our advice in 2013. In particular, we would welcome further consideration to be given to a more contemporary design response and we encourage you to reconsider the possibility of locating the main body of the extension further West to improve the articulation between the church and the extension and the internal circulation.

The proposed lobby area between the church and the meeting room is worryingly tight and constrained; indeed, it is highly likely to prove very awkward in use and result in a bottleneck when people are moving between the buildings and others are waiting to use the toilets or access the storage area. Therefore, if it is possible, relocating the extension further West could open up opportunities for changes to the internal plan that would be of practical benefit to those using the building and avoid potential problems such as those mentioned above. Additionally, relocating the main body of the extension further West may also allow for improvements to the North elevation. In our view, the proposed roof to the extension is not entirely successful, particularly at the point where it meets the North wall of the church at a high level and continues along to meet the buttress. It is felt therefore that some form of visual/physical 'break' between the existing and new fabric is needed. The 'break' may be expressed through the use of different materials or through a difference in roof heights for example.

Ancient Monuments Society - Raise no concerns of principle.

Any proposal to extend a listed church is likely to involve difficult decisions. The extension might appear rather squeezed within the intended location between the ancient fabric of the church, the 1998 single storey extension and the boundary wall, and yet the "unplanned" low-key appearance that results is of itself in character with an ancient church - precisely how past generations might have chosen to add accommodation. This contextualisation is sealed by the use of natural stone for the shell and for the roof. Provided that there is strict compliance with the stated promise to use local natural stone and to re-site all the monuments that will be displaced, we have no objections to offer.

PDNPA Conservation Officer – Objects to the proposed development and makes the following detailed comments:

The agent has submitted proposals for an extension to St. Christopher's Church, in the proposed location, on 3 previous occasions (in draft form and as a planning application see history above). The proposed extension has not altered from the draft proposals seen by Officers in February 2015. Officer comments that the siting, mass, scale and design of the proposed extension would significantly harm the Grade I listed designated heritage asset, its setting and Pott Shrigley Conservation Area still apply.

The siting, mass, scale and design of the proposed extension would significantly harm this nationally important Grade I listed building and its setting, and will have a negative impact on the significance of Pott Shrigley Conservation Area. There is no clear and convincing justification for this harm and no exceptional circumstances have been demonstrated and therefore the proposed scheme is considered contrary to local and national planning policy.

PDNPA Archaeology - In line with previous advice recommends that the results of archaeological evaluation are required before the application is determined (NPPF para 128/9), but that the applicant is only required to undertake such work if the development appears otherwise acceptable to the planning authority with particular reference to the setting of the Grade I Listed Building. In its present form the application clearly does not meet the information requirements of

NPPF para 128 and should not be granted consent (NPPF paras 128/9).

The applicant has been previously advised in 2012 that an application on this site will require the submission of the results of archaeological field evaluation to establish significance and impact as required by NPPF para 128. However, notes pre-application comments in 2013 suggesting that the principle of development on the site should be accepted by the planning authority before such evaluation is carried out, presumably to avoid archaeological damage to a site that subsequently does not gain consent.

Officer Note: Officers have written to the agent to confirm the archaeological evaluation work is essential to move forward, and would be the case with either a positive or negative recommendation from officers. Without the evaluation officers could neither make a proper decision based on all the facts and the applicant would be prejudiced in any potential appeal if vital evaluation information was not available to an Inspector.

PDNPA Tree Conservation Officer

Firstly the tree report is dated 2012 and is therefore out of date and at the very least would require updating. The British Standard was updated in that year and one of the major changes concerns ingress into the Root Protection Area, which in this case is considerable. I would suggest that further consideration and need for this potentially damaging process should be undertaken, with possible alternatives. Pruning the crown and the roots in the same season would be likely to cause the tree to be unreasonably stressed and could impact negatively on the trees future.

Representations

Two letters have been received to date.

One is from the Pott Shrigley School / Village Hall and makes a general comment that during weekdays school staff and parents park all along the road which is very busy. The school building has been damaged many times by high sided vehicles turning the corner of the road.

The other letter also raises the following concerns about traffic issues:

- 1) Great concern that, apart from the two spaces allocated to the disabled, there is no reference in this application to additional parking. The Church has no designated parking spaces, as the cobbled area outside the lych gate does not belong to the Church and during the week all the spaces are taken by residents and the staff of the Pott Shrigley School.
- 2) A potentially dangerous obstruction is frequently created by cars parked along Shrigley Road whenever there is a wedding, a funeral, a meeting of the mother and toddler group in the Church or twice a day when parents collect their children from school. Motorists are forced to drive from the junction with Spuley Lane to the far side of the church on what has effectively become a single track road with no pulling in areas and poor visibility caused by a blind bend. Photographic evidence supplied (see website record for details).
- 3) More groups would use the new room thus aggravating an already dangerous parking situation. The Poynton Relief Road is likely to lead to a 25% increase in traffic passing through the village, some of which will use this section of the road. Consideration must be given to ways of alleviating what is already a dangerous situation not compounding it by increasing the number of vehicles needing to park.

Planning Policies and Legislation

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires the Authority to determine planning applications in accordance with the development plan, unless material considerations indicate otherwise.

Section 70 (2) of the Town and Country Planning Act 1990 provides that where an application is made to the local planning authority for planning permission, the Authority shall have regard to the provisions of the development plan, so far as material to the application and any other material considerations.

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 Council's planning functions and in considering whether or not to grant planning permission for development that affects a listed building or its setting. Caselaw shows that the decision maker needs to demonstrate that they have placed considerable importance and weight to this requirement.

Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 also contains a General duty as respects conservation areas in exercise of planning functions. It states that in the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions of the Planning Acts, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Policy Framework

Relevant Core Strategy policies: GSP1-3, DS1, L3, HC4.

Relevant Local Plan policies: LC4, LC5, LC6, LC15, LC16, LC20, LT11 and LT18

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

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

Great weight should be given to the conservation of heritage assets within the National Park. The more important the asset, the greater the weight should be. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent unless there are exceptional circumstances. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

The Authority's conservation policies reflect the approach taken in the Framework. L3, LC5 and LC6, together says that development must conserve and where appropriate enhance or reveal the significance of heritage assets and their setting and that other than in exceptional circumstances, development will not be permitted where it is likely to cause harm to the significance of any cultural heritage asset.

Policy L3 of the Authority's adopted Core Strategy states that development involving cultural heritage assets must conserve, and where appropriate enhance or reveal the significance of the asset: 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. NPPF paragraph 132 states that substantial harm to a Grade I listed building should be wholly exceptional.

GSP3 and LC4 together say that all development must respect, conserve and enhance all valued characteristics of the site and buildings subject to the development proposal. Particular attention will be paid to impact on the character and setting of buildings, scale of development, design in accordance with the design guide and the impact upon living conditions of communities. L1 says that all development must conserve the landscape character of the National Park. LT11 and LT18 require development to be served by a safe access and have adequate parking and turning space.

Policy HC4 relating to the provision and retention of community services and facilities provides encouragement for the principle of improving existing community facilities within settlements.

It is considered that policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and more recent policy in the Framework with regard to the issues that are raised because both documents seek to promote sustainable development which conserve and enhance the National Park and its designated heritage assets. Therefore the relevant development plan policies should be afforded full weight in any planning decision on this application.

In considering whether to grant planning permission for the proposals the Authority is obliged to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The Pott Shrigley Conservation Area Appraisal is also a relevant material consideration as is the Authority's design guide (2007) and Alterations and Extensions Detailed Design Guide (2014).

Assessment

The key issue is considered to be whether the proposed development would conserve the significance of the Church (including below ground archaeological significance) and its setting, the setting of nearby listed buildings and the Pott Shrigley Conservation Area. The secondary but nonetheless important issue is the impact of the proposed use of the extension upon local parking pressures and thus highway safety.

The Church is a Grade I listed building and therefore for policy purposes is a designated heritage asset of exceptional significance (being in the top 4% of listed buildings) and of national importance. The church cottages to the south and the Primary school / village Hall to the east are Grade II listed buildings. The Church is located in the centre of the village, within the designated Pott Shrigley Conservation Area, and is a well-used focal point for the village and wider community. Local and national planning policies are clear that while extensions and alterations to designated heritage assets such as listed buildings are acceptable in principle, the development must conserve or enhance the significance of the affected heritage assets.

Significance in terms of heritage policy is defined in the NPPF as the value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting. There is a very strong presumption against development which would have a harmful impact upon significance unless that harm can be demonstrated to be outweighed by the public benefits of the development.

The Church has been established on the site for centuries and, by all accounts, is as busy and well used as ever e.g. it holds two Sunday morning services. There is no evidence therefore to suggest that the church is not viable or that the proposed development is necessary to secure the optimal viable use of the heritage asset. The church is also in good condition and clearly well maintained. Officers clearly understand that the existing single WC and brew facilities are less than ideal for the current level of use, however they also recognise they were approved in 1999 as an acceptable compromise which balanced the harm against the need. They are housed within the existing extension which was then, as now, considered by officers to be the maximum size that could possibly be added on this elevation of the church without causing significant harm. Consequently, any need for larger facilities was clearly flagged up by officers both at that time and on many occasions since, as needing to be housed separately elsewhere on the site. Whilst the church has clearly operated and indeed thrived with the current facilities over the last 16 years, nevertheless it is clear that improved facilities would bring some public benefit for the congregation and other users and would further sustain the church's use. Officers therefore consider it would be a public benefit upon which some weight could be placed.

The submitted application is supported by a Heritage statement which identifies in some detail that the significance of Saint Christopher's Church and its boundary wall is derived from having Evidential Value, Historical Value, Architectural Value, Aesthetic Value and Communal Value. Your officers generally agree with the assessment of but take issue with some aspects of the heritage assessment as set out later in this report.

The applicant's Heritage Assessment concludes that:

'Although the proposed building is in a generally traditional rather than contemporary style, it is in a high-quality design with a glass entrance screen adjacent to the historic building and has been carefully sited to minimize its impact on both the setting of the listed building and the Conservation Area and will not change the character substantially. Other siting options have been carefully considered and rejected for reasons outlined. Although the proposed building will have an impact on the historic building, its setting and the Conservation Area, the proposals are considered to constitute less than substantial harm in planning terms.

This harm should be off-set against the public benefits of the proposals. The new building will result in the provision of additional space and facilities for Saint Christopher's Church and, by enabling the congregation to grow, a further source of income to enable repair and maintenance which will enable the continued use of the historic building and which is considered to be a significant public benefit.'

Officers have some significant concerns about some of the evidential and interpretation aspects of the applicants' heritage assessment which are set out below in more detail. Although Officers generally agree with the applicants on the main point that the main significance of the Church is derived from its historical and architectural evidence as a rare surviving and relatively untouched example of a C15th church, officers have consistently advised against this proposal and, in direct contrast with the agent's conclusions, consider the harm would be significant and would lie toward the higher end of the 'less than substantial harm' scale.

It is important to note that the proposed extension has not altered from the draft proposals seen by officers in February 2015. Officer pre-application advice given then that the siting, mass, scale and design of the proposed extension would significantly harm the Grade I listed designated heritage asset, its setting and Pott Shrigley Conservation Area still apply.

Two of the most important elements of the church's historic significance are its external symmetry and the fact that its exterior remains virtually unaltered since its phased construction in the 14th to late-15th/early-16th centuries. All elevations display features typical of the Perpendicular phase of Gothic Architecture (dating from the mid-14th to the early-16th century), characterised by strong vertical lines, with the rigid lines of window mullions often continuing upwards to the top of the arch itself, and with flatter, four-centred arches. These elements create a balanced, unified whole, and make a highly significant contribution to the historic character and appearance of the church.

The proposed extension would disrupt the balance and destroy the symmetry of the building, having a permanent negative impact on its historic character and appearance and causing a high level of harm to its significance. It would also dominate the north and west elevations of the church, permanently covering part of the diagonal buttress to the north aisle, obscuring part of the west elevation of the north aisle and its large window as well as blocking views of the lower part of the tower from the north and north-west.

The submitted Heritage Statement justifies the harm which the extension would cause to these elevations by assessing them as “of lesser significance”: the west elevation as views of it are constrained by the yew trees”, and the north being described as “of least importance as it contains less designed detail and views are further constrained by its proximity to the boundary wall and the road”.

These assessments are considered erroneous, firstly, if parts of a listed building are partially obscured from view, whether by vegetation or a low wall, this does not reduce their historic significance. Secondly, the north aisle had been constructed by at least the end of the 14th century and represents some of the oldest, and therefore most historically significant fabric on the building, with tall, vertically-proportioned Perpendicular Gothic lights with trefoil tracery and with four-centred arches above the east and west windows. The tower on the west elevation is also one of the most prominent and significant features of the church, as the Heritage Statement itself recognises: “The tower is unusually massive for the size of the building”. Contrary to the assessment in the application, therefore, the north and west elevations are of considerable significance and the proposals will result in a high level of harm to the Grade I listed church and its setting.

The application's assessment of the significance of the north boundary wall and gateway is also questionable. The Heritage Statement asserts that the existing boundary wall at the north-west corner of the church post-dates 1910. However, the First Edition Ordnance Survey (1871) map clearly shows the gateway and the existing paths through the churchyard still in situ. The third edition Ordnance Survey map (1909) is considerably less detailed than the First Edition, and shows no gateways or paths. The gateway may therefore be of more historic interest than has been presumed in the application. An assessment of significance of the gateway and of the associated stone steps is required before a decision can be made concerning its removal.

The long roof of the proposed extension will be clearly visible beside the churchyard boundary wall when viewed from Shrigley Road, and the blocking from view of significant parts of the church will have a negative impact on the character and appearance of the Pott Shrigley Conservation Area.

Regarding design and detailing of the proposed extension; any extension in this location should be on the smallest footprint possible, should avoid wrapping around the diagonal buttress and obscuring the west window of the north aisle and should avoid projecting beyond the diagonal buttress to the tower. Officers have previously and consistently advised that the existing WC extension is the largest possible in this location without harming the building and strongly encouraged the applicants to look at alternative locations elsewhere in the churchyard.

The applicants could have considered a more contemporary design, utilising a palette of traditional materials, as advised by SPAB in 2012 and 2015. In the submitted proposal however, having followed a traditional approach to the design, the black painted timber gablet louvre vent abutting the external wall of the north aisle, the soil vent pipe through the roof and vents in the roof slope would be unsightly, non-traditional and inappropriate in such close proximity to the Grade I listed structure. Full scaled drawings of windows and doors would also be required; none have been provided although these could have been conditioned had the development been acceptable.

Whilst it is clear that the proposed extension will harm the significance of the Grade I designated heritage asset, its setting and the Conservation Area, the comprehensive options appraisal, previously requested by Officers demonstrating that all possible alternative solutions have been fully explored and clearly setting out any exceptional circumstances, has not been provided. The submitted heritage assessment does cover alternative options but in little detail and officers remain unconvinced that options for improvement to or extension of the existing Village Hall, in order to meet current needs and to address the problems of level access, have been fully investigated. Alternatively, whilst a separate building within the grounds would not be ideal, given the clear harm to a nationally significant Grade I listed building, such alternative options merit greater consideration and liaison with officers before they can/should be ruled out. The submitted statement does not thoroughly investigate these and in ruling some out due to adverse impacts upon trees or other matters fails to weigh those constraints against the far greater impact and harm to the Grade I Listed building.

Archaeological considerations

The proposed extension would clearly impact upon the below ground archaeology of the site which is part of the significance of the Church and its setting. The need for such an evaluation was flagged up in pre-application advice, as well as post submission, however, to date none has been submitted. The reason for this was stated that the agents wished to establish that the principle of the development would be accepted first by the Authority, before committing to further expense. The officer's advice has been consistent over several years and in any case irrespective of the officer view a suitable archaeological evaluation is an essential part of the information requirements to properly consider the impacts of the proposal. In the absence of a suitable evaluation of the below ground impacts of the proposed development upon the existing graves and any other potential features there is insufficient information available to officers, and indeed statutory consultees to make a fully informed judgement on the impacts and thereby carry out the balancing exercised required by the NPPF in first assessing the degree of harm and whether this could be outweighed by the public benefits.

Access and Highway considerations

The application plans indicate two disabled parking spaces within the end of the woodland TPO, just outside the western pedestrian gate into the churchyard. This is presently a rough informal parking/turning area which actually lies outside the application site area (but owned by the church) and already appears to be in informal use. The proposed parking area currently lies under the canopy and root protection area of trees within the designated TPO. No details of the proposed work are submitted other than a note of it being an opportunity to create a level area for accessible parking and access into the church which raises concerns about potential impacts

upon the trees which have not been fully assessed within the application. As an existing parking area, the formal designation of the spaces by the church for accessible use is acceptable in principle; however being outside the application site area they currently do not form part of the current application.

There is clear evidence of parking congestion around the vicinity of the church during school pick up times and when services/functions take place within the church and/or village school/hall. As a break-out room for church functions the extension should not add to any parking situation as the users would already be attending the function. This fact is recognised by the Highway Authority who has raised no objections. Officers understand and have some sympathy with the local concerns about parking and congestion. However, the agent has confirmed that the use of the extension will be entirely in connection with the use of the church as a place of worship. Therefore although there are clearly no highway grounds to refuse the application, officers consider that a condition restricting use of the meeting room to purposes ancillary to the use of the church would be appropriate in the circumstances. This would avoid adding to the amenity and highway problems caused from parked vehicles which may occur by allowing independent use of the meeting room without suitable off-street parking.

Other considerations

Given the scale and location of the proposed extension in relation to nearby residential across Shrigley Road there are no concerns that the proposed development would result in any overlooking or loss of sunlight or daylight which would harm the amenity or privacy of any neighbouring property.

The impact of the extension upon the existing yew tree in the churchyard, and the formalisation of the parking area within the area of the TPO (although not within the red line site area) are not fully considered by an up to date arboricultural assessment. The submitted arboricultural report is missing key appendices and being from 2012 pre-dates updated British Standards for tree work which in particular has strengthened advice regarding avoidance of root protection areas. The 2012 report and proposed plans clearly show development within the root protection area of trees and acknowledges some damage will be caused which needs to be assessed in the light of current guidance. Had the development been acceptable in principle officers would have pursued an updated report taking account of current guidance for tree work and taken further advice from the Authority's Tree Conservation Officer. In the absence of such a report the impact upon the trees cannot properly be determined.

Conclusion

It is considered that taken as a whole, the siting, scale, massing and detailed design of the proposed extension would result in very clear and significant harm to this nationally important Grade I listed building and its setting, and will have a negative impact on the significance of Pott Shrigley Conservation Area. The level of harm would lie in your officers view, toward the upper end of the scale comprised within the NPPF's term of "less than substantial harm" (substantial harm being demolition or substantial loss of significance). Furthermore the application fails to provide sufficient evidence of the impact of the development upon the below ground archaeology resulting in an incomplete understanding of the full impacts of the proposed development. Finally the impacts of the development upon trees cannot properly be determined in the absence of an up to date arboricultural assessment.

No exceptional circumstances have been demonstrated to justify the harm so far identified. In the absence of exceptional circumstances alongside a lack of a sufficiently detailed consideration of alternative ways of meeting the need, the level of public benefit arising from the proposal fails to provide any clear and convincing justification to outweigh the significant harm so far identified. It is therefore concluded that approval of the proposal fails to conserve and enhance the special

interest and setting of the Church contrary to Section 66 (1) of the Planning (Listed Building and Conservation Areas) Act 1990 and the Conservation Area (Section 72) and would be wholly contrary to Core Strategy policies GSP1, 2 and 3 and L3, Local Plan policies LC4, LC5, LC6 and the National Planning Policy Framework.

The proposed development would not result in any harm to the amenity of neighbouring properties or highway safety however these issues do not provide any overriding weight either for or against the proposals.

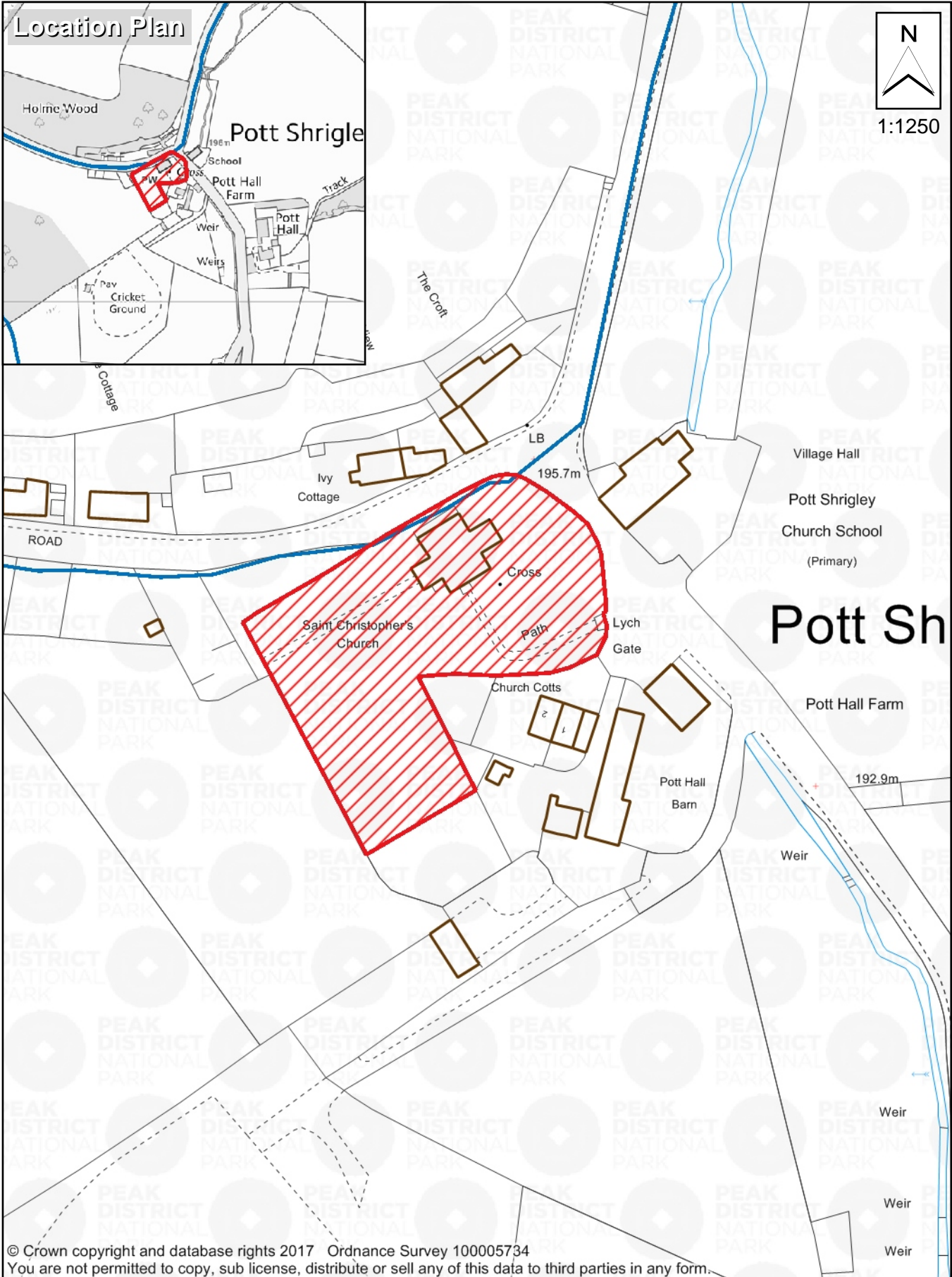
In the absence of any further material considerations to indicate otherwise, the application is recommended for refusal.

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



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Committee Date: 10/03/2017
 Item Number: 10
 Application No: NP/CEC/1215/1153
 Grid Reference: 394469, 379169

Title: St Christopher's Church
 Shrigley Road
 Pott Shrigley



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11. FULL APPLICATION – CHANGE OF USE FROM A2 TO A3: FROM BANK TO RESTURANT AT BANK HOUSE, MAIN ROAD, HATHERSAGE (NP/DDD/1016/1081 423019 / 381537 P2054 & P6715 SPW 03/11/2016)

APPLICANT: MR SAM BELL

Site and Surroundings

Bank House is a prominent building situated on the north side of the main road within the centre of Hathersage village and within the designated Conservation Area. The building until recently housed the Nat West Bank but is now vacant. It is a three storey building built from natural gritstone under a slate roof and being a former bank was built in a formal architectural style reflecting its former use. The building forms a key focal point in the streetscene mainly as a result of its scale and positioning immediately at the back of the footway but also helped by the presence of a small triangular off-street parking area immediately to the west of the building which allows uninterrupted views of the building all the way down main street to the west. Although the main building is three storeys on the north side, the building is part two storeys under a flat parapet roof alongside which, at ground level, is a small open yard enclosed behind a tall boundary wall.

To the north of Bank House across a very narrow street is a terrace of 3 listed buildings, 1-3 Bank Cottages which face Bank House. These are also three storeys, but much lower in overall height than Bank House. Building to building these are approximately 6m apart and therefore there is a close relationship here between the windows of Bank house and the terrace.

There are dwellings across from Bank House on the opposite (south) side of the Main Road at a distance of approximately 15m.

Proposal

The change of use of the building from a bank to a restaurant. Externally there is only one change which is that the proposed kitchen extract/flue would terminate on the flat roofed section on the north side of the building.

Plans show the ground floor of the building would include informal dining and bar/lounge area, the first floor would house formal dining and the kitchens with the 2nd floor having a function room, administration office and managers accommodation. The number of table covers proposed is approximately 50 including informal tables. The proposed opening hours of the restaurant are 10:00 – 23:00 daily.

The plans show 3 signs which do not form part of the proposal as signs are covered by the advertisement regulations. These would therefore need to form part of a separate application for advertisement consent and a footnote to this effect is suggested in the event this application is approved.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions

- 1. Standard time limit for commencement**
- 2. Development in complete accordance with the submitted plans BH4, BH3, and specifications.**

3. The premises shall be used as a restaurant (use class A3) and for no other purposes.
4. The bins shall be stored only within the walled yard area shown on the approved plans 'BH4'.
5. Prior to commencing any development whatsoever the final detailed specification and design for the kitchen extraction and filtration system (to prevent noise and odour nuisance) shall be submitted to the Authority for approval in writing. This shall achieve a target level of no more than 33dbLAeq 1m from the façade of the nearest dwellings (1-3 Bank Cottages). The specification shall be agreed prior to the system being commissioned and the ventilation system shall not be installed other than in complete accordance with the agreed details and shall then be permanently so maintained throughout the lifetime of the development to prevent noise and odour nuisance.
6. Prior to commencing the use hereby permitted the recommendations in the Noise impact assessment '12093.01.V1' shall be carried out to the premises and permanently so maintained. If at any time during the lifetime of the development the premises are intended to be used for 'Higher Sound levels' as defined in submitted assessment, then the 'Higher Sound Levels' recommendations shall be fully implemented prior to any such an event and shall thereafter be permanently so maintained. Any alterations to the external appearance of the property required shall be submitted for approval in writing by the Authority prior to any works being carried out.
7. Throughout the lifetime of the development, the use hereby permitted shall be operated in complete accordance with the submitted Noise, Odour and Environmental Management Plan 'BHEvPlan1'. Prior to incorporating any changes as a result of the planned reviews to the Noise, Odour and Environmental Management Plan these shall first be submitted for approval in writing by the Authority and thereafter carried out in complete accordance with the agreed details.
8. The opening hours shall be restricted to 10:00 – 23:00.
9. There shall be no live music on the premises unless a noise management plan is submitted and approved.
10. Deliveries and collections shall be limited to between 8:30 and 17:30 on Monday to Friday only, 8:30 to 13.00 Saturdays. There shall be no deliveries or collections on public holidays or Sundays.
11. The manager's accommodation shall be ancillary to and remain within the same planning unit as the Restaurant hereby approved.

Footnote: Planning permission does not grant consent for any signage which would need to be subject to a separate application for advertisement consent.

Key Issues

- Is the principle of loss of the financial and professional use (A2) acceptable and within the terms of Core Strategy Policy HC4?

- Is the proposed use for a restaurant acceptable and within the terms of CS HC4, HC5 and LPP LS1?
- Is the impact of the proposed use acceptable on its setting – with particular reference to the amenity of adjacent residents?
- Will the proposal conserve the character and appearance of the Conservation Area or affect its significance?

History

1990 – NP/WED/1289/702 Change of use of flat to office – Granted and implemented.

2011 – NP/DDD/0611/0521 Permission granted for the change of use and conversion of the 1st and 2nd floors to 2no residential units. This included a condition that -There shall be no external storage of materials or equipment, including refuse sacks, waste bins, wheelie bins or similar within the application site, including the car park or on the adjacent footways at any time. The only exception to this shall be for waste materials to be put outside awaiting collection on the designated day for the municipal waste collection service.

2016 – Enquiry 27281 Pre-application advice was offered explaining that CS HC4 and HC5 are permissive of the principle of change of use from Bank to Restaurant, subject to justifying letting the existing community use go and considering other community uses and no adverse impact on its surrounding. Officers also explained that the kitchen flue would need to be sited discreetly and not harm the amenity of neighbouring properties.

Consultations

Highway Authority – No objections.

District Council Planning – No response to date.

District Council Environmental Health – 20.12.2016 Initial concerns in relation to noise and potential odour from the change of use. Therefore recommend a noise impact assessment be undertaken with regard to the activities planned and corresponding mitigation and also details of any kitchen extraction system with reference to noise and odour and how these will be mitigated.

21.02.2017 In receipt of the noise and odour management plan. Satisfied with the contents and recommend the following:

- That a condition be applied to agree the final specification (for odour and noise) for the ventilation system once designed and that the target noise level of 33dB LAeq be applied 1m from the façade of the nearest dwelling. The specification should be agreed before commissioning.
- That a condition requiring the noise consultant's recommendations be implemented where required and if the function room is to be used or any other part of the building for live music the LPA is consulted and any further noise control measures agreed.
- The hours of 10:00-23:00 be restricted by condition.
- If the Noise, Odour and Environmental Management Plan is altered the LPA is consulted.

Parish Council – Strongly objects; their full response can be seen on the website. In summary the objections are raised on the following grounds:

- Highways issues and car parking - There is not adequate off street parking space available, nearby on road parking is limited to 40mins between 8am to 6pm. The larger

150 space pay and display carpark is 150m away and accessed via a narrow unlit footpath. No provision mentioned for parking for delivery vehicles. A permanent right of way providing access to the rear of Bankhouse and access to Bank Cottages and Besom Lane properties is via the narrow 'lane' to the east of the building. Both of these need to remain clear for emergency vehicle access.

- Noise and disturbance resulting from use - The proposal is to open from 10:00 to 23:00. The Grade 2 listed Bank Cottages are only 6.5 metres from the building, with the proposed extractor fan sited opposite the bedroom windows. Collection of trade waste, emptying of rubbish as the staff members clean up will generate noise. Customers leaving the premises late at night will create a disturbance in the area. The daytime opening hours will have an impact on all the other businesses in the area.
- Odours - Cooking smells via the extractor are opposite bedroom windows. The siting of waste bins appears to be intended to be within the 6.5 metre cobbled area, potentially emitting smells within a very confined space.
- Impact on listed buildings and Conservation Area - Bank House is within the village conservation area, behind it are 3 Grade 2 listed cottages set within a cobbled area. As they are listed buildings, the residents of the cottages cannot fit double glazing or alter the cottages in any way to mitigate the effects of noise, smells or lights emanating from a restaurant so close to them. Access for trade waste disposal is potentially over the cobbled area, likely to cause harm to the cobbles. It is an historical site of a brass button making factory. It is visited regularly by school parties and tourists. It is also used as a location for wedding photos. Additional trade waste bins, traffic, cooking smells, external lighting and signage will all have an impact on the ambience of the area.
- Disabled persons access to the building - The application proposes disabled access through a side door on the eastern side. This opens onto the narrow right of way with vehicle access, and does not allow the provision of disabled parking.
- Risk of flooding - Dale Brook (which flooded School Lane and Hathersage Hall on 21st November 2016) runs directly under the building. This causes some concern regarding the disposal of trade effluence.
- Effect on the village - The Parish Council are keen to see the building being used and not left to stand empty for a long period, but do not feel that this proposal meets the needs of the village. More diversity of businesses is needed. Within 50 yards of the building there is a café open during the day and summer evenings; 2 Indian restaurants both open evenings for takeaways and dining in: within easy walking distance are 3 further cafes, 2 day time only, one of which is within the outdoor clothing shop & providing its own car park), 1 day time with bistro evenings and The George Hotel offering fine dining with its own large car park. Bank House is in the centre of the Conservation Area, surrounded by Grade 2 listed buildings. The application does not acknowledge the significance of this.

Representations

21 representation have been received. 13 object to the proposal and 8 support it.

Objections are raised on the following grounds:

- 6 parking spaces is not enough parking spaces for the staff and customers the restaurant can hold.
- The proposal will raise parking issues.
- There is no vehicular access to the bin store which is proposed to the rear.
- Access is required at all times to the properties behind for residents and emergency vehicles.
- Concern about noise from customers walking to the premises and ambient music for private functions.
- Concern about noise from the extractor fan and from the kitchens and bin store.
- Smells from the bins will attract vermin.

- Proposal will impact on the amenity of nearby neighbours, particularly in the summer months.
- As the properties behind are grade 2 listed they may not be able to install double glazing to mitigate the impact of noise and odours.
- Overlooking of nearby residential properties. Not previously a problem with the bank as it was open 9-5. The property would overlook the Livingroom and bedroom windows of 6 Ibbostones farm cottage,(these are on the opposite side of the Main Road).
- Impact of lighting on nearby properties.
- No need for further restaurant business in the area.
- A restaurant of this size is completely inappropriate for the village.
- Serious and detrimental effect on the quality of life of the occupiers of dwelling close by.
- Kitchen smells will be overpowering on nearby residents.
- There will be a substantial increase in noise levels from customers, the kitchens and it is highly likely that in the summer the external doors would be left open. The rear doors are very close to the cottages behind and noise from this will affect residents.
- The internal bin store area is too small and if large trade bins were located in the cobbled area this would have a serious and detrimental affect on the cottages behind. With odour and vermin implications.
- Detailed plans need to be submitted to show where the bin storage will be as the storage shown appears to be inadequate.
- Secure cycle parking should be considered.
- The appearance of the parking area at present is unsightly and there is opportunity to upgrade it by improving materials.
- Proposed extractor only a few meters away from the windows of occupant's bedroom and sitting room on the first and second floors. The noise would make it much less pleasant to use these rooms. Smells would also make it unpleasant to open windows to these rooms.
- Initial statements about background noise levels are inaccurate.
- At present after approximately 7.30pm the area is complexly silent the noise would completely change the silence and tranquillity of the area.
- Bins would also be noisy.
- Access – Large vehicles bringing in goods in bottles, barrels and food supplies all have to go in at the small door on the north side of the building. Refuse waste, food fats, bottles and barrels have to go out of the same small back door.
- Potential for blockages on Bessom lane and the property behind the post office.

Support is raised on the following grounds:

- A new restaurant in Hathersage can only benefit the local economy.
- There is a large public carpark nearby which is often under occupied.
- As one of the two most prominent building in Hatherasage to be underutilised this could avoid it becoming derelict.
- Positive for locals and visitors.
- It will create jobs.
- A welcome alternative restaurant, and more refined place to enjoy a drink.
- Don't consider the traffic/parking situation will change drastically.

Main Policies

Relevant Core Strategy policies: DS1, GSP1, GSP2, GSP3, GSP4, L1, L3, HC4, HC5.

Relevant Local Plan policies: LC3, LC4, LC5, LC6, LS1, LT10.

Assessment

Principle of releasing the existing community facility of a bank for the proposed use as a restaurant.

Core Strategy Policy HC4 sets out the criteria for considering the change of use of a community facility stating that proposals to change the use of buildings or sites which provide community services and facilities including shops and financial and professional services to non-community uses must demonstrate that the service or facility is:

1. No longer needed; or
2. Available elsewhere in the settlement; or
3. Can no longer be viable.

It goes on to say that *'Wherever possible the new use must either meet another community need or offer alternative community benefit such as social housing. Evidence of reasonable attempts to secure such a use must be provided before any other use is permitted.'*

In this particular case the existing bank has already ceased trading from the premises and stands vacant and is a prominent building in the Conservation Area. There is another bank and automated telling machine elsewhere within the village centre so the community facility is available elsewhere in the settlement. As this is a village centre location officers consider it is important that the site is in an active use which contributes to the vitality and viability of the village centre.

A new restaurant as proposed is considered to offer another use of community benefit so is considered to be compliant with policy HC4. This is because the restaurant will offer another active facility to the village centre contributing positively to its vitality and viability and offer some employment. Furthermore it is not considered that it would erode its primary retail function as there is no loss of a retail unit.

The principle of the proposed use is also in accordance with CS Policy HC5 C which is permissive of premises for the sale and consumption of food and drink in villages provided there is no harm to living conditions or to the role or character of the area, including its vitality and viability. This report will consider impact on living conditions in another section (Impact of the proposed use on its setting). The principle of the proposed use is also in accordance with Local Plan policy LS1 which is permissive of development to provide for the sale and consumption of food and drink in settlements provided it does not erode the primary retail role of the area or harm its character, viability and vitality.

Considering the above, the proposal is considered to be in accordance with the policies of the development plan insofar as they seek to retain existing community uses, set criteria for letting existing community uses change and steer a change of use to other uses of community benefit. The proposal is also in accordance with the policies of the Development Plan that deal with the principle of change of use to a restaurant.

Impact of the proposed use on its setting.

Core Strategy Policy GSP3 and HC5, and Local Plan Policy LC4 protect amenity and the living conditions of neighbouring properties.

Officers were initially concerned that the location of the kitchen extract is on a flat roof to the rear of the building and although higher than the neighbouring dwellings windows it has a close relationship with these dwellings. Because of this close relationship and a concern from officers that the noise and odour issues from the kitchen extract may not be resolvable Officers have asked the applicant to consider routing kitchen extract through the existing chimneys in the

building but the applicants have already explored this option and found that the diameter of the chimney is not wide enough to line it with the necessary flue.

A comprehensive environmental noise and odour statement has been submitted as supporting information following concerns from the district council Environmental Health Officer. This has been scrutinised by the Environmental Health Officer and it has been accepted that details of the kitchen extraction unit can be reserved for approval as the potential adverse impacts from noise or odour are capable of being dealt with through the design of the unit.

Officers consider that if a planning condition is used to secure these details then it would need to be a true pre condition that does not allow any development until these details are agreed. This is because there remains concern from officers that a restaurant without a kitchen extraction unit is not capable of functioning and therefore the entire acceptability of the scheme relies on the detailed design of the kitchen extraction unit being designed, submitted and approved.

The noise and odour impact assessment considers all potential noise and odour impacts from the proposed use and provides a Noise, Odour and Environmental Management Plan which is accepted by the Environmental Health Officer and can be required to be implemented and adhered to throughout the lifetime of the development by planning conditions. The Environmental Health Officer has also recommended that the proposed opening hours are restricted by planning conditions.

The noise and odour impact assessment also proposes a number of measures to limit noise from the property and a way to review any issues arising for example if neighbours complained and to update the noise and odour impact assessment and mitigate further if necessary, a planning condition can secure these measures.

The assessment explains that although a function room is shown it is not intended to be for live music. The Environmental Health Officer has recommended that if live music is wanted in the function room or any other part of the building the LPA would need to be consulted and further noise control measures agreed. To achieve this planning condition can be used which states that there shall be no live music at the premises, unless a noise management plan is agreed.

Officers have also considered the impact of the proposed use on the amenity of this terrace of dwellings (Bank Cottages) by way of overlooking, particularly because of the close relationship between the openings in the rear of Bank House in relation to the windows in the terrace of dwellings. The windows in this rear elevation remain the same as existing. On the ground floor the window is to a store. On the first floor the window is to the kitchen, the staff stairs/fire escape and food preparation area and on the second floor the windows are to the manager's bathroom and manager's kitchen/living room. The impact of the existing use in comparison to the proposed use in terms of overlooking is considered to be similar and does not represent an increased impact by way of overlooking.

Some objectors have also raised concerns about overlooking. With regard to the property over Main Road, as these properties are on the other side of the A. road, officers do not consider that the amenity of these properties would be affected significantly enough to warrant refusing the application. In this respect it should also be noted that previously planning permission has been granted for the use of the first and second floor as dwellings.

Noise from bin storage has been raised as an issue in the representations. The Noise and Odour and Environmental Management plan deals with this issue limiting the times that refuse can be brought from the interior into the bin store from 09:30 to 21:30. Odour from the bins has also been raised by objectors, however officers consider that the location of the bins in a walled yard area should ensure that odour issues do arise.

Considering the above, the amenity and living conditions of nearby residents should not be adversely affected by the proposal. The proposal is therefore considered to be in accordance with the policies of the development plan insofar as they protect residential amenity and living conditions.

Impact on Heritage Assets.

CS Policy L3 and LPP LC5 would not permit development that failed to conserve or enhance the valued characteristics of the Conservation Area or which harmed the significance of a heritage asset. Local Plan Policy Would not permit development that harmed the setting of a Listed Building.

The building is not listed but is considered to be a heritage asset within the designed Conservation Area. The proposal itself has only very limited impact on the external appearance of the building. There will be some replacement signage (not part of this application) there is a flue/kitchen vent proposed to the flat roof of the rear of the building. The location for flue is considered to be discreet in terms of its visual impact on the building and its Conservation Area setting, and it will not harm the setting of the nearby listed buildings.

A number of the representations that have been received express concern about the potential of bins to affect the character and appearance and visual amenity of the area. This is understandable. As the bin storage would be where shown on the plans/ in an external walled off courtyard, it is reasonable to overcome these concerns with the use of a planning condition that requires the bin storage to be limited to this area.

Some concerns have been expressed about the potential harm to the cobbles from delivery vehicles. The Highway Authority has not objected to the scheme so there are no grounds to suggest that the street cannot take the comings and goings from delivery vehicles.

The proposal is therefore considered to be in accordance with the policies of the development plan insofar as they relate to Heritage Assets and their settings.

Highways and Parking

Parking and highways issues have been raised by the Parish Council as well as in the representations. However as the lead consultee on these matters the Highway Authority (Derbyshire County Council) has raised no objections, the proposal is considered to be acceptable in highways terms. It should be noted that the Authority's LPP LT10 requires that parking be of a very limited nature for private non-residential parking and CS T7 restricts non-residential parking in order to discourage car use. The proposal is considered to be in accordance with the policies of the development plan insofar as they relate to parking provision.

Manager accommodation

The manager's accommodation is on the top floor and very closely related to the proposed restaurant. A planning condition will be required to ensure that this is ancillary to and remains within the same planning unit as the restaurant.

Flood Risk

The Parish Council has raised the issue of an existing water course already being culverted under the premises. The proposal does not propose anything that would physically affect this. As the site is not within a flood zone there is not considered to be any risk of the property flooding.

Conclusion

Subject to conditions the proposed use is acceptable and considered to be in accordance with the policies of the development plan and will contribute positively to the vitality of the village centre.

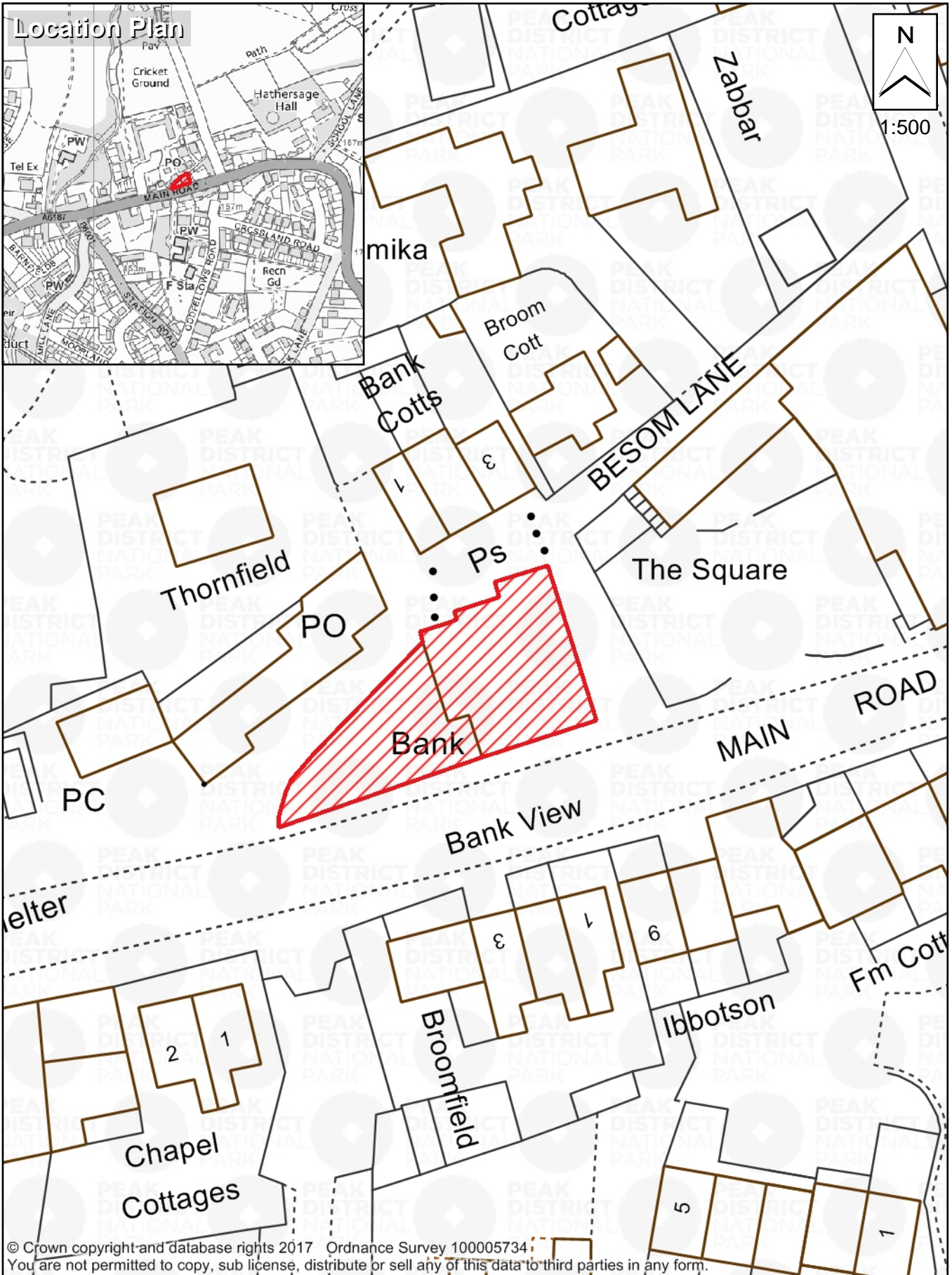
Human Rights

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: 10/03/2017
 Item Number: 11
 Application No: NP/DDD/1016/1081
 Grid Reference: 423019, 381537

Title: Bank House
 Main Road
 Hathersage



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12. FULL APPLICATION – USE OF LAND TO ACCOMMODATE UP TO 25 TENTS DURING THE MONTHS OF MAY AND SEPTEMBER AT BARN FARM, BARTON HILL, BIRCHOVER (NP/DDD/1216/1226, P4930, P1163, 15/12/2016, 424376/362275/ALN)

APPLICANT: MR M COOPER AND MR HEATHCOTE

Site and Surroundings

Barn Farm is situated on the eastern side of Birchover village, approximately 320m from the edge of the settlement and the Conservation Area and therefore in open countryside for planning Policy purposes. It is no longer a working farm and operates as a camping and caravan site. Most of the land in ownership that is not used for camping and caravanning is rented by a local farmer for grazing. Access to the site is gained off the eastern side of Barton Hill Road via a surfaced track. A public right of way (Birchover footpath no. 6) runs in a west east direction along the access track to the property before heading south across open fields. A further right of way (Birchover footpath no. 4) runs north south from Lees Road, through the application site. The land rises up to the north abutting Barton Hill and Lees Road. The edges of the land next to the road have been landscaped, with semi mature trees and shrubs. The site is open between Easter and 31 October each year.

The application site consists of a field to the north of the main group of buildings and is known as the 'Stanton Moor Field'. It covers approximately 8765 sqm.

Proposal

Planning consent is being sought to allow tented camping for up to 25 tents, (**not** restricted to Duke of Edinburgh Award (D of E) users) to be accommodated on the 'Stanton Moor' field (the application site) during the months of May and September. Permission is already in place to use the field in question for such a use during the months of June, July and August.

A submitted Planning Statement explains that the proposals would enable Barn Farm to remain the competitive whilst supporting the local rural economy and National Park purposes.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions:

- 1. 3 year implementation time limit**
- 2. Adopt submitted plans**
- 3. During June, July and August there shall be no more than 25 tents on Stanton Moor Field at any one time. Outside of these months, camping shall be restricted to persons undertaking or supervising the Duke of Edinburgh Award Scheme only.**
- 4. A log of campers (including names and addresses) using the application site shall be kept and made available to the Peak District National Park Authority on request. For those involved in the Duke of Edinburgh Award Scheme the log shall additionally include Duke of Edinburgh ID numbers and the name of the organisation co-coordinating the scheme.**
- 5. Written notification shall be given to the Peak District National Park Authority of implementation of this consent within one week of implementation.**

- 6. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 (or any order revoking amending or re-enacting that order) no camping other than that hereby approved shall take place within the site area edged red without the Peak District National Park Authority's prior written approval.**

Key Issues

1. Impact on the valued landscape character of the area.
2. Impact on the amenity, privacy or security of residential properties in Birchover.

History

June 1980 – consent granted for use of land as caravan site (25 vans) NP/WED/480/249).

March 1984 – consent granted for conversion of barn to camping barn (NP/WED/1283/530).

February 1985 – consent granted for erection of shower block and toilet.

August 1985 – consent granted for campsite (NP/WED/0585/206).

March 1992 – consent granted for field study centre and dormitory accommodation with toilets (NP/WED/0192/032).

November 2008 – application for lawful use certificate refused for use of land as a caravan park without compliance to condition 3 of WED/480/249 (No Caravan shall remain on site for a continuous period exceeding three weeks) (NP/DDD/0808/0734).

December 2008 – Application for lawful use certificate for use of land as a campsite refused (NP/DDD/0808/0733).

December 2008 – Application for lawful use certificate for use of land for the storage of touring caravans refused (NP/DDD/1008/0931).

March 2009 – lawful use certificate refused for use of land as a caravan park without compliance to condition 3 of WED/480/249 (No Caravan shall remain on site for a continuous period exceeding three weeks) (NP/DDD/0109/0040). Subsequent appeal withdrawn.

November 2009 – Lawful use certificate granted for storage of touring caravans (NP/DDD/0109/0042).

November 2009 – Application for Certificate of Existing Lawful Use for use of land as a campsite refused. (NP/DDD/0109/0041).

June 2011 – Permission granted for change of use to campsite shop (NP/DDD/0211/0070)

February 2012 – Letter written to agent following a site visit from the Authority's Monitoring and Enforcement Manager regarding concerns over the use of the site beyond the scope of the planning permissions.

August 2012 – Lawful development certificate application refused for use of building as camping barn (Sabine Barn) (NP/DDD/0612/0574).

September 2012 – application to accommodate additional camping pitches refused (NP/DDD/0614/0578).

September 2012 – applications for caravan storage, use of ancillary building, use of buildings for self-catering accommodation and use of land to accommodate additional touring caravan pitches approved.

November 2012 – application for use of Sabine Barn as a camping barn approved.

March 2013 – consent granted to extend the area of field OS2934 for the accommodation of tented camping (NP/DDD/0313/0198).

March 2013 – consent granted for use of land by school groups engaged in Duke of Edinburgh activities (NP/DDD/0313/0172).

October 2013 – section 73 applications approved to vary condition 6 of planning approval refs NP/DDD/0313/0172 and NP/DDD/0313/0198.

December 2013 – application approved for construction of hard standings and electric hook up points.

December 2014 – application refused to allow tented camping for up to 25 tents for use by the general public on ‘Stanton Moor’ field during the months on June, July and August (NP/DDD/1114/1130). Subsequent appeal allowed.

Consultations

Highway Authority - Whilst this current application is now for 5 months of the year instead of 3, there is still no evidence to suggest the proposals will have any detrimental effect to highway safety. Whilst the applicant has not submitted details of the existing and proposed car parking arrangements within the site, there seems to be ample space within the site to accommodate the level of parking 25 additional tents are likely to generate, especially as the application is restricted to months where ground conditions are likely to be relatively dry so parking can take place on grass fields within the site. Therefore, the Highway Authority has no objection to the application.

District Council – no response

Parish Council – no response

Representations

Seven letters of objection have been received raising the following issues:

- Proposals would increase levels of traffic on the road into and out of the village, causing congestion and noise.
- Impact on amenity of local residents including those at the part implemented development at Barton Hill.
- Concerns about the rate of expansion and number of applications made on the site in recent years.
- Anti-social behaviour of campers using facilities within the village
- The site is within Birchover village, not outside it.

- Proximity of the site to the boundary of the working quarry and the vulnerability of visitors to even low levels of noise from the quarry.

Main Policies

Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, RT3, L1

Relevant Local Plan policies: LR3, LC4.

National Planning Policy Framework

It is considered that there is no significant conflict between prevailing policies in the Development Plan and more recent Government guidance in the NPPF with regard to the issues that are raised.

The core planning principles set out at paragraph 17 of the NPPF state that within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. One of the 12 principles is that planning should: always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

Development Plan

GSP3 states that development must respect, conserve and enhance all valued characteristics of the site and buildings that are subject to the development proposal. Particular attention will be paid to B. the scale of development appropriate to the character and appearance of the National Park, E. form and intensity of proposed use or activity, F. impact on living conditions of communities and G. impact on access and traffic levels. DS1 allows for recreation and tourism development in principle.

In subsection A, policy RT3 allows for small touring camping and caravan sites, particularly in areas where there are few existing sites, provided that they are well screened, have appropriate access to the road network, and do not adversely affect living conditions. L1 requires that development conserves and enhances valued landscape characteristics as identified in the Landscape Strategy and Action Plan and other valued characteristics.

Saved Local Plan policy LR3 states that the development of a new touring camping and caravan sites or a small extension to an existing site will not be permitted unless its scale, location, access, landscape setting and impact upon neighbouring uses are acceptable and it does not dominate its surroundings.

Assessment

Background

Barn Farm operates as a camping and caravanning site following permission for 25 touring caravans in 1980, and a further 12 in 2012; for camping on Quarry Field for 25 tents in 1985; and for use of Quarry Field for camping by Duke of Edinburgh Awards (D of E) users in 2013. Permission is also in place for 5 camping barns, caravan storage ancillary to the caravan site and associated camping and caravanning facilities blocks.

In 2012 a planning application was submitted on the Quarry and Stanton Moor Fields (NP/DDD/0612/0578). A split decision was issued granting permission for a children's play area but refusing permission for an additional fifty tent pitches across the two fields (twenty five pitches on each field). The application was refused by Planning Committee on the grounds that

the additional camping use would harm the residential amenity of residents in Birchover village.

Subsequently planning application NP/DDD/0313/0172 was granted, which permitted the use of the 'Stanton Moor Field' for an unlimited number of camping pitches for groups engaged in Duke of Edinburgh award activities for the duration of the camping season (Easter to end of October) on the grounds that D of E users generally tend to walk to the site and are supervised and have not, in the past, generated the level of concern from local residents than general camping groups have, particularly at peak times and at weekends. Condition no.4 of that consent limited the use of the field to D of E users only and Condition no. 6 removed permitted development rights for any camping other than that approved.

In 2014 an application was refused to use the Stanton Moor Field for 25 pitches for members of the public (ie not restricted to D of E users) during June, July and August on the grounds that the proposed use of 'Stanton Moor Field' for camping use for the general public would harm the residential amenity of residents of Birchover village. A subsequent appeal was allowed.

Issue 1 - Impact on the valued landscape character of the area.

Supporting text in both the Local Plan and the Core Strategy says that the appropriate size of camping and caravanning sites will vary from case to case, but development or activity should in no circumstance dominate its surroundings. It goes on to suggest that sites of up to 30 pitches are capable of being more easily assimilated into the landscape, although this may be too large in many circumstances.

The application site lies within an area described as Gritstone Village Farmlands in the Authority's Landscape Strategy and Action Plan which is characterised by gritstone villages with outlying farms, pastoral farmland enclosed by hedges and stone walls and small to medium sized fields. Priorities are to protect the pattern of field boundaries and the distinctive historic nucleated settlement pattern. The development would not conflict with these objectives because the proposals would not impact on the overall settlement pattern of Birchover.

Long distance views of the site are not possible due to the topography of the area. Some medium distance views of the site may be possible from the site, for example from Clough Lane, but the existing buildings and tree cover would mean that the views would not be harmful. The main views of the proposed camping area are from the public footpaths within the site and from Lees Road to the north. From Lees Road the tents would be screened to some extent by an existing tree belt along the northern boundary of the site and given that the site does not open during the winter months, more exposed views when the trees are not in leaf would not be an issue.

There would be clear views of the proposed tents within Stanton Moor Field from public footpath 4 that runs through it. However these views would be set against the existing campsite use and modern agricultural buildings, and proposed supplementary planting along the eastern boundary of the camping area would help to screen the tents. Similarly there would be views of tents within Quarry Field from public footpath number 6 to the south but the tents would be seen alongside the approved campsite and with a backdrop of trees on three sides.

In conclusion the use of the field for 25 tents for general public use for an additional 2 months of the year instead of for camping of D of E users is unlikely to have any greater landscape impact. The camping use would, as at present, affect views from relatively short stretches of the public rights of way as they cross the site and, on balance, it is not considered that the proposals would adversely affect the overall landscape quality of the area in accordance with Core Strategy.

Issue 2 - Impact on the amenity, privacy or security of residential properties in Birchover.

The issue of the scale of the use of the site and its impact on the village has been a long standing issue with local residents, and concerns of that nature are again expressed by some local people with regard to the current application (although the Parish Council itself has not responded to the consultation).

The Authority has resisted the use of Stanton Moor field for 'general public' camping on two occasions, firstly in 2012 when 25 pitches were proposed and later in 2014 when it was proposed to use the field for 25 pitches for general public during June, July and August and for D of E users for the remainder of the operating season. On both occasions the reason for refusal was with regard to the impact on the amenity of the residents of Birchover village.

Subsequently however an appeal has been allowed for the use of the field for 25 tents in June, July and August. The decision letter addresses the specific issues with regard to impact on traffic and amenity as follows:

'In Birchover, I noted that residential dwellings line the main street, some properties sited in close proximity to the highway and that new dwellings are currently being constructed close to the site access. I have taken into consideration concerns about noise, disturbance and congestion relating to traffic associated with the use. The number of comings and goings to the camp site is likely to increase during the proposed three months, not only in terms of arrivals and departures but also through visits to facilities and attractions. However, in my judgement, an extra 25 tents is unlikely to generate a significant amount of additional traffic over a 24 hour period. Moreover there is no evidence to suggest that the highway network is inadequate to cope with such an increase or that the proposal would cause a danger to highway or pedestrian safety or a significant increase in pollution or noise. I also note that no objection to the proposal was raised by the Highway Authority.'

'There is a suggestion that campsite users will walk to the facilities, or will walk to the village for other reasons, resulting in a loss of privacy and noise and disturbance to residents. However, it seems to me that although some houses are sited close to the road, it is a public highway already available for use by members of the public. Levels of privacy at the front of such properties are inevitably more compromised than at the rear. Moreover, the increase in numbers of pedestrians from the additional tents is, in my judgement, unlikely to be significant and I am unconvinced that such an increase will result in undue harm to residents living conditions.'

'There is no convincing evidence that there is a significant problem with anti-social behaviour in the village or that such behaviour is directly attributable to campsite users. Furthermore, it was apparent at my site visit that the site is well managed, attracts families and educational groups and I am aware that it operates a curfew on noise in the evening. On the basis of the evidence before me, I am unconvinced that instances of anti-social behaviour causing demonstrable harm to living conditions of existing residents would significantly increase as a result of the additional tents.'

In the light of this clear decision from the Planning Inspectorate, which is an important material planning consideration, officers consider that the same reasoning can be extended to the current proposals in that by extending the 'general public' use of this part of the site for an additional two months each side of the original three, the overall intensity of use at any one time would not increase over and above a level that the Inspector deemed to be acceptable.

On that basis officers consider that the proposals would be unlikely to cause unacceptable levels of harm to residential amenity in accordance with police GSP3 and LC4 subject to conditions to limit the number of tents to 25 during the 5 month period; to remove permitted development rights for 28 day camping within the application site; requiring a log of campsite users to be kept and

requiring the notification of the commencement of the permission. These suggested conditions mirror those imposed by the Inspector on the appeal.

Conclusion

The proposals would not adversely affect the overall landscape quality of the area in accordance with Core Strategy policy L1. Whilst the concerns of local residents with regard to residential amenity are noted, it is also noted that there would be some limited economic benefits both at the campsite and to the public houses and business in the wider area. It is considered that the appeal decision should be given considerable weight in the current decision and on that basis officers conclude that the adverse impacts of the proposals would not demonstrably outweigh the benefits and the proposals would not, on balance, be contrary to the aims of policies RT3 and GSP3 and LR3 and LC4.

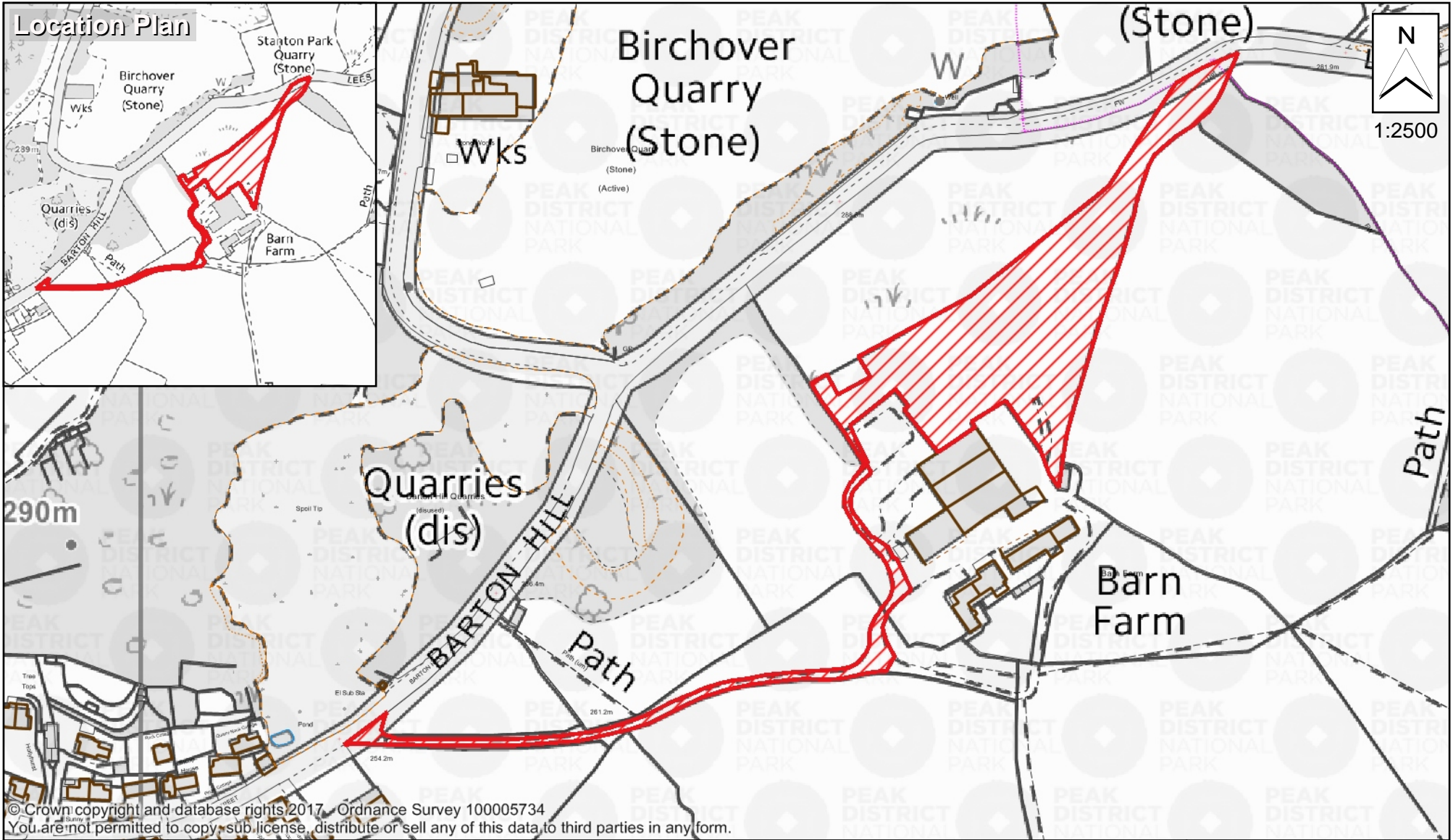
Human Rights

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:	10/03/2017	Title: Barn Farm Barton Hill Birchover
Item Number:	12	
Application No:	NP/DDD/1216/1226	
Grid Reference:	424376, 362275	



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13. LISTED BUILDING CONSENT APPLICATION – REMOVAL OF EXISTING CHIPBOARD TWIN EXTERNAL DOORS TO SOUTH EAST ELEVATION AND THE PROVISION OF REPLACEMENT DOORS IN OAK. THE REMOVAL OF EXISTING CONCRETE SILL TO THE DOORS WITH A NEW STONE CILL AT BAKEWELL TOURIST INFORMATION CENTRE, OLD MARKET HALL, BRIDGE STREET, BAKEWELL (NP/DDD/0117/0019), P6021, 06/01/2017, 421862/368571/TS)

APPLICANT: Peak District National Park Authority

Site and Surroundings

The site is a Grade II Listed Building that was formerly a market hall but is now in use as a tourist information centre. The Tourist Information Centre is operated by the National Park Authority. The site lies within Bakewell town centre, within the designated Conservation Area, and the market site and car park lie immediately to the south east. The listing description notes that the building has 16th century origins with 18th century alterations and extensions. The building is constructed from deeply-coursed sandstone and has a stone slate roof. At present the building has a set of chip board external doors to the south elevation that have become damaged and require replacement.

Proposal

The application seeks Listed Building Consent for removal of the existing chipboard twin external doors to the south east elevation and the provision of replacement doors in oak. The application also proposes the replacement of an existing concrete sill below the doors with a new stone cill that would be sandstone.

The existing doors are not historic features and do not have hinges or door furniture. As such, they are non-opening and act as a façade. The proposal would result in the reinstatement of openable doors. The proposed replacement doors would be fitted with antique black door knobs and would have a standard mortice sashlock with black oval lock covers. Each of the doors would have three black wrought iron hinges. The doors would be treated with an opaque wood stain.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions:

- 1. 3 year implementation time limit.**
- 2. Development to be carried out in accordance with the submitted plans and details.**

Key Issues

1. Whether the proposed works would harm the character of the Grade II listed building or the appearance of its setting, which includes the designated Bakewell Conservation Area.

History

Pre-application advice from the Authority's Conservation Officer was sought in December 2016. Advice was provided regarding the width of the boards on the new doors and types of door furniture. The advice that was provided has been reflected in the submitted application details.

Consultations

Highway Authority – No comments

Bakewell Town Council – Recommend approval on design and appearance grounds.

PDNPA Conservation Officer – No objections. Notes that the impact would be insignificant.

Representations

During the consultation period, the Authority has not received any letters of representation.

Main Policies

Relevant Core Strategy policies: GSP1, GSP2, GSP3 and L3

Relevant Local Plan policies: LC4, LC5, LC6

The application seeks Listed Building Consent for works carried out at the premises rather than for development. The premises also lie within the designated Bakewell Conservation Area. Therefore, the most relevant policies in the Authority's Development Plan are policy L3 of the Core Strategy and saved Local Plan policies LC5 and LC6.

L3 seeks to safeguard cultural heritage assets of historic significance, and states that development must conserve and where appropriate enhance or reveal the significance of architectural or historic assets and their settings.

Saved Local Plan Policy LC4 requires that the detailed design of a development is to a high standard.

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

LC6 relates to listed buildings and says applications should demonstrate why the proposed works are desirable or necessary. LC6 also says 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.

The Bakewell Conservation Area Appraisal offers further guidance on Bakewell's designated Conservation Area.

The Authority's adopted policies and design guidance are consistent with the National Planning Policy Framework ('the Framework'), which states that the conservation of heritage assets in a manner appropriate to their significance is a core planning principle whilst Paragraph 132 of the Framework states that great weight should be given to the conservation of a designated heritage asset and that the more important the asset, the greater the weight should be.

It is also considered that these policies are consistent with the statutory duties placed on the Authority by the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses (s.16(2)) and to pay special attention to the desirability of preserving or enhancing the character or appearance of the surrounding Conservation Area (s.72(1)).

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 and GSP2 the Core Strategy. Similarly, GSP3 of the Core Strategy and LC4 of the Local Plan are consistent with core planning principles in the Framework that require all development in the National Park to be of a high standard of design that is sensitive to the locally distinctive character of its landscape setting.

Assessment

Impact on the Listed Building and the Conservation Area

The proposal would result in the removal of non-historic and damaged chip board doors with new hardwood oak doors. It is considered that the proposed replacement doors would be significantly more in keeping with the historic character of the host listed building than the existing doors. The proposed door furniture is also considered to be appropriate in terms of design, materials and colour finishes. The scheme would also see the reinstatement of useable opening doors as the existing doors are non-opening. This would therefore represent a further conservation benefit.

There is an existing concrete sill below the doors. This is also a modern intervention that is not particularly sympathetic to the historic character of the host building. The existing sill is also damaged and requires replacement. The proposal involved replacing this with a stone sill that would be a close match to the sandstone door surround. It is considered that the replacement of the concrete sill with a stone sill would be an enhancement.

The proposed works would reflect and respect the historic character of the Old Market Hall and would preserve the historic character of the wider Conservation Area. The development would be in accordance with Core Strategy policy L3 and Local Plan policies LC4, LC5 and LC6 and the guidance contained within the relevant sections of The Framework.

Conclusion

It is considered that the proposal is in accordance with the Development Plan, because the proposed development would enhance the architectural and historic significance of the listed building and its setting and would preserve the character of the Bakewell Conservation Area. There are no further material considerations which indicate that a contrary decision should be made, therefore the proposal is recommended for conditional approval.

Human Rights

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

List of Background Papers (not previously published)

Nil

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14. FULL APPLICATION – ERECTION OF AN ALL-PURPOSE AGRICULTURAL BUILDING AT LANE HEAD ROAD, LITTLE HAYFIELD (NP/HPK/1016/0977 403106 / 389087 P3448 SPW 05/10/2016)

APPLICANT: MRS HANNAH LAXTON

Site and Surroundings

The site is located off Lane Head Road in Little Hayfield. The site is in an isolated location in the open countryside. There is a single field here in the ownership of the applicant. During the site visit there was a small number of livestock including a few sheep and two cattle. On site there is already a small and dilapidated agricultural building which the proposed building would replace. The field has had some post and wire fencing recently installed and there is post and rail fencing close to the access. Much of the land in ownership is sloping land, although the site for the building generally levels out.

During the site visit there was a trampoline on the land, a picnic table and a rope swing attached to a large ash tree. There was also a livestock transport trailer.

The eastern field boundary is lined with mature trees, these are on land outside the applicants control, there is also a water course running to the east of the site, outside the site area. The site is not within a flood risk zone.

Proposal

The proposal is for an all purposes agricultural building which is 9.1m wide and 18.2m long. It has concrete panels up 1.8m with tanalised Yorkshire boarding above, with one side open. The roof would be clad with unfinished fibre cement sheets which would appear grey; the application forms explain this could be dark green if required.

RECOMMENDATION:

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

- 1. Standard time limit.**
- 2. Development in complete accordance with the submitted plans ‘16-45174’, ‘Block/site Plan’ and specifications, subject to the following conditions or modifications.**
- 3. Sheeting for the roof shall be factory finished dark green 12B29 and permanently so maintained.**
- 4. Shall be used for agricultural purposes only, and for no other purposes (remove permitted development rights for change of use).**
- 5. The building hereby approved shall be removed when no longer required for the purposes of agriculture and the land shall be restored to its former condition.**

Key Issues

- Is the landscape impact of the proposal acceptable?
- Is the agricultural justification accepted?
- Are there any amenity issues?

History

None relevant on file.

Consultations

Highway Authority – No objections subject to all use remaining ancillary to the site.

Borough Council – No response to date.

Parish Council – No response to date.

Representations

Six representations have been received all in objection to the proposal.

The objections are raised on the following grounds:

- The size of the building is disproportionate to the size of the site area of 2.3 hectares
- The building due to its size and location will spoil the visual amenity of the location and be an intrusion into open countryside.
- No agricultural justification has been submitted with the application, the scale of the building is far greater than the amount of land.
- The building is not in any way dependant on the applicants income, agriculture is not their source of income purely a hobby therefore not a justified agricultural operation.
- Children's trampoline has been on the site for several months and garden seating, there has also been a caravan.
- Small plot of land, farmed solely on a hobby basis. The land does necessitate such a huge structure. The applicants intention is that he barn be used for a few domestic animals, something that could not justify a barn of these dimensions.
- Only 2 cows and 6 sheep are owned.
- There is no valid existing footprint for the proposed building, just a small concrete base which was part of a chalet demolished in the 1950s.
- Farmer does not live in the immediate area.
- Would impact on the tourism of the area.
- Large vehicles traveling to the site.
- The building will damage the quality of life for residents and visitors to the park.

Main Policies

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

Relevant Local Plan policies: LC3, LC4, LC13.

Relevant Core Strategy (CS) policies include GSP1, amongst other things, GSP1 requires that all development is consistent with the National Parks legal purpose and duty to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Parks and promote opportunities for the understanding and enjoyment of the special qualities(of the National Parks) by the public.

CS Policy GSP2 explains that opportunities for enhancing the valued characteristics of the National Park will be identified and acted upon. Opportunities will be taken to enhance the National Park by the treatment or removal of undesirable features or buildings.

CS Policy GSP3 explains that all development must conform to the following principles: Development must respect, conserve and enhance all valued characteristics of the site and buildings that are subject to the development proposal. Amongst other things particular attention will be paid to: 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; design in accordance with the National Park Authority Design Guide; impact on living conditions of communities.

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

Local Plan Policy (LPP) LC4 requires that the detailed treatments of development is of a high standard that respects, conserves and where possible enhances the landscape, built environment and other valued characteristics of the area. Particular attention is paid to: scale, form, mass and orientation in relation to existing buildings, settlement form and character, landscape features and the wider landscape setting; the degree to which design detail, materials, and finishes reflect or compliment the style and traditions of local buildings; the use and maintenance of landscaping to enhance new development, and the degree to which this makes use of local features and an appropriate mix of species suited to both the landscape and wildlife interests of the locality; the amenity, privacy and security of the development and of nearby properties.

LPP LC13 deals specifically with agricultural developments and it is permissive provided they are close to the main group of buildings wherever possible and it relates well to them. It must avoid harm to the areas valued characteristics including local views, making use of the least obtrusive or otherwise damaging location and must not require obtrusive access tracks, roads or services. These need to be designed with particular respect for the landscape and its historic patterns of land use and movement, and any landscape change likely to result from agricultural or forestry practices.

The Authority has produced an SPG for agricultural buildings. This explains at paragraph 2.17 that farm development must be fully explained and justified and at paragraph 2.18 that failure to supply adequate information may lead to refusal. The SPG explains the basic requirements for an application. Paragraph 3.1 explains that because of the natural beauty of the National Park, new agricultural buildings can have a very damaging impact on their surroundings without careful thought to siting, design and appearance. Paragraph 3.4.5 this explains that it is best to keep new agricultural buildings close to the existing ones, relate well to them and make the best use of trees, walls and other landscape features. Paragraph 3.6.3 explains the use of dark tones will help to reduce a buildings impact. Paragraph 3.6.5 explains that painting, rendering or cladding the concrete base of the building can help reduce the impact of the base.

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

Considering the above, the Development Plan and other material considerations are generally supportive of agricultural development where it is necessary and would not harm the amenities or valued characteristics of the area. Appropriate design, siting and landscaping are required.

As submitted there was no agricultural justification submitted with the building. Following officer's requests one has been undertaken by Bagshaws, agricultural specialists. This explains that the holding currently farms 9 acres in total, 6 at this site and another 3 acres of rented land at Park Road. The applicant has intentions to rent additional fields as her stocking levels increase.

At present the livestock comprise a mix of Dexter cattle, Herdwick and Derbyshire Gritstone sheep and there is an intention to purchase a small number of chickens this spring. The stated intentions for the livestock are as follows:

1. To produce their own supply of meat and produce for their own consumption and to sell to friends and family.
2. To raise awareness and understanding of the food chain for their young family.
3. For enjoyment and education for the applicants.
4. To provide additional income and part time work for the family.

The proposal replaces an existing building which officers consider is not fit for purpose. The proposed building is considerably larger, but within the range of standard agricultural buildings.

The intentions for the building are to provide for the needs of the small holding including their planned uplift in stocking number. The agricultural justification that has been submitted quantifies the space required for the existing agricultural operation and also with the planned increase in stock for year 2. The calculations justify the size of the building, showing that the year 2 requirement is for 173m² and the size of the building proposed is 160m². The justification also makes it clear that the livestock are for agricultural purposes and not pets as suggested by some of the representations.

The siting of the building is isolated, in the open countryside away from established groups of farm buildings. Because of the topography and also the tree cover to eastern field boundary, officers consider the site to be relatively discreet and not requiring any further landscaping. The building replaces an existing building. The roof is proposed in untreated fibre cement sheets (described as natural grey); this is not in accordance with Authority's guidance. Officers consider that provided the roof is finished in a dark green colour (12B29) then the impact of the building is relatively low and therefore acceptable given there is an agricultural justification for the building. It is noted that the intentions for agriculture on this parcel of land are limited primarily to production for friends and family, and have been described by objectors as hobby farming. Farming on this scale is an acceptable rural pursuit and given the limited impact of the building the submitted justification is considered demonstrate that the proposal is necessary, acceptable and proportionate for the needs of the holding.

The proposal is not considered to raise any amenity issues because of the intervening distances between the application site and the nearest neighbouring residential properties. Objectors have raised concerns with regard to agricultural traffic, but this concern is not reflected in the Highway Authority's response which raises no objections. Officers do not consider that the traffic movements to and from the site could be considered to harm the amenity of nearby residents. Furthermore these would presumably continue with or without the proposed building, and any limited intensification in traffic movements to and from the site because of the proposed building is not considered to warrant refusal of the application.

This type of development is one which is only permitted with an agricultural justification which outweighs any harm the use of non-traditional building style and materials may cause, provided that harm is mitigated. It is therefore considered reasonable and necessary to impose conditions which ensure that the building is retained for the purposes of agriculture throughout its lifetime and also require the building to be removed if it is no longer required for the purposes of agriculture. This is in accordance with Core Strategy Policies GSP2 and GSP4.

All the points raised in the representations are noted. Most have been addressed in the body of this report. With the exception of the impact on tourism and the presence of play equipment on the site. With regard to impact on tourism, officers do not consider that the limited impact of the building would have any tangible impact on tourism. The impact of play equipment and picnic benches is a genuine concern in relation to the land uses occurring on the site. The play equipment including trampoline and rope swing as well as a picnic bench suggests that the land may also be being used as amenity land. That is a separate issue that the Authority's Monitoring and Enforcement team are aware of and are considering. The current application needs to be determined on its individual merits.

Subject to the conditions suggested, the proposal is considered to be in accordance with the policies of the development plan.

Conclusion

The submitted agricultural justification is considered to justify the limited impact of the building on the National Park landscape provided its roof is finished dark green and that the building is only used for agriculture.

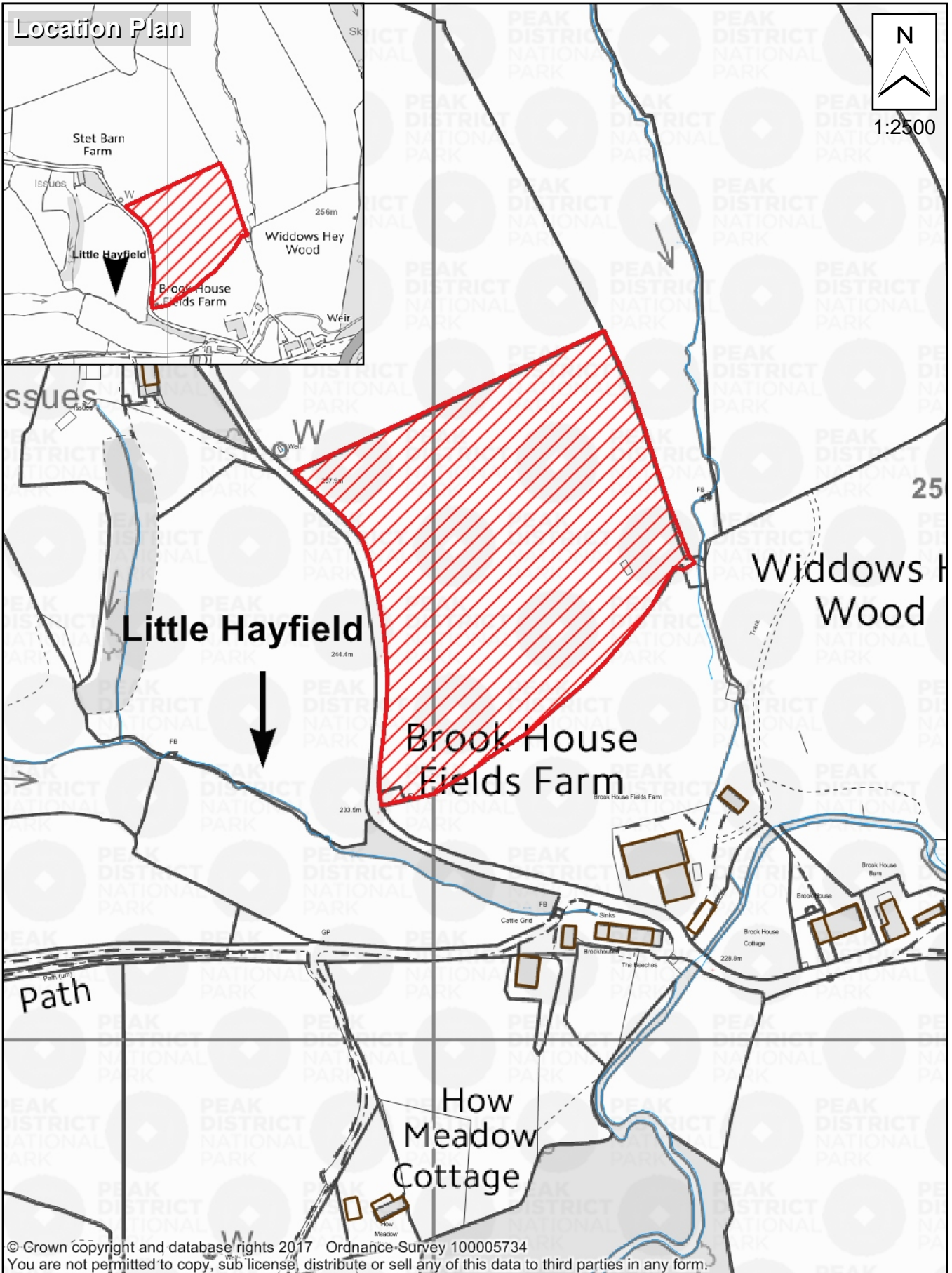
Human Rights


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:	10/03/2017	Title: Land at Lane Head Road Little Hayfield	 PEAK DISTRICT NATIONAL PARK
Item Number:	14		
Application No:	NP/HPK/1016/0977		
Grid Reference:	403106, 389087		

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15. ADVERTISEMENT CONSENT APPLICATION – PROPOSED INTERPRETATION PANELS AT BLACKA MOOR NATURE RESERVE, SHEFFIELD (NP/S/1116/1157, P.5572 + 7293, 21/11/2016, 427615 / 380592, MN)

APPLICANT: Mr Nabil Abbas on behalf of Sheffield Wildlife Trust

Site and Surroundings

Blacka Moor Nature Reserve covers approximately 180 hectares of land, and is located on the eastern edge of the National Park, and to the west of Dore and Totley, Sheffield. The Reserve is a mix of woodland and open moors.

The Reserve is within the South Pennine Moors Special Area of Conservation, the Eastern Peak District Moors Site of Special Scientific Interest, and the Peak District Moors (South Pennine Moors Phase 1) Special Protection Area.

Proposal

The erection of three interpretation panels to display information for the Sheffield Wildlife Trust including details of walks, land management, wildlife, and of the Trust itself. The angled information panels would be set in a wooden frame and have dimensions of approximately 95cm x 70cm and would be supported above ground by two timber legs. The total height above ground would be 1.2m.

The signs are proposed in three different locations within the Reserve. One is on the woodland footpath adjacent to Shorts Lane car park, one is on the woodland footpath adjacent to Stoney Ridge car park (next to the A625), and the other is on the woodland footpath adjacent to Strawberry Lee Lane car park.

RECOMMENDATION:

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

1. **Statutory time limit**
2. **Completion in accordance with submitted plans**
3. **Standard advertisement regulations conditions**

Key Issues

Advertisement consent applications can only be evaluated on grounds of amenity and public safety. In this instance amenity is considered in terms of the landscape impact that the signs would have due to their countryside locations.

History

No relevant history

Consultations

Highway Authority – No response at time of writing.

City Council – No response at time of writing.

Representations

4 letters of objection have been received. The grounds for objection are as follows:

- The signs appear obtrusive and out of keeping with their countryside locations
- The signs are not necessary
- The signs would attract vandalism
- The signs are an advert for the Wildlife Trust rather than being interpretation boards
- The signs pose a danger to users of the paths
- The accuracy of the wording on the signs is disputed
- The signs may not be properly maintained

The full comments can be read on the Authority's website.

Main Policies

Relevant Core Strategy policies: Policy RT1 states that the National Park will support facilities which enable recreation, environmental education and interpretation where they are appropriate to the National Park's valued characteristics. It also states that new provision must justify its location in relation to environmental capacity, scale and intensity of use.

Relevant Local Plan policies: Policy LC11 states that consent for the display of outdoor advertisements will be granted provided that several criteria are observed. These include that they do not result in proliferation of signage, do not result in a threat to road safety, are of a high standard of design and materials, and do not detract from the site and its surroundings.

National Planning Policy Framework

It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and more recent Government guidance in the NPPF with regard to the issues that are raised.

Wider Policy context

The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 state that advertising consent applications can only be evaluated on grounds of amenity and public safety. It specifies factors relative to amenity to include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest. Factors relevant to public safety include the safety of any persons using a highway.

Assessment

Each of the panels would be located adjacent to a footpath where there is good visibility in both directions for walkers or other users of the path. The routes are not thoroughfares for vehicles, and there would be no illumination of the signs that might cause undue distraction to road users of the nearby highways. It is therefore not considered that the advertisements would create any risk to public or highway safety.

The nature of the panels is such that they need to be visible from the public footpath.

Whilst located in the countryside, they would not appear entirely isolated, being closely related to walls/fences, and gateways. In addition, the signs are located within areas of woodland which serves to limit their wider visibility and reduce their impact to only their immediate setting.

The materials, being plastic for the signs with timber frames and legs, are recessive and are considered to further reduce the impact on the amenity of the area.

The proposed signage would replace the existing timber Blacka Moor signage that is present on two of the sites, and it is not considered that the proposed signage would result in an unacceptable proliferation of signage due to the size and visual impacts of the proposed signage, as discussed above.

Overall, the signs are considered to have a less than significant impact on the appearance of the area, and to conserve its amenity.

Conclusion

The proposal relates to the erection of three modest signs which meets the aims of the National Park to improve interpretation and understanding of the area.

The design and siting are considered such that they have no negative impact on the amenity or public safety of the area.

The application complies with relevant local planning policies and is recommended for approval as there are no other material considerations that warrant making a different decision.

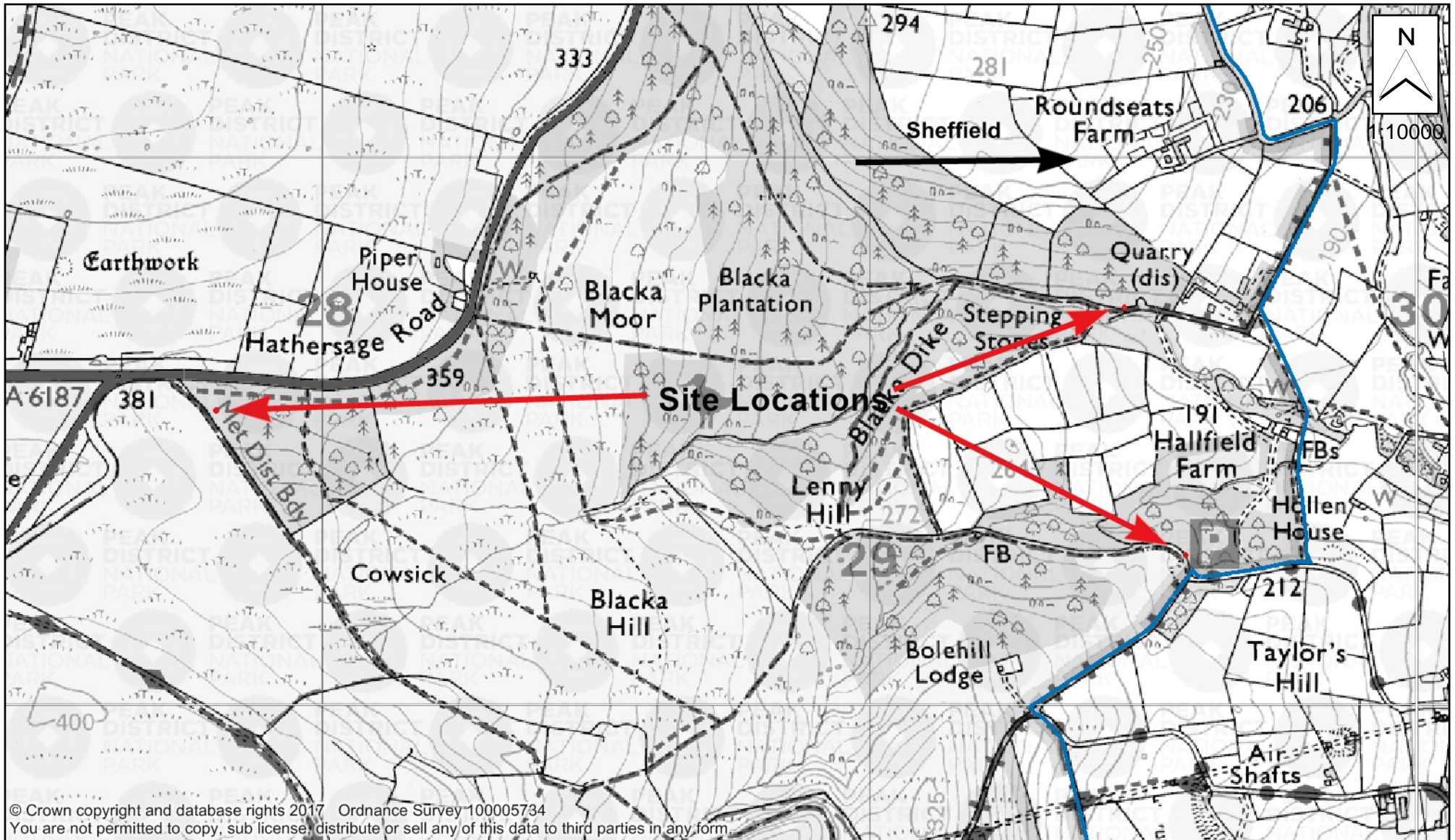
Human Rights

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:	10/03/2017	Title: Blacka Moor Nature Reserve Sheffield	 PEAK DISTRICT NATIONAL PARK
Item Number:	15		
Application No:	NP/S/1116/1157		
Grid Reference:	427615, 380592		

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16. PEAK DISTRICT NATIONAL PARK AUTHORITY CONSULTATION RESPONSE TO DEVELOPMENT OF 586 DWELLINGS, INCORPORATING 78 AFFORDABLE UNITS, 2800M2 COMMERCIAL FLOORSPACE (CLASS B1), SHOP AND CAFE, WITH ASSOCIATED VEHICLE, CYCLE AND PEDESTRIAN INFRASTRUCTURE (OUTLINE) AT CAWDOR QUARRY, PERMANITE WORKS AND PART OF SNITTERTON FIELDS, MATLOCK SPA ROAD MATLOCK – DDDC REF: 16/00923/OUT (TS)

Purpose of the report

To obtain Member support for a consultation response on behalf of the Authority to the proposals currently being considered by Derbyshire Dales District Council (Ref: 16/00923/OUT). If these recommendations are agreed, officers will draft a detailed objection letter to Derbyshire Dales District Council based upon the report below.

Recommendations:

- 1. That the Authority formally objects to the application.**
- 2. That the Authority will support Derbyshire Dales District Council in the appeal process should the application be refused on the grounds set out below.**

How does this contribute to our policies and legal obligations?

Under the Environment Act 1995, the two main purposes of National Parks in England and Wales are:

1. To conserve and enhance the natural beauty, wildlife and cultural heritage
2. To promote opportunities for the understanding and enjoyment of the special qualities of National Parks by the public

When National Parks carry out these purposes, they also have a duty to seek to foster the economic and social well-being of local communities within the National Parks.

If these purposes or duty come into conflict, then the Sandford Principle dictates that the first purpose of conservation should take priority.

Paragraph 115 of the NPPF states that 'great weight should be given to conserving landscape and scenic beauty in National Parks, which have the highest level of protection in relation to landscape and scenic beauty'. In terms of heritage assets, paragraph 132 states that 'great weight should be given to the asset's conservation. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting'. As the proposed development would be outside the boundaries of the National Park it will not be assessed against Core Strategy policies. However, it is considered to be appropriate to make reference to paragraph 11.27 of the Peak District National Park Authority Core Strategy, which states that:

"The valued characteristics [of the landscape] include the flow of landscape character across and beyond the National Park boundary, which provides a continuity of landscape and valued setting for the National Park".

The requirements of the 1995 Environment Act are not only carried through into the planning policies of the National Park Authorities but also into those of constituent Local Planning Authorities or those which border the National Parks. To this effect, there is an obligation upon planning decisions within Derbyshire Dales to take account of National Park purposes in determining applications that have the potential to impact upon the Park and its setting. It is noted that this requirement is reflected within the Derbyshire Dales Local Plan policies, including policy SP3.

Policy SP3 of the current Derbyshire Dales DC Local Plan (2005) states that:

Planning permission will not be granted for development that may adversely affect the purposes of the National Park or be harmful to its valued characteristics.

The supporting text states that 'if the special qualities of the National Park are to be protected, careful control needs to be exercised over harmful development, be this within or outside the National Park. The pre-submission draft of the Derbyshire Dales Local Plan (August 2016) takes a more comprehensive position with regard to landscape character in policy PD5, requiring that development proposals protect or enhance the character, appearance and local distinctiveness of the landscape and landscape setting of the Peak District National Park. .

Officers consider that an approval of this application would not be compliant with the 1995 Environment Act as it would fail to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park. It would therefore also be contrary to the NPPF and Derbyshire District Dales Council's adopted and emerging planning policies.

The Application

The proposal involves a mixed use development of major scale on the site of the Cawdor Quarry, Permanite Works and also an area of the undeveloped agricultural land immediately to the west of the Quarry that is known as Snitterton Fields.

The application is in outline form with details of access, appearance, layout and scale under consideration at this stage. The landscape details are saved as a reserved matter.

The majority of the proposed development would be confined to the Cawdor Quarry and Permanite Works sites. However, the proposals would result in the encroachment of development away from the quarry and works site, towards the National Park into the undeveloped Snitterton Fields.

Officers are clear that there is no objection to elements of the proposed development that are limited to the site of Cawdor Quarry and Permanite Works areas as these are relatively well related to Matlock and are either brownfield or previously approved areas. However, it is considered that the element of the proposed development that would be sited on Snitterton Fields would not be acceptable. If this element of the scheme were to be removed from the proposed development, officers consider that the grounds for objection would be overcome.

The planning statement submitted in support of the application asserts that the development of Snitterton Fields is required to make the whole scheme viable and that compressing the number of houses proposed into the former quarry and works sites would dilute the 'Matlock Spa' concept.

It is considered that this should carry little weight. It is considered that enhancing the development site at the expense of the National Park and its setting is not acceptable. No detailed information has been submitted to evidence that a scheme could not be viable without the proposed encroachment into Snitterton Fields.

Landscape Impact

The site is partially within and partially adjacent to the Derwent Valley Landscape Character Assessment Area. The Authority's Landscape Character Assessment (2009) notes that:

“The Derwent Valley character area separates the limestones of the White Peak from the prominent gritstone edges of the Eastern Moors to the east and high moorland of the Dark Peak to the north.”

More specifically, Snitterton Fields is a typical open pasture set against the back drop of the limestone slopes of Wensley Dale and wooded slopes of Oaker Hill. This creates an attractive landscape with the higher land within the Park flowing into the Snitterton Fields pastures.

The western boundary of the application site as proposed is approximately 200 metres away from the boundary of the National Park. It is noted that there is no obvious boundary, in terms of physical markers or changes in landscape character, between the National Park and the adjacent land outside of the Park. Snitterton Fields form part of an attractive, predominantly undeveloped rolling landscape that flows seamlessly to and from the National Park. As such, the site makes an important contribution to the setting of the National Park and it contributes to the flow of landscape character across and beyond the National Park boundary, which provides a continuity of landscape and valued setting for the National Park.

Furthermore, the site provides an important buffer between the National Park boundary and the town of Matlock, which is approximately 600 metres to the east of the Park boundary.

Whilst adjacent to one another, there is a distinct change in character between the quarry and works sites and Snitterton Fields. This is defined by the dense woodland that runs between them. Whilst development of the Cawdor Quarry and Permanite Works sites would clearly also be closer to the National Park than the western edge of Matlock, these areas are on lower lying land and benefit from screening. As such, these areas are not particularly prominent in views to and from the National Park.

However, the topography of the site means that development of Snitterton Fields will be much more prominent in terms of its relationship with the National Park than the remainder of the site. The site slopes upwards from north to south, rising from the quarry and works areas to meet Snitterton Road. Development of Snitterton Fields would erode the flow of the landscape between the National Park and the outlying land and thereby eroding the positive contribution that the site currently makes to the setting of the National Park.

The development would be highly prominent in views from the east looking back towards the National Park and also in views enjoyed from within the National Park, including from Snitterton Village and the higher land towards Oaker and Wensley.

It is further considered that the harm to the landscape character of the National Park through the detrimental impact on its setting would also have a detrimental effect on the experience of the people within the National Park.

Visitors who come to the National Park are generally unaware of where the boundary of the National Park actually is, whether they are approaching or leaving the National Park. It is considered that the development would not be read as being clearly outside of the National Park.

It is considered that the encroachment of development into Snitterton Fields, and towards the National Park boundary, would be harmful to the sense of tranquillity and remoteness that is enjoyed from areas within the National Park around Snitterton.

The submitted Planning Statement suggests that the National Park boundary can be extended up to the western site boundary to prevent further development within the part of Snitterton Fields that does not fall within the application site. This approach is severely flawed. The boundary of the National Park is defined by the original map and designation order from 1951 and cannot be altered by the National Park Authority. Only a formal legal process triggered by Natural England can result in a boundary change, such as that undertaken recently between The Yorkshire Dales and Lake District National Parks. There is no facility under a planning application to alter the National Park boundary. Moreover, this approach fails to acknowledge that the development as proposed would be harmful to the setting of the National Park in any case. Extending the boundary would do nothing to mitigate this harm. It is not desirable for the National Park boundary to be a common boundary with the edge of a housing development as the whole essence and enjoyment of an area characterised by natural beauty would be lost.

Impact on Heritage Assets

The Authority's Conservation Officer has provided the following comments:

"The proposed development site is within the close setting of a number of designated heritage assets, including the Grade I Listed Snitterton Hall, the Scheduled moated manor and fishponds and the Grade II listed Old Manor House: the Hall and the associated moated site are designated heritage assets of the highest importance. However, the application has not adequately addressed the impact of the proposed development on the setting of these heritage assets, in accordance with Historic England's guidance: there is no assessment of significance, no consideration of how aspects of setting contribute to significance, and no assessment of the potential impact on this significance of the proposals. By introducing housing onto the Snitterton Fields, the proposed development will have a significant negative impact on the close setting of the Hall, Moat and Manor House, transforming the rural landscape context of these designated heritage assets and undermining their position as the focus and hierarchical centre of the local landscape, a relationship that has existed since the medieval period. In summary, the application fails to meet the requirements of NPPF paras 128, 129 and 132, and the proposals will represent harm to the significance of the Grade I Listed Hall, Scheduled Monument and Grade II listed Old Manor House, through erosion of their historic rural landscape setting."

Impact on Archaeology

The Authority's Senior Archaeologist has provided the following comments:

The proposed development is within close proximity to a number of designated heritage assets within the Peak District National Park, this includes:

- NHLE 1,019,529 – Moated site and fishponds 300m north east of Snitterton Hall – Scheduled Ancient Monument - the remains of the medieval moated manor house.
- NHLE 1,248,141 – Snitterton Manor Farmhouse – Grade II listed – farmhouse with 15th fabric.
- NHLE 1,248,201 – Snitterton Hall – Grade I listed – 16th century mansion house.
- NHLE 1,278,032 – Garden walls and summerhouse at Snitterton Hall – Grade II listed.

Detailed comments have already been provided to DDDC by Derbyshire’s Development Control Archaeologist and Historic England’s Inspector of Ancient Monument. I have used these comments and the information that was submitted to DDC with the application to draw out the most relevant archaeological considerations from the National Park Authority’s perspective.

The scheduled moated site is, in accordance with NPPF para.132, a heritage asset of the highest significance and as such substantial harm to its significance should be wholly exceptional, and great weight should be afforded to the conservation of its significance. The significance of the moated site lies partially within its archaeological interest (its evidential value) but also from its setting and its relationship to the Manor Farmhouse, the Hall, the wider village of Snitterton and its rural context and setting. To take the evidential value first, the monument includes the earthwork and buried remains of a moated site and fishponds including the remains of a moat (c.10m wide and 1.5m deep), which surrounds a roughly square central platform that has an access causeway across the moat. The central platform retains buried remains of walls thought to be medieval buildings. Two sunken compartments extending at right angles from the western end of the moat are interpreted as medieval fishponds. These earthworks are well preserved and will retain the important archaeological evidence for the structure, function and development of the site and its component buildings, and evidence of the past environment under the banks, and within the base of the pond and the moat. The site will contain evidence that will enhance knowledge and understanding of the development and functioning of medieval manorial centres and their place in the wider medieval landscape.

Turning to the contribution of the relationship of the moated site to the Manor Farmhouse, the Hall, the wider village of Snitterton and its rural context and setting to the significance of the scheduled monument. The designated heritage assets within Snitterton are related, and the relationship between them and the rural village context in which they occur enhances their significance. The moated site, the manor house farm and the Hall represent the transformation of secular authority in this area from the medieval and into the post medieval periods. Evidence suggests that the moated site represents the remains of the buildings and associated land of the site of the original seat of the Lord of Manor dating back to the 13th century (at least); Snitterton Manor Farmhouse retains the remains of the probable 15th century manor house, likely built between the medieval manor house and the Elizabethan House; and Snitterton Hall a small 16th century mansion, and successor of the earlier two phases of manorial buildings. As Tim Allen, Historic England’s Inspector of Ancient Monuments, explains in his consultation response to Derbyshire Dales District Council, the survival of the three phases in the transformation of gentry housing and authority in Derbyshire in such close juxtaposition is very rare. This ‘exceptional group’ of designated heritage assets survives within a rural agrarian landscape setting, which directly relates to their significance and the reading of their interrelated history and functionality as a rural manorial centre.

The change to this setting that would result from the proposed development, particularly the western extension from the quarry site, would be marked. The ability to experience these heritage assets within their rural and manorial context would be lost with the extension of the suburbs of Matlock up to the edge of Snitterton village, and this would undermine the Hall, Manor House and Moated site as the focus of the local landscape. However, the impacts of the proposed development of the setting of these nationally important heritage assets has not been adequately explored or addressed in the archaeological Desk Based Assessment submitted with the application. The only consideration of setting impacts is within para.8.3.1 of the DBA, and whilst this acknowledges that due to the close proximity to the designated heritage assets ‘...it is possible that any development may impact upon their settings...’, there is no assessment of what the impact of the proposed development on the setting of the designated heritage assets actually is. The report merely states that ‘...this risk...[to the setting] has been averted due to a buffer zone of partially wooded fields being allocated to the immediate west of the housing’. This is a wholly inadequate assessment. Historic England provides clear guidance on how the effect of a proposed development on the setting of a heritage asset should be assessed in the Historic Environmental Good Practice Advice in Planning: 3 The Setting of Heritage Assets – this requires a stage approach to be followed, which identifies the heritage assets affected, how the setting contributes the significance of the affected assets, the effect of the development on the setting of the heritage asset, it also requires the process of how any conclusion has been reached should be documented. This process has not been followed, and the information provided is neither proportionate to the significance of the heritage assets effected nor sufficient to understand the impact of the proposed development upon their significance. It is therefore contrary to Para.128 of NPPF, and from a historic environment perspective I object to this application and strongly recommend that it is not supported by this Authority.

Protecting the setting of the National Park

The National Park was designated in 1951 within the context of attractive fringe countryside. This effectively created a buffer to the urban areas beyond and allowed a more natural frame to be established assisting the furtherance of National Park purposes. The on-going encroachment of development towards the National Park is being monitored and assessed on a plan by plan basis under the Duty to Cooperate. Officers seek to use Memorandums of Understanding alongside common policies for all adjoining Local Plan areas to reflect both the statutory purposes and duties on relevant bodies and also to adopt the use of local landscape characteristics. This forms a permanent natural edge in which a similar approach to policy can be expected to that inside the National Park. The map included at Appendix 1 highlights the range of sites around the National Park that officers have commented upon and which have either been adopted in Local Plans or subsequently removed, or (as with Snitterton Fields) have emerged through a speculative planning applications.

Cooperation with Derbyshire Dales in respect of Housing Delivery

The close working and consultation on this case with Derbyshire Dales District Council reflects the terms of the Memorandum of Understanding jointly signed with the Peak District National Park Authority in respect of cross boundary planning issues such as housing delivery. Derbyshire Dales experience particular pressure in delivering housing because a large area of the district is within the National Park.

Officers would not object to an application for housing development outside of the National Park unless it was considered that there would be clear unacceptable harm to the special qualities of the National Park, as is considered to be the case in this

instance.

Similarly the Authority would expect Derbyshire Dales District to apply its adopted and emerging policies in considering the impact on National Park purposes and any specific adverse impacts on landscape characteristics which shape the scenic beauty of the area.

Conclusions

Officers recommend that the National Park Authority should raise objections to application 16/00923/OUT. The proposed development on part of Snitterton Fields would have a significant adverse landscape and visual impact and would harm the setting of the National Park. The development would have the potential to adversely affect the ability of visitors and residents to enjoy its special landscape qualities. Furthermore, the development would adversely affect the setting of several Scheduled Ancient Monuments and designated heritage assets, including the Grade I Listed Snitterton Hall.

It is reiterated that officers have no objection to the part of the proposed development that is limited to the Cawdor Quarry and Permanite Works sites. It is recommended that this should be made clear in the formal consultation response and that it should be agreed that the Authority would withdraw the objection if the development of Snitterton Fields was withdrawn from the proposal.

Are there any corporate implications members should be concerned about?

Financial: Recommendation 1 has no direct financial implication for the Authority. However, recommendation 2 may have a financial implication as involvement in an appeal would require officer time to be dedicated to it.

Risk Management: The financial risk is covered above. The other risk which should be considered is that of the possible damage to the reputation of the Authority should it object to this application but then fail to support at appeal any defence of a refusal by DDDC.

Sustainability: No implications.

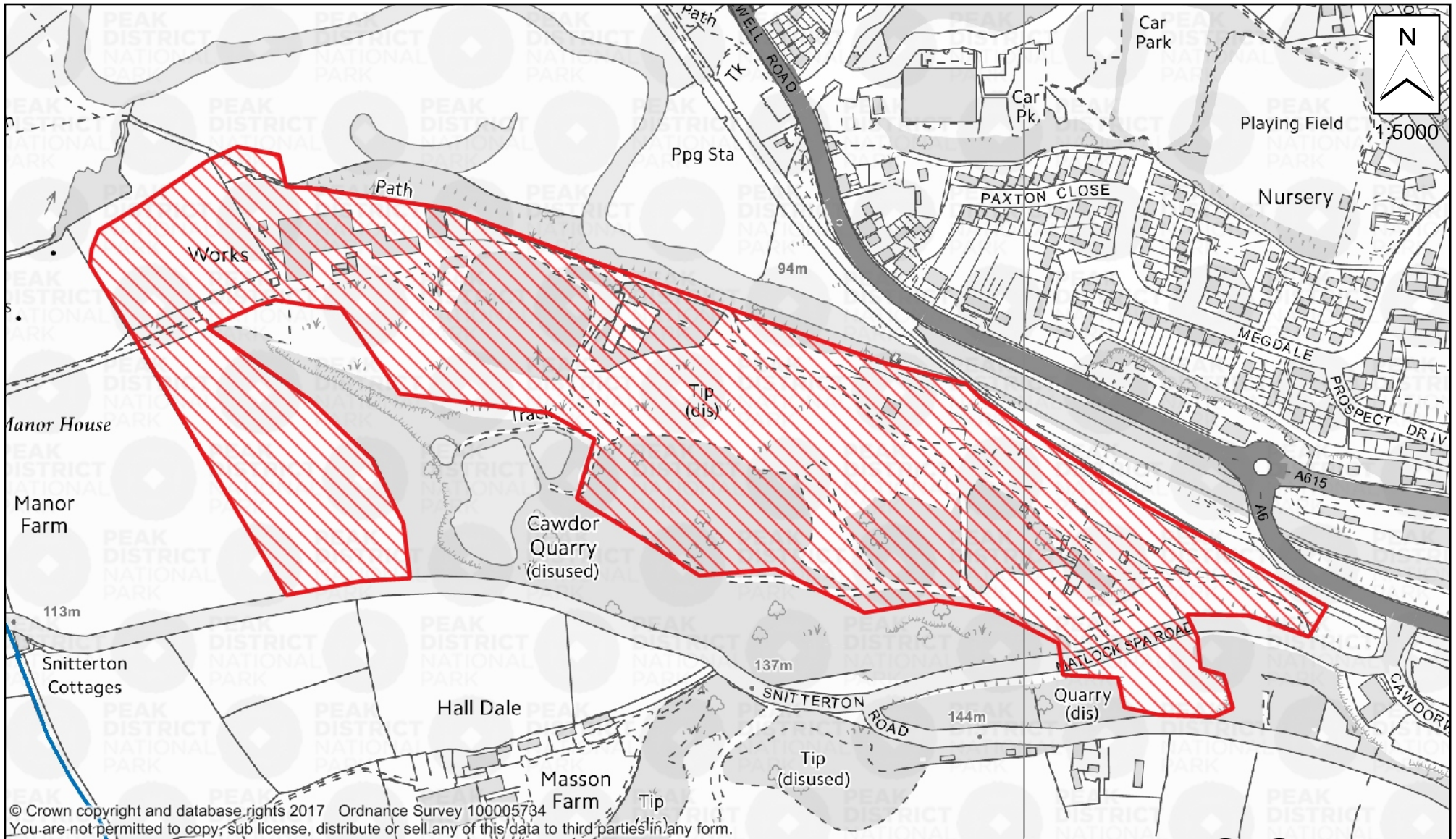
Consultees: The Authority's Landscape Architect, Conservation Officer and Senior Archaeologist.

Background papers (not previously published): None


Report Author, Job Title and Publication Date:

Tom Shiels, Senior Planner (South), 2 March 2017

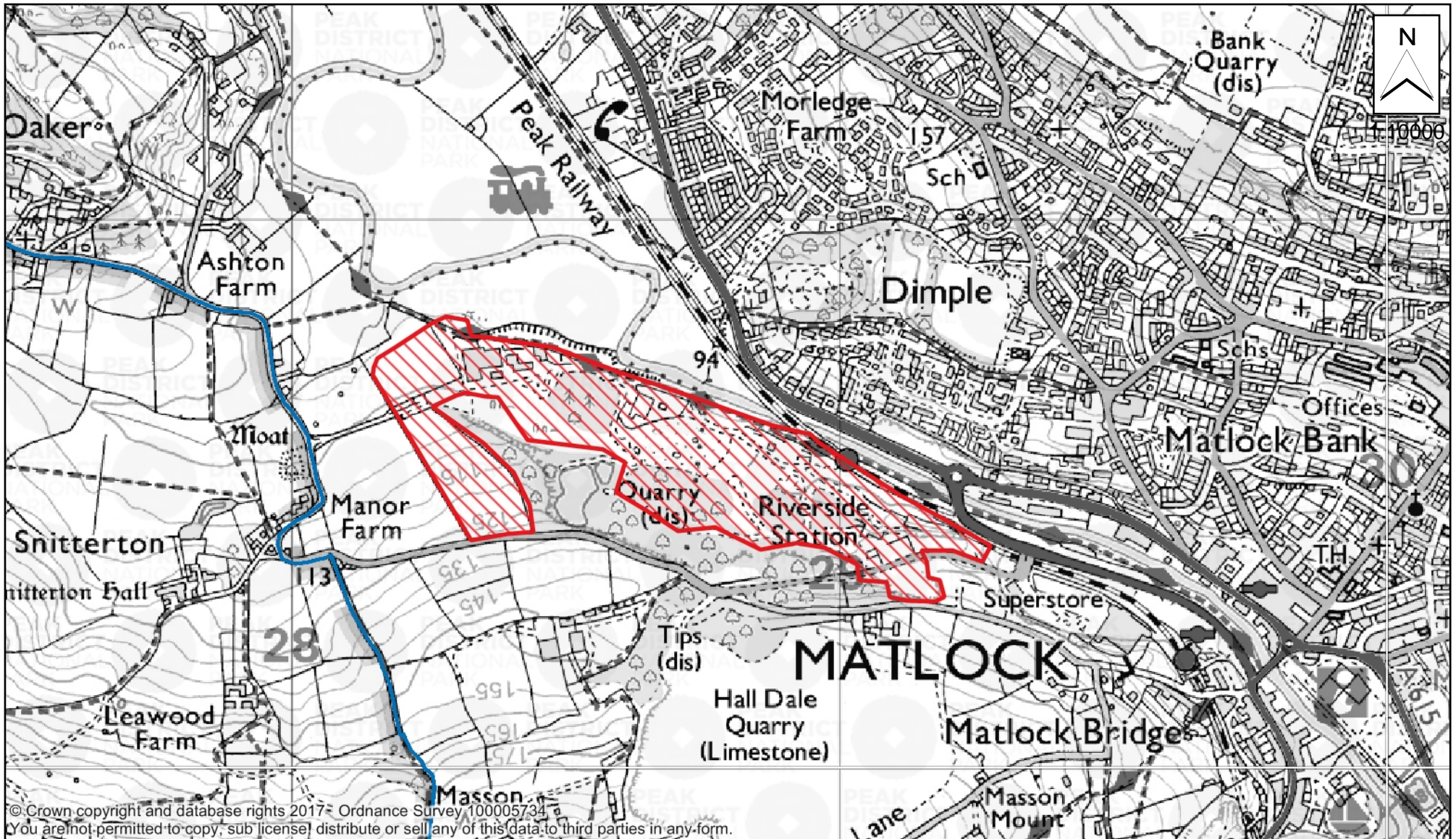
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Committee Date:	10/03/2017	Title:	 PEAK DISTRICT NATIONAL PARK
Item Number:	16	Derbyshire Dales District Council Consultation Land off Matlock Spa Road Matlock	
Application No:	16/00923/OUT		
Grid Reference:			

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<p>Committee Date: 10/03/2017 Item Number: 16 Application No: 16/00932/OUT Grid Reference:</p>	<p>Title:</p>	<p>Derbyshire Dales District Council Consultation Land off Matlock Spa Road Matlock</p>	 <p>PEAK DISTRICT NATIONAL PARK</p>
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17. HEAD OF LAW REPORT - PLANNING APPEALS (A.1536/AMC)

1. APPEALS LODGED

The following appeals have been lodged during this month.

<u>Reference</u>	<u>Details</u>	<u>Method of Appeal</u>	<u>Committee/ Delegated</u>
NP/DDD/0616/0559 3162214	Extension to existing workshop/store/office at the Station House, Upper Padley, Grindleford, S32 1JA	Householder	Delegated
ENF 13/0146 3161980	Material change of use, untidy land adjacent to the north of Brown Lane, Quarnford SK17 0SW	Public Inquiry	Delegated
NP/0616/0548 3166812	Conversion of part of outbuilding to holiday let and leave part as ancillary accommodation at the Station House, Upper Padley, Grindleford, S32 1JA	Written Representations	Delegated

2. APPEALS WITHDRAWN

The following appeal has been withdrawn.

ENF 13/0040 3156666	Erection of steel structure in connection with garage development at Swallow Cottage, Pilhough Road, DE4 2NE	Written Representations	Delegated
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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/CEC/0516/0463 3156496	Listed Building Consent - Replacement casement windows to all aspects of the property as included in the architects plans at Bulls Head, Macclesfield Road, Kettleshulme	Written Representations	Dismissed	Delegated

The Inspector considered that the main issue was whether the proposed works would preserve the listed building or any features of special architectural or historic interest which it possessed. The Inspector acknowledged that the existing windows were in poor condition and not in keeping with the appeal property or its neighbours and that the works were therefore necessary. However the Inspector went on to state that installing new windows which are appropriate in all respects is essential to maintaining the significance of the listed building but the submitted drawings and details of finish and window furniture were all lacking in details. The Inspector concluded that, in the absence of full details, it was not possible to assess properly the effect of the proposed works on the significance of the listed building. The Inspector was not assured that the proposed works would preserve the listed building or any of the features of special

architectural or historic interest. There is no statutory requirement to have regard to the development plan when considering applications for listed building consent. The proposal did not clearly demonstrate how the listed building would be preserved and was contrary to Policy LC6 of the Local Plan.

Appeal A NP/DDD/0716/0605 3160421	Rear extension to provide hall, studio, stair to basement and en-suite at a half level.	Written Representations	Dismissed	Committee
Appeal B NP/DDD/0716/0606 3160426	Refurbishment of basement and conversion to habitable space including restoration of original window openings. Re-grading of lawn and access to basement door at Hall Cottage, Baulk Lane, Hathersage			

The Inspector considered that the main issues in the appeals were:

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

Appeal B - Whether the proposed development would preserve the listed building; and the effect of the proposed on the development on the character and appearance of the conservation area and on the setting of nearby listed buildings.

The Inspector considered that the proposed works would harm the significance of the listed building. They would not preserve it or its features of special architectural and historic interest and listed building consent (Appeal A) should not be granted. With regard to Appeal B the Inspector found that the impact would amount to less than substantial harm but found no compelling evidence that the proposed development was essential to enable or to allow routine repairs, upgrading and maintenance to be undertaken. The proposed development would not conserve the significance of designated architectural and historic assets contrary to Policy L3 of the Local Development Framework (LDF). It would adversely affect the character of the listed building and thus would not comply with Policy LC6 of the Local Plan (LP). In respect of the conservation area and setting of the listed building, the proposed development would conserve the significance of designated architectural and historic assets and their settings, in line with LDF Policy L3. The Inspector concluded that there would be improved access to the property for disabled people and those with mobility problems, and egress from it in an emergency such as fire. The lower ground level proposed at the front of the dwelling would result in better ventilation, more light and less damp. These would be advantages of the proposal. They are not sufficient, however, to outweigh the harm caused. Whilst acknowledging the local support for the proposal and taking all the matters raised into consideration the Inspector did not find any compelling reasons to allow the appeals.

NP/DDD/0816/0797 3163612	Rear extension at 2 The Square, Monyash DE45 1JH	Householder	Dismissed	Delegated
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The Inspector identified the main issues as (i) whether the proposed development would preserve or enhance the character or appearance of the Monyash Conservation Area; and (ii) the effect of the proposal on the living conditions of the occupiers of adjoining properties, with particular reference to privacy and daylight and sunlight. He concluded that the size and massing of the proposed extension would not respect the dominance, form and character of the original building and would be detrimental to the appearance of the Monyash Conservation Area. The Inspector also decided that the proposed extension would materially harm the living conditions of the occupiers of adjoining properties as it would overlook their gardens and diminish their privacy.

NP/DDD/0716/0602 3160979	Agricultural building (retrospective) on land to the east of Taddington, SK17 9UF	Written Representations	Dismissed	Delegated
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The Inspector considered that the building although modest in its size, was highly prominent due to its close proximity to the road, and that it was wholly out of keeping with its sensitive rural setting, and as such, was an intrusive feature which was harmful to the open agricultural landscape in this part of the National Park, and detracted from the setting of the Conservation Area as a heritage asset. The Inspector concluded that the proposed development conflicted with LC4 and LC13 of the Local Plan and GPS1, GSP2, GSP3 and L1 of the Core Strategy together with paragraph 115 of the National Planning Policy Framework. For these reasons the appeal was dismissed.

.4 **RECOMMENDATION:**

That the report be received.

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