

Public Document Pack

Peak District National Park Authority

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



Our Ref: A.1142/1588

Date: 3 August 2017



NOTICE OF MEETING

Meeting: **Planning Committee**

Date: **Friday 11 August 2017**

Time: **10.00 am**

Venue: **The Conference Room, The Agricultural Business Centre, Agricultural Way, Bakewell, DE45 1AH**

SARAH FOWLER
CHIEF EXECUTIVE

AGENDA

1. **Agricultural Business Centre – venue location plan** (*Pages 5 - 6*)
2. **Apologies for Absence**
3. **Minutes of previous meeting of 14/07/2017** (*Pages 7 - 14*)
4. **Urgent Business**
5. **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.
6. **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.
7. **Full Application - Change of Use to 3 Open Market Dwellings at Hurst Water Treatment Plant, Derbyshire Level, Glossop (NP/HPK/0217/0140, P.8289, 405202 / 393910, 08/03/201/MN)** (*Pages 15 - 24*)
Site Plan

8. **Full Application - Variation of conditions of NP/HPK/0517/0525 (conversion of barn to holiday let property) to remove holiday let occupancy condition and to vary conditions addressing ecological mitigation measures at Bean Hill Farm, Castleton (NP/HPK/0517/0525, P.3462, 4357 & 6407, 415057 / 382802, 22/05/2017/MN) (Pages 25 - 34)**
Site Plan
9. **Full Application - Conversion of redundant barn to residential use at barns to rear of Grove Cottage, Market Place, Hartington (NP/DDD/0617/0592, P.5021, 08/06/2017, 412805/360379/ALN) (Pages 35 - 42)**
Site Plan
10. **Full Application - The use of the land for a six week consecutive period between the months of July and September in any year in association with The Derby Kids Camp at New House Farm, School Road, Wetton (NP/SM/0417/0415, P3705, 25/4/2017, 410737 / 355313/SC) (Pages 43 - 52)**
Site Plan
11. **Full Application - Proposed agricultural building to serve sheep enterprise at Wellcroft Farm, Oldfields Lane, Grindon (NP/SM/1116/1156, P7786 , 21/11/2016, 408571/353842/ALN) (Pages 53 - 60)**
Site Plan
12. **Full Application - Replacement of existing agricultural buildings with general purpose agricultural building and an 'American' barn for equestrian use (change of use), Far Brook Farm, Back O 'th'Cross, Quarnford (NP/SM/0517/0490 P.11264 401727/367018 18/05/2017 DH) (Pages 61 - 68)**
Site Plan
13. **Full Application - Extension to dwelling, garage modifications, solar pv, sewerage treatment and external alterations, 1 Rose Cottage, New Road, Hulme End, Fawfieldhead (NP/SM/0317/0315 P.3908 410386/359332 LB) (Pages 69 - 78)**
Site Plan
14. **Householder Application - Replacement of existing outbuilding, 6 Hillside Cottages, Sheffield Road, Hathersage (NP/DDD/0517/0542 P.3017 423496/381162 26/05/2017 DH) (Pages 79 - 86)**
Site Plan
15. **Revocation Order - Ballidon Quarry, Ballidon, DE6 1QX (420192/354944, NH) (Pages 87 - 90)**
16. **Peak District National Park Authority consultation response to revised scheme - development of 507 dwellings, 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 91 - 94)**
17. **Head of Law Report - Planning Appeals (A.1536/AMC) (Pages 95 - 96)**

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

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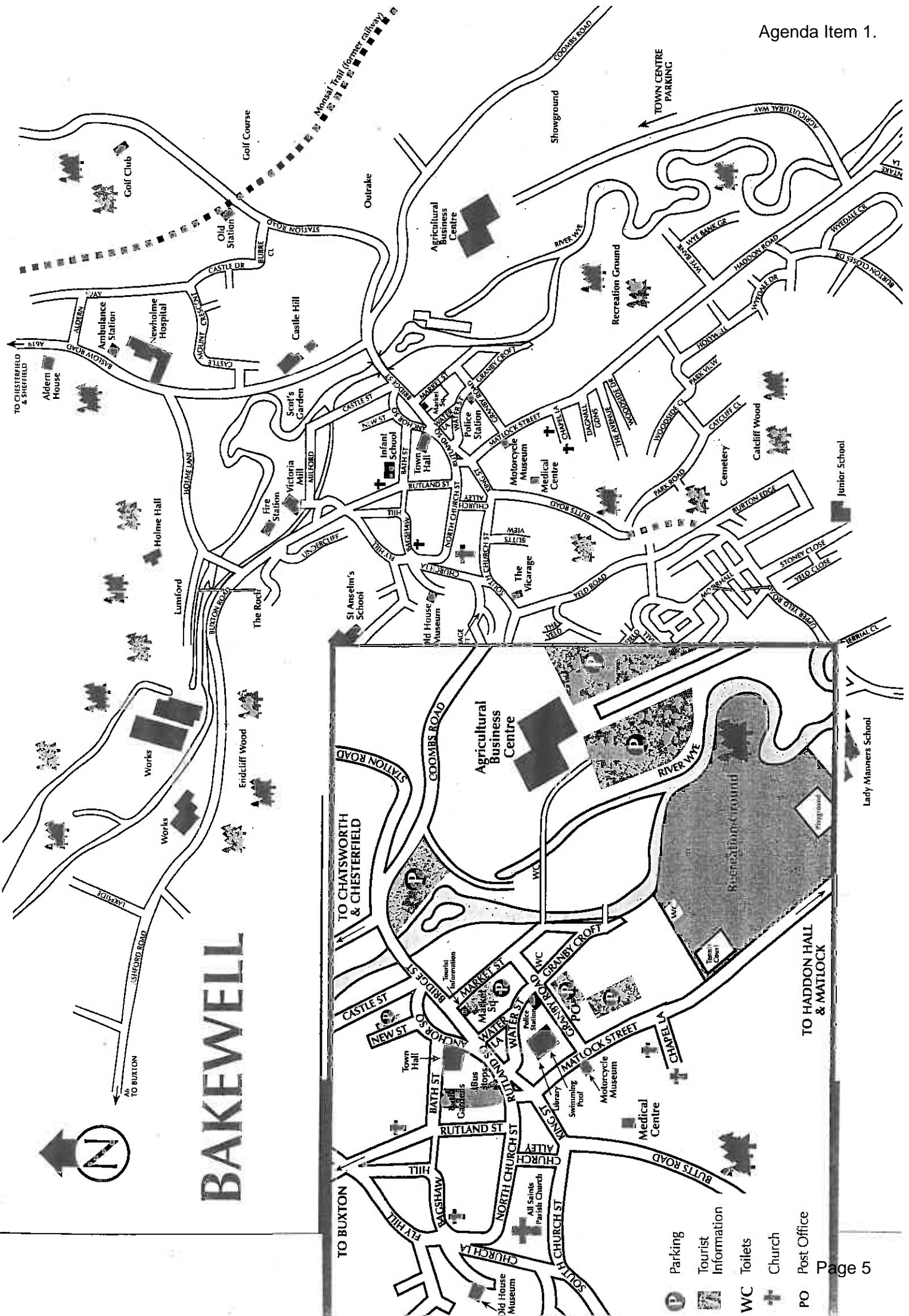
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BAKEWELL

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MINUTES

Meeting: **Planning Committee**

Date: Friday 14 July 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, Mr R Helliwell, Cllr H Laws, Cllr J Macrae, Cllr Mrs K Potter, Cllr Mrs L C Roberts and Cllr Mrs J A Twigg

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

Apologies for absence: Cllr Mrs C Howe.

74/17 MINUTES OF PREVIOUS MEETING OF 16 JUNE 2017

The minutes of the last meeting of the Planning Committee held on 16 June 2017 were approved as a correct record.

The Chair paid tribute to former Secretary of State Member Mrs Stella McGuire, who had died at the beginning of July following a period of illness. Appreciation of her knowledgeable contribution to the work of the Planning Committee was expressed on behalf of all Members.

75/17 URGENT BUSINESS

There was no urgent business to report.

76/17 MEMBERS DECLARATIONS OF INTEREST

Item 7

Cllr Mrs L Roberts and Cllr A Hart declared a personal interest as they knew the agent Mr M Green.

Mr P Brady declared a personal interest as he knew the owner of the business adjoining M Markovitz Ltd and was also an occasional customer of M Markovitz Ltd.

Mr R Helliwell declared a personal interest as a customer of M Markovitz Ltd.

Cllr Mrs J Twigg declared a personal interest as she knew the Markovitz family but had not discussed the application with them.

77/17 PUBLIC PARTICIPATION

The applicant's agent was present to make representations to the Committee.

78/17 ASSESSMENT UNDER THE HABITAT REGULATIONS - DEMOLITION OF ALL SITE BUILDINGS, REMOVAL OF CONCRETE SURFACING, AND REDEVELOPMENT FOR 25 X 2,3,4 AND 5 BED DWELLINGS, PARKING AND GARAGING SERVED BY PRIVATE DRIVE FROM EXISTING ACCESS FROM RICHARD LANE, MARKOVITZ LIMITED, RICHARD LANE, TIDESWELL

The officer emphasised that the planning application at Item 7 could not be considered by Members unless the Habitat Regulation Assessment was first approved.

Officers were fully satisfied with the Water Quality Impact Assessment submitted by the applicant and Severn Trent Water had confirmed that the Tideswell treatment works have sufficient capacity to accommodate waste from the development. They were therefore able to agree that it should be adopted as the Authority's Habitat Regulations Assessment in relation to the proposed development.

The recommendations were moved, seconded, voted upon and carried.

RESOLVED:

That:

- 1. The committee report be adopted as the Authority's Habitat Regulations Assessment in relation to the proposed redevelopment of the Markovitz building supply depot at Richard Lane, Tideswell.**
- 2. The redevelopment is unlikely to have a significant effect on the integrity of the Peak District Dales Special Area of Conservation. Thus redevelopment of the site is not considered to be contrary to the provisions of Regulation 61 and 62 of the Conservation of Habitats and Species Regulations 2010 and the EU Habitats Directive.**

Cllr A Law arrived at 10.15am to observe the meeting.

79/17 FULL APPLICATION - DEMOLITION OF ALL SITE BUILDINGS, REMOVAL OF CONCRETE SURFACING, AND REDEVELOPMENT FOR 25 X 2,3,4 AND 5 BED DWELLINGS, PARKING AND GARAGING SERVED BY PRIVATE DRIVE FROM EXISTING ACCESS FROM RICHARD LANE, MARKOVITZ LIMITED, RICHARD LANE TIDESWELL

Members had visited the site on the previous day.

The Director of Conservation and Planning introduced the report, noting that planning permission for redevelopment of the nearby Whitecross Road site had been granted in January 2016 under phase 1 and that the current proposals as phase 2 would provide the funding for that redevelopment.

The officer stated that as major development, the application to build 25 open market homes could be justified only in exceptional circumstances. He drew attention to the Key Issues detailed on page 23 of the meeting document pack and commented on each as below:

Key Issues

1. The applicant is an important local employer and the new site would provide a more appropriate site for its headquarters in the wider Peak District.
2. The financial viability report showed a projected shortfall of £147K but the applicant confirmed that the relocation would proceed. The officer confirmed that the need for local affordable housing in Tideswell had been assessed and that a scheme for approximately 20 affordable homes was currently under discussion (between officers, the Parish Council, the Rural Housing Enabler at Derbyshire Dales District Council and the preferred housing association).
3. The Highway Authority had no objections to the proposals, however it did not plan to adopt the roads until visibility splays were improved at the access point. The new homeowners would be required to fund maintenance of the roads on the site.
4. The Authority had adopted the Severn Trent Water Company's Water Quality Impact Assessment report as its Habitat Regulation Assessment, which demonstrated that the potential impact upon the Peak District Dales Special Area of Conservation was unlikely to be significant.
5. There were no major concerns about significant environmental impacts as listed in Key Issue 5. The officer reported that the applicant proposed to build an acoustic, landscaped fence to mitigate against potential noise impact.

The officer suggested adding to condition 3 the words "subject to design and layout improvements to be agreed by the Director of Conservation and Planning in consultation with the Chair and Vice Chair of Planning Committee" in order to achieve an improved design for the proposed scheme. He gave the example of adjacent garages being under the same roof rather than individual ones.

Members asked about a footpath link to the playground. The officer stated that the applicant was willing to discuss the provision of a footpath, which could be added as a condition of approval.

The following made a representation to the committee under the Authority's Public Participation Scheme:

- Mr Michael Green, Agent

The Chair observed that although 20 letters of objection had been received, there were no other speakers on the item.

The recommendation was moved and seconded.

During the debate, officers responded to Members' questions about:

- The absence of affordable housing in the proposed scheme
- The trees on and around the site
- The potential noise impact of breaking up the concrete on site and whether activities during the construction phase should be within defined hours of operation

- The likelihood of houses on the proposed new estate becoming second homes or holiday homes
- The Highway Authority's refusal to adopt the scheme, which could affect the prices of the proposed new homes and have implications for other developments within the National Park. The officer agreed to members' request to raise the matter again with the Highway Authority.
- The discrepancy between the route of the public right of way on the Location Map and the Site Plan as submitted with the officer's report. The officer explained that this was the result of a footpath diversion when the yard was first developed in the 1990s.
- The scheme's lack of sustainability elements to ensure compliance with the Authority's policies CC1, CC2 and CC5. Although condition 21 required that a scheme of environmental management be submitted and agreed prior to the commencement of works, Members felt that this did not give sufficient emphasis or priority to environmental protection. The Director agreed to discuss with the development management teams how to raise the profile of sustainability in proposed developments.
- Access and traffic issues
- The addition of a footnote relating to electric charging points.
- Members discussed the possibility of an "open book" approach to the development, to allow a percentage of any profit to be given as a commuted sum. Following discussion and given the projected financial loss in the relocation and house build scheme and the officer monitoring which would be required, Members did not support open book monitoring and a commuted sum requirement in the section 106 agreement.

The officer summarised the proposed amendments and additions to the conditions as below:

- Condition 3 – add the words "subject to design and layout amendments to be agreed by the Director of Conservation and Planning in consultation with the Chair and Vice Chair of Planning Committee"
- Condition 4 – amend to say "Submit and agree a construction management plan to comply with the Highways Authority requirements"
- Condition 11 – Remove Permitted Development rights in relation to boundary walls around the perimeter of the site.
- An additional condition that a footpath linking the proposed estate to the play area be provided
- Condition 16 – expand to include guidance encouraging the installation of electric charging points
- Condition 21 – include defined hours of construction work
- That the applicant make "all reasonable endeavours to" contribute to the implementation of a road traffic order to amend the speed limit on Richard Lane.

Subject to the addition and amendment of conditions, planning obligations and footnotes as above, the motion was put to the vote and carried.

The Director of Conservation and Planning also agreed to raise the issue of the adoption of the estate roads with the Highway Authority.

RESOLVED:

That, subject to the prior entry into a section 106 agreement securing the relocation of the company's Richard Lane business to the Whitecross Road site

and the applicant making all reasonable endeavours to contribute to the implementation of a road traffic order prior to commencement of this development, the application be **APPROVED** subject to the following conditions:

1. Commence development within 3 years.
2. Prior submission and agreement of a management plan for the long term maintenance of the access roads, pavements and public spaces within the site.
3. Carry out in accordance with defined approved plans, subject to design and layout amendments to be agreed by the Director of Conservation and Planning in consultation with the Chair and Vice Chair of Planning Committee.
4. Submit and agree a construction management plan to comply with the Highways Authority requirements
5. Ecological conditions covering protection to breeding birds, ramps in open trenches for escape of animals passing through the site and control over lighting to protect foraging bats
6. Prior submission and agreement of a comprehensive landscaping scheme covering hard and soft landscaping works for the site with implementation and aftercare
7. Submit and agree with implementation details of an acoustic fence to the eastern boundary
8. Agree street lighting scheme
9. Agree sample materials including sample stone panel
10. Minor design details – re walling, eaves, rainwater goods
11. Remove Permitted Development rights for boundary walls and fences
12. No building hereby permitted shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with an agreed scheme and including a management plan following prior submission and approval of details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with an agreed management and maintenance plan
13. Environment Agency condition covering no development to commence until a remediation strategy to deal with the risks associated with contamination of the site has been submitted to, and approved in writing by, the Authority
14. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use
15. Submission and agreement of finished floor levels and site levels prior to commencement of development
16. Footnote re Guidance Re Access to high speed broadband services for future residents (in conjunction with service providers) and Guidance to encourage the installation of electric charging points
17. Footnote re the County Council not adopting any private SuDS schemes
18. Footnote re any works in or nearby an ordinary watercourse require consent under the Land Drainage Act (1991) from the County Council
19. Footnote re applicant demonstrating the appropriate level of treatment stages from the resultant surface water in line with Table 3.3 of the CIRIA SuDS manual C697
20. Severn Trent Water footnote re sewer records and statutory protection

- 21. Prior submission and agreement of a scheme of environmental management for the dwellings, to include definition of hours of operation for the construction works**
- 22. A footpath linking the proposed estate to the play area to be provided**

A short break was taken from 11.45 to 11.50am.

80/17 FULL APPLICATION - CHANGE OF USE OF A STONE BARN TO A HOLIDAY LET AT THE BARN, ELKSTONES, LONGNOR

Member had visited the site on the previous day.

The officer reported that the applicant proposed to add a single roof light to the new roof.

There were no members of the public present to make representations to the committee, however supporting comments received from Cllr Mrs G Heath in her capacity as a Member of the Authority and County Councillor were read out by the Chair at her request (page 42 of the document pack).

Members debated in particular the impact of the proposals upon the landscape. It was noted that the Authority's policy RT2 could support a barn conversion but only where there was no adverse impact on the landscape. The officer view was that despite their sympathetic design, the proposals would spoil the landscape because of the isolated location of the barn and the size of the proposed curtilage, therefore the principle of conversion on this site was not acceptable.

Neither an ecological nor an archaeological report had been submitted by the applicant but officers had not pressed for these in view of the recommendation for refusal.

Members considered the application in terms of farm diversification but noted that this was not mentioned in the planning application. The officer confirmed that the applicant had not promoted his proposals as farm diversification in his planning application.

A motion to defer the application pending further discussions with the applicant was moved and seconded, but fell in the vote.

The Director of Conservation and Planning suggested that the application could either be withdrawn by the applicant or refused with a steer from Members to make a clear link to farm diversification and to address ecological, archaeological and landscape impact issues.

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

RESOLVED:

That the application be REFUSED for the following reasons:

- 1. The conversion of the barn to a holiday let would result in domestication of the site that would have an unacceptable landscape impact on the open countryside. The proposal is therefore contrary to policies RT2, LC3, LC4 and LC8.**
- 2. Insufficient information has been provided to enable an assessment of the likely impacts on protected bats and birds. The proposal is therefore**

contrary to policy LC18 and the guidance contained within the National Planning Policy Framework (NPPF).

- 3. Insufficient information has been provided to identify and mitigate the potential to harm archaeological heritage assets. The proposal is therefore contrary to policy L3 and the guidance provided at paragraph 128 of the NPPF.**

Cllr J Macrae left the meeting at 1.45pm.

81/17 MINERALS AND WASTE REVIEW - JULY 2017

The Minerals Team Manager introduced the report.

The officer expressed a desire to present regular updates to Members to ensure that they were fully aware of the work of the Minerals Team. She explained the nature of their work, including the ongoing monitoring of adherence to conditions and dealing with applications to discharge those conditions. In the financial year 2016/17, 49 chargeable site inspections had been undertaken, generating an income of £15,998.

Derbyshire County Council and the officer co-operated to draw up an annual Local Aggregate Assessment, in line with practice in the wider industry.

Using a PowerPoint presentation, the officer gave updates on Topley Pike Quarry, Stanton Moor Quarry and Longstone Edge East, as summarised in her report. Members welcomed this, confirming that more reporting would be welcome and congratulating the Minerals Team on their achievements.

The Director of Conservation and Planning confirmed that an annual review of minerals and waste applications and subsequent monitoring would be provided for Members.

RESOLVED:

That the report be noted.

82/17 MONITORING & ENFORCEMENT QUARTERLY REVIEW - JULY 2017

The officer reported that the first two formal notices issued this quarter related to The Lodge at Hollow Meadows. A planning application had been approved by the Authority's planning committee on 12 May 2017 (Minute no. 50/17) and the notices were therefore withdrawn.

An appeal had been received against the enforcement notice issued on 4 May, relating to High Peak House at Blackbrook. An Inquiry would be held on 12 and 13 December.

The officer stated that an appeal regarding Fox Holes Farm at Low Bradfield might be submitted before 4 August. He reported media interest in the case, noting that weddings had been held at the venue for several years and that bookings existed for the next two to three years.

Wedding events being held at the Mortimer Road site by the same company operating at Fox Holes Farm were compliant with the 28-day rule and therefore outside of the Authority's control, but that the enforcement notice issued on 30 June regarding alteration of a track would come into force on 11 August.

The officer stated that after carrying a vacancy since April 2017, the team would be welcoming Alexandra Sinfield on 17 July. The vacancy had caused the team to miss its target for resolving breaches during the last quarter.

Members welcomed the report.

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

RESOLVED:

That the report be noted.

Members voted to continue the meeting past 1pm, in accordance with the Authority's Standing Orders.

83/17 HEAD OF LAW REPORT - PLANNING APPEALS

The Director introduced the report and stated that he would be available to provide Members with more information on the three allowed appeals outside of the meeting.

He reported that no costs had been awarded against the Authority.

In the past three weeks, the Local Economic Partnership (LEP) had awarded £3.9M to the Riverside Business Park in Bakewell, following which the Director would be arranging a meeting between himself, the applicant and Derbyshire Dales District Council. He noted that the LEP required the bridge to be in place as part of the development of the site.

The report was moved, seconded, voted on and noted.

RESOLVED:

That the report be noted.

The meeting ended at 1.15 pm

7. FULL APPLICATION – CHANGE OF USE TO 3 OPEN MARKET DWELLINGS AT HURST WATER TREATMENT PLANT, DERBYSHIRE LEVEL, GLOSSOP (NP/HPK/0217/0140, P.8289, 405202 / 393910, 08/03/201/MN)

APPLICANT: Paul Milner

Site and Surroundings

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

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

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

Proposal

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

The submitted plans show that the entirety of the existing building would be converted to create the proposed three dwellings. New window and door frames would be installed within the existing openings, four new door openings would be created on the rear elevation and four single and three double roof lights installed on the front elevation.

Each of the three dwellings would provide accommodation on two floors with bedrooms above open plan living space. Plots 1 and 2 on the submitted plans would each have a total of three bedrooms, whilst Plot 3 would have two bedrooms.

Parking space would be provided to the front of the building and garden space to the rear and side. The submitted plans show that close boarded timber fencing would be erected to bound the gardens, also running along the northern side of the site.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions:

- 1. 3 year time limit**
- 2. Development in accordance with the submitted plans**

3. **Removal of permitted development rights for alterations and extensions**
4. **Reduce number of rooflights**
5. **Detailed landscaping scheme to be agreed**
6. **Obscure glazing to south east gable**
7. **Further contaminated land assessment to be undertaken and mitigation implemented where necessary**
8. **Details of package treatment plant to be confirmed**
9. **Provision of bat boxes**
10. **Highway conditions to secure site construction compound, parking and bin storage**

Key Issues

- Whether the principle of conversion to open market dwellings is acceptable in principle.
- Whether the development achieves a design that conserves the appearance of the built environment.
- Whether the development would preserve the amenity of neighbouring properties.
- Whether the development would be served by safe and suitable access and adequate parking and turning arrangements.

History

2016: NP/HPK/0916/0875: Planning permission refused for change of use to 3 no. affordable dwellings.

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

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

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

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

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

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

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

Consultations

Derbyshire County Council – Highways – Refer to comments on 2016 application. These advised no objections subject to conditions to secure site construction compound, parking and bin storage.

High Peak Borough Council – Environmental Health – The site was subject to a land contamination assessment under a condition of approval NP/HPK/1114/1162. This assessment identified contamination and was made with regard to a commercial end use. As the proposed residential end use is more susceptible to the presence of land contamination a condition requiring further survey and mitigation work is recommended to protect the health of future occupiers.

Clarity is also requested in relation to details of the proposed sewage treatment system to be utilised, with a condition recommended to secure this.

A condition requiring confirmation of means of water supply to the properties is also recommended.

Charlesworth Parish Council – No response to date.

Representations

The Authority has received a total of three representations. Two support the application and one objects. The reasons given in support or objection are summarised below, the letters are available to read in full on the website.

Support

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

Object

- Object to the application due to the sites previous planning history.
- The size of the proposed developments they would not fall into the category of affordable housing and there is no evidence of a proven need for affordable housing of this type in the area.
- Pre-application advice has not been sought.
- The privacy of the neighbouring property privacy would be compromised by the east facing gable end of the proposed development overlooking it.
- On previous applications the Highway Authority advised that a turning area was required for delivery vehicles and has not been provided. [Officer note: a turning area is detailed on the submitted plans]

Main Policies

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

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

National Planning Policy Framework

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

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

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

Development Plan

Policy HC1 of the Core Strategy sets out the Authority's approach to new housing in the National Park; policy HC1(C) I and II say that exceptionally new housing will be permitted in accordance with core policies GSP1 and GSP2 if it is required in order to achieve conservation and/or enhancement of valued vernacular or listed buildings or where it is required in order to achieve conservation or enhancement within designated settlements.

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

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

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

Wider Policy Context

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

Assessment

Principle of conversion to open market dwellings

The application site is considered to be within open countryside as it is separated from the edge of Glossop by open fields and the Glossop and District Golf Course.

A proposal to convert the building to an open market dwelling was refused planning permission by the Authority in 2013 and the subsequent appeal was dismissed.

At that time, the Authority – and subsequently the Inspector – were of the view that the building did not represent a valued vernacular building, and as such it did not comply with the policy criteria of HC1 that would justify an exceptional permission for conversion to an open market dwelling.

However, since that time the Authority's Members have considered a scheme for conversion to three dwellings in 2016. Whilst the application was refused, Members were of the view that the building did represent a valued vernacular building, being a good example of the water-related industrial heritage of the area, and therefore conflict with policy HC1 was not stated as a reason for refusal in the final decision. Members also considered that this is a relatively sustainable location, close to the edge of Glossop, and that, as such, it accords with the principles in the National Planning Policy Framework

The applicant has also now submitted a number of historic records relating to the building, explaining the importance of the reservoir and treatment plant in securing Glossop's water supply in the 1960s. Whilst this does not serve to change the buildings character, it does provide previously unavailable evidence that the building and its connection with Glossop's water supply is of some local historical significance.

On the basis of the above, and on balance, it is considered that conversion of the building to open market dwellings would be acceptable.

Design and visual impact

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

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

The applicant has submitted historic newspaper articles and photographs that demonstrate that the flat roofed section to the front of the building is an original part of the building. As such, it contributes to its historic interest and significance and its retention is considered acceptable.

Other external changes to the building are generally minor in nature, including the addition of some new door openings. It is accepted that these are necessary to facilitate the conversion of the building, and area considered to have a less than significant impact on the buildings overall character and appearance.

The proposed rooflights to the front roof slope are considered to over-clutter the roof slope due to their number and arrangement. It is considered that those double lights serving the first floor studies should be reduced to single lights to minimise this disruption. This could be controlled by planning condition if permission were to be granted.

Proposed landscaping includes lawns to rear gardens and tree and shrub planting. Whilst generally appropriate, species have not been specified.

Therefore, subject to requiring minor design amendments and the submission of a comprehensive landscaping scheme by condition, it is considered that the proposed development would not have an adverse landscape or visual impact or harm the character or appearance of the building.

Further alteration or extension of the building would be likely to have an adverse impact on its industrial character and appearance – which is a primary reason for the support of the application. It is therefore considered that permitted development rights for alteration or extension of the dwellings should be removed by condition if permission is granted.

Impact upon neighbouring properties

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

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

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

Officers consider that if clear glazing was used in windows to this elevation then occupants of the neighbouring property would be likely to suffer a significant loss of privacy due to occupants of the bedroom in particular being able to look out through these windows towards the neighbouring dwelling and its rear garden, contrary to policy LC4.

It is considered that a scheme for obscure glazing to this elevation would satisfactorily mitigate this potential impact by preventing views into and out of the dwelling from the neighbouring property. This could be secured by a suitably worded planning condition if permission was granted.

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

Highway safety and amenity of road users

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

The Highway Authority's consultation response advises that due to the similarities between this and the previously refused scheme their comments remain unchanged. These state that whilst the proposal would be likely to result in an increase in vehicular activity associated with the site, this would be considerably less than those associated with the office use which is subject to an extant planning permission granted in 2015.

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

In addition, a turning area for refuse and delivery vehicles has been proposed adjacent to the development, minimising any congestion that might arise from increased numbers of larger vehicle movements; although this increase would only be minor in any case, based upon three additional dwellings.

Ecology

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

Natural England were consulted on the 2016 application to convert the building to three dwellings, and provided no comment. They were also consulted on the 2015 application to convert the building to offices. They raised no objections to this. As a result of these former responses (or lack thereof), and based upon the similarities and scale of the proposed development, the intervening distance and the lack of direct access from the application site, it is not considered that the development would be likely to affect the SSSI or the other designated sites. Natural England have therefore not been re-consulted and the ecological impacts of the development are considered less than significant and acceptable.

The applicant has previously submitted a report following a survey of the building by an ecologist as part of the 2015 office conversion. The bat report found no evidence of bats and considered the site to offer low potential with very limited suitable habitat available. It is agreed that the building – and its generally good condition and roof form in particular - are not such that would provide appropriate bat habitat and it is therefore considered that subject to appropriate mitigation secured by planning condition that the development could take place without harming individual bats and populations of bats in the area and secure enhancement in accordance with L2 and LC17. Such a condition should require the provision of bat boxes to conserve and enhance habitat in accordance with planning policy.

Other issues

The site was formerly used to treat water and the Environmental Health Officer has commented that that ground contamination was likely to be an issue here and has recommended conditions to ensure this is addressed. The applicant has submitted reports following ground surveys that accompanied a previous application for use of the building as office space, which indicated that any ground contamination is not serious and could be dealt with by appropriate mitigation. However, these surveys relate to a commercial use and the Environmental Health Officer considers that because a residential use is more susceptible to impacts of ground contamination that further survey works (and remedial actions where necessary) should be secured by condition. Subject to such a condition it is therefore considered that any ground contamination could be mitigated in accordance with LC24.

The Environmental Health Officer has also requested a condition be imposed in relation to site sewerage. A package treatment plant is proposed to deal with foul water drainage from the dwellings. A brand of plant has been proposed, but the model is not specified. Subject to the model being of a suitable capacity to serve three dwellings, which could be controlled by condition, it is considered that this would be acceptable. Control of sewerage beyond this would be covered by building regulations and other legislation and is not considered to require further planning control.

The Environmental Health Officer has also queried how fresh water would be supplied to the site, recommending that this information is secured by condition. The applicant has since confirmed that water will be supplied from the existing mains pipe that runs through the back of the site and already serves the neighbouring houses. This is considered sufficient from a planning point of view, and any further permissions required to secure this would be dealt with under other consent regimes.

Conclusion

Based on the additional information and material considerations that have become available or apparent since consideration of previous applications on the site, the conversion of the building to three open market dwellings is considered to be acceptable in principle. Subject to minor design amendments, the proposal is considered to conserve the character and appearance of the building, and to protect neighbouring amenity.

All other material issues have been considered and the development has been found to either have acceptable impacts, or to have impacts that could be mitigated by planning conditions.

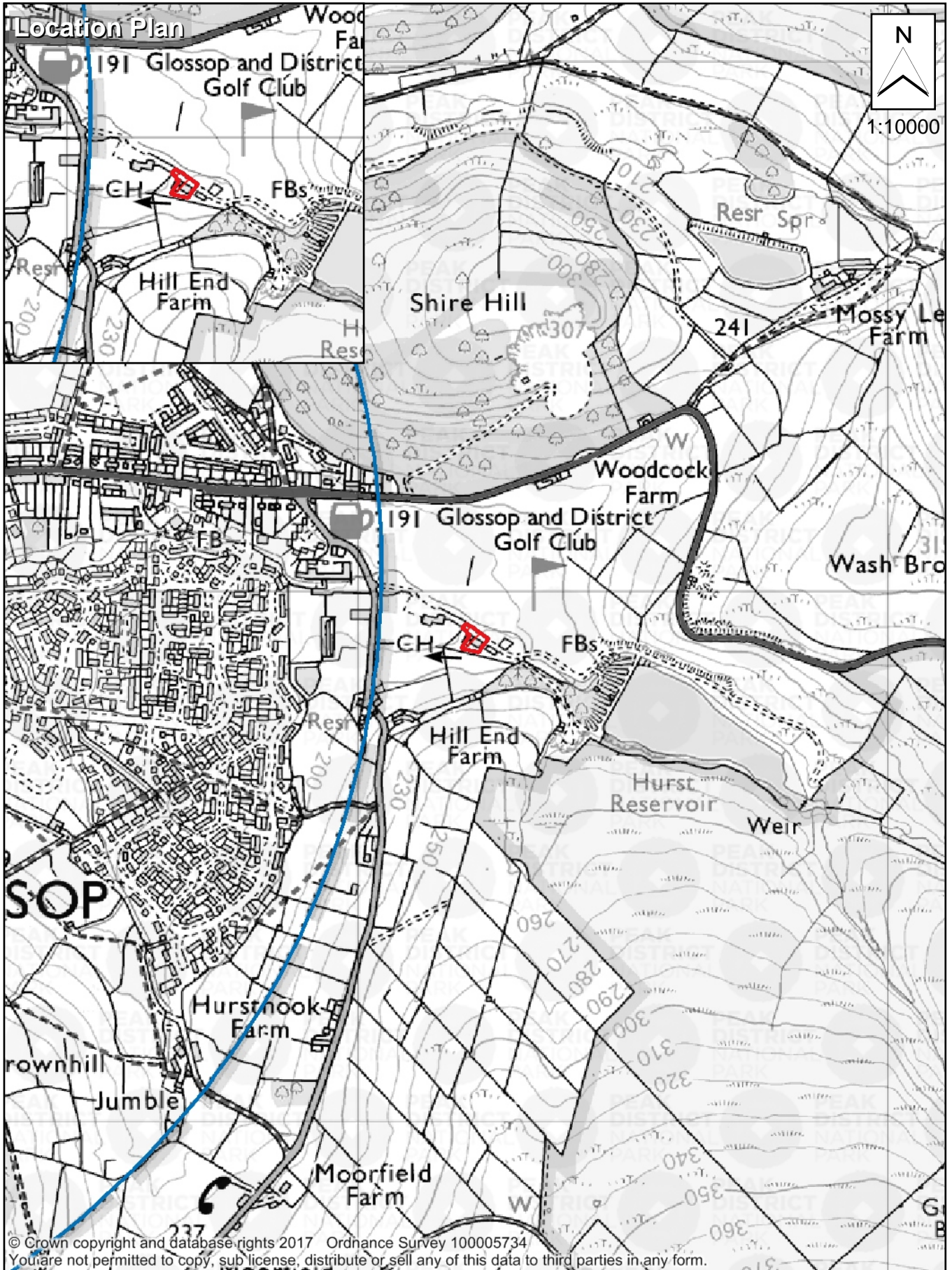
The application is therefore recommended for approval subject to conditions.

Human Rights


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

List of Background Papers (not previously published)

Nil



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Committee Date:	11th August	Title: 3 Open Market Dwellings, Hurst Water Treatment Plant	 PEAK DISTRICT NATIONAL PARK
Item Number:	Item No.7		
Application No:	NP/HPK/0217/0140		
Grid Reference:	405202, 393910		

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8. FULL APPLICATION – VARIATION OF CONDITIONS OF NP/HPK/0517/0525 (CONVERSION OF BARN TO HOLIDAY LET PROPERTY) TO REMOVE HOLIDAY LET OCCUPANCY CONDITION AND TO VARY CONDITIONS ADDRESSING ECOLOGICAL MITIGATION MEASURES AT BEAN HILL FARM, CASTLETON (NP/HPK/0517/0525, P.3462, 4357 & 6407, 415057 / 382802, 22/05/2017/MN)

APPLICANT: Mr and Mrs Hodkinson

Site and Surroundings

Bean Hill Farm fronts onto the eastern side of Castleton Market Place, towards the southern end of the village. The property comprises a range of traditional buildings which are Grade II listed.

There are three principal buildings, the two storey Bean Hill farmhouse, and two adjoining barns known as Middle Barn and Northern Barn; both barns front the marketplace. Cobb Cottage abuts the southern end of the barns and is in separate ownership.

The planning unit comprises the farmhouse, Middle Barn and Northern Barn, parking and access to Bean Hill Farm from the Market Square and agricultural land within the same ownership to the east. All buildings and land are within the Conservation Area.

The barns are constructed of coursed limestone rubble under a Welsh slate roof with gritstone dressings and each has a large cart opening in the front elevation. The barns are currently unused, although restoration and repair of the buildings has been commenced in accordance with NP/HPK/0113/0071 (detailed below). There is a single storey lean-to on the rear of the north barn. The site is surrounded by residential properties.

Vehicular access to the site is via an access from the Market Place between Cobb Cottage and the property to the south. The access serves the farmhouse, the rear of Cobb Cottage, the middle and north barn and the fields to the East which are in agricultural use. There is a parking area sufficient to provide at least 7 parking spaces, including two places for Cobb Cottage.

Proposal

To remove condition 3 of NP/HPK/0113/0071, which restricted the occupancy of the dwelling approved within the barn to short term holiday letting. This would have the effect of allowing occupation of the building as an independent open market dwelling.

To vary conditions 18 and 19 of the same permission: Condition 18 required a stone outbuilding some 60m east of the barns to be re-built as a 'bat barn' prior to the approved holiday accommodation being brought into use. Condition 19 controlled lighting around the bat barn.

It is proposed to replace these conditions with a single condition requiring the provision of bat boxes in accordance with a method statement that would be submitted to and agreed in writing by the Authority.

RECOMMENDATION:

That the Authority refuses to vary or remove Condition 3 (holiday let occupancy restriction) and re-imposes all other outstanding conditions from NP/HPK/0113/0071, but agrees to replace conditions 18 and 19 with a revised condition securing a reduced scheme of ecological mitigation.

Key Issues

- Whether the principle of removing condition 3 of NP/HPK/0113/0071 to permit an open market dwelling is acceptable in principle.
- Whether the proposed alternative bat mitigation measures would conserve and enhance the bat interests of the site.

History

2008: NP/HPK/1208/1044 and NP/HPK/1208/1045: Full planning permission and listed building consent granted for repairs and alterations to provide education space and staff accommodation at Bean Hill Farm (NB. This was permission for the YHA, but was never implemented).

2013: NP/HPK/0113/0071 and NP/HPK/0113/0073: Planning permission and listed building consent granted for change of use of barn to single residential self-catering holiday let, including internal alterations, alterations to window and door openings, re-covering of roof and installation of conservation type roof windows. Also, demolition and re-building of field barn.

Consultations

Derbyshire County Council – Highways – No objections subject to applicant maintaining off street parking spaces.

Castleton Parish Council – No objections.

Natural England – No comment.

High Peak Borough Council – No response at time of writing.

PDNPA – Archaeology - The proposed removal of condition 18 of the current planning permission will secure the survival a non-designated heritage asset (the field barn) within a Conservation Area. We would strongly support this proposal.

PDNPA – Ecology – The response is duplicated here in full, as it contains numerous references to specific legislation and guidance:

“The Bat Mitigation Guidelines provide guidelines for proportionate mitigation (Mitchell-Jones, 2004). Small numbers of roosting, non-breeding common species fall between low and medium conservation significance (page 39 of the guidance). Mitigation/compensation for low numbers of non-breeding common species falls between *“flexibility over provision of bat boxes, access to new buildings etc.”* and *“Provision of new roost facilities where possible. Need not be exactly like-for like, but should be suitable, based on species’ requirements”*. Page 44 and 45 of the guidance provides details on habitat preference for brown long-eared bats (BLE) for both Summer and maternity roosts. This then goes on to say *“For species that fly in roof voids...it is essential that a sufficiently large space, unobstructed by constructional timbers, is available for the bats to fly in. Based on a sample of known roosts, it is unlikely that a void height (floor to ridge board) of less than 2m will provide sufficient volume or that an apex length or width of less than 4m will provide sufficient area”*. These minimum dimensions should be provided in order to secure provision for BLE, based upon habitat preference. It is unlikely that bat boxes alone will provide roosting provision for this species, other than a temporary roost during the transient period between summer and winter roosting.

Some key points:

1. All competent authorities (including planning authorities), when exercising their functions must have regard to the requirements of the Habitats Directive (Regulation 9(3) of the Habitats Regulations). This duty requires us to consider the ‘three tests’. This is done independently of NE and therefore there may be some disagreement and I can’t see why that is not perfectly acceptable. There is no direct conflict with NE advice in this instance, it is simply a case that we consider that more compensation needs to be offered for the LPA to fulfil our duty and ensure that the favourable conservation status of the species’ is met. In this case, we considered that in order to meet the ‘favourable conservation status’ test the field barn was required to provide compensation for brown long-eared bat, as well as social behaviour observed in the existing building for a number of species (four including BLE). Natural England only have the Habitats Regulations to consider whilst we have the NERC Act, NPPF and Circular 06/2005 etc.
2. The NPPF in paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by: ‘minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government’s commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures’.
3. When determining an application for development that is covered by standing advice (from Natural England), in accordance with guidance in Government Circular 06/2005, LPAs must take into account Natural England standing advice.
4. An extract from the Standing Advice on bats states that *“Compensation should ensure that once completed, there is no net loss of roosting sites. In fact where significant impacts are predicted there will be an expectation that compensation will provide an enhanced habitat (in terms of quality or area) compared with that to be lost.... The size of the scheme will largely determine whether wider biodiversity enhancements are appropriate, but any habitat management work which provides greater bat roosting opportunities, retains and improves habitat connectivity/flight paths/commuting routes and retains and improves the habitat for invertebrates (i.e. improves feeding opportunities for bats) is highly recommended.”*
5. Under FAQ section of the Natural England Standing Advice there is a question about responsibilities of local authorities; one excerpt reads “Natural England recommends that Planning Authorities maximise the opportunities for enhancements associated with all developments”.
6. Section 40 of the Natural Environment and Rural Communities Act (2006) states that: : *“Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity”*. Section 40(3) also states that *“conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat”*. Brown long-eared bat and soprano pipistrelle bat are both “Species of Principal Importance” under the provisions of the NERC Act 2006. The National Planning Policy Framework (NPPF) (paragraph 117) indicates that local authorities should take measures to *“promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species”* (i.e. Species of Principal Importance).

The method statement for the 2010 licence says at this site (the EPS licence that was submitted for the YHA permission) *“In accordance with the Bat Mitigation Guidelines, non-breeding roosts of small numbers of common species are considered to be of low conservation significance. However, the site collectively supports at least four species of bat and is therefore considered to be of low-medium conservation significance.”* In accordance with Bat Mitigation Guidelines (P39) this requires *“Provision of new roost facilities where possible. [these] need not be like for like, but should be suitable, based on species requirements...”* Bat boxes are not suitable based on the

species requirements in this case as not only are we dealing with brown long-eared bats, but they are using the roost for light sampling, feeding and socialising and bat boxes will not suit these purposes.

The Key principles of mitigation set out in the Bat Mitigation Guidelines (Section 7.2) state that the overall aim is “to ensure that there will be no detriment to the conservation status of bats. In practice this means maintaining and preferably enhancing populations affected by development” The same section then goes on to say that “plans should aim to replace like with like” and that “compensation should aim to ensure the affected bat population can function as before”. The compensation offered in the licence granted by NE does not appear to allow for this.

I feel we have good grounds, given the above, to refuse the application, or ensure that sufficient provision for BLE is made in some form (e.g. a bat loft of sufficient dimensions in the converted barn, although this would also need to be agreed with conservation officers)”.

Representations

The Authority has received a total of 17 representations. All support the proposal on the following grounds:

- The use of the building as a permanent dwelling will improve the vitality and sustainability of the village, the community, and its amenities.
- The use represents an appropriate use for a building of this character and appearance.
- The area already has too many holiday homes

Main Policies

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

Relevant Local Plan policies: LC4, LC5, LC8 LC17, LC18, LC19, LT11, LT18

National Planning Policy Framework

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

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

Development Plan

Policy HC1 of the Core Strategy sets out the Authority’s approach to new housing in the National Park; policy HC1(C) I and II say that exceptionally new housing will be permitted in accordance with core policies GSP1 and GSP2 if it is required in order to achieve conservation and/or enhancement of valued vernacular or listed buildings or where it is required in order to achieve conservation or enhancement within designated 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. 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 or its setting.

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

Policy 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.

Policy LC6 states that planning applications for development affecting a listed building and/or its setting should clearly demonstrate how these will be preserved and where possible enhanced; and why the proposed development and related works are desirable or necessary.

Policy LC8 states that, conversion of a building of historic or vernacular merit to a use other than that for which it was designed will be permitted provided that: it can accommodate the new use without changes that would adversely affect its character.

Policies 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.

LT11 and LT18 require satisfactory parking and safe access as a pre-requisite for any development.

Wider Policy Context

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

Assessment

Principle of removing the holiday let occupancy condition to permit occupation as an open market dwelling

Bean Hill Farm and the barn subject of this application are considered to be valued vernacular buildings, being attractive and well detailed traditional buildings that also make an important contribution to the street scene and character of the conservation area in this location. If conversion of the barn to an open market dwelling was required to conserve then it would therefore be compliant with policy HC1.

However, whilst the applicant's agent has advised that works are "far from complete" (although no further detail has been provided of outstanding works) the works to convert the building to a holiday let are already at an advanced stage; the building has been re-pointed, has a new roof, and the majority of new doors and windows have been installed.

As such its conservation has already been secured. For this reason it is not considered that conversion to an open market dwelling through removal of the occupancy condition is required for the buildings conservation, and such a recommendation would therefore be contrary to policy HC1.

The applicant's agent has noted that this approach could be seen as dogmatic, particularly given that the proposal would result in no further adverse impacts in their view. However, this approach is consistent with that which the Authority has adopted in other cases where conservation has already been achieved, and that position has been upheld by the Planning Inspectorate on appeal in each instance it has been tested. In addition, use of the building as a holiday let as approved not only complies with planning policy, but also meets the Authority's statutory purpose to promote enjoyment of the National Park.

The public support in relation to village vitality for the proposal is noted and is material, but the Authority's statutory duty and responsibilities under national policy to foster the economic and social well-being and vitality of local communities are enshrined in the policies of the Development Plan which seek to secure this, principally through the provision of affordable housing and the protection and provision of community services.

It has been advised by the applicant's agent that the viability of the conversion is in doubt. Issues of viability could be a material consideration, were the works required to conserve the building not already substantially complete, which they are considered to be. Even if the works were less advanced, it is entirely possible that a valuation of the building with the current holiday restriction in place would demonstrate it to be viable as an investment, particularly given its location.

In summary, it is not considered that circumstances exist in this case to make an exception to the normal application of established planning policy.

Variation of conditions addressing bat mitigation measures

The bat survey that accompanied the original application identified the barn as providing bat habitat and proposed restoration of the smaller field barn to the east to provide alternative bat habitat, mitigating the loss of this in the main barn. This mitigation was then secured by Condition 18 when permission was granted.

Since that time the applicant has sought permission from Natural England for the necessary licence for works in so far as they relate to bats and their habitats. Natural England advised that the proposed measures and post-construction monitoring were greater than would usually be expected to compensate for a proposal with the impacts of proposed scheme, which they consider to be low status. This conflicts somewhat with the view of the Authority's Ecologist who advises that the species present mean that the site falls between low and medium conservation significance in relation to bat habitat.

As a result of Natural England's view, revisions were made to the applicant's licence submission and a scheme of reduced mitigation was agreed and licence issued. This revised scheme abandoned the reinstatement of the barn, favouring instead the erection of a number of bat boxes around the site. This has the effect of omitting a roost within a loft space that could be occupied by brown long-eared bats; the Authority's Ecologist advises that this species will be unlikely to roost in the proposed bat boxes.

Compliance with the previously approved scheme would therefore now not comply with the licencing agreement.

However, this in itself is not a reason to relax the condition as the Authority is able to require stronger ecological mitigation and enhancement measures than might be required by the licence under its responsibilities to comply with various planning and environmental legislation and

guidance, as detailed in the response of the Authority's Ecologist, above. Indeed, it is the recommendation of the Authority's Ecologist that the condition is maintained as imposed in order to secure what they consider to be the necessary level of enhancement of bat habitat.

However, in planning terms any condition must, amongst other things, be both reasonable and necessary.

There is a significant difference between the mitigation scheme approved by condition and that granted licence by Natural England in terms of the burden it places on the applicant. In granting the licence Natural England have considered the revised mitigation to achieve favourable conservation status, and have identified the loss of the existing roosts as low status. The Authority's Ecologist considers the habitat to have a higher conservation significance (low-medium).

It is noted that the guidance for low-medium conservation significance habitats advises that mitigation includes "provision of new roost facilities *where possible*".

This case is finely balanced, and there is some discrepancy between the position of Natural England and the Authority's Ecologist on the matter. Given all of the facts above though it is considered that the proposed revisions to the mitigation measures would reasonably conserve the bat interests of the site.

Conversely, in light of the position of Natural England, it is considered that whilst maintaining the current condition would provide greater enhancement to the bat habitat at this location it would be not be reasonable, in planning terms, to put the applicant to the cost and effort of rebuilding the barn.

In addition, the Authority's Archaeologist has advised that the retention of the field barn, which they consider to be a non-designated heritage asset, in its current state would better conserve the archaeological interest of the site than the approved scheme, and they therefore support the proposal.

On the basis of all of the above, it is recommended that the proposal to vary the existing condition to one requiring the development to be carried out in accordance with the terms of the licence agreement is approved.

Condition 19 would no longer serve a planning purpose if Condition 18 was amended as proposed, because it related to restricting the provision of lighting around the bat barn. It is therefore recommended that this condition is removed if the revised ecological mitigation measures are approved.

Other issues

The proposal makes no changes to either the external or external appearance of the building and as such is considered to conserve its character and appearance.

Impacts on neighbouring amenity would remain largely unchanged from the approved use, which would also permit occupation by single group or family; occupation on a permanent residential basis may result in a minor reduction in disruption and noise, as the occupiers would have a greater interest in maintaining a good relationship with the neighbours.

The parking requirements associated with the building would be the same for both a holiday let and for an open market dwelling, and no changes to the parking layout are proposed. The proposal is therefore considered acceptable in this regard.

There have been no further material or planning policy changes that affect the applicability of the other previously imposed conditions, and so it is recommended that these are re-imposed to ensure that the development complies with planning policy and remains acceptable in other regards.

Conclusion

The conservation of the building is considered to already have been secured by the works to date, and therefore the removal of the occupancy condition is not justified and would be contrary to planning policy.

It is considered that the requested variation of ecological mitigation conditions would conserve the ecological interests of the site and this is therefore considered acceptable and to accord with planning policy.

All other material issues have been considered and the development has been found to have acceptable impacts in these regards.

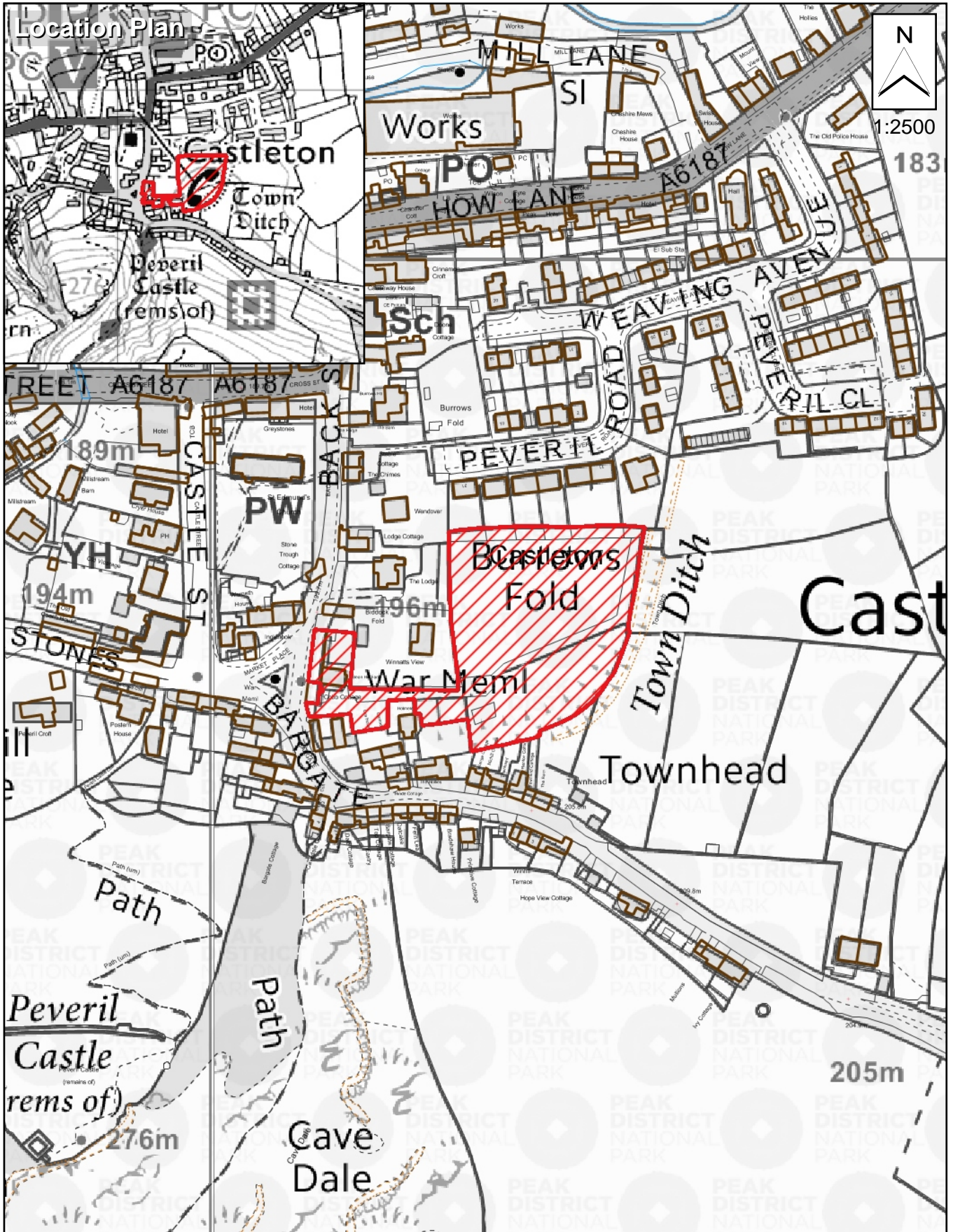
It is therefore recommended that the Authority refuse to vary or remove Condition 3 of NP/HPK/0113/0071, and that all other previous conditions are re-imposed, subject to the variation of Condition 18, and to the removal of Condition 19.

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: 11th August 2017
 Item Number: Item No.8
 Application No: NP/HPK/?0517/0525
 Grid Reference: 415057, 382802

Title: Bean Hill Farm



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9. FULL APPLICATION – CONVERSION OF REDUNDANT BARN TO RESIDENTIAL USE AT BARNS TO REAR OF GROVE COTTAGE, MARKET PLACE, HARTINGTON (NP/DDD/0617/0592, P.5021, 08/06/2017, 412805/360379/ALN)

APPLICANT: Mr and Mrs M Belfield

Site and Surroundings

The application site is located in the centre of the village of Hartington, on the south side of the market place and to the rear (south) of the Devonshire Arms public house and residential properties. The site lies within the Hartington Conservation Area.

Within the application site are two buildings. The northernmost building is a modestly sized, two storey traditional barn constructed in natural limestone under a clay tiled roof. On the south facing gable of the barn there is a small lean-to structure, which is more contemporary. Approximately 4m to the south of the barn and lean-to and at right angles to it there is a small single storey outbuilding. This is also a traditional building with materials to match the barn. It has a stone and corrugated sheeted lean-to off the south facing elevation.

Vehicular access to the site is gained from the public highway on the market place between the public house and a gift shop. The buildings sit within a hard surfaced 'yard' area and to the south of the buildings there is an open, grassed area of land.

Proposal

Planning permission is sought for the conversion of the barn to a single open market dwelling. The conversion would take place within the shell of the existing barn and existing lean-to and would provide a small one-bedroomed dwelling with a floor area of 42 sqm. The detached outbuilding would be retained for storage purposes and the lean-to attached to the outbuilding demolished to create parking space of one vehicle. The grassed area to the south of the building would be retained for parking in association with Grove Cottage and to provide access to a garage and land to the south of the site.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions:

- 1. 3 year implementation time limit.**
- 2. Adopt submitted plans.**
- 3. Remove permitted development rights for alterations, extensions, outbuildings, boundaries.**
- 4. Submit and agree details of any external lighting.**
- 5. Submit and agree details of location and design of bat and bird boxes.**
- 6. Submit and agree Archaeological Written Scheme of Investigation.**
- 7. Parking and manoeuvring space to be provided and maintained throughout the life of the development.**
- 8. Details of construction compound to be submitted and agreed.**

9. **Bin storage and dwell areas to be provided and maintained.**
10. **Demolition of lean-to on outbuilding, re-cladding of wall on outbuilding and re-roofing of lean-to on north barn to be completed before the dwelling is first occupied.**
11. **Domestic curtilage to be restricted to area hatched pink on revised block plan.**
12. **Minor Design Details.**

Key Issues

- Whether conversion to an open market dwelling accords with Core Strategy policy HC1.
- Impact on the character and appearance of the barn and its setting.
- Whether occupancy should be restricted to meet identified local need.

History

November 2016 – pre-application advice sought with regard to the conversion and extension of the barn to create an open market dwelling. Concerns were raised by officers about the size of the proposed two storey extension and its impact on the character and setting of the barns. A single storey extension (linking the barn and outbuilding together) was subsequently discussed and officers advised that there were still concerns about the impact of the extension on the buildings but that if wider benefits could be achieved by restricting occupancy to local needs that this might outweigh the less than substantial harm.

Consultations

Highway Authority - access to the development plot is via a private access off Market Place and there would appear to be established vehicular access to the plot of land and building. The applicant is showing a suitable parking layout and there is space for turning. Whilst the existing access does not conform to current design criteria it is not considered that the proposed dwelling would result in any significant increase in traffic movements over and above existing. Therefore no objections subject to conditions requiring agreement of construction compound, provision and maintenance of parking and turning area, and provision and maintenance of bin storage and bin dwell area.

District Council – no response

Parish Council - would have preferred a development for local needs. There is no planning history of occupation of this building. Therefore, on the above basis, and by majority decision, the parish council does not support this application.

Natural England - unlikely to affect any statutorily protected nature conservation sites. If the proposal site is on or adjacent to a local site, e.g. Local Wildlife Site, Regionally Important Geological/Geomorphological Site (RIGS) or Local Nature Reserve (LNR) the authority should ensure it has sufficient information to fully understand the impact of the proposal on the local site before it determines the application.

Authority's Archaeologist - The proposed changes to the buildings are largely sympathetic to their original use and character. However, the conversion of the barns to residential use will result in a loss of historic features and change the character of the barn, resulting in minor harm to its significance. A basic descriptive and visual record of the buildings is required prior to any alteration taking place in order to mitigate this loss. This should be secured by condition requiring the submission and agreement of a Written Scheme of Investigation.

Authority's Ecologist – no response to date.

Main Policies

Relevant Core Strategy policies: GSP1, GSP2, GPS3, DS1, L2, L3, HC1

Relevant Local Plan policies: LC4, LC5, LC8, LC17, LT18

National Planning Policy Framework

The National Planning Policy Framework (NPPF) was published on 27 March 2012 and replaced a significant proportion of central government planning policy with immediate effect. The Government's intention is that the document should be considered to be a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. In the National Park the development plan comprises the East Midlands Regional Plan 2009, the Authority's Core Strategy 2011 and saved policies in the Peak District National Park Local Plan 2001. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and more recent Government guidance in the NPPF with regard to the issues that are raised.'

Assessment

Issue 1 - Whether conversion to an open market dwelling accords with Core Strategy policy HC1.

Core Strategy policy HC1 is the starting point for the consideration of the current proposals. It states that provision will not be made for housing solely to meet open market demand but subsection C I states that exceptionally new housing can be acceptable where it is required in order to achieve conservation and/or enhancement of valued vernacular or listed buildings.

The buildings in question are a pair of traditional outbuildings constructed in natural materials and in the heart of the Conservation Area. Whilst it is acknowledged that some of the stonework on one wall of the smaller building has been replaced with concrete blocks at some time, overall they are attractive buildings which are very simple and functional in their form and detailing. Their significance is contributed to not just by the age, form and materials of construction of the buildings themselves, but also by their setting and their relationship with each other and with the adjacent yard area. As a result, they are considered to be 'valued vernacular' buildings in terms of HC1 C I.

A structural survey has been submitted with the application and it concludes that the floors and the roof of the larger barn would need to be replaced but no significant masonry repairs are required to either building. The report demonstrates that the buildings are structurally sound, but the buildings are not in use and it is clear that they are at risk of dereliction in the longer term through redundancy, a factor which carries weight in determining whether the impetus of open market values is required to secure the conservation and enhancement of the buildings,

Subject to consideration with regard to whether the proposals would achieve the conservation or enhancement of the buildings and their setting within the Conservation Area, it is considered that in principle conversion to an open market dwelling would accord with the requirements of policy HC1 C.

Issue 2 - Impact on the character and appearance of the barn and its setting.

Core Strategy policy L3 requires that development must conserve and where appropriate enhance or reveal significance of archaeological, artistic or historic asset and their setting,

including statutory designation and other heritage assets of international, national, regional or local importance or special interest. Saved Local Plan policy LC8 states that the conversion of buildings of historic or vernacular merit to a use other than that for which it was designed will be permitted provided that it can accommodate the new use without changes that would adversely affect its character (such changes include significant enlargement, or other alteration to form and mass, inappropriate new window spacings or doorways, major rebuilding. Policy LC4 expects a high standard of design with particular attention being paid to scale, form and mass, building materials, landscaping, and amenity and privacy. Policy LC5 seeks to protect the character and appearance of Conservation Areas.

The submitted plans show that the conversion would be achieved within the shell of the two buildings. By converting the buildings without the need for extension or a 'link' between the two buildings, the important gap between the buildings and therefore their relationship to each other is maintained. There would no new openings other than a small slot window on the west facing elevation of the north barn. The corrugated sheeting on the lean-to would be replaced with blue clay tiles to match the host building. The area between the two buildings would be paved to create a patio and the untraditional lean-to off the south facing elevation of the smaller outbuilding demolished to create a parking space. An area of blockwork on the north facing wall of the smaller barn would also be replaced with natural limestone to match the existing.

The domestic curtilage associated with the barn would be restricted to the area immediately around the two buildings. The grassed area of land to the south of the building would be retained for parking in association with Grove Cottage and to provide continued access to a garage and land to the south which is in the control of the applicant.

It is considered that that the proposals would conserve the buildings in question and the lean-to removal, re-roofing and blockwork replacement would represent an overall enhancement to the their appearance. Whilst the creation of a residential curtilage around the buildings would change the existing direct relationship of the buildings with the surrounding yard, the fact that the site is within a village setting surrounded by other residential properties must be taken into account. On balance it is considered that the other enhancements would outweigh this less than substantial harm to the setting of the buildings and the Conservation Area.

The proposals therefore accord with the requirements of policies L3, LC8, LC5 and LC4.

Issue 3 - Whether occupancy should be restricted to meet identified local need.

The Parish Council has raised issue with the fact that the proposed dwelling would be open market property and not restricted for occupation by local people in housing need. As the proposals accord with the requirements of HC1 C (as outlined above), there is no requirement for occupancy of the dwelling to be restricted. However, the dwelling proposed, at only 42 sqm internal floor area would be very small (suitable as a one person dwelling) and therefore even without an occupancy restriction it likely that it would remain within the 'more affordable' price bracket.

Nevertheless a viability appraisal has been submitted with the application. This concludes that the cost of converting the barn (£116k) would be greater than its value as either a holiday cottage (£78 k) or as a local needs dwelling (£87k). Officers accept that the cost of converting a small barn is disproportionately more expensive than average and have no reason to disagree with the figures provided.

Whilst a local needs occupancy restriction was discussed at the pre-application stage, this was in the context of a proposal that was proposing an extension to the barn that would cause harm to its significance and the occupancy restriction was considered to be a way of providing a wider

public benefit to possibly offset and outweigh the less than substantial harm identified. As submitted, the proposals are for a scheme with no extensions to the barn and it includes measures that would enhance the buildings. As such, there is no justification for the imposition an occupancy restriction in this case.

Other Issues

Ecology

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

A 'Preliminary Roost Assessment: Bat and Bird Scoping Report' has been submitted with the application. The assessment concludes that the building are considered to have negligible to low/moderate potential for roosting bats overall with no evidence to support that either of the buildings are currently used by roosting bats or birds and therefore the development would have no impact to protected bar or bird roosts and negligible impact on potential foraging and commuting habitat for bats. As an enhancement measure it is recommended that bat and bird boxes are installed and this can be secured by condition. As low to moderate activity of commuting bats was found it is recommended that excessive light spill, particularly around the northern boundary is avoided and therefore a condition to agree the position and design of external lighting is considered to be reasonable and necessary.

Subject to conditions it is considered that the proposals would conserve species of biodiversity importance in accordance with policy L2.

Access and Parking

Access to the development would be via the existing private access from Market Street. Whilst the access does not conform to the Highway Authority's current design criteria they consider that the proposed use would not cause significant intensification and would therefore be acceptable. The submitted plans show sufficient space for parking and manoeuvring within the application site. The proposals would therefore provide a safe a suitable access to the site in accordance with saved Local Plan policy LT18.

At present the occupiers of the adjacent Grove Cottage use the application site for off street parking. It is proposed to retain land to the rear of the application site for parking for this property. One parking space is proposed to serve the proposed barn conversion and this is adequate for a one-person dwelling.

Impact on Residential Amenity

Core Strategy policy GSP3 sates that development must respect, conserve and enhance all valued characteristics of the site and building that are subject to the development proposals including impact on living conditions. Saved Local Plan policy LC4 states that particular attention will be paid to issues of privacy and amenity.

The nearest residential properties to the application site are Gove Cottage (within the applicant's control) and Mews Cottage to the west of the application site. The rear elevations of these properties face towards the application site. However due to the presence of intervening planting and boundary walls, and the fact that other than a small slot window there would be no habitable room windows at first floor level on the west facing elevation of the barn, it is not considered that there would be any significant impact on amenity as a result of overlooking. There is another

property known as Woodyard Cottage some 17m to the south of the barn, but due to the separation distance and the orientation of the dwelling it is not considered that there would be any significant impact upon residential amenity as a result of overlooking. The proposals therefore accord with the requirement of policies GSP3 and LC4.

Conclusion

The conversion of the buildings in question to a single open market dwelling is considered to be required in order to secure the conservation and enhancement of buildings of vernacular merit within the settlement of Hartington in accordance with Core Strategy policy HC1.

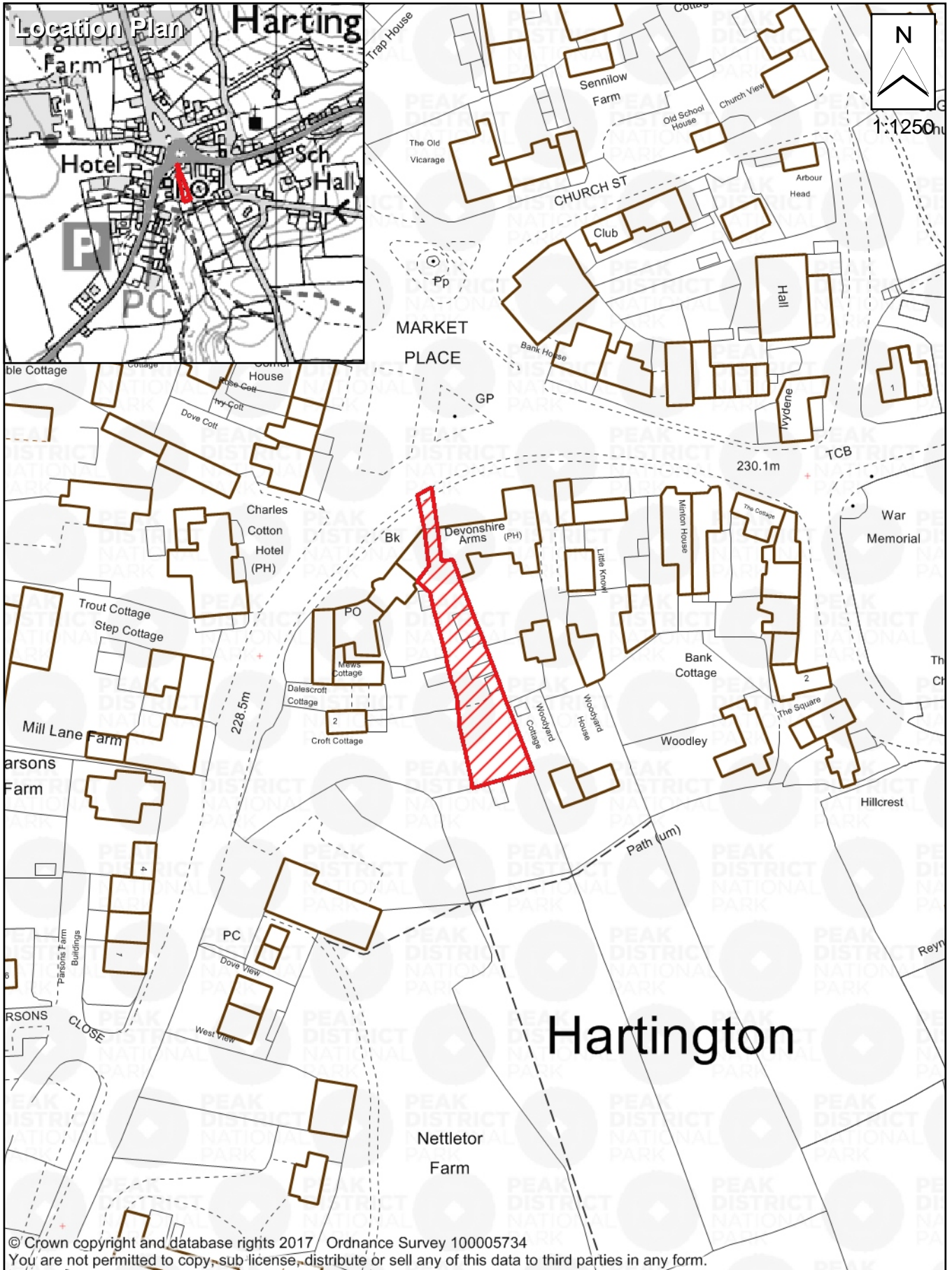
There are no other material considerations that would result in a different recommendation and consequently the application is recommended for approval.


Human Rights

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

List of Background Papers (not previously published)

Nil



Committee Date:	11th August	Title: Barn to rear of Grove Cottage	 PEAK DISTRICT NATIONAL PARK
Item Number:	Item No.9		
Application No:	NP/DDD/0617/0592		
Grid Reference:	412805, 360379		

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10. FULL APPLICATION – THE USE OF THE LAND FOR A SIX WEEK CONSECUTIVE PERIOD BETWEEN THE MONTHS OF JULY AND SEPTEMBER IN ANY YEAR IN ASSOCIATION WITH THE DERBY KIDS CAMP AT NEW HOUSE FARM, SCHOOL ROAD, WETTON. (NP/SM/0417/0415, P3705, 25/4/2017, 410737 / 355313/SC)

APPLICANT: MR P ELLSE

Site and Surroundings

The application site is located towards the south western edge of the village and adjacent to the eastern side of Well End Lane, which connects Carr Lane to the south with Leek Road to the north. Bordering the south eastern corner of the site is a small public car park and public toilet building. The application relates to around 4 acres of land which incorporates New House Farm. The field subject of this application lies to the south of the existing farmyard and is approximately 3.5 acres in size and enclosed as a single agricultural field. A further 0.3 acres of land abuts this field on its south eastern boundary, enclosing a 1½ storey stone barn.

Historically, the field has been used without the benefit of planning consent for camping, including the annual ‘Derby Kids Camp’, caravans and also for a mixture of hay-making and grazing livestock. The site and surrounding fields are mainly defined with limestone walls, with a few small trees sparingly found along the north, east and southern boundaries of the site. A public right of way runs in a north south direction to the east of the site, with the farm and associated land lying within the boundary of the Conservation Area.

Proposal

Planning permission is being sought to change the use of the land for a six week consecutive period, between the months of July and September in any year in association with the charitable organisation, Derby Kids Camp (DKC). In addition, a new field gate access is proposed along the south eastern boundary of the field (opposite an existing farm access at Carr Farm), to facilitate the proposed use of the field.

The application initially proposed the use for a four month period. However, this has been amended during the course of the application to six weeks.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions:

- 1. Accord with submitted details**
- 2. 6 week time period between July and September for Derby Kids Club only**
- 3. Remove permitted development rights for siting of caravans and 28 day permitted development rights**
- 4. All camp fires extinguished by 11pm**
- 5. Surfacing to gate entrance to be agreed**
- 6. Field gates to open inwards only**

Key Issues

- The principle of the development.

- The landscape and visual impact of the proposal.
- The potential impact on the amenity of local residents.
- Highway and access matters.

Relevant History

2016 - Enforcement Case open - Land being used in excess of the 28 days as permitted under Part 4 Class B (*temporary use of land*) of the Town and Country Planning (General Permitted Development (England) Order 2015.

Consultations

Highway Authority - No objections, subject to conditions regarding the surfacing of the access and any proposed gates to open inwards into the site.

District Council – No response

Parish Council - Support the amended time period.

Representations

There have been 10 letters of objection and 4 letters of support, all of which have been summarised below. (Full accounts of all letters can be viewed on the Authority's Website Planning Pages). Members should be aware that the letters of objection (and support) were based on the original submission of a 4 month period of activity. Since the revised time period was re-advertised, there has been only one further comment made (apart from the Parish Council's).

Objections to the proposal

- Would support the time extension beyond the 28 day's to cover the school holiday period. However, extending to 4 months to accommodate Duke of Edinburgh participants, on an unsupervised site with facilities limited to the public toilets is not acceptable.
- There are a number of campsites within a few miles of Wetton, with good facilities that are geared up for campers and D of E groups.
- Concerns regarding excess noise have been expressed to DKC personnel on numerous occasions, without satisfactory resolution.
- This is not an appropriate location for a campsite with so many homes within earshot, and no screening to minimise effect on visual amenity.
- I fully believe in what the DKC do and the value that they bring to the children which they so kindly help. However, I cannot deny how much their arrival changes the nature of an otherwise peaceful community.
- This proposal will not be screened and will adversely affect the living conditions of many local residents through issues such as noise.
- The site is in the Conservation Area and is an inappropriate and visually intrusive use of the field on the edge of the village.
- The proposal does not offer any clarity on how waste is collected from the site, outside the DKC period.

- Expecting residents to tolerate 5 weeks of disruption to their lives is reasonable. Expecting them to tolerate 4 months of is not.
- All roads into the village are narrow single track with isolated passing points, so any traffic increase is not good.
- While DKC is a very admirable charity, it has significant visual and noise impact for 5 weeks a year on nearby residents in a small village in a conservation area. Maybe a field could be found away from the village that would more than suit their needs without affecting residents.
- The proposed new access which is directly opposite a neighbouring farm would create access problems, hindering the working routine of the farm.
- Concerns over waste disposal and the dumping of rubbish.
- DKC have now produced a guide for their volunteers regarding noise, mentioning a curfew on bonfires (midnight), which is too late but more importantly does not address the problem of smoke annoying neighbours.

Support for the proposal

- When DKC arrive they bring with them their large skip and toilets for the children and they do have the courtesy to give those that have cause to complain a contact.
- New House Farm has been the home of DKC for a very long time, due to the warmth of the community and the opportunity for many thousands of children to experience this outstanding environment in a safe and secluded area.
- The Charity and the people who give up their time to help disadvantage children from City Schools do exceptional work to help the children have a holiday in the countryside like they have done for the last 45yrs.
- Opportunity for children to experience this outstanding environment in a safe and secluded area.
- DKC have been extremely cautious to work with the village in a friendly manner and manage their volunteers accordingly.
- Well run and maintained site.

Main Policies

Relevant Core Strategy policies: GSP1,2,3, DS1, L1, L3, RT1, RT3

Relevant Local Plan policies: LC4, LC5, LR3, LT18

National Planning Policy Framework (NPPF)

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, whilst Paragraph 115 says, that great weight should be given to conserving landscape and scenic beauty in National Parks, along with the conservation of wildlife and cultural heritage.

Core Strategy

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 or on the edge of the National Park's named settlements.

RT1 says that the National park Authority will support facilities which will enable recreation, environmental education and interpretation which encourage understanding and enjoyment of the National Park and are appropriate to the National Park's valued characteristics.

RT3 states amongst other things, that small touring camping and caravan sites and backpack camping sites will be permitted, particularly in areas where there are few existing sites, provided that they are well screened have appropriate access to the road network and do not adversely affect living conditions.

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

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

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.

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 neighboring uses are acceptable and it does not dominate its surroundings.

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

Assessment

Background information

Derby Kids Club (DKC) is a charity organisation, which provides a summer camping holiday for children from the Derby City district. Around 300 children each year attend over a 6 week period of the school holidays, with groups of around 60 children staying for a week and changing at the weekend. The camp is run by around 30 adult volunteers who also camp on site. The camp is entirely self-sufficient with tents and marquees erected each year on site to provide accommodation for cooking, eating, indoor activities, storage and sleeping. According to the applicants, the site has been the venue for the Kids Camp for over 35 years.

In 2016 it was brought to the attention of the Authority that the field was being used in excess of the 28 days permitted under planning regulations. This prompted the owner to apply for full planning permission. Initially this was for a period between the beginning of June and the end of September, effectively a four month period. This, according to the applicant, would allow time to set up the Kids Camp and then pack and clear away once the camp had finished (approx. 6 weeks). This would be in addition to offering the site to other charitable or non-profit organisations and also for groups taking part in the Duke of Edinburgh Award scheme, but with no intention to operate as a commercial camp site open to the general public.

However, it was considered that the visual and noise impact on nearby residential properties for a sustained period of time (4 summer months) was considered would have a harmful effect on the quiet enjoyment of their properties and the wider tranquillity of the locality. Consequently, Officers invited the applicant to apply for a reduced time period, hence the revised proposal now the subject of this application.

Principle of development

Policies within the NPPF are 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 or on the edge of the National Park's named settlements. RT1 says that the National Park Authority will support facilities which will enable recreation, environmental education and interpretation which encourage understanding and enjoyment of the National Park and are appropriate to the National Park's valued characteristics.

Landscape and visual impact

Policy L1 says that development must conserve and enhance valued landscape character, as identified in the Landscape Character Assessment and other valued characteristics. Policy 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. Policy LC5 states that applications should assess and clearly demonstrate how the existing character and appearance of the Conservation Area will be preserved and, where possible, enhanced.

It is considered the main issue when evaluating the landscape impact is the revised time period for which the camp would operate. In this case, it would be in operation for a 6 week period, which would include set up and clearing. Subsequently, the potential impact upon the landscape is for a much shorter period of time than initially proposed.

In this case, it is evident that the use of the field by the DKC would clearly have some landscape impact on the open character and nature of the site and consequently on the character and appearance of the Conservation Area. However, the main camping would set up along the south western boundary of the field, close to the roadside wall and would occupy less than a third of

field, with the remainder left open and used for recreational play and other activities. This places the main core of the camp close to the road and boundary walling, which would afford a perception of openness to the remaining field.

Moreover, it is acknowledged that the camp could operate under permitted development rights for a 28 day consecutive period each summer, without the need for planning permission. In this instance, the applicant would only require consent for a short extension to this period of which it could operate without permission. Outside of this proposed time period, the applicant has stated, that the field would be returned to agricultural use and would be worked by a local farmer for grazing livestock and hay-making, so for the greater part of the year the field would appear completely free, contributing to the open setting and character of the village, therefore helping to conserve the character and appearance of the Conservation Area. Consequently, for these reasons the proposal is considered to comply with policies L1, LC4 and LC5.

Potential impact on the amenity of local residents

GSP3 states, that development must respect, conserve and enhance all valued characteristics of the site with particular attention paid to, amongst other things, the form and intensity of proposed use or activity impact on living conditions of communities. Whilst LC4, amongst other things, states that particular attention will be paid to the amenity, privacy and security of the development and nearby properties.

It is recognised that pursuits associated with the camp (through a rise in site activity) would potentially see an escalation of noise and disturbance. However, the camp is being considered for a relatively short period of time during the summer and would be expected to operate with as little disruption as possible to neighbouring properties and the wider residents of the village. In this case, the nearest neighbouring properties are No. 31 Well End Lane to the north-west corner of the site (approx. 25m away), and New House Farm to the north of the site (around 55m away). The area of the field closest to the garden boundary of No. 31 would be used as informal car parking, with the main camp being erected at a distance of approx. 50m away. It is therefore considered that the site layout would help to control the impact on the amenity of the property. New House Farm is over 55m away from the main camping area.

Objections were raised by local residents over the late blackout of the camp in the past and in particular bonfires being lit until midnight. In response, a time limitation on the activities could be conditioned to mitigate these concerns. Other concerns were raised about waste disposal and litter. The applicant has stated that the camp uses portable toilets - the individual cubicles with a single toilet which are commonly seen at temporary events. These would be delivered to site by lorry during the camp set up in July and collected during the camp removal at the end of August/beginning of September. Similarly, litter is deposited in a skip on site, which is delivered prior to the camp starting and collected at the end of the camp period.

It is therefore considered that, whilst the Kids Camp use would result in some degree of noise and disturbance, this can be mitigated to an acceptable level by conditions to limit the time of the use to 6 weeks in any year and also to control the times of activities on the site. Subject to such conditions, the proposal is considered to accord with policies GSP3 and LC4.

New Access and potential impact on the local highway

Paragraph 32 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. Whilst LT18 of the Core Strategy states, that safe access is a pre-requisite for any development within the National Park.

The current access to the application field is through the existing farmyard at New House Farm. However, the applicant wishes to develop this site and as part of that scheme would require closing off the current field access. A new access is therefore proposed into the camping field directly off the highway (Well End Lane) and would be located directly opposite an existing farm entrance. According to the applicant, this would maximise the manoeuvring space available at the access, making turning into the site as easy as possible. The access would also serve to work the field when not in use by the DKC. The layout and design would be an agricultural style double gate, constructed in timber and set back from the roadside boundary.

Well End Lane is classified as a minor road and though it is fairly narrow, it is wide enough for two vehicles to pass. Visibility also appears satisfactory in both directions from the point of the proposed access. The applicant has stated that traffic movements would be minimal, with volunteers spending 2-3 days on site erecting tents and setting up the site and a similar time at the end of the Camp clearing the site. Once the camp is in operation, there would be 20-30 volunteers on site, with the children being transported to the campsite on one coach and two minibuses which arrive on site at midday Sundays. The coach and one of the minibuses drop off the children and leave, whilst the other minibus remains on site during the week. The children are then collected the following Saturday morning in the same manner. During the week, there are two planned visits, one to Chatsworth Farm Park and a second to a local swimming baths. On the other days during the week, the children either stay on site or walk and so no other vehicular movements are required.

In this case, the Highway Authority has raised no objections to the scheme, subject to the access being surfaced in an appropriate hard material for a minimum distance of 5m back from the carriageway edge and that any gates shall only open inwards away from the highway. In this case, the highway recommendations should be conditioned in the interests of highway safety. For this reason the proposal is considered to accord with Policy LT18 in particular.

Conclusion

The proposed development would be sited within an open field on the edge of the village, where it would be visible from nearby and surrounding vantage points. However, it is considered the use of the land for a six week period is not considered to have such a detrimental impact upon local resident's amenity that would warrant refusal of the application. Furthermore, given the limited time period for the proposed use it is considered that there would be no significant harm to the character and appearance of the village Conservation Area or the wider landscape setting to warrant refusal.

In this case, Officers have assessed the proposal against the National Planning Policy Framework, Development Plan policies and all other material considerations and concluded that it represents a form of time-limited consent that is capable of being implemented without unacceptable landscape and amenity harm.

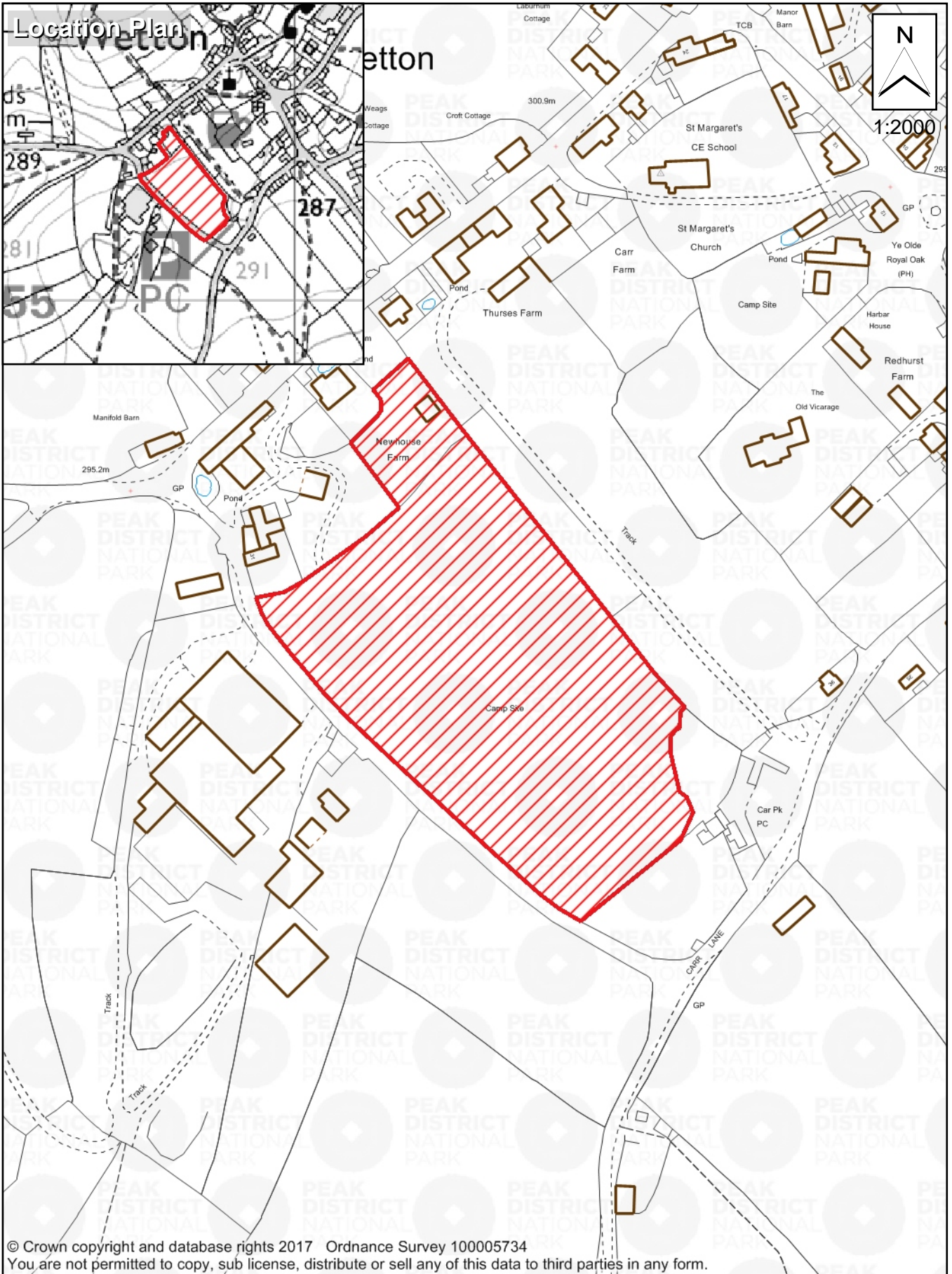
Human Rights


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:	11th August 2017	Title: New House Farm, Wetton	 PEAK DISTRICT NATIONAL PARK
Item Number:	Item No.10		
Application No:	NP/SM/0417/0415		
Grid Reference:	410737, 355313		

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11. FULL APPLICATION – PROPOSED AGRICULTURAL BUILDING TO SERVE SHEEP ENTERPRISE AT WELLCROFT FARM OLDFIELDS LANE, GRINDON (NP/SM/1116/1156, P7786 , 21/11/2016, 408571/353842/ALN)

APPLICANT: Mr Lee Machin

Site and Surroundings

Wellcroft Farm is situated in open countryside approximately 220m to the south of the edge of Grindon village. The property abuts the eastern side of an unclassified road (Oldfields Farm Lane) that leads south from the village towards an area known as Deepdale. Wellcroft Farm is an agricultural holding which also has its own abattoir, meat processing facility and butchery, following a series of permissions granted since 2010. The building group currently consists of a farmhouse, stone outbuildings and a number of modern portal framed sheds.

Approximately 140m to the south of the main group of buildings at Wellcroft Farm is a further group of buildings known as Mayfurlong, the farmhouse of which is grade II listed. These are mainly in separate ownership but the applicant owns the north-easternmost building in the group, which is in the process of being converted into an open market dwelling following a grant of planning permission in December 2013.

The application site edged red is an area of land is a 500 sqm rectangular shaped area of land located midway between the group of buildings at Wellcroft and the group of buildings at May Furlong. Approximately 140m to the east of the application site and running in a north-south direction is a public right of way known as Fleets Lane.

The site lies outside of the Grindon Conservation Area. A further grade II listed building (Manor Farm) lies directly to the north of Wellcroft Farm.

Proposal

Planning permission is sought for the erection of a new portal framed agricultural building on the application site. The building would measure 36.6m long by 13.7m wide with a height of 3m to the eaves and 4.6m to the ridge. It would be orientated with its ridge running in an east-west direction with doors placed in the south and west elevations. The sides of the building would be constructed in vertical timber boarding above concrete panels and the roof clad in dark blue pre-coated fibre cement sheeting.

A supporting statement submitted with the application explains that the building is required for the housing of store lambs brought in in connection with the abattoir business and also for housing in connection with the applicant's separate flock of breeding ewes. The application details state that the building would be served by an existing secondary access to Wellcroft Farm, which runs directly to the west of the site.

This application was originally brought before the Planning Committee on 10 February 2017. The application was deferred, with a request that officers discuss the proposal with the applicant, with particular regard to:

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.

Subsequently officers met with the applicant and his agent at the site on 21 February 2017 to discuss the issues raised. Alternative sites were discussed and further detail provided with regard to the holding registrations and how these might affect the siting options. An amended site closer to the buildings at May Furlong was agreed in principle subject to some supplementary planting along the eastern boundary of the paddock to help screen the building from the public right of way and also, depending on where the access doors to the building would be, some planting along its southern gable to provide a buffer between the new building and the listed barn. It was agreed that a revised application would be submitted on that basis. Since then officers have prompted the agent on three separate occasions to chase progress on the revised application but none has not been forthcoming. On that basis, it is considered that a decision should now be made on the application.

RECOMMENDATION:

That the application be REFUSED for the following reasons:

- 1. By virtue of its siting and design the building appear as an isolated and intrusive feature in the landscape and would harm the valued character of the area contrary to paragraph 115 of the NPPF, Core Strategy policies GSP and L1, Local Plan policies LC4 and LC13 and advice in the Adopted SPD on Agricultural Developments in the National Park.**
- 2. The building does not make use of the least obtrusive or otherwise damaging location contrary to Development Plan policy LC13.**

Key Issues

1. Whether the proposed building is agriculturally justified.
2. Landscape impact

History

2010: Demolition of brick-built outbuilding and erection of farm building, granted.

October 2010: Extensions and alterations to dwelling house, granted.

April 2011: Erection of lean to adjacent to existing agricultural building, granted.

June 2011: Formation of new vehicular access and driveway, granted.

April 2011: Change of use of redundant outbuilding to form meat cutting room, withdrawn.

October 2011: Erection of agricultural building, granted conditionally.

October 2011: Erection of a lean to in 2 parts. Single bay lean to and single bay end elevation and lean to, granted conditionally.

February 2012: Erection of a stone barn to house meat cutting room and ancillary fridges / work area, granted conditionally.

February 2013: Erection of mono pitched lean-to building to house piggery, granted conditionally.

March 2013: Replacement of a lean to building with a dual pitch steel portal framed abattoir building behind the existing barn, granted conditionally.

May 2013: GDO for the covering of a yard area, accepted conditionally

December 2013: Permission granted to convert barn to open market dwelling at Mayfurlong.

May 2015: Permission granted for a change of use of existing farm building for meat processing.

August 2016: Permission granted for erection of garage, plant room and alterations to domestic curtilage at Mayfurlong

Consultations

Highway Authority – no response

District Council – no response

Parish Council – recommends approval. Queries potential increases in traffic and where rainwater run-off would go.

Representations

One letter of support has been received from a member of the Authority on the basis that there is a legitimate need for the building.

Main Policies

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

Relevant Local Plan policies: LC4, LC13.

Core Strategy policy GSP3 explains that 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. Policy L1 states that development must conserve and enhance valued landscape character, as identified in the Landscape Strategy and Action Plan and other valued characteristics.

Saved Local Plan policy 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.

Further advice is given in the Authority's Adopted Supplementary Planning Guidance on Agricultural Developments (SPD). It states that if inadequate information to justify proposals is supplied then applications may be refused. It also advises at paragraph 3.4.5 that it is best to keep new buildings close to existing ones where possible. Isolated buildings in the open landscape are the most difficult to accommodate. Skyline sites or sites prominent from public vantage points should be avoided.

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 rural development sensitive to the locally distinctive character of its setting.

Assessment

Whether the proposed building is agriculturally justified

Authority's Adopted Supplementary Planning Guidance on Agricultural Developments (SPD) states that if inadequate information to justify proposals is supplied then applications may be refused. The submitted justification statement explains that in 2015, 4000 lambs passed through the abattoir. These lambs are purchased as stores and fattened to finished condition. At present there is no adequate sheep housing at Wellcroft Farm – the existing farm buildings are used for cattle housing and a pig unit. In addition to the sheep that go through the abattoir the applicant also has a flock of approximately 80 breeding ewes (run on a separate holding number based at Mayfurlong) and the statement explains that the housing is also required for lambing these sheep. It is intended that on completion the business will have a separate sheep housing and finishing unit which can be used to house up to 700 lambs at any one time.

During the course of the application officers have requested a plan and details of the existing buildings and their uses so that a proper assessment can be made with regard to the need for another new building, especially in the light of the fact that permission was granted to convert one of the existing livestock buildings at Wellcroft Farm for meat processing in May 2015. This has not been forthcoming.

However, since the committee meeting in February the agent has provided more detail which explains that the breeding sheep which the proposed building would house are located on the Mayfurlong holding (a 'green' holding where some movement of stock is permitted), which although in common ownership is operated completely separately from the 'red' holding at Wellcroft Farm. There can be no movement of stock out of a red holding other than through the abattoir. It has been demonstrated that there is an agricultural justification for a new building associated with May Furlong and that there needs to be a clear separation and buffer between the two holdings. The proposed site would meet these animal welfare requirements, as would the revised location that has been subsequently discussed.

Landscape Impact

The proposed building would be located roughly midway between the group of buildings at Wellcroft and the buildings at Mayfurlong. It would be some 75m to the south of the Wellcroft group and 50m to the north of the dwelling currently being converted at Mayfurlong.

The land where the building would be sited has been levelled by raising ground levels towards the eastern end of the site. It is currently being used for the storage of rubble and farming equipment. There is a belt of immature tree planting along the northern boundary of the site.

Within the Authority's Landscape Strategy the site falls within the Upland Pastures landscape character type in the South West Peak area. This is an upland pastoral landscape with a traditional dispersed pattern of gritstone farmsteads. Trees are scattered along incised cloughs and around dispersed gritstone farmsteads. One of the priorities in this landscape is to manage the dispersed and historic settlement patterns of development.

From Fleets Lane, a public right of way that runs to the east of the site, the land rises to the west and consequently the proposed building would stand up above the skyline. There are some mature trees to the west of the site which would be seen as a backdrop to the building but

nevertheless the building would be a prominent, elevated feature that would appear isolated from other buildings in the vicinity. The field parcel between Fleets Lane and the application site is not within the applicant's ownership so it would not be feasible to provide screen planting in this area.

From Oldfields Farm Lane to the west, whilst there are intervening trees, in the winter months the building would skyline, due to the elevated nature of the site. This would draw the eye and accentuate its physical isolation.

The introduction of a building in this location would blur the physical distinction between the two existing groups of building and thus dilute the distinctive settlement pattern in the area, contrary to the priorities in the Landscape Strategy. The existing planting to the north of the site would not mitigate the impact of the building in views from the east and west. As a result the proposed building would be harmful to the established landscape character of the area contrary to policies GSP3, L1 and LC13.

As stated above, an alternative position to the south of the current site, closer to the buildings at Mayfurlong would be more appropriate in landscape terms as it would relate better to the existing building group, subject to additional soft landscaping to minimise the impact on the setting of the listed building.

In conclusion, the proposals do not make use of the least obtrusive or otherwise damaging location available contrary to Local Plan policy LC13 and it has not been convincingly demonstrated that alternative locations would not be practical or otherwise suitable.

Other Considerations

Amenity

Due to its isolated position the proposal is not considered to affect the amenity of any nearby property in accordance with policies GSP3 and LC4.

Highways and Parking Issues

The NPPF and Local Plan policy LT18 require that development is served by a safe a suitable access. In this case there are two accesses that serve Wellcroft Farm and which could serve the proposed development. The secondary access, which it is stated would serve the current proposals, was approved following planning permission in 2011. Access to the highway is therefore considered to be adequate and it is not considered that the proposals would be likely to have such a significant impact on the local highway network that would justify a refusal on that basis. This conclusion is also reached in the light of the fact that the Highway Authority has raised no objections. There is adequate space for parking and manoeuvring in association with the proposed use within the application site.

Conclusion

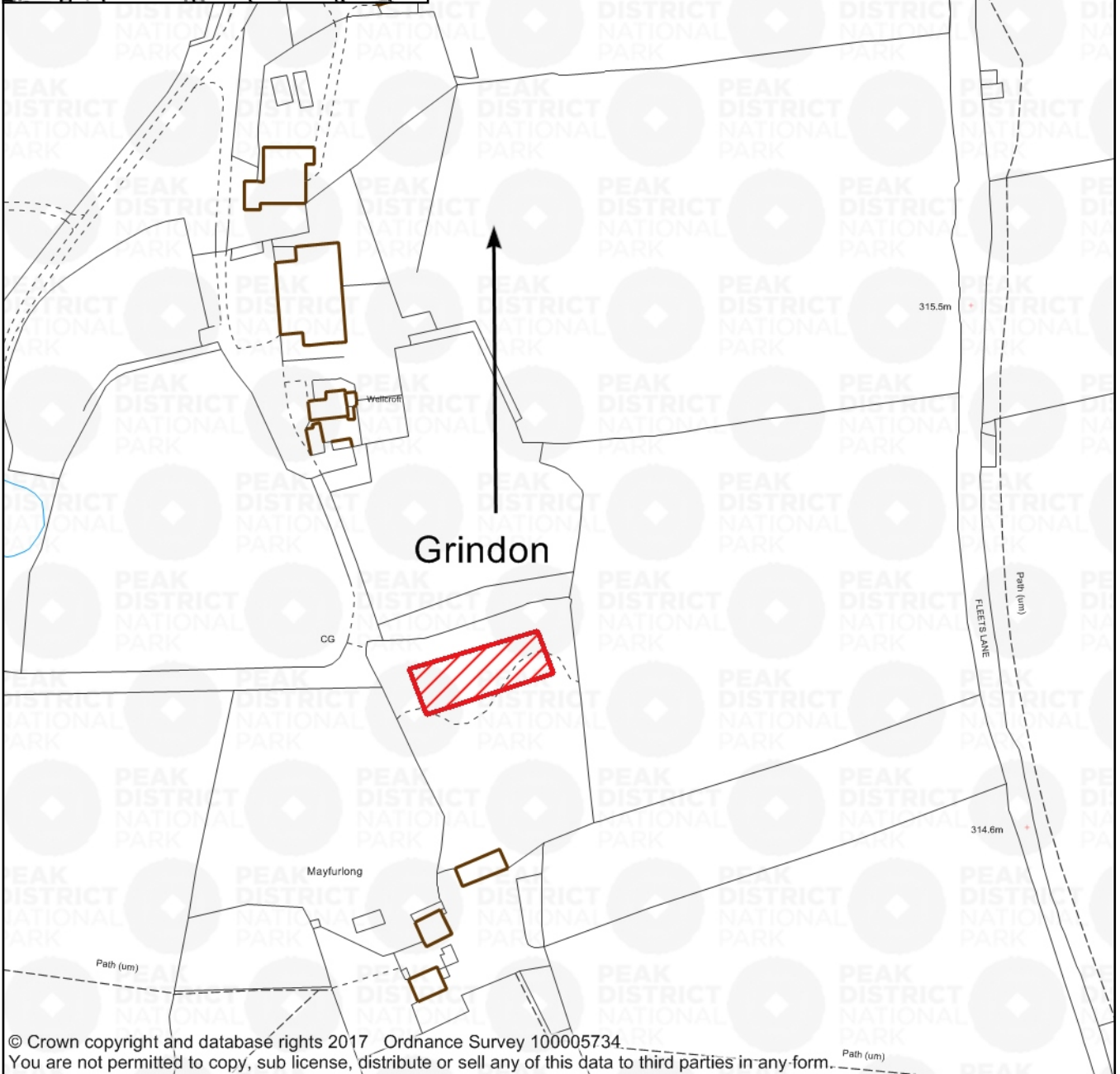
On balance, it is considered that an agricultural need has been demonstrated for the building proposed. However, this does not outweigh the fact that by virtue of the isolated siting of the building and its prominence from public vantage points the building would be harmful to the valued character of the area as identified in the Landscape Strategy. It has not been adequately demonstrated that an alternative less harmful site is not available. The proposals would not represent sustainable rural development as supported by paragraph 28 of the Framework, and would harm the valued character and appearance of the area contrary to policies GSP1, GSP3, L1, LC4, and LC13, the Adopted SPD and to paragraph 115 of the Framework.

Human Rights


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

List of Background Papers (not previously published)

Nil



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Committee Date:	11th August 2017	Title: Wellcroft Farm, Grindon	 PEAK DISTRICT NATIONAL PARK
Item Number:	Item No.11		
Application No:	NP/SM/1116/1156		
Grid Reference:	408571, 353842		

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12. FULL APPLICATION - REPLACEMENT OF EXISTING AGRICULTURAL BUILDINGS WITH GENERAL PURPOSE AGRICULTURAL BUILDING AND AN 'AMERICAN' BARN FOR EQUESTRIAN USE (CHANGE OF USE), FAR BROOK FARM, BACK O'TH'CROSS, QUARNFORD (NP/SM/0517/0490 P.11264 401727/367018 18/05/2017 DH)

APPLICANT: Simon McMahon

Site and Surroundings

Far Brook Farm is a smallholding raising alpacas and sheep which lies on open countryside 720m to the south-west of the village of Flash. The landscape character is slopes and valleys with woodland. To the south at a distance of approximately 125m is the northern boundary of Leek Moors Site of Special Scientific Interest. This is also a Special Protection Area of the South Pennine Moors and is designated as open access land under the Countryside and Rights of Way Act 2000.

The site is in a valley and is approached by a steep lane (which is also a bridle path and PROW) off the north side of Turn o'th Rake, which is the top road through the village. At the bottom of the slope, alongside which a stream flows, there is a relatively modern concrete block agricultural building to the south which the stream runs beneath, a yard area edged by a pond and a small traditional sandstone outbuilding, and the farmhouse to the north. The track continues west to a two storey traditional barn which has been converted to a holiday let and a range of modern agricultural buildings which are sited above the farmhouse on the hillside to the north-west. A further PROW runs in an east to west direction approximately 95m to the north of the farm group.

The nearest neighbouring properties are Axe Edge Green Farm at a distance of approximately 257m to the north-east, Cross Side Cottage 250m to the east, and Wicken Walls Farm 344m to the north-west.

Proposal

The application proposes the demolition of the existing decrepit agricultural buildings and replacement with new buildings, one for a general purpose agricultural building and one for equestrian use.

RECOMMENDATION:

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

- 1. The proposed development shall not be carried out other than in complete accordance with the submitted plans and specifications received by the Authority 12 May 2017.**
- 2. The use of the equestrian building shall be restricted to private use by the applicant and guests staying in the holiday accommodation on site**

Key Issues

- Whether the proposed development would detract from the character, appearance or amenity of the site, its wider setting or neighbouring properties.
- Whether the access/parking arrangements are acceptable and adequate for the proposed use.

History

NP/SM/1196/102 - Conversion of outbuilding (attached to east gable of farmhouse) to ancillary accommodation – Granted subject to conditions in 1997

98008GPDO - Forming of new hardcore agricultural track – Accepted conditionally - 08/04/1998

NP/SM/0500/043 - Conversion of agricultural building (north-west of farmhouse) to holiday accommodation - Granted subject to conditions in 2000

NP/SM/1104/1244 - Renewal of consent for conversion of agricultural building to holiday accommodation - Granted subject to conditions in 2005

NP/SM/1115/1073 - Conversion of former agricultural building to Games Room - Granted subject to conditions in January 2016

Pre-application advice request – Enquiry number 29436

Consultations

Staffordshire County Surveyor (Highway Authority): No objections on Highway grounds. *“The proposal will likely attract additional vehicles including horseboxes. However, the small scale and existing on site holiday accommodation will not have a severe effect on the highway. There is adequate space away from the highway to park and turn horseboxes.”*

Staffordshire County Council (Public Rights of Way Team): No objection subject to no works taking place to the bridle path which runs adjacent to the site

Staffordshire Moorlands District Council: No response to date

Quarnford Parish Council: No response to date

Representations

The Authority has received seven representations regarding the proposal, all of which object to it; there are three reasons for objection (summarised):

1. Design of the replacement buildings and impact on landscape.
2. The existence of a riding stables in nearby Flash.
3. The suitability the network of surrounding bridleways to deal with additional use generated by the proposal.

Main Policies

Core Strategy Policy DS1 describes forms of development which are acceptable in principle across different parts of the National Park, and specifically the differences between named settlements and open countryside. DS1(C) specifically states that development for recreation and tourism is acceptable.

Core Strategy Policy E2 deals with proposals for business development in the countryside outside the Natural Zone and the named settlements in policy DS1. In these locations businesses should be located in existing traditional buildings either smaller settlements, on farms and in other groups of buildings in sustainable locations. Where no suitable traditional building is available the re-use of modern buildings may be acceptable provided there is no scope for further enhancement through an appropriate replacement building. It states that small scale business development on farmsteads and proposals to accommodate growth of existing businesses need to take into account their impact on the appearance and character of the landscape. E2 (D) states that proposals to accommodate growth or intensification of existing businesses need to be considered in terms of their impact on the appearance and character of the landscape.

Core Strategy Policy RT1 deals with proposals for recreation, environmental education and interpretation. It is supportive of development which encourages recreation and enjoyment of the National Park, and RT2 (B) states that appropriate developments which extend or make quality improvements to existing holiday accommodation are acceptable.

Saved Local Plan Policy LC13 deals specifically with agricultural development, which should respect the landscape and avoid harm to the areas characteristics.

Saved Local Plan Policy LC14 deals with farm diversification and states that if the diversified use can be appropriately located in existing vernacular or non-vernacular buildings which would remain appropriate to the area despite its removal from agriculture, and that if the size and location of an existing non-vernacular building and its relationship with other buildings is appropriate to a new use then it would be acceptable.

Saved Local Plan Policy LE4 states that the expansion of existing (business) development must be of a modest scale in relation to the existing activity/use and must not harm the amenity and valued characteristics of the area and the appearance of the site.

Saved Local Plan Policy LR7 deals specifically with facilities for keeping and riding horses and states that equestrian development will be permitted provided that the development does not detract from the landscape or valued characteristics of the area and does not have a detrimental effect on the amenities of the area.

Wider Policy Context

The National Planning Policy Framework (NPPF) is supportive of development which meets the needs of the area, contribute to building a strong, responsive and competitive economy. A strong rural economy is important and the NPPF supports development which creates employment opportunities. It supports sustainable rural tourism and leisure developments in appropriate locations within rural areas which respect the character of the countryside.

The National Park has a statutory duty to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Parks, and to promote opportunities for understanding and enjoyment of its special qualities. Core Strategy Policies GSP1 and GSP2 require that all development is consistent with the National Parks legal purpose and duty. GSP3 and Saved Local Plan Policy LC4 require a high standard of design and state that where development is acceptable in principle, as set out in DS1, it will be permitted provided that it does not have an adverse effect on the amenity, privacy and security of the development and of nearby properties.

Core Strategy Policy L1 states that development must conserve and enhance valued landscape character and other valued characteristics.

Saved Local Plan Policy LT18 requires vehicular access to be safe and suitable for their designated purpose.

Assessment

The proposal is to replace the existing agricultural buildings on site with new buildings which are a standard design for agricultural development and constructed of standard materials typically used in agricultural development.

One of the buildings would remain in agricultural use; the other would be laid out internally as an 'American' barn with loose boxes on each side and would be for equestrian use for the applicant's horses and for use by guests staying in the holiday accommodation already on site.

Principle - DS1(C) specifically states that development for agriculture and other rural enterprises including farm diversification, recreation and tourism is acceptable.

Siting – The replacement buildings would be in much the same position on the site as the existing buildings which are to the north-west of the farmhouse and the traditional stone buildings. The existing access track to the buildings is to continue to be used and no alteration is necessary. As the proposal is for replacements of the existing buildings the visual impact will be minimal and the proposals will not have any significant adverse effect on the site, or on the wider landscape, in line with Core Strategy Policy L1.

Design - Any approval for the current application would be subject to normal planning considerations such as design and potential impact on the character, appearance and amenities of the property and the local area.

The existing buildings which are to be demolished are constructed of concrete block under profile sheet roofs. One has a standard rectangular footprint, the other has an L-shaped footprint. Both buildings are in a poor state of repair and their removal will be an enhancement to the site.

Letters of objection have raised concerns about the design and visual impact of the proposed development and such concerns are noted. However, the proposed replacement buildings are a similar size and scale to the buildings they will replace, one is a four bay portal frame building, the other a five bay building. The massing is cleaner, each building having a simple rectangular footprint and pitched roof, which is a standard design for agricultural buildings, although one is for equestrian use. Both buildings are in line with Saved Local Plan Policy LC13 and guidance in the Authority's Supplementary Planning Document on agricultural development. As such they are typical of the type of development which would be expected to be seen within a rural landscape and will therefore have minimal impact on the special qualities of the wider area and landscape.

Materials - The materials proposed for their construction are also typical of agricultural buildings, being concrete panels with Yorkshire boarding above, whilst the visible concrete panels are to be faced with gritstone up to where the boarding starts. They are to be roofed with fibre cement profile sheets finished in slate blue, with GRP roof lights. These materials are in line with policies and guidance for agricultural development.

The scale is appropriate for the intended use and proportionate to the needs of the holding at the present level, the design and materials are those of standard modern agricultural buildings, therefore it is considered that the proposed new buildings will not be harmful to the setting of the farm, or its surroundings within the wider landscape in line with policies GSP1, 2 & 3, DS1, L1, LC4 & LC13.

Amenity - The proposed replacement buildings are not considered to have a detrimental effect on the amenities of any neighbouring properties due to the intervening distances. Nor would they

have any adverse impact on the character and appearance of the site or its setting within the wider landscape as they are typical of modern agricultural buildings.

The use of one of the buildings for equestrian purposes does not give rise to significant concerns regarding any adverse impact on the amenities and privacy of any neighbouring residential properties. By virtue of the size and scale of the addition to the existing business proposed, it is considered that the proposals would have a limited impact on the quiet enjoyment of the area.

As concerns have been raised regarding the suitability the network of surrounding bridleways to deal with additional use generated by the proposal, this has been carefully considered. The current state of repair of the bridleways in the vicinity has been brought to the attention of the County Council who are responsible for their upkeep. The additional use is small scale as the holiday accommodation is available for anyone to rent and not every guest will bring their own horse, as such, it is considered that the additional wear and tear on the network will be minimal. The use of the network of bridle paths by additional horses will not have any effect on the enjoyment and use by other users.

The Highway Authority state that there are no material highway implications associated with this development proposal, therefore they have no objection to the proposed change of use of one of the buildings. It is considered that there is adequate parking and turning provision for the small scale of the proposed diversification of the established holiday business on the site. Therefore, the proposal would not conflict with the specific provisions of Local Plan policy LT18, which requires safe access and adequate parking provision for all new development in the National Park.

Other Issues

Letters of objection have raised concerns relating to the presence of existing riding stables in Flash. Commercial competition is not a material planning consideration so it should not be considered when making a planning decision. Additionally, in this instance the equestrian building is not for a riding school. Some of the loose boxes are for personal use and the others are for guests staying in the holiday accommodation on site.

Conclusion

It is therefore concluded that the application meets the requirements of policies in the Development Plan and national planning policies in the Framework because the replacement buildings would be of an appropriate design and would not harm the valued characteristics of the National Park. The development would not detract from the character, appearance or amenity of the site, its setting or neighbouring properties. Accordingly, the application is recommended for conditional approval.

Human Rights

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

List of Background Papers (not previously published)

Nil

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13. FULL APPLICATION - EXTENSION TO DWELLING, GARAGE MODIFICATIONS, SOLAR PV, SEWERAGE TREATMENT AND EXTERNAL ALTERATIONS, 1 ROSE COTTAGE, NEW ROAD, HULME END, FAWFIELDHEAD (NP/SM/0317/0315 P.3908 410386/359332 LB)

APPLICANT: Mr and Mrs Bohme

Site and Surroundings

1 Rose Cottage is a semi detached dwelling located in a roadside position overlooking Station House Road, (B5054), within Hulme End. The river Manifold runs through the centre of Hulme End from which 1 Rose Cottage is located approximately 70 metres to the west, and is outside flood zone 2 and 3. Hulme End is not within the Conservation Area.

The property has a rendered finish under a gabled double pitched Staffordshire blue tiled roof, with timber windows throughout. A small single storey flat roof extension projects off the rear elevation into a large garden, which bounds the highway to the north, which includes a single garage and external parking area, with a lean to timber greenhouse off the southern elevation, and a detached greenhouse to the east.

The nearest neighbouring dwelling is the attached property, no. 2 Rose Cottage which also has a double pitched gabled roof and a small flat roofed extension off the rear of the dwelling. The Old Methodist Chapel, a listed building is located approximately 15 metres to the west, and East View, New Road, Hulme End is located on the opposite side of the B5054, approximately 15 metres to the south west.

Proposal

The application proposes a lean to side extension on the west elevation of the dwelling. It will measure 1.7 metres wide x 4 metres long and 3.4 metres to the ridge, constructed under a blue slate roof with a render finish.

Drawings indicate the existing roof of the rear extension will be replaced with green roof, which will be of the same height and dimensions as the existing.

A single storey grass roof log store is also proposed at the rear of the single storey extension which will be 1.7 metres high.

Solar thermal panels are proposed on the front roof slope of the dwelling.

The existing aluminium greenhouse, which projects off the southern elevation of the garage, is to be replaced with a cedar greenhouse that will measure 1.8 metres x 4.2 meters. The garage is to be used as a garden tool store and a workshop and a flue pipe is proposed in the eastern elevation to facilitate the provision of a log burner in the building.

A new cedar greenhouse is to be constructed on the original footings of a previous garage. The greenhouse will measure 6.1 metres long x 3.6 metres wide and will replace an existing greenhouse.

The application description also refers to “sewerage treatment”. This comprises of a tank within the garden of the host dwelling and is Permitted Development under Class E of the GPDO and therefore does not require consideration under this application.

RECOMMENDATION:

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

1. The development hereby permitted shall be begun within 3 years from the date of this permission.
2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the amended plans titled 'Proposed Plans and Site Layout', drawing number 'A.03, Rev A.2', 'Garage and Greenhouse Layout', drawing number 'A.04, Rev 3', 'Proposed Elevations with Sections', drawing number 'A.05', Rev A.3', and 'Proposed Section Details', drawing number 'A.06, Rev A.3' received by the Authority on the 6th July 2017, subject to the following conditions;
3. All timber work to the greenhouse and garage shall be finished in a dark recessive stain and permanently so maintained unless agreed in the writing by the Authority.
4. The walls shall be rendered to a specification which shall be submitted to and approved in writing by the National Park Authority.
5. The roof of the extension shall be clad with Staffordshire blue tiles to match the existing.
6. All new windows and doors should be constructed from timber.
7. All new window frames shall be recessed from the external face of the wall the same depth as the existing frames.
8. The rainwater goods shall be black. The gutters shall be fixed directly to the stonework with brackets and without the use of fascia boards. There shall be no projecting or exposed rafters.
9. The roof lights(s) shall be fitted flush with the roof slope.

Key Issues

- Whether the proposed lean to extension and associated development within the garden and on the dwelling would be of an appropriate scale, form and design which would conserve the character, appearance and amenity of the host property, (i.e the neighbouring dwelling No. 1 Rose Cottage), its setting and would not otherwise harm the amenities of the neighbouring properties and in particular the amenities of No. 2 Rose Cottage, Hulme End.

History

Planning Enquiry 28654: Enquiry to determine if planning permission is required for a wraparound rear extension, erection of a log shed and greenhouses and solar panels to the front roof slope and garage roof. Officers advised that some works, (solar panels) are permitted development and others would require planning permission. In particular officers advised that wrap around extensions are not traditional vernacular in the National Park and the proposed dimensions result in an overwide squat extension which is considered to detract from the character and appearance of the dwelling.

Consultations

Highway Authority – No response to date.

District Council – No response to date.

Fawfieldhead Parish Council – Support, no objections.

Representations

The Authority has received 5 letters of representation.

A representation letter from the immediate neighbouring property, No 2 Rose Cottage, raises concerns that an ecology report has not been submitted and states that the proposed pitched roof at the rear of the property (based on the original plans) would result in shadow and loss of light affecting their amenity. The amended roof would also cause security issues. Furthermore, concerns are expressed that the proposed solar panels on the front of the dwelling would harm the street scene and the garage would become residential due to the proposed alterations as detailed on the plans. The works would also result in additional noise affecting amenity issues in regard to highways safety.

An objection letter from Hulme End Shop states the proposed solar panels on the front of the dwelling would be out of character to the surrounding area. A further representation letter was received from Hulme End Shop reiterating the solar panels would *'destroy the feeling of the hamlet'*, and the works may be detrimental to the shop as *'builders vans and deliveries will impact on the customers trying to stop to use our facilities therefore having a detrimental impact on our livelihood'*.

A letter from Riverside, Hulme End, states concerns that the scale of development is out of proportion to the existing dwelling; the solar panels would be an inappropriate addition. Concerns the garage would not be for its intended use once the alterations have taken place and the impact of builders and materials can result in dangerous safety impact upon the highways, and the timescale the works will take; (these latter two points are not material planning considerations).

Officers also note concern has been raised from Manifold House, Hulme End, stating *'the panels will not blend in with the existing buildings in the village and will create an eyesore both for existing residents and for the many visitors who enjoy the village setting'*. Development at the rear of the dwelling is of a *'scale disproportionate to anything else in the village and will detract from its charm'*.

Main Policies

Core Strategy

GSP1, GSP2 and 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.

In principle, DS1 of the Core Strategy is supportive of extensions to existing buildings.

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

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

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

Wider Policy Context

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

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

Assessment

Design

Single storey side extension

The amended plans show a lean-to side extension off the western gable of the dwelling. Initially, the submitted scheme proposed a wraparound extension incorporating a pitched roof and amendments to the rear extension. However, a 'wrap around' was not considered acceptable and, following discussions during the application process, the proposal has been amended significantly to the current single storey lean to side extension.

Plans indicate the extension is of a simple rectangular form with modest dimensions creating an extension that is subsidiary alongside the host dwelling. The pitched roof form mimics the existing roof and overall is considered acceptable in regard to its character and appearance as it will sit comfortably on the side of the dwelling and will not detract from the dwelling it will serve. Overall this element of the scheme is considered to be an acceptable addition. Therefore the proposals are in compliance with the general principles of LC4, LH4, GSP1 and GSP3.

Officers consider that the side extension would not provide any impact upon the nearest neighbouring property as the location of the extension would not overlook or overshadow any surrounding dwellings, including the nearest neighbouring dwelling at 2 Rose Cottage, and therefore does not raise any amenity issues thus meeting the requirements of LH4 and GSP3.

Amendments to existing rear extension

Amended plans indicate the footprint of the rear extension will remain as existing. The only alteration to this structure is the roof will be replaced with a low profile green roof consisting of moss and sedums. This alteration is considered to require planning permission as it would materially alter the appearance of the rear of the dwelling.

Officers raise no objection to replacing the roof, with a sedum green roof. The area of green roof is minimal in comparison to the dwelling and located at the rear as such it will not detract from the character and appearance of the dwelling. Therefore subject to conditions requesting details of the sedum roof to ensure it will be of a low profile to ensure there will be no amenity issues such as over shadowing onto the neighbouring property the replacement roof raises no objections.

It is noted that a representation letter raises the issues that the sedum roof would result in a higher risk to security as it would be easier to climb on in comparison to the existing roof structure. Officers have taken this into account but consider that as there is no height difference in comparison to the existing structure it does not outweigh the acceptability of the proposal. Again, therefore, replacing the roof is considered to comply with LCH and LH4.

Detached log store

Amended plans indicate a detached single storey timber log store located against the northern elevation of the rear extension. It is considered that planning permission is not required for the log store as the dimensions and location of the store comply with Class E of Part 1 of the General Permitted Development Order for buildings incidental to the enjoyment of a dwelling house. Therefore the log shed does not need to be considered as part of the proposal.

Solar thermal panels to the front roof slope of the dwelling and to the roof slopes of the garage

In regard to the proposed solar panels, as it has been noted that representation letters raise concern that the panels on the dwelling or the garage would detract from the character and appearance of the dwelling and the surrounding area. Officers consider that the proposed panels, on both the dwelling and garage, would not require planning permission as it is considered that this alteration would meet the requirements of Part 14, Renewable energy, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015. Therefore the solar panels do not need to be considered as part of this application.

For information, the ground mounted solar panels within the garden which were initially proposed under this application have been removed from the scheme.

Replacement greenhouse on garage

The replacement greenhouse located on the southern elevation of the garage would not require planning permission as it would meet the requirements of Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015. The replacement greenhouse would be an enhancement in comparison to the existing. Therefore the structure does not need to be considered as part of this application.

Sunken greenhouse

Planning permission is required for the sunken greenhouse as the location does not comply with the permitted development requirements of Class E, (outbuildings). The design of the greenhouse is of a pitched roof form and of simple structural design that does not detract from the character and appearance of the dwelling and would appear subsidiary to the scale of the garden it will serve. It will be viewed alongside other structures within the curtilage and will

not appear out of context. However, officers consider it reasonable and necessary to attach a condition to ensure the structure of the greenhouse is finished in a dark recessive paint or stain. As such it is considered the proposal complies with LC4.

Use of the garage

Notes on the amended plans indicate the internal layout of the garage will be divided into a workshop and a store. It is considered that both proposals will be incidental to the enjoyment of the dwellinghouse and therefore a 'change of use' is not required. The proposed use will not go above and beyond the current existing operations for the garage and dwelling and therefore is not considered to raise any amenity issues.

The insertion of the flue pipe into the roof slope meets the requirements of permitted development due to its height, and as such does not require planning permission. However it has been advised that the flue pipe is finished in a black recessive colour.

Render

Notes on the plan indicate the dwelling may be re-rendered depending on the quality of the stonework underneath the existing render. The removal of render does not require planning permission however the replacement of render does. In this case, as the dwelling is already rendered and as the dwelling is not in a Conservation Area, replacing the render, subject to an appropriate colour and texture which can be controlled by condition, is considered to be acceptable. However it is noted that the exposure of stonework could be an enhancement to the dwelling.

Neighbourliness

Local Plan LC4 states where proposals are acceptable, particular attention must be paid to the amenity, privacy and security of the development and of nearby properties.

In this case, as overall it is only the side extension, sunken greenhouse and sedum grass roof which require the permission, due to the nature or location of the proposals it is not considered the scheme would raise any amenity issues by way of overlooking, oppressiveness or loss of privacy.

Letters of objection have raised concerns relating to the timescale of works and the impact of builders vans and deliveries upon Hulme End. Such issues would be for temporary period and would not substantiate a sound reason for refusal of the application.

Highways

The Highway Authority has not provided a response to date. It is considered that the proposed development would not give rise to any highways issues as off road parking will still be provide on the hardstanding area adjacent to the garage. The development is unlikely to intensify existing levels of traffic generation associated with the host dwelling.

Ecology

An ecology report is not required for the proposed development subject to the application. The scale and nature of the proposed development is unlikely to give rise to harm to protected species. Furthermore it is considered that the dwelling is not in a SSI, as suggested in a representation letter.

Conclusion

The proposed development, (extension, sedum roof and sunken greenhouse) is considered to be of an appropriate standard of design, would not detract from the character, appearance or amenity of the original building and its setting or that of neighbouring buildings, in particular the closest neighbouring dwelling at No. 2 Rose Cottage, Hulme End. The proposed development would not create any highway safety issues. There are no further material conditions which indicate that planning permission should be refused. Therefore the proposal is considered to be in accordance with the development plan, (Core Strategy Policies GSP1, GSP2 GSP3, & DS1, and Local Plan Policies LH4 and LC4). These policies are consistent with national planning policies in the NPPF so the current application is recommended for conditional approval.

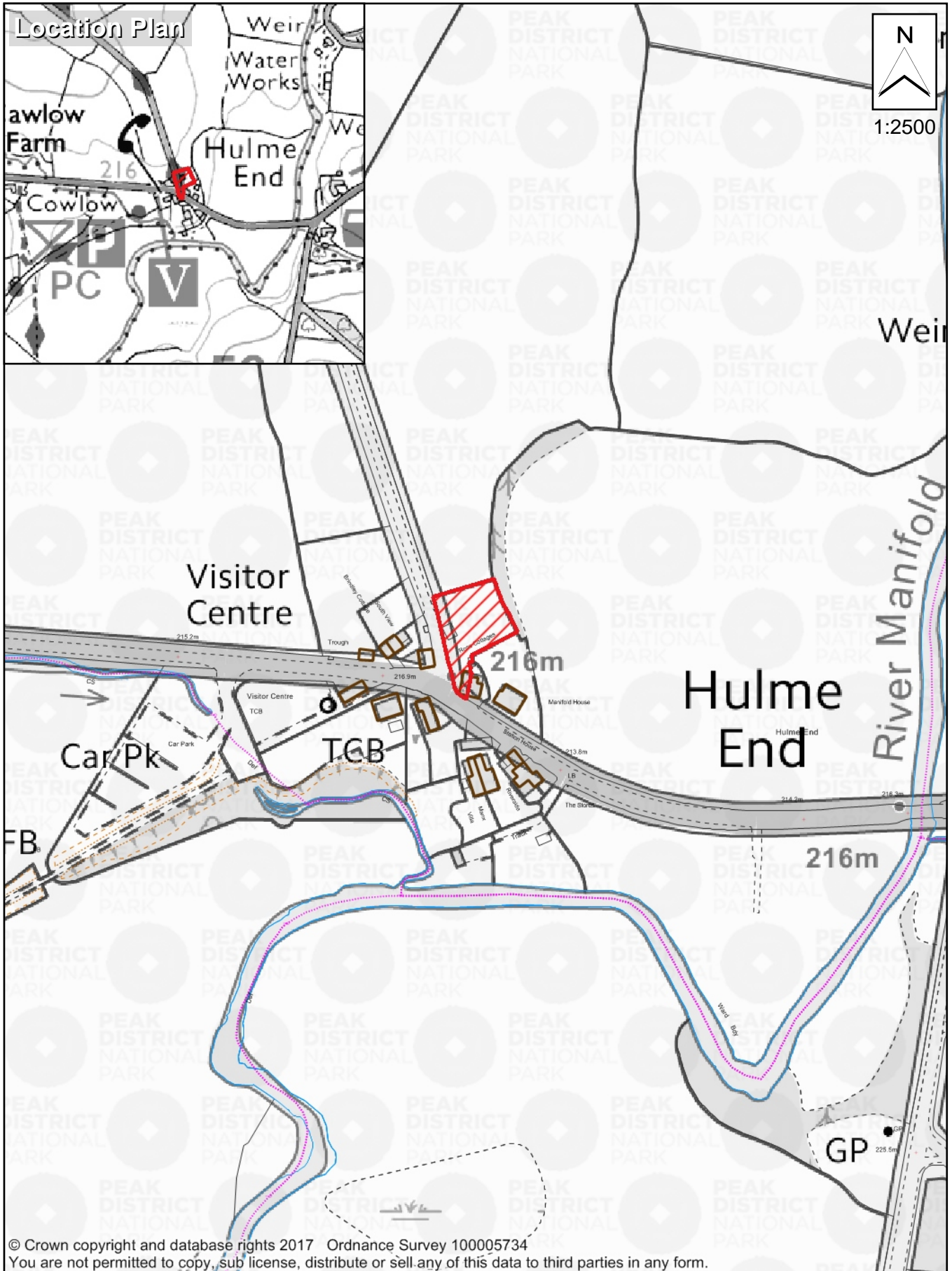
Human Rights


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

List of Background Papers (not previously published)

Nil

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Committee Date:	11th August 2017	Title: 1 Rose Cottage, Hulme End	 PEAK DISTRICT NATIONAL PARK
Item Number:	Item No.13		
Application No:	NP/SM/0317/0315		
Grid Reference:	410386, 359332		

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14. HOUSEHOLDER APPLICATION - REPLACEMENT OF EXISTING OUTBUILDING, 6 HILLSIDE COTTAGES, SHEFFIELD ROAD, HATHERSAGE (NP/DDD/0517/0542 P.3017 423496/381162 26/05/2017 DH)

APPLICANT: Mr & Mrs Weston

Site and Surroundings

The dwelling is an end-terrace property, the southernmost of two terraced rows of properties, which stand in an elevated position on the eastern side of Sheffield Road, on the south-east edge of the village of Hathersage. The terraces lie outside the Conservation Area boundary, the nearest point of which is approximately 425m north of the application site.

The dwelling is constructed from gritstone with the gable being rendered and painted white. There is a small area of garden between the retaining wall which fronts the road and the principal elevation of the house and a larger sloping rear garden, extending back by approximately 20m. The boundary treatments are timber fencing and hedges. As existing there are three outbuildings within the curtilage to the rear, two sheds alongside the northern boundary and a larger building alongside the eastern boundary. This larger building is constructed from timber under a roof which is part felted and part profile sheets, it has a caged area along the frontage and formerly was an aviary.

The nearest neighbouring properties are Number 5 Hillside Cottages, attached to the north, West Lawn, a detached property to the south which is set further back from the roadside than the terrace and Overton, on the opposite side of the road, to the south-south-west.

Proposal

The application proposes the demolition of the existing aviary building and replacement with a new outbuilding for ancillary accommodation to the dwelling

RECOMMENDATION:

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

- 1. The proposed development shall not be carried out other than in complete accordance with the submitted plans and specifications received by the Authority 25 May 2017.**
- 2. The window in the south elevation shall be obscured glazing to Pilkington glass privacy level 3 or equivalent.**
- 3. Use of building to remain ancillary to the dwelling**

Key Issues

- Whether the proposed building is of a suitable design, scale, form and massing
- Whether the proposed development would detract from the character, appearance or amenity of the site, its setting or neighbouring properties

History

No applications

Consultations

Derbyshire County Council (Highway Authority): No objection subject to use remaining private and ancillary

Derbyshire Dales District Council: No response to date

Hathersage Parish Council: Object for the following reasons:

- There are aspects of the proposed development as being residential/living space that is separate from the house
- There is currently a parking problem in the vicinity due to a bend in the road and road markings. This application does not provide additional parking space

Officer comment: The accommodation provided comprises a bed/living room and en-suite toilet and shower. It does not offer all the elements of a C3 dwelling, merely an additional bedroom which is intended for family and guests. As such, it would not generate any additional traffic other than that which would be there anyway had the guest room been provided within the dwelling and not as a separate building. The proposed use falls within the requirements of Saved Local Plan policy LH6, and the use would be restricted by condition.

The applicant has confirmed in an email dated 27 July 2017, that, "The conversion of the aviary is to provide accommodation for our son when he returns home from University during the holidays. The intention has never been (or in the future) to use it for commercial use. Please rest assured that this is not our intention and are prepared to make it a condition."

Representations

The Authority has not received any representations regarding the proposal

Main Policies

Core Strategy Policy DS1 describes forms of development which are acceptable in principle across different parts of the National Park. In principle, DS1 is supportive of extensions to existing buildings and Saved Local Plan policy LH4 provides specific criteria for assessing householder extensions including outbuildings. LH4 says extensions and alterations to dwellings will be permitted provided that the proposal does not:

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

Saved Local Plan Policy LH6 states that the use of an outbuilding within the curtilage of an existing dwelling to ancillary domestic use will be permitted provided that:

- i. it would not harm the character of the building, the dwelling, or the surrounding area; and

- ii. it would not result in an over intensive use of the property, an inadequate standard of accommodation or amenity space, or the need to replace outbuildings at a later date;
and
- iii. the site is large enough to meet the parking and access requirements of the proposed development; and
- iv. the new accommodation provided would remain under the control of the occupier of the main dwelling.

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

Wider Policy Context

The National Park has a statutory duty to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Parks, and to promote opportunities for understanding and enjoyment of its special qualities. Core Strategy Policies GSP1 and GSP2 require that all development is consistent with the National Parks legal purpose and duty. GSP3 and Saved Local Plan Policy LC4 require a high standard of design and state that where development is acceptable in principle, as set out in DS1, it will be permitted provided that it does not have an adverse effect on the amenity, privacy and security of the development and of nearby properties

These policies are consistent with national planning policies in the Framework (the National Planning Policy Framework) not least because core planning principles in the Framework require local planning authorities to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings

Assessment

The proposal is to replace the existing aviary building on site with a new stone building which would provide ancillary domestic accommodation to the dwelling. Pre-application advice was sought as to whether planning permission was required, but not for detailed advice.

Principle

Saved Local Plan Policy LH4 says householder extensions, including new outbuildings, are normally acceptable in principle provided they are of a suitable design, scale, form and massing and do not raise any amenity issues upon the dwelling itself or any neighbouring properties.

Saved Local Plan Policy LH6 deals with the use of outbuildings within the curtilage of an existing dwelling to ancillary residential use. Supporting text to Saved Local Plan policy LH6 discusses whether or not an existing outbuilding is suitable for conversion. It states that this is likely to depend on the size and character of the building and the disposition of the buildings within the site. In this instance, the existing building is a timber construction with a shallow pitched roof of felt/profile sheeting, with a flat roofed caged area along the frontage; as such it would not be suitable for conversion. A replacement building with a more appropriate massing and detailed design, in materials to match the dwelling, would be an enhancement to the site.

Consequently it is considered that there would be no objections in principle to a replacement garden building for ancillary domestic use in association with the use of the site as a single dwelling subject to the normal siting, design and amenity considerations being acceptable.

Siting

The replacement building would occupy the same position on the site as the existing aviary, which is sited alongside the eastern boundary of the rear garden of the dwelling. The site being in the rear garden is screened from wider public views and is considered to be an acceptable location for a new garden building.

Design

The existing aviary building is of no merit and its removal will be an enhancement to the site.

The proposed replacement building is on the same footprint as the existing aviary, which has a simple rectangular footprint measuring just 5.9m by 3.4m meaning the scale of the proposed building has a similarly modest footprint. The height to eaves is 2.3m with a pitched roof whose the ridge would be 3.4m high. The provision of a pitched roof which echoes the pitch of the roof of the dwelling would result in a more appropriate form and massing than the existing aviary building.

The openings comprise two windows measuring 1000mm deep by 500mm wide, one centrally placed in the south gable, and one in the west (front) elevation alongside bi-fold doors of 2.6 wide facing the back of the house. The full length glazed opening is typical of a domestic building within the curtilage of a dwelling. The design is considered to be compliant with policies GSP3, LC4 and LH4.

Materials

The materials proposed are natural gritstone laid and pointed to match the house. The roofing material is to be blue slate and the doors and windows would be timber. These traditional construction materials would comply with policy LH4 and guidance in the Authority's Supplementary Design Guidance.

Use

The use of the building for ancillary accommodation to the main house's use as a single domestic dwelling does not give rise to significant concerns regarding any adverse impact on the amenities and privacy of any neighbouring residential properties. By virtue of the size and scale of the building and the type of accommodation it would provide, a single bedroom and en-suite bathroom, it is considered that the proposed use would not have a detrimental impact on the quiet enjoyment of the neighbouring properties.

Amenity

The proposed replacement building is in the same position as the aviary which has been on the site for many years. Due to its modest scale, massing, and the use of materials which will match those of the house it will enhance the character and appearance of the property and its setting. The proposed building will have no adverse impact on the setting of the property as it is to the rear and is not readily visible from public vantage points, therefore there would be no significant impact on the on the general amenities of the local area.

Whilst it is acknowledged that there is no off-road parking provision at the property, this is the case with all the properties in the terrace, and the terrace directly to the north (Surprise Villas) The provision of an additional bedroom will not have any significant impact on the current

situation. The Highway Authority states that they have no objections subject to the use remaining private and ancillary to the dwelling.

Neighbourliness

West Lawn, the detached property to the south, is set further back from the roadside than the terrace and its gable would be in line with the gable of the proposed building. The window in the gable is to the shower room and would therefore be obscured glazed for privacy.

Due to the application site being an end-terrace there is a close relationship with the neighbouring property attached to the north. That being the case there is already a degree of overlooking experienced and the replacement of the existing building with another is unlikely to significantly intensify this. Additionally, there are timber sheds along the northern boundary which screen the site of the aviary from the nearest neighbour.

Conclusion

It is therefore concluded that the application meets the requirements of policies in the Development Plan and national planning policies in the Framework because the replacement ancillary outbuilding building would be of an appropriate scale and design and would not harm the valued characteristics of the National Park. The development would not detract from the character, appearance or amenity of the site, its setting or neighbouring properties. Accordingly, the application is recommended for conditional approval.

Human Rights

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

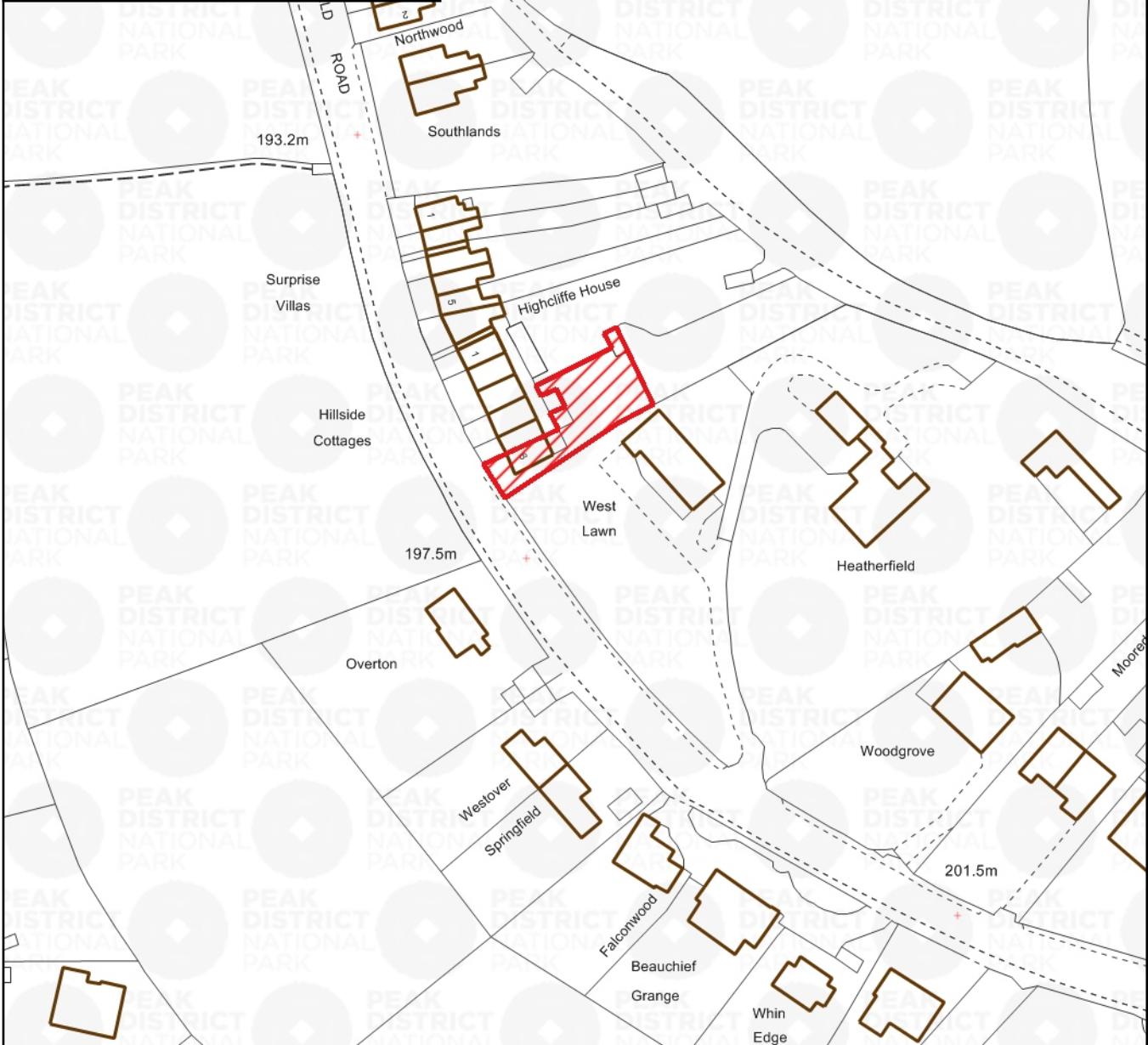
List of Background Papers (not previously published)

Nil


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Committee Date:	11th August 2017	Title: 6 Hillside Cottages, Hathersage	 PEAK DISTRICT NATIONAL PARK
Item Number:	Item No.14		
Application No:	NP/DDD/0517/0542		
Grid Reference:	423496, 381162		

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15. REVOCATION ORDER - BALLIDON QUARRY, BALLIDON, DE6 1QX (420192/354944, NH)

Purpose of this Report

The purpose of this report is to seek formal authority to make a Revocation Order in relation to planning permissions for Ballidon Quarry. The Planning Committee on 11 December 2015 approved the planning permissions described below and authorised officers to pursue the signing of a section 106 agreement, including the relinquishments of former planning consents through a formal Revocation Order. However, a specific resolution is required to make the Revocation Order related to Ballidon Quarry now that the permission has been issued and implemented by the applicant, Tarmac Trading Limited.

Introduction

On 11 December 2015, Planning Committee resolved to approve two planning applications for Ballidon Quarry:

1. Application NP/DDD/0715/0618 which sought to vary conditions 2, 11, 38 and 39 on the existing permission NP/DDD/0214/0210 to allow for a revised restoration scheme.
2. Application NP/DDD/0715/0619 for revision to quarry development scheme within current planning consent boundary and provision of enhanced restoration scheme.

Subject to the signing of a revised Section 106 agreement (covering both planning permissions) to include the following obligations:

- a) To not win and work minerals in accordance with previous consents;
- b) Relinquishment of former consents through formal revocation orders;
- c) Not to seek compensation in respect of any formal revocation orders made in respect of previous consents;
- d) Annual total sales of limestone products shall be limited to a 1.1 million tonnes;
- e) No to sell for industrial use less than 40% of the total annual sales of limestone products;
- f) To enter into a footpath Agreement for the maintenance of the previously constructed permissive footpath, plus fencing and gates, along the approach road leading to the quarry entrance to separate pedestrians and footpath users from road traffic.

At the Planning Committee in December 2015 it was resolved that both applications be recommended for approval subject to the signing of a revised section 106 agreement covering both permissions including the obligations set out above and the imposition of various conditions and to delegate authority to the Director of Conservation and Planning to agree detailed conditions and wording of the Section 106 legal agreement following consultation with the chair and vice chair of the planning committee.

The permission was issued on the 19 July 2016 and the Section 106 legal agreement which covers all the aspects identified above was endorsed.

Revocation Orders

The Authority has the power to revoke planning permissions under section 97 of the Town and Country Planning Act (as amended). All parties with a legal interest in the land have confirmed that they have no objection to the Revocation Order, in the section 106 agreement. The Authority must notify the Secretary of State that an Order has been made, and as long as no objections are made by those with an interest in the land (in line with the section 106 agreement), the order can be confirmed.

Previous revocation orders have been made by the Authority, including Stanton Moor Quarry, Dungeon and Barton Hill, and Longstone Edge. These were revoked without compensation for the operator or landowner.

The following planning permissions exist for Ballidon Quarry:

Date	Reference	Nature of Permission
12 July 1951	1884/9/11 & 22	The winning and working of limestone, the disposal of waste material and the erection of new crushing and grinding plant.
31 July 1952	1884/9/30	To develop land by the winning and working of limestone, the disposal of waste material.
25 April 1963	ASR/163/2	To extend the limestone quarrying area and the tipping Area.
7 May 1973	NP/ASR/373/2	An extension of the approved quarrying area and the installation of new quarry plant.
15 Jan 1986	NP/WED/783/292	Extension of limestone workings.
12 Feb 1991	NP/WED/1190/623	Variation of condition 4 of planning consent NP/WED/783/292 to permit extraction of a further lift from the west quarry followed by backfilling using quarry waste.
3 July 1992	NP/WED/392/192	Extension of quarry workings and development of quarry tip.
4 March 2003	NP/DDD/0500/172	Merging of existing planning consents into a single consolidated consent including surrender of parts of existing permissions and a small extension for landscape purposes of north face of main quarry.
24 Aug 2004	NP/DDD/0803/419	Variation of condition 13 of planning consent NP/DDD/0500/172 to increase the total sales output of mineral from 1 million tonnes to 1.1 million tonnes in any one calendar year.
28 May 2015	NP/DDD/0214/0210	Variation of condition 10(iii) of planning consent

		NP/DDD/0803/419 to increase the number of powders tankers delivering overnight.
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The legal agreement provides that the existing planning permissions will no longer be implemented and from the date of issue the entire site would be controlled by the two new permissions. The legal agreement also provides that no party to the agreement will object or claim compensation in relation to the issue or confirmation of revocation orders.

It is considered that the Revocation Order in relation to these permissions will provide additional certainty regarding the rights to work minerals, the manner in which mineral working will take place and long term security that the old permissions cannot be reactivated. Although the legal agreement provides good certainty, it could theoretically be varied in future, through an application to the Authority. It is considered that it is expedient to issue Revocation Orders in relation to the existing permissions using powers under section 97 of the Town and County Planning Act 1990.

It is considered that in this case not making a Revocation Order could potentially allow a developer to seek to vary the legal agreement and seek to work stone reserves which have been given up. The relinquished permissions are older, with fewer environmental controls imposed on them than the current permissions, which have been subjected to the EIA process. Therefore, in this specific case, making the revocation order to extinguish the old permissions is the best course of action in order to provide total certainty for the National Park in terms of the mineral that will be worked in future.

Compensation is payable in certain circumstances in respect of revocation of planning permissions. However in this case all those known to have an interest in the land have signed the legal agreement to the effect that they will not claim compensation if a Revocation Order is made. There is a very small risk that a third party claiming to have an interest in the land which was not revealed in the searches carried out prior to the legal agreement being entered into objects to the Revocation Order and/or claims compensation as a result of the revocation of the old permissions, however on balance it is considered that in this case the benefits of making the revocation order outlined above outweigh any such minimal risk.

RECOMMENDATION

That a Revocation Order be made under the section 97 of the Town & Country Planning Act 1990 and all other powers enabling the Authority to revoke the following permissions:

1884/9/11 & 22: The winning and working of limestone, the disposal of waste material and the erection of new crushing and grinding plant.

1884/9/30: To develop land by the winning and working of limestone, the disposal of waste material and the erection of buildings.

ASR/163/2: To extend the limestone quarrying area and the tipping Area.

NP/ASR/373/2: An extension of limestone workings.

NP/WED/783/292: Extension of limestone workings.

NP/WED/1190/623: Variation of condition 4 of planning permission consent NP/WED783/292 to permit extraction of a further lift from the west quarry followed by backfilling using quarry waste.

NP/WED/392/192: Extension of quarry workings and development of quarry tip.

NP/DDD/0500/172: Merging of existing planning consents into a single consolidated consent including surrender of parts of existing permissions and a small extension for landscape purposes of north face of main quarry.

NP/DDD/0803/419: Variation of condition 13 of planning consent NP/DDD/0500/171 to increase the total sales output of mineral from 1 million tonnes to 1.1 million tonnes in any one calendar year.

NP/DDD/0214/0210: Variation of condition 10 (iii) of planning consent NP/DDD/0803/419 to increase the number of powders tankers delivering overnight.

Human Rights

Any human rights issues have been considered and addressed in the preparation of this report. The confirmation of the revocation order will permanently extinguish the permissions to which it relates, so that the winning and working of minerals can no longer take place in accordance with those permissions. To the extent that the making of the revocation order might engage Article 1 of the First Protocol of the European Convention on Human Rights, it is a justified and proportionate means of achieving the legitimate aim of planning in the public interest.

List of Background Papers (not previously published)

Nil

16. PEAK DISTRICT NATIONAL PARK AUTHORITY CONSULTATION RESPONSE TO REVISED SCHEME - DEVELOPMENT OF 507 DWELLINGS, 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 – DDC 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 carried, officers will draft a consultation response letter to Derbyshire Dales District Council based upon the report below.

Recommendations:

- 1. That the Authority does not object to the application ref.no. 16/00923/OUT as amended.**

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:

- To conserve and enhance the natural beauty, wildlife and cultural heritage
- 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 who 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 believe that an approval of the amended application would be compliant with the 1995 Environment Act as it would not fail to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park. It would therefore not 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 part of 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.

In March 2017 the Authority objected to an application for 586 dwellings as it was considered to 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, it was considered that the proposal would adversely affect the setting of several Scheduled Ancient Monuments and designated heritage assets, including the Grade I Listed Snitterton Hall.

It was agreed that this Authority had no objection to elements of the proposed development that were limited to the site of Cawdor Quarry and Permanite Works areas. However, it was considered that the element of the proposed development that would be sited on Snitterton Fields was not acceptable. It was noted that if this element of the scheme was to be removed from the proposed development, the Authority would consider that the grounds for objection would be overcome.

Amended plans have been submitted which reduce the number of dwellings to 507. The majority of the dwellings within Snitterton Fields have been omitted and the development is now mostly constrained to the previously developed site of Permanite

Works and Cawdor Quarry. The development does, however, still encompass approximately 1.2 hectares of greenfield land within 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 still 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, Snitterton Fields 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.

The previous scheme, to which this Authority objected, would have resulted in the loss of a large swath of Snitterton Fields being lost to development. Whilst the amended scheme still extends from the Permanite Works site into the undeveloped fields, the extent of this has been significantly reduced. It is considered that the important contribution that Snitterton Fields makes to the setting of the National Park would be retained and the flow of landscape between the National Park and the outlying land would not be lost.

The amended development would also be less 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. Whilst the development would still be visible from some vantage points within the National Park, the visual impact is no longer considered to be significant.

It is now considered that the amended scheme would not have a detrimental effect on the experience of the people within the National Park.

It is considered that the amended scheme would not be harmful to the sense of tranquillity and remoteness that is enjoyed from areas within the National Park around Snitterton.

Impact on Heritage Assets

It is noted that Historic England have raised no objections to the amended scheme, It is considered that the previous concerns in respect of the impact on the setting and significance of heritage assets, including archaeological heritage assets, has been overcome.

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 was considered to be the case with the original submission. It is considered that the amended scheme would not result in unacceptable harm.

Conclusions

Officers recommend that the National Park Authority should raise no objections to the amended scheme pursuant to application 16/00923/OUT. The proposed development as amended would no longer have a significant adverse landscape and visual impact and would not harm the setting of the National Park. The development would not adversely affect the ability of visitors and residents to enjoy its special landscape qualities. Furthermore, the development would now not adversely affect the setting of the nearby Scheduled Ancient Monuments and designated heritage assets.

Are there any corporate implications members should be concerned about?

Financial: No direct financial implication for the Authority.

Risk Management: The financial risk is covered above.

Sustainability: No implications.

Consultees: None

Background papers (not previously published): None

Report Author, Job Title and Publication Date:

Tom Shiels, Area Team Manager (South), 3 August 2017.

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/S/0816/0750 3176237	Conversion of existing farmhouse and cottage to form 1 dwelling house at Yew Trees Farm, Bolsterstone	Written Representations	Delegated
15/0141 3177720	Enforcement - Change of use of outbuilding to a residential dwelling at The Coach House, Blackbrook, Chapel-en-le-Frith	Public Inquiry	Delegated
NP/HPK/1216/1261 3177925	Lawful Development Certificate for an Existing Use of The Coach House, Blackbrook, Chapel-en-le-Frith as a residential dwelling	Public Inquiry	Delegated

2. APPEALS WITHDRAWN

There have been no appeals withdrawn during this month.

3. APPEALS DECIDED

The following appeals have been decided during this month.

<u>Reference</u>	<u>Details</u>	<u>Method of Appeal</u>	<u>Decision</u>	<u>Committee/ Delegated</u>
NP/SM/0716/0731 3173151	Erection of small store at Horseshoe Cottage, Back Lane, Alstonefield	Written Representations	Allowed	Committee

The Inspector considered that the size of the outbuilding would not be overly large and would be subordinate to the cottage in terms of size and massing. Its siting some distance away from the cottage would further ensure that it would not dominate the adjacent cottage, and that the proposed building material for the outbuilding would not unduly detract from the character and appearance of its setting in the open rural landscape. The appeal was therefore allowed.

The applicant had also made an application for an award of costs against the Authority, but the Inspector found that unreasonable behaviour resulting in unnecessary or wasted expense had not been demonstrated, so the application for costs was refused.

NP/S/0316/0281 3171518	Erection of an agricultural building at Cliffe House Farm, Loxley Road, Sheffield, S6 6LJ	Written Representations	Allowed	Committee
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The Inspector felt that the proposal could be assimilated into the landscape without causing harm to the character and landscape of the area, nor harm the setting of the nearby listed building, as the significant screening of the existing building by the landscaping proposed as part of the appeal scheme, would be beneficial to the setting of the listed barn and would also benefit users of the local footpath network. The appeal was therefore allowed.

.4 **RECOMMENDATION:**

That the report be received.