

# Public Document Pack

**Peak District National Park Authority**

**Tel: 01629 816200**

E-mail: [customer.service@peakdistrict.gov.uk](mailto:customer.service@peakdistrict.gov.uk)

Web: [www.peakdistrict.gov.uk](http://www.peakdistrict.gov.uk)

Minicom: 01629 816319

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



Our Ref: A.1142/1590

Date: 31 August 2017



## NOTICE OF MEETING

Meeting: **Planning Committee**

Date: **Friday 8 September 2017**

Time: **10.00 am**

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

SARAH FOWLER  
CHIEF EXECUTIVE

## AGENDA

- 1. Apologies for Absence**
- 2. Minutes of previous meeting 11 August 2017 (Pages 5 - 14)**
- 3. Urgent Business**
- 4. Members Declarations of Interest**  
Members are asked to declare any disclosable pecuniary, personal or prejudicial interests they may have in relation to items on the agenda for this meeting.
- 5. Public Participation**  
To note any questions or to receive any statements, representations, deputations and petitions which relate to the published reports on Part A of the Agenda.
- 6. Retrospective Planning Application: For retention of two wire saws (and associated lighting columns) and retrospective change of use of land for the importation of blockstone for processing at Stoke Hall Quarry, New Road, Grindleford (NP/DDD/0516/0437, NR) (Pages 15 - 30)**  
Site Plan
- 7. Full Planning Application: Change of use from campsite to allow the siting of 6 static caravans, 2 pods and 4 tents ancillary to the wider use of the existing holiday park; retention of existing access road, construction of parking spaces, hardstanding bases and associated landscaping, planting and decking at Longnor Wood Holiday Park, Newtown, Longnor (NP/SM/0717/0699 P.2146 407103/363993 14/07/2017/TS) (Pages 31 - 38)**  
Site Plan

8. **Householder Application: Erection of domestic garage and store at Swallow Cottage, Pilhough Road, Rowsley (NP/DDD/0517/0458 P.10620 424893/364905 16/06/2017/TS)**  
(Pages 39 - 48)  
Site Plan
9. **Head of Law Report - Planning Appeals (A.1536/AMC) (Pages 49 - 50)**

### **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](http://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](mailto: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](http://www.peakdistrict.gov.uk) or on request from Democratic Services 01629 816362, email address: [democraticservices@peakdistrict.gov.uk](mailto:democraticservices@peakdistrict.gov.uk).

#### **Written Representations**

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

#### **Recording of Meetings**

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

The Authority uses an audio sound system to make it easier to hear public speakers and discussions during the meeting and to make a digital sound recording available after the meeting. From 3 February 2017 the recordings will be retained for three years after the date of the meeting.

**General Information for Members of the Public Attending Meetings**

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

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

**To: Members of Planning Committee:**

Chair: Mr P Ancell  
Vice Chair: Cllr D Birkinshaw

Cllr P Brady	Cllr C Carr
Cllr D Chapman	Cllr A Hart
Mr R Helliwell	Cllr Mrs C Howe
Cllr A Law	Cllr H Laws
Cllr J Macrae	Cllr Mrs K Potter
Cllr Mrs L C Roberts	Cllr Mrs J A Twigg

**Other invited Members: (May speak but not vote)**

Cllr A McCloy Cllr F J Walton

Constituent Authorities  
Secretary of State for the Environment  
Natural England

This page is intentionally left blank

**Peak District National Park Authority**  
**Tel: 01629 816200**  
E-mail: [customer.service@peakdistrict.gov.uk](mailto:customer.service@peakdistrict.gov.uk)  
Web: [www.peakdistrict.gov.uk](http://www.peakdistrict.gov.uk)  
Minicom: 01629 816319  
Aldern House, Baslow Road, Bakewell, Derbyshire. DE45 1AE



---

## MINUTES

Meeting: **Planning Committee**

Date: Friday 11 August 2017 at 10.00 am

Venue: The Conference Room, The Agricultural Business Centre, Agricultural Way, Bakewell

Chair: Mr P Ancell

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

Apologies for absence: Cllr J Macrae, Cllr A McCloy and Cllr F J Walton

### 84/17 MINUTES OF PREVIOUS MEETING OF 14 JULY 2017

The minutes of the last meeting of the Planning Committee were approved as a correct record with the following amendment:

82/17 Monitoring & Enforcement Quarterly Review – July 2017

Swallow Cottage, Pilhough

On behalf of Stanton Parish Council, Cllr Mrs K Potter expressed concern that a steel structure on the site had not been entirely removed, despite the recent appeal decision. The officer advised that a new planning application had been submitted and that a small proportion of the steel structure could be used for the proposed smaller garage, which would be built on the footprint of the original garage. Discussions between officers and the applicant continued in order to achieve an acceptable design.

### 85/17 MEMBERS DECLARATIONS OF INTEREST

Item 8

Cllr Mrs L Roberts declared that she had been lobbied by the Chair and Deputy Chair of Castleton Parish Council.

John Scott, Director of Conservation and Planning, declared a personal interest as the agent was a close friend. He would leave the committee table during debate but remain in the room so that he could listen to any debate on policy matters.

Item 9

Cllr Mrs L Roberts declared a personal interest as she knew the applicant.

Cllr P Brady declared a personal interest as he knew a member of Hartington Parish Council, but had not discussed the matter with him.

Item 16

It was noted that all Members except Cllr D Birkinshaw had received emails from objectors Paul Roe and Paul Thompson.

Cllr Mrs K Potter declared a personal interest as a member of CPRE, which had objected to the application.

Cllr Mrs Potter also declared a prejudicial interest as an objector to the proposed scheme. She would make her representation as a local resident and leave the room during the debate and voting.

Cllr D Chapman declared an interest as a Derbyshire Dales District Councillor and would leave the room during the debate, taking no part in the voting.

## **86/17 PUBLIC PARTICIPATION**

7 members of the public had registered to make representations to the Committee.

## **87/17 FULL APPLICATION - CHANGE OF USE TO 3 OPEN MARKET DWELLINGS AT HURST WATER TREATMENT PLANT, DERBYSHIRE LEVEL, GLOSSOP**

Members had visited the site prior to a planning committee meeting in November 2016.

The officer corrected the information given about new door openings on page 15 of the meeting pack. He said that there would be one on the front elevation, one on the gable end and two on the rear, not four on the rear.

The officer recommended that condition 5 should specify hedging rather than fencing and that a condition be added requiring full details of door and window design, including the obscure glazing, to be agreed prior to the commencement of works.

It was noted that the applicant had supplied evidence of the current building's historic connections and significance, and that although the building was neither listed nor in a conservation area, it was possible that it might be added to the list of local assets.

Members felt that the amended design was acceptable and appropriate. More detail about obscure glazing on the south east gable was requested.

The recommendation was moved and seconded.

In response to Members' questions, the officer confirmed that the contamination referred to in condition 7 was possible contamination from products like chlorine that may have been used on site in the water treatment process, not sewage.

The recommendation was put to the vote and carried.

**RESOLVED:**

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

1. **Three-year time limit**
2. **Development in accordance with the submitted plans**
3. **Removal of permitted development rights for alterations and extensions**
4. **Reduce the number of rooflights (twin units to become singles)**
5. **Detailed landscaping scheme including hedge planting to be agreed**
6. **Submit and agree precise details of obscure glazing to the south east gable**
7. **Further contaminated land assessment to be undertaken and mitigation implemented where necessary**
8. **Details of packaged sewage treatment plant to be confirmed**
9. **Provision of bat boxes**
10. **Highway conditions to secure site construction compound, parking and bin storage**
11. **Submit and agree full details of door and window design, window design to retain the historic glazing pattern with no alteration to opening sizes and to provide the actual design of the means proposed to finish and obscure views of the internal first floor edge detail.**

The Chair welcomed Cllr Alan Law to his first planning committee since being appointed to the Authority by Sheffield City Council.

**88/17 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**

Cllr Mrs L Roberts declared a personal interest in this item as she had been lobbied by the Chair and Deputy Chair of Castleton Parish Council at the opening of the Authority's newly refurbished visitor centre in Castleton.

The Planning Officer summarised a letter of support from the Parish Council, which had been received since the report was drafted.

The following made a representation to the meeting in accordance with the Authority's Public Participation Scheme:

- Mr P Hodkinson, Applicant

A motion to support the application to remove condition 3 and vary conditions 18 and 19 of planning application NP/HPK/0517/0525 was moved and seconded.

Reasons for supporting the application included circumstances contributing to delay in completing the barn conversion. In particular, Members were of the view that the local community would benefit from the barn's conversion to an open market dwelling rather than another holiday let.

The motion was then voted upon and carried.

**RESOLVED:**

**That the application to vary the conditions of planning application NP/HPK/05017/0525 by removing the holiday let occupancy condition and varying the conditions addressing ecological mitigation measures be APPROVED for the following reasons:**

- 1. The conversion of the barn had been stalled due to circumstances beyond the applicant's control**
- 2. The proposed conversion was of sufficient merit to justify approval as an open market dwelling**
- 3. An open market dwelling would support the vitality and vibrancy of the village in line with planning policy**

A break was taken between 11.05 and 11.15am.

### **89/17 FULL APPLICATION - CONVERSION OF REDUNDANT BARN TO RESIDENTIAL USE AT BARN TO REAR OF GROVE COTTAGE, MARKET PLACE, HARTINGTON**

Members had visited the site on the previous day.

The officer reported that the barns were considered to be "valued vernacular non-designated heritage assets".

The following made a representation to the committee in accordance with the Authority's Public Participation Scheme:

- Mr A Newby, Agent

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

#### **RESOLVED:**

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

- 1. Three year implementation time limit**
- 2. Adopt submitted plans**
- 3. Remove permitted development rights for alterations, extension, outbuildings and 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 manouevering 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 bin 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**

### **90/17 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**

Members had visited the site on the previous day.

The officer reported that the applicant had agreed to apply for six consecutive weeks of use between July and September rather than their original proposal for a four month period. This would have less impact on neighbouring properties.

If approved, the permission would apply specifically to the Derby Kids' Camp charity, quoting the charity number.

The recommendation was moved and seconded.

Members requested an additional condition to ensure that no amplified music would be played after 10pm and required more detail in condition 1 to restrict the parking area to parking only.

The mover and seconder accepted these amendments.

The motion was carried in the vote.

### **RESOLVED:**

**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**
- 7. Parking area to be used for no purpose other than parking in connection with the club's activities**
- 8. No amplified music after 10pm**

## **91/17 FULL APPLICATION - PROPOSED AGRICULTURAL BUILDING TO SERVE SHEEP ENTERPRISE AT WELLCROFT FARM, OLDFIELDS LANE, GRINDON**

This application had been deferred for more information at the planning committee on 10 February 2017.

The officer reported that a revised application including a more acceptable location for the agricultural building had been received but also that the applicant had requested deferral of the current application. As this would serve no purpose, the application had been brought back to committee.

The recommendation was moved and seconded.

Members asked that enforcement action be taken against the land owner because of the unsightliness of the property.

The recommendation was voted upon and carried.

**RESOLVED:**

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

1. **By virtue of its siting and design the building appears 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 Supplementary Planning Guide 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.**

**92/17 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**

Members had visited the site on the previous day.

The following made a representation to the committee in accord with the Authority's Public Participation Scheme:

- Mr A Newby, Agent

The recommendation was moved and seconded.

Members requested additional conditions to define landscaping around the buildings and the siting and type of external lighting.

The recommendation with additional conditions was carried in the vote.

**RESOLVED:**

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

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**
3. **Submit and agree a full scheme of landscaping around the new buildings**
4. **External lighting to be agreed in writing**

**93/17 FULL APPLICATION - EXTENSION TO DWELLING, GARAGE MODIFICATIONS, SOLAR PV, SEWERAGE TREATMENT AND EXTERNAL ALTERATIONS, 1 ROSE COTTAGE, NEW ROAD, HULME END, FAWFIELDHEAD**

Members had visited the site on the previous day.

The following made a representation to the committee in accord with the Authority's Public Participation Scheme:

- Mr A Hassan, Objector
- Mr Bohme, Applicant

The officer confirmed that as the property was not in a conservation area, the addition of solar panels was classed as permitted development. Putting them on the front roof of a property does not require planning permission, provided that they are sited to minimise visual impact as far as is practicable. Although the panels are shown on the application drawings, whether or not the proposed panels met the terms of the General Permitted Development Order would be determined separately.

The installation of the log burner and the ancillary use of the garage were also classed as either permitted development or are not development at all.

Members queried the need for condition 8, which the officer agreed could be removed because of the colour of the building in this case.

The amended recommendation was moved, seconded, voted upon and carried.

**RESOLVED:**

**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. A2', 'Garage and Greenhouse Layout', drawing number 'A.04, Rev. 3', 'Proposed Elevations with Sections', drawing number 'A.05', Rev. 3 and 'Proposed Section Details', drawing number 'A.06, Rev. A.3' received by the Authority on the 6<sup>th</sup> 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 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 roof lights shall be fitted flush with the roof slope**

In accordance with Standing Orders, Members voted to continue the meeting beyond 1pm.

A break was taken between 1.05 and 1.10pm.

**94/17 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:**

The Chair moved to Item 16 as there were speakers present to speak on the item and there were no speakers for items 14 or 15.

Cllr D Chapman declared an interest as a Derbyshire Dales District Councillor and left the room.

The officer reported that the National Park Authority had objected to the original outline application when consulted in April 2017, saying that it would be acceptable only if the greenfield areas were omitted from the scheme.

The amended plans still included a hectare of greenfield land with 20 houses, although the landscape impact had been reduced. Historic England had originally objected to the scheme but were happy with the amendments.

The following made representations to the committee:

- Cllr Mrs K Potter, local resident and member of CPRE
- Mr J Wallbank, Objector on behalf of South Darley Parish Council
- Mr D Roberts, Objector

Cllr Mrs K Potter left the room immediately after making her representation and did not take part in the debate or voting.

Members objected to the scheme as submitted and urged that if Derbyshire Dales District Council was minded to approve it, the Council should do so only if exceptional circumstances could be proven to ensure the viability of the scheme. Members also asked that the Authority should have ongoing involvement in detailed design matters, including, scale, density, layout and materials.

The motion to object to the application as amended was moved, seconded, voted upon and carried.

**RESOLVED:**

**That the Authority objects to the application ref. no. 16/00923/OUT as amended and requests that the Authority be consulted on detailed design matters should the application be approved by Derbyshire Dales District Council.**

The committee adjourned for lunch between 1.55 and 2.25pm.

Cllr C Carr, Cllr A Hart, Cllr Mrs K Potter and Cllr D Chapman left the meeting after the lunch break.

**95/17 HOUSEHOLDER APPLICATION - REPLACEMENT OF EXISTING OUTBUILDING, 6 HILLSIDE COTTAGES, SHEFFIELD ROAD, HATHERSAGE**

The officer suggested that condition 3 could be worded to make it clear that no holiday or bed and breakfast use would be permitted.

The recommendation with the enhanced condition was moved, seconded, put to the vote and carried.

**RESOLVED:**

**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 as 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 the building to remain ancillary to the dwelling and to exclude any holiday or B&B use**

**96/17 REVOCATION ORDER - BALLIDON QUARRY, BALLIDON, DE6 1QX**

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

**RESOLVED:**

**That a Revocation Order be made under 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/WED/783/292 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 the north face of the 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.**

**97/17 HEAD OF LAW REPORT - PLANNING APPEALS**

The Director of Conservation and Planning would provide in full the Planning Inspector's decisions for the month of August 2017.

The Director explained the appeals process and how the Authority responds to appeals, noting that in some cases the Grounds of Appeal supplied to the Inspector gave more information than was available at the time the application decision was made.

**RESOLVED:**

**That the report be received.**

The meeting ended at 2.45 pm

---

**6. RETROSPECTIVE PLANNING APPLICATION FOR RETENTION OF TWO WIRE SAWS (AND ASSOCIATED LIGHTING COLUMNS) AND RETROSPECTIVE CHANGE OF USE OF LAND FOR THE IMPORTATION OF BLOCKSTONE FOR PROCESSING AT STOKE HALL QUARRY, NEW ROAD, GRINDLEFORD (NP/DDD/0516/0437, NR)**

**APPLICANT: STANCLIFFE STONE CO. LTD**

**Site and Surroundings**

Stoke Hall Quarry is located to the west of New Road (B6521), approximately 0.6km south west of Grindleford and 0.8km north-west of Froggatt. The site access joins New Road. The site is situated within woodland on the western side of the Derwent Valley opposite Froggatt Edge.

The nearest residential property to the site is Oakwood, which is partially within the boundary of the 1952 planning permission, located just off Eyam New Road. It is approximately 100m from the existing processing sheds.

The site is currently an active quarry extracting gritstone primarily for high quality masonry products sold regionally and nationally, but some walling stone is also produced at the quarry. The permission allows the production of crushed rock aggregates, although very little is produced.

The existing quarry site currently operates under extant planning permission NP/DDD/1108/1008 and under the terms of that permission, extraction should cease by 21 February 2042 and the site is required to be restored by 21 February 2043.

**Proposal**

This is a retrospective planning application for:

- the retention of two wires saws and associated lighting columns; and,
- retrospective planning permission for the importation of block stone for processing; and,
- change of use of an area of land for the storage of block stone and associated finished products

The actual site area proposed under this application was originally 1.7ha, although this was subsequently reduced to 0.97ha as part of a parcel of amendments to the original submission. The 0.97ha of land which is the subject of this application includes all areas of land, plant and buildings associated with the importation and processing and storage of block stone and associated finished products (the use of the land), and also the land where the wire saws are located (the operational development). These do not currently have the benefit of planning permission, although they are covered by an enforcement notice which allows their retention to 2026.

The 0.97ha red line area does not wholly correspond with the existing Stoke Hall planning permission, and the application does not directly seek to vary existing conditions attached to the existing Stoke Hall Quarry planning permission NPP/DD/1108/1008. The current proposal would not replace the existing permission where there is an overlap in areas, but instead would allow additional development on the same land.

The wire saws occupy an area of 198m<sup>2</sup> and are situated on, and bolted to, concrete plinths and are accessed from the yard area to the side of the existing saw sheds. The saws are surrounded by low level fencing to a height of 1.5m and lighting heads are mounted on 5m high columns. The lamp heads are fitted with shield cases to direct light and avoid light spill.

Gritstone is processed at the site under the current planning permission. It is proposed that the importation of other mineral (currently largely arising from Dale View Quarry, Stanton in Peak) into the site would be regularised and controlled by this application. Lorries unload in front of the saw sheds and imported minerals are transported around the site by fork lift trucks. Processed products are transported around site by forklift truck and loaded onto HGV's for transport off site. Both unprocessed and processed stone is stored on the site.

Within the submission the applicant states that stone has been imported to the site for processing (and related storage and finishing) for over 30 years, and that a lawful use exists in principle (although no certificate exists, nor has such an application been made). It is on this basis the applicant does not believe that planning permission is required for stone importation and processing. However, officers remain to be convinced on the basis of information provided that any lawful use certificate would be able to be issued describing the current use at the current time, as there has been an increase in importation within the last ten years. An increase from that lesser level could be subject to enforcement action if it constituted a material change of use. Establishing what level of increase/intensification is a material change of use is a matter of fact and degree and there is case law which would support enforcement of relatively small changes and other cases in which very large increases are held not to constitute material changes of use. A certificate which described the lesser level of use would leave considerable uncertainty for both the applicant and the National Park. It is in the light of this that Stancliffe decided, on the advice of officers, to make a planning application.

The applicant identifies that installation of the wire saws would ordinarily fall within the scope of Part 19 of Schedule 2 of the Town and Country (General Permitted Development) Order 2015, and as such, a planning application in this instance is only required as Permitted Development rights were removed by a planning condition on the extant planning permission.

The applicant proposes both weekly and daily caps of HGV movements arising from all development on site (i.e. both the existing permitted winning and working of minerals and the proposed importation and processing of other minerals). This is a measure that is not present within the existing planning permission and would provide a significantly greater degree of control over HGV movements at the site. Details of proposed restrictions on HGV movements that make up part of this application appear in Table 1 later in this report.

### Amendments to the Application

Through working with the applicant officers have negotiated several amendments to the original proposal. During the course of the application process the applicant also provided information about the remaining reserves associated with the existing authorised quarry operations which are said to be 398,000 tonnes as at 31/12/2016 (rather than the previous reserve figure of 69,000 tonnes). Although this revision is large, it reflects reassessment of the geology for the applicants Financial Statement and a proper consideration of the volume of gritstone permitted to be extracted as crushed rock aggregate. One consequence of the revised information provided about the existing consented reserves, is that it significantly increased the amount of material available to be won or worked in connection with the already authorised Stoke Hall Quarry. By implication, and on the assumption that Stoke Hall Quarry is fully worked during its operational life until 2042, this increase in existing reserves increases commensurately the HGV movements associated with that authorised extraction. When viewed in the context of a proposed weekly HGV movement cap (as part of this application), it lessens the proportion of HGV movements that would be associated with imported materials for processing at the site.

The amended application proposal (which was re-advertised and consulted upon in March 2017) consisted of:

- A reduced area of land from 1.7ha to 0.97ha for the change of use of the land for importation and storage of imported block stone.



- A commitment to no HGV Movements on Saturday mornings throughout the life of Stoke Hall Quarry.
- A weekly limit of the HGV movements at Stoke Hall Quarry to 80 per week and 20 per day during the period up to the cessation of extraction at Dale View Quarry (2028).
- A weekly limit of HGV movements at Stoke Hall Quarry to 60 per week and 14 per day during the period between the cessation of extraction at Dale View Quarry after 2028 and up until 2042.
- An offer to advance screening and restoration during the operational phases of Stoke Hall Quarry by bringing forward in time the re-profiling of a screen mound and the completion of backfilling broadly as per Phase 1A of the existing approved quarry scheme, and the subsequent planting of that part of the screen mound in accordance with the details on approved drawing number D113138-006C-06B. This advanced restoration and screening would not be required under the existing permission by any specific date and would otherwise be dependent on the pace of working at Stoke Hall, which is currently very slow. This element of the proposal would reduce the visual impact of the quarry from Froggatt Edge during the operational phase of Stoke Hall Quarry. This would be achieved through entering into a Section 106 Agreement with the applicant.
- Finally, a further commitment was offered by the applicant company via email dated 8 June 2017, committing to a cap on imported stone of 6 HGV movements and/or 60 tonnes per week of stone from outside the National Park after cessation of extraction from Dale View (2028). This allowance of 6 HGV movements per week would form part of the overall limits proposed above and would not be additional to them. This element of the proposal would mean that for the final 14 years of life of Stoke Hall Quarry almost all HGV traffic would relate to materials derived from Stoke Hall Quarry itself.

### **Summary of HGV Movements Current/Proposed**

STOKE HALL QUARRY RESERVES <b>398,000</b> TONNES Block (As at 31/12/2016)	YEARS OF EXTRACTION REMAINING UNDER PLANNING PERMISSION NP/DDD/1108/1008 <b>25</b> (Until 2042).
Number of HGV Vehicle Movements associated with remaining reserves 60% block stone (11.5 Tonne Payload)	<b>41,530.44</b>
Number of HGV Vehicle Movements associated with remaining reserves (40% Aggregates/Crushed Rock (19 Tonne Payload)	<b>16,757.90</b>
<b>Total</b> HGV Vehicle Movements associated with existing PLANNING PERMISSION NP/DDD/1108/1008 (blockstone/aggregates/crushed rock)	<b><u>58,288.34</u></b>
Total HGV Vehicle Movements PROPOSED under current application NP/DDD/0516/0437 until 2028 (under the 80 Per week cap)	45,760.00
Total HGV Vehicle Movements PROPOSED under current application NP/DDD/0516/0437 from 2028 - 2042 (under the 60 Per week cap)	43,680.00

<b>Total</b> Maximum HGV Vehicle Movements PROPOSED under NPP/DDD/0516/0437 (to 2042). (ALL HGV's associated with site).	<b><u>89,440.00</u></b>
Difference between proposed and consented over lifetime of site. (Additional total HGV movements)	<b>31,151.66</b>
Maximum additional HGV Vehicle Movements associated with Proposal (Per Year)	<b>1,246.07 per Year</b>
Maximum additional HGV Vehicle Movements associated with Proposal (Per week)	<b>23.96 Per Week</b>
Maximum additional HGV Vehicle Movements associated with Proposal (Per day) (278 working days per year)	<b>4.48 Per day</b>

	PERIOD	HGV MOVEMENTS				
		Daily (Monday to Friday).(Excluding Bank Holidays)	Saturdays (am)	Sundays	Weekly	Annual
Current Limit (Max)	Up to cessation of Extraction at Stoke Hall Quarry (2042)	No limit	No Limit	0	No Limit	<5,143
Proposed Limit	Up to cessation of working at Dale View Quarry 16/09/2028	20 Max Per Day	0	0	80	4,160
Proposed Average	Up to cessation of working at Dale View Quarry 16/09/2028	16	0	0	N/A	N/A
Proposed Limit	Up to cessation of working at Stoke Hall Quarry	14 Max Per Day	0	0	60	3,120
Proposed Average	Up to cessation	12	0	0	N/A	N/A

---

	of working at SHQ					
--	----------------------	--	--	--	--	--

**RECOMMENDATION:**

That application NP/DDD/0516/0437 be APPROVED subject to:

1. The prior completion of a Section 106 planning obligation whereby the applicant and all those with an interest in the application site formally agree to:
  - The Early Restoration of Phase 1A and planting of associated screen mound of Planning Permission NP/DDD/1108/1008 before the end of 2017
  - That sawing, processing importation, and storage of stone will only proceed under the provisions of the [new] permission and all operations and the use of the land for the importation/storage/ processing of imported materials will cease no later than 21 February 2042.
  - A contribution to signage/markings (a maximum sum of £5,000) at and near the junction of New Road/Main Road, Stoke Hall, Grindleford.
2. Conditions covering the following:
  - Hours of operation between 07:00 and 19:00 Monday to Friday and between 07:00 and 13:00 Saturdays.
  - Haulage, daily limits of 20 and weekly limits of 80 up to 16 September 2028 and daily limits of 14 and weekly limits of 60 from 17 September 2028 – 21 February 2042
  - Limits on imported stone after 2028 to no more than 6 HGV vehicles movements and no more than 60 tonnes per week
  - Noise limits
  - Control of lighting
  - Dust limits
  - Limit on height on stored materials to no greater than 2.5 metres
  - Annual returns: Provision of records of HGV Movements on an annual basis or upon written request.
  - Annual returns: Provision of records of Imported/Exported/Produced materials
  - Restoration and aftercare including details to be submitted
3. That authority be delegated to the Head of Law in consultation with the Minerals Team Manager to determine the details of the Section 106 agreement.
4. That authority be delegated to the Minerals Team Manager to approve the final details of the conditions.

**Key Issues**

- Whether the increase in overall vehicle movements over the lifetime of the existing quarry is considered acceptable having regard to the greater degree of control over weekly and daily vehicle movements offered, the certainty of cessation of use in 2042, the enhanced screening and restoration of the quarry during its operational life, and the removal of HGV movements on Saturday mornings.
- Whether the siting, location, design, appearance and operational impacts of noise and dust of the wire saws is acceptable in the location.

- Whether the principle of the change of use of the land for the importation of block stone for processing in the location is acceptable having regard to highway impacts and amenity.
- Consideration of the overall effect of the proposed development upon the character and amenity of the area and whether it would conserve and enhance the valued characteristics of the National Park.

### **Relevant History**

1952 – Ministerial Permission for mineral extraction (1898/9/29)

1999 – ROMP determination (NP/DDD/0998/469)

2001 – Regularising application – area to south of quarry for stockpiling of crushed stone/off-cuts (NP/DDD/0501/178)

2008 – Section 73 Application to vary Working Scheme (NP/DDD/1108/1008)

2016 – Enforcement Notice requiring removal of unauthorised wires saws before 21/05/2026 to prevent the operational development from becoming immune from enforcement action.

### **Consultations (Summarised)**

Highway Authority (Derbyshire County Council DCC) – Based on the revised figures provided by the applicant, outlining the reserves that currently remain in Stoke Hall Quarry, and taking account of the restrictions on the levels of material that can be taken from the site annually, the proposals will result in an average additional 4.5 HGV movements per day over the remaining 25 year life of the site.

The Highway Authority has raised concerns regarding the existing junction of New Road and Main Road. These concerns are with regard to the left turn into New Road (vehicles travelling from Bakewell direction towards the site) due to the geometry and levels at the junction. Emerging visibility from New Road onto Main Road is considered appropriate, especially considering the nature of emerging vehicles.

Assuming that the majority of quarry bound traffic will approach and enter the site from the south (vehicles travelling from Bakewell direction towards the site) and will return in the same direction, the additional traffic undertaking this manoeuvre will be a maximum of 2.5 HGV's per day.

On this basis, in the absence of any injury related accidents and taking account of the fact that the current proposals will introduce weekly limits on HGV traffic, which do not currently exist, it is not considered that an objection on highway safety grounds would be sustainable, however the Highway Authority would seek to monitor the operation of the junction and if necessary introduce improvements to the signage/markings; a maximum sum of £5,000 should be secured within any Section 106 Agreement.

The following planning condition should be imposed in the interests of highway safety:

HGV traffic associated with the site shall be restricted in accordance with the levels referred to in the planning application.

Derbyshire Dales District Council EHO – No objection to the proposal and the operation of the wire saws would have a negligible (if any) effect on the nearest noise sensitive receptor. No

noise complaints have been received in respect of the use of the wire saws.

Environment Agency - No objection

Grindleford Parish council – Raise concern with regards to:

- Increased traffic movements by HGV's especially with regards to the junction of the B6001 Main Road and the B56521 Eyam New Road;
- The large number of HGV's approaching the site which swing out into the oncoming side of the carriageway to negotiate the turn;
- HGV's turning out of the site junction onto the B6001;
- If planning permission is to be granted would urge the Planning Authority to strictly limit vehicle movements as per the existing permission;
- To note the concerns expressed by local residents (set out below)

PDNPA Ecology – No objection.

PDNPA Landscape – No objection to the application subject to a planning condition to control the height of any stored material to no greater than 2.5 metres high.

### **Representations**

A total of 20 letters of representation have been received following the consultation and advertisement of the planning application. All letters object to the development, and raise the following concerns:

- Increase in the volume of HGV traffic on rural roads which are used by school children;
- Noise from plant and vehicles operating from the site.
- A reduction in tranquillity.
- Impact upon tourism.
- Object to the retrospective nature of the application.
- Light pollution.
- Proposal would not accord with transport policies.
- Impact on health of diesel fumes from lorries.
- Impact upon recreational use of the area.
- Effect of intensification on the character of neighbourhood.
- Significant increase in importation does represent a change of use.
- Industrialisation, buildings and light pollution.
- Unsuitable highway network for this type of traffic.
- Applicant is arrogant and dismissive of public concern.
- No historic precedent for level of importation proposed.
- Expansion and development of an 'industrial' working practice within the PDNPA.
- Adverse impact on leisure facilities sited adjacent to the quarry.
- Detrimental impact on neighbour/residential amenity and established business viability.
- No need for the development due to other processing facilities on the boundaries of the park in more suitable locations.
- It is policy to reduce traffic and mining operations in the National Park.
- Conflicts with Policy MIN3 which only allows for the working of stone where it meets need for local buildings.
- The increase is not to support or satisfy a local need for the material.
- All processing should not be diverted to the PDNP just because the applicant decided to close Grange Mill.
- Concern regarding the stability of the land at the entrance to the site.
- Concern at the amount of debris that comes from the site in periods of heavy rainfall and feel the operators should be responsible to ensuring that water, sand and debris stay

within the site.

- The PDNPA should have taken action before this point to prevent block stone being imported to the site.

### **Main policies relevant to the proposal**

#### ***Applicability of policies in the Core Strategy – major development***

The 'Glossary and Abbreviations' in the Core Strategy states:

*The definition of major development is set out in the Town and Country Planning (General Development Procedure) (Amendment) (England) Order 2006. This clarifies that "major development" means development involving any one or more of the following:*

- a) the winning and working of minerals or the use of land for mineral-working deposits;*
- b) waste development;*
- c) the provision of dwelling houses where:  
    the number of dwelling houses to be provided is more ;or  
    the development is to be carried out on a site having an area of 0.5 hectares or more and is not known whether the development falls within paragraph (c)(1);*
- d) development carried out on a site having an area of 1 hectare or more.*

However, more recent case law has determined that whether development is 'major' is a matter of planning judgement in each case and the Town and Country Planning (General Development Procedure) (Amendment) (England) Order 2006 cannot be relied on as a definition. Consideration must be made of whether the development would have significant impacts on the valued characteristics of the National Park and impacts on the locality such that the development is considered to be major development. Consideration of the likely impacts of the development is set out in this report. However, the scale, setting, location and impacts of the proposal are not overall considered to be so significant that the development should be considered 'major' in policy terms.

#### ***National Planning Policy Framework***

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

Along with the need to give great weight to considerations for the conservation of wildlife and cultural heritage, paragraph 115 of the NPPF confirms the highest status of protection to National Parks in relation to landscape and scenic beauty, reflecting primary legislation. Further guidance and information, including an explanation of statutory purposes, is provided in the English National Parks and the Broads Vision and Circular 2010.

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

- give great weight to the benefits of the mineral extraction, including to the economy;
- as far as is practical, provide for the maintenance of land-banks of non-energy minerals from outside National Parks, the Broads, Areas of Outstanding Natural Beauty and World Heritage Sites, Scheduled Monuments and Conservation Areas;
- ensure no unacceptable adverse impacts on the natural and historic environment, human health, and take into account the cumulative effect of multiple impacts from individual

- sites and/or from a number of sites in a locality;
- ensure that any unavoidable noise, dust and particle emissions and any blasting vibrations are controlled, mitigated or removed at source, and establish appropriate noise limits for extraction in proximity to noise sensitive properties;
- provide for restoration and aftercare at the earliest opportunity to be carried out to high environmental standards.

### **Development Plan policies**

Relevant Core Strategy (2011) policies: GSP1, GSP2, DS1, L1, MIN1, T1.

Relevant Local Plan (2001) 'Saved' policies: LM1, LM9, LT9.

The Core Strategy (CS) general spatial policies provide overarching principles for spatial planning in the National Park. They relate closely to the delivery of National Park purposes to ensure that the valued characteristics and landscape character of the area are protected.

Policy GSP2 states that the opportunities for enhancing the valued characteristics of the National Park will be identified and acted upon, with proposals needing to demonstrate that they offer significant overall benefit to the natural beauty, wildlife and cultural heritage of the area. The requirement to ensure that development respects, conserves and enhances all valued characteristics of the site and buildings that are the subject of a proposal is set out in policy GSP3 and the policy requires assessment of a range of factors, including impact on access and traffic levels. Policy GSP4 requires that the Authority considers the contribution that a development can make directly and/or to its setting, including, where consistent with government guidance, using planning conditions and planning obligations.

The overall development strategy (Policy DS1) for the Peak District National Park indicates what types of development are acceptable in principle in settlements and in the countryside.

Core Strategy policy L1 seeks to conserve and enhance valued landscape character and other valued characteristics of the National Park. Other than in exceptional circumstances, development will not be permitted where it is likely to have an adverse impact on such sites.

CS policy T1 aims to deter traffic beyond that which is necessary for the needs of local residents, businesses and visitors and identifies that traffic can harm the valued characteristics of the National Park through noise and gaseous emissions, disturbance and visual intrusion. It further states that cross-park traffic will be deterred and impacts of traffic within environmentally sensitive locations will be minimised.

Saved Local Plan policy LM1 seeks to assess and minimise the environmental impact of mineral development and states that mineral development will not be permitted unless adverse impacts on the valued characteristics and amenity of the area can be reduced to the minimum practicable level or eliminated. Particular attention will be paid to various factors, including nuisance and general disturbance to the amenity of the area (including that caused by transport and the method and duration of working), risk and impact of pollution potential, harm to landscape, nature conservation, surface and groundwater, land stability, built environment/cultural heritage features, recreational interests and recreational interests.

Policy LM9 is concerned with ancillary mineral development and states that it will be permitted provided there is a close link between the industrial and mineral development because the material to be used is produced mainly on-site.

It is considered that there is no significant conflict between policies in the development plan and the more recently published National Planning Policy Framework because both sets of documents seek to promote sustainable economic development in rural areas which conserve

and enhance the valued characteristics of the National Park.

## **Assessment**

### **Principle of Development**

The main consideration in the determination of this application is whether the proposed use is in principle acceptable and whether change of use of the land can be accommodated without an unacceptable adverse impact on the character, appearance and enjoyment of the area, and on the surrounding highway network and whether the scale, design and location of the wire saws is acceptable.

The proposal is located within an existing mineral working site and whilst it is accepted that minerals can only be worked where they are found, the importation and processing of material is something which can occur at any site. The applicant has stated that without the importation of materials to the site it would no longer be viable and the jobs of 25 members of staff would be put at risk. Whilst there is no requirement for the development to be situated in this location, the applicant considers that the site would not be viable without this development. Policy DS1 states that mineral working is acceptable in the countryside outside of settlements, and whilst this proposal is not for mineral working, the winning and working of minerals will continue on site alongside the imported mineral processing. The proposal can therefore be considered to be in broad conformity with policy DS1, especially having regard to the limited impact of the development on the countryside and its finite timeframe.

### **Historic Importation**

The applicants, within their supporting documentation, have stated that the importation of block stone to Stoke Hall Quarry for processing has taken place at some level for in excess of 30 years, and as such, whilst they do not believe that they require an application for the change of use. However, following officers' concerns about the level of use the applicant has submitted the application.

The submission states that between 2011 and 2015 there was an increase in the importation of material, from 1190 imported tonnes (103 loads) in 2011 to 20729 tonnes (1803 HGV loads) in 2015. Importation of materials for processing is not permitted under the existing planning permission. The applicant has stated that the importation has occurred for in excess of 30 years, although it has not been demonstrated that it is has been continuous or to the level currently being experienced.

Whilst a lawful use certificate (if sought) could describe the level of use that has been consistent for a 10 year period, an increase from that level does not necessarily constitute a breach of planning control unless the increase is so significant that it constitutes a material change of use. Given the complexities of applying the case law to the available evidence there is uncertainty for both the applicant and the Authority about what would constitute a material change of use. If a lawful use certificate was successfully sought for the importation, this would establish a right in perpetuity and it would not set an absolute limit of what volume of material could be imported and thus what level of traffic movements would arise.

### **Wire Saws**

The second part of the development seeks permission for the retention of two wire saws and associated lighting. As the wire saws are operational development, an enforcement notice was served on 31 October 2016 in order to prevent the wire saws becoming lawful by virtue of being on the site for in excess of 4 years. The notice requires that the saws be removed by 21 February 2026; this reflects the limited impact of the saws themselves but removes the risk of permanence through immunity. The saws require planning permission as the extant planning



permission removes all permitted development rights for the site. The reason given is in order to protect the valued characteristics of the National Park.

The siting, scale, design and location of the wire saws and associated lighting within the existing processing area is considered acceptable and does not unduly impact on the site or surroundings and would accord with DS1 and GSP1 of the Core Strategy. The noise levels from the saws at the nearest residential property are within acceptable limits and this can be controlled by condition; this is in accordance with policy LM1. It is considered that a condition would be required to ensure removal of the wire saws following completion of the extraction and processing on site and that restrictions are imposed on operating hours.

### **Impact of the Importation**

#### **Amenity Impacts – Noise and Dust**

In terms of noise and dust, the proposal would have little impact above that caused by the permitted winning and working of minerals on the site. The hours of operation, noise limits, and other amenity controls would be the same, there are no cumulative impacts in this respect. Any impacts of the development on the locality will be for a limited period and are considered preferable to any lawful use certificate that may be sought which could lead to development in perpetuity. In this respect the development is in accord with policy LM1.

The importation and processing of stone will take place within the existing processing area and involves no lateral extension of the site. There will be no adverse effect on ecology or any cultural heritage interests in accordance with policy LM1.

It is considered that the proposal accords the NPPF which states that to prevent unacceptable risks from pollution decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution should be taken into account. As can be noted from the above consultation responses, the Environmental Health Officer has not objected to the development.

#### **Landscape**

The importation itself will have no impact on the landscape and the proposal would not introduce new buildings into the landscape. The storage of block has the potential to cause a negative landscape impact but this can be controlled by condition and is acceptable to the Authority's Landscape Architect.

The proposal also includes the benefit of the restoration of phase 1A of the quarry by the end of 2017. Under the current planning permission this would otherwise take place at the commencement of phase 3, but there is no time periods linked to the phasing. Working at Stoke Hall is currently progressing slowly and this may leave phase 1A unrestored for some time. There is sufficient material available on the site to achieve the restoration of this phase. The guaranteed restoration of this phase in the short term offers significant landscape benefits, particularly from Froggatt Edge as the overall extent of the quarry workings will reduce.

This restoration is an enhancement of the landscape of the national park in the short term. This is in accordance with policies GPS1, GPS2, and MIN1.

#### **Employment**

The applicant has stated within their submission documents that the proposal is important to protect the jobs of 25 members of staff at the site and enables the operator to provide a wider range of products to meet customer requirements. Objectors to the development have cited that

alternative locations for the processing of the material have closed and as such the processing has been transferred to the application site. Officers are unable to comment on these concerns of residents as the applicant has not provided this information, however, the provision of employment is not a material consideration which overrides the need to conserve and enhance the National Park.

### **Highways**

The current planning permission for winning and working of stone at Stoke Hall Quarry (determined under the ROMP provisions) does not have any explicit limits on HGV movements, the only control is an annual limit of 20,000 tonnes of block stone and an annual average of 10,000 tonnes, measured over a 3 year period or 15,000 tonnes in any one calendar year for unprocessed graded stone or crushed stone. In terms of vehicle movements on any given day or week, this leaves considerable uncertainty about peaks of HGV movements, as all the permitted reserve could theoretically be exported in as short a period of time as is practicable on a campaign basis, which would cause considerable impacts for those periods. Of course, this would also leave the remainder of any year with no HGV impacts (though extraction could continue on the site). It is considered that the amenity of the locality is compromised by this lack of certainty and control, given the absence of a daily and weekly HGV limit on the HGV movements at the site, and that the imposition of a daily and weekly HGV cap would provide considerable benefits.

As can be seen from the information in Table 1, the total maximum projected HGV movements associated with the existing extant planning permission is 58,288 (for the avoidance of doubt, a vehicle that enters, then leaves the site is classed as 2 vehicle movements). The total maximum number of HGV movements associated with the proposal under consideration is 89,440 (a little over a third increase over the lifetime of the quarry until 2042). On the basis of 278 working days in a year, this equates to just under 4.5 additional HGV movements per day associated with the development proposal. Also, as part of the proposal, after 2028 there would be a substantial drop in the importation of materials to the site, ensuring that the importation of materials cannot be prioritised over the winning and working stone from Stoke Hall Quarry for the remaining 14 years of the site's life.

The increase set out above is also based on the current approved levels of HGV movements associated with the winning and working of stone at Stoke Hall Quarry. What is not included in this baseline is the additional and unknown level of movements which would arise in relation to the lawful use is likely to exist at some level. The level of vehicle movements that could be associated with this is difficult to quantify for the reasons already set out, but would exist in perpetuity.

The development is considered to offer considerable benefits in terms of certainty of daily numbers of vehicle movements associated with both the importation and the stone quarried on site, and in terms of the development being for a limited period of time.

Concerns have been raised by local residents that HGVs accessing and exiting from the site are required to traverse over the oncoming carriageway in order to make the required manoeuvre into and out of the site. The Highway Authority has previously raised this as a concern in relation to the proposal. However, upon the provision of further information which clarified the reserves of materials associated with the existing permitted quarry (and therefore the associated level of HGV movements that would arise), coupled with reduced proposed weekly and daily limits of HGV movements, the Highway Authority does not maintain its objection.

Policy LT9 states that development requiring access by heavy goods vehicles in excess of 7.5 tonnes GLW will not be permitted where the site is not readily accessible from the Strategic or Secondary Road Network. The site entrance is located on the Secondary Road Network and the proposal is therefore in accordance with this policy.

Policy T1 of the local plan seeks to reduce the impacts of traffic on environmentally sensitive locations. Whilst the proposal would see an increase in vehicle movements during the lifetime of the site and at a location sensitive to local residents, it is not considered that this increase is unacceptable or would have a detrimental impact upon the highway network. A refusal of planning permission on these grounds could not be sustained.

It is not considered that the proposal would have a detrimental impact on the safe operation of the highway network in this location. The proposal would provide a safe and suitable access in accordance with the requirements Core Strategy policies T1, and LT9.

### ***Ancillary Development***

Policy LM9 specifically refers to ancillary minerals development and sets out that ancillary development will be permitted where (i) the material to be used should be mainly produced on site and (ii) that ancillary uses should cease with the quarrying operations.

The wire saws will be used to process both imported stone and that worked at the quarry. The vehicle movements proposed mean that at least around a third of vehicle movements taking place overall will be for imported stone, however, because of the nature of the proposal the applicant could theoretically choose to import more stone than a third (until 2028 when a limit on imported stone would apply). However, in this case, if less stone was worked from the quarry and more stone imported it would simply mean less mineral would be extracted over the life of the quarry – this is a business decision for the operator. The amenity impacts of the development would remain unchanged in terms of vehicle movements and processing, but the quarrying impacts would reduce. While the proposal is not necessarily in accordance with the first part of LM9, the impacts of the development are not increased by this. The proposal does include that the importation and processing would end at the same time as the mineral permission and this is in accord with the policy in that respect.

### **Alternatives**

Concern has been raised by some residents that the applicant has not provided a review of alternative locations where the material could be processed, and does not state why this block stone needs to be transported to this particular site. The applicant has, however, provided sufficient detail within the application which identifies why the development is being sought in this location and that information forms part of the overall assessment of the development.

Further, an alternative to the proposal is likely to be the applicant seeking a lawful use certificate for the development which has significant uncertainty attached to it and if granted may allow importation to carry on indefinitely. This alternative could have greater impacts on the valued characteristics of the National Park that would remain in perpetuity.

### **Other matters**

Local residents have raised concern regarding the stability of the land at the entrance to the site; however, this proposal would not impact on the stability of the land.

Further concern has been raised at the amount of debris that comes from the site in periods of heavy rainfall and local residents believe that the operators should be responsible for ensuring that water, sand and debris stay within the site. The currently proposal would not change the flood risk situation relating to the site, and as such, these concerns are not material to the case. Officers have contacted the applicant and are trying to arrange a meeting between local residents and the applicant in order to try to negotiate a solution to this issue.

## **Conclusion**

The proposal increases vehicle movements from those that could be carried out solely from quarrying; however, the vehicle movements that could arise from the quarrying plus any lawful use is an unknown figure and includes risks of possible increases and the importation and processing continuing in perpetuity. The proposal offers the landscape benefits of early restoration of phase 1a, daily limits of all HGV movements from the site, and the certainty of the cessation of all development on the land in 2042.

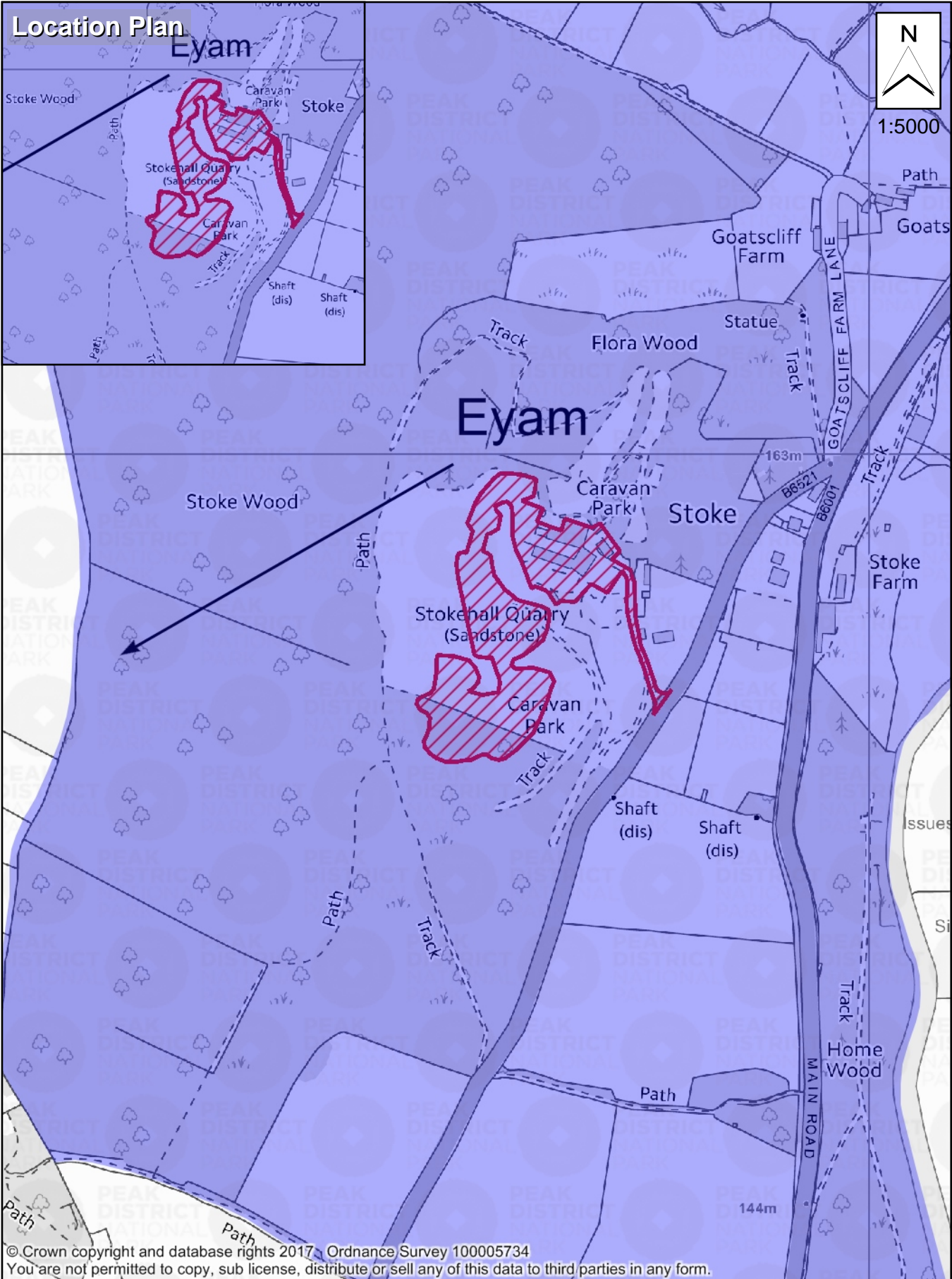
The proposal would not have an unacceptable impact on the special qualities of the National Park and would not have a net detrimental effect on the character and amenity of the locality, taking into account the issues surrounding lawful use and the existing permitted use of the site for the winning and working of minerals. It is not considered that the development would have an unacceptable impact with regards to noise, dust, landscape or highways impact, and as such, on balance, the proposal is in accordance with the NPPF and the Authority's development plan policies.

## **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



© Crown copyright and database rights 2017. Ordnance Survey 100005734  
 You are not permitted to copy, sub license, distribute or sell any of this data to third parties in any form.

Committee Date:	8th September	<b>Title:</b> Stoke Hall Quarry, New Road, Grindleford	 <b>PEAK DISTRICT NATIONAL PARK</b>
Item Number:	Item 6		
Application No:	NP/DDD/0516/0437		
Grid Reference:	423754, 376912		

This page is intentionally left blank

**7. FULL PLANNING APPLICATION: CHANGE OF USE FROM CAMPSITE TO ALLOW THE SITING OF 6 STATIC CARAVANS, 2 PODS AND 4 TENTS ANCILLARY TO THE WIDER USE OF THE EXISTING HOLIDAY PARK; RETENTION OF EXISTING ACCESS ROAD, CONSTRUCTION OF PARKING SPACES, HARDSTANDING BASES AND ASSOCIATED LANDSCAPING, PLANTING AND DECKING at LONGNOR WOOD HOLIDAY PARK, NEWTOWN, LONGNOR, (NP/SM/0717/0699 P.2146 407103/363993 14/07/2017/TS)**

**APPLICANT: Mr and Mrs O’Neill**

**Site and Surroundings**

The site is an area within the boundary of Longnor Wood Holiday Park. The site lies to the southern part of the wider holiday park area and is presently used as a campsite for tents. The remainder of the site contains wooden lodges, static caravans, pitches for touring caravans and facilities buildings

The site lies in open countryside approximately 1.7 kilometres to the south west of Longnor village. The site is situated on high ground and is well screened from views to the north and west by mature trees within Longnor Wood.

**Proposal**

The application proposes a change of use of an area of the holiday park that is currently used for tents to allow the siting of 6 static caravans and 2 wooden camping pods. 4 tent pitches would also be retained.

The proposal also includes operational development in the form of the construction of parking spaces and hardstanding bases for the proposed pitches as well as decking and additional landscaping.

**RECOMMENDATION:**

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

- 1. The development hereby permitted shall be begun within three years of the date of the permission.**
- 2. The development shall not be carried out other than in complete accordance with the submitted plans subject to the following conditions / modifications:**
- 3. No external lighting without the Authority’s prior written consent.**
- 4. Landscaping to be implemented within first planting season**
- 5. Holiday occupancy restrictions**

**Key Issues**

- The principle of development
- Whether the visual and landscape impact of the development is acceptable.
- Economic Benefits
- Amenity considerations
- Highways Issues

## **History**

**March 2017:** Application NP/DM/0217/0189 for the change of the camp site to allow the siting of 12 static caravans was refused for the following reason:

*“The application proposes a form of development that is contrary to policy RT3 and would fail to achieve the National Park purpose to promote understanding and enjoyment. The proposal would therefore not represent sustainable recreation and tourism development within the National Park and is contrary to Core Strategy policies GSP1 and RT3 and guidance contained within the National Planning Policy Framework.”*

In consideration of the above application, it was acknowledged that the proposal would not have an adverse landscape impact given the screening that is provided by establishes woodland and the mature planting to the site boundaries. However, it was considered that replacing camping provision with static caravans would not be compatible with the National Park purpose to conserve and enhance the natural beauty, wildlife and cultural heritage and promote opportunities for the understanding and enjoyment of the special qualities of the national park by the public.

After the refusal of the previous application, the applicant engaged in pre-application discussions regarding an alternative scheme for the existing camp site area. As a result of these discussions, the current scheme for a mix of static caravans, camping pods and tent pitches has been prepared and the applicant was advised that the revised scheme is considered to be acceptable in principle by officers.

## **Consultations**

Staffordshire County Council Highways - No objections.

Fawfieldhead Parish Council – No comments received

## **Representations**

The Authority has not received any letters of representation during the consultation period.

## **Policy**

### **National Planning Policy Framework (NPPF)**

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

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



Paragraph 28 in the Framework says that planning policies should support economic growth in rural areas and should take a positive approach to sustainable new development. Planning policies should support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres.

### Core Strategy and Local Plan

GSP1 seeks that any development proposal will comply with core policies so that any development in the National Park must satisfy the statutory purposes of national park designation.

GSP3 states the overarching principles for development management to be considered in all circumstances and requires that all development must respect, conserve and enhance all valued characteristics of the site and buildings that are subject to the development proposal.

L1 says that all development must conserve and where possible enhance the landscape character of the National Park, as identified by the Authority's Landscape Strategy and Action Plan.

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

RT3 discusses the principle that caravan and camping sites must conform to in order to be considered acceptable. RT3 states that Static caravans, chalets or lodges will not be permitted.

LC4 established that developments should respect, conserve and where possible enhance the landscape, built environment and other valued characteristics of the area.

### **Assessment**

#### **Key issue 1 and 2: Principle of Development and Landscape Impact**

The proposal seeks a change of use to allow the siting of 6 timber clad static caravans, 2 wooden camping pods and the retention of four tent pitches, along with the construction of parking spaces and hardstanding bases and additional landscaping, in an area within the boundary of the existing holiday park but that is currently used for camping in tents and is distinct from the other areas of the park that are used for static caravans and touring caravans in this respect.

Policy RT3 of the Core Strategy specifically excludes the provision of new permanent static caravans, chalets and lodges within the National Park. Wooden camping pods are considered to fall within the same category of development. The proposal would therefore be contrary to policy RT3. It is acknowledged that the supporting text for policy RT3 does establish that, in exceptional circumstances, static caravans (and therefore also camping pods) may be acceptable in locations where they are not intrusive in the landscape.

In this case, it is considered that the static caravans and camping pods would have a minimal impact on the landscape given the screening that is provided by the woodland and the other mature planting to the site boundaries. The topography of the site also helps to ensure that it is not visible from distant vantage points. Additional planting is also proposed to give further screening to the static caravans. It is also noted that the static caravans would be positioned to the northern part of the site, with the tents retained to the southern side nearest the wider holiday park boundary. It is therefore acknowledged that the proposed static caravans and pods would

not be intrusive in the landscape and there is no direct conflict with policies L1 and LC4 in this respect.

However, it must be stressed that the absence of landscape harm does not automatically mean that it is appropriate to make an exception to policy RT3. In assessing whether or not it is appropriate to make an exception to policy RT3, it is important to also consider the proposal in the context of the wider development plan objectives and the National Park statutory purposes to conserve and enhance the natural beauty, wildlife and cultural heritage and promote opportunities for the understanding and enjoyment of the special qualities of the national park by the public.

The previous application, which proposed replacing all the tent camping on this part of the holiday park with static caravans, was considered to be unacceptable as it was deemed to not be compatible with the National Park purpose to promote understanding and enjoyment and would conflict with the wider development plan objectives. The previous proposal would have resulted in all the existing low-key facilities that encourage contact with nature on the application site (i.e. the camp site) being replaced with a much more formal type of accommodation and a high number of static caravans. This would have involved a regimented and formal site layout. As the previous proposal would have represented a move away from the lower key, more informal expectations that the development plan seeks to achieve and a move towards the holiday park model that it seeks to avoid, there was a conflict with the aims of the development plan beyond just landscape impact.

The amended scheme now seeks a mix of static caravans, wooden pods and tent pitches. The number of static caravan pitches has been reduced from 12 to 6. Moreover, the static caravans would be sited closest to the main body of the existing holiday park, where the existing static caravans are, and the tent pitches would remain in the most remote part of the site closest to its boundaries. It is considered that there is now an appropriate mix of type of accommodation and the retention of the tent pitches, which would be separated from the additional static caravans by new planting, is welcomed. Whilst there is still an element of replacing the most basic type of holiday accommodation provision in the form tent pitches with the more formal static caravans, it is considered that the proposal now strikes a fair compromise between the growth of the holiday park business (as discussed further below) and the protection of National Park Purposes. It is considered that the proposal now justifies an exception to policy RT3 and is acceptable in principle.

### **Key Issues 3: Economic Benefits**

The proposal would deliver economic growth in a rural area and this carries weight in favour of proposal and is supported by the NPPF. The applicant has submitted information relating to the local businesses that are both directly and indirectly supported by the holiday park. It is acknowledged that the park is important to the local economy.

Furthermore, the supporting information establishes that replacing some of the existing tent camping with static caravans and camping pods would extend the season of use for this area of the holiday park. At present, the camping areas are typically used for 5 months between May and September, whereas the existing statics operate between March and January. The replacement of some of the existing tent camping with static caravans and camping pods would therefore clearly be of financial benefit to the holiday park business but this would also be likely to have knock-on benefits for other businesses within the National Park that rely on tourism. The proposal would also create two new part-time jobs at the holiday park.

It is therefore considered that the proposal would contribute to economic growth and this carries weight in favour of the proposal. It is acknowledged that these benefits would not necessarily outweigh other materials considerations, as was the case with the previously refused application.

However, as established above, the previous concerns in respect of conflict with National Park purposes are now considered to have been overcome.

#### **Key Issue 4: Amenity considerations**

The nearest third party properties are around 300 metres from the application site. Given this, along with the established mature planting that screens the site, it is considered that there would be no harm to the amenity of any nearby occupiers or users. Given the elevated position of the site, a condition to control outdoor lighting is recommended. Subject to such a condition, it is considered that there would be no conflict with policy LC4 in this respect.

#### **Key Issues 5: Highway Issues**

The holiday park has an established access road and this would be utilised to provide vehicular access to the application site. A new internal roadway would be created with parking for each of the pitches.

The Highway Authority has raised no concerns with the scheme. As such, whilst there may be some degree of intensification in existing levels of traffic associated with the site, this would not be to an extent that would result in harm to highway safety or efficiency. The proposal is considered to accord with policy LT18.

#### **Conclusion**

It is therefore concluded that although the proposal is contrary to policy RT3 as it includes new static caravans and lodges, there would be no landscape harm or conflict with National Park purposes in this instance for the reasons set out above. As such, it is considered that an exception to policy RT3 is justified in this instance. There are no other material considerations that would justify refusal of the application. The application is therefore 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)**

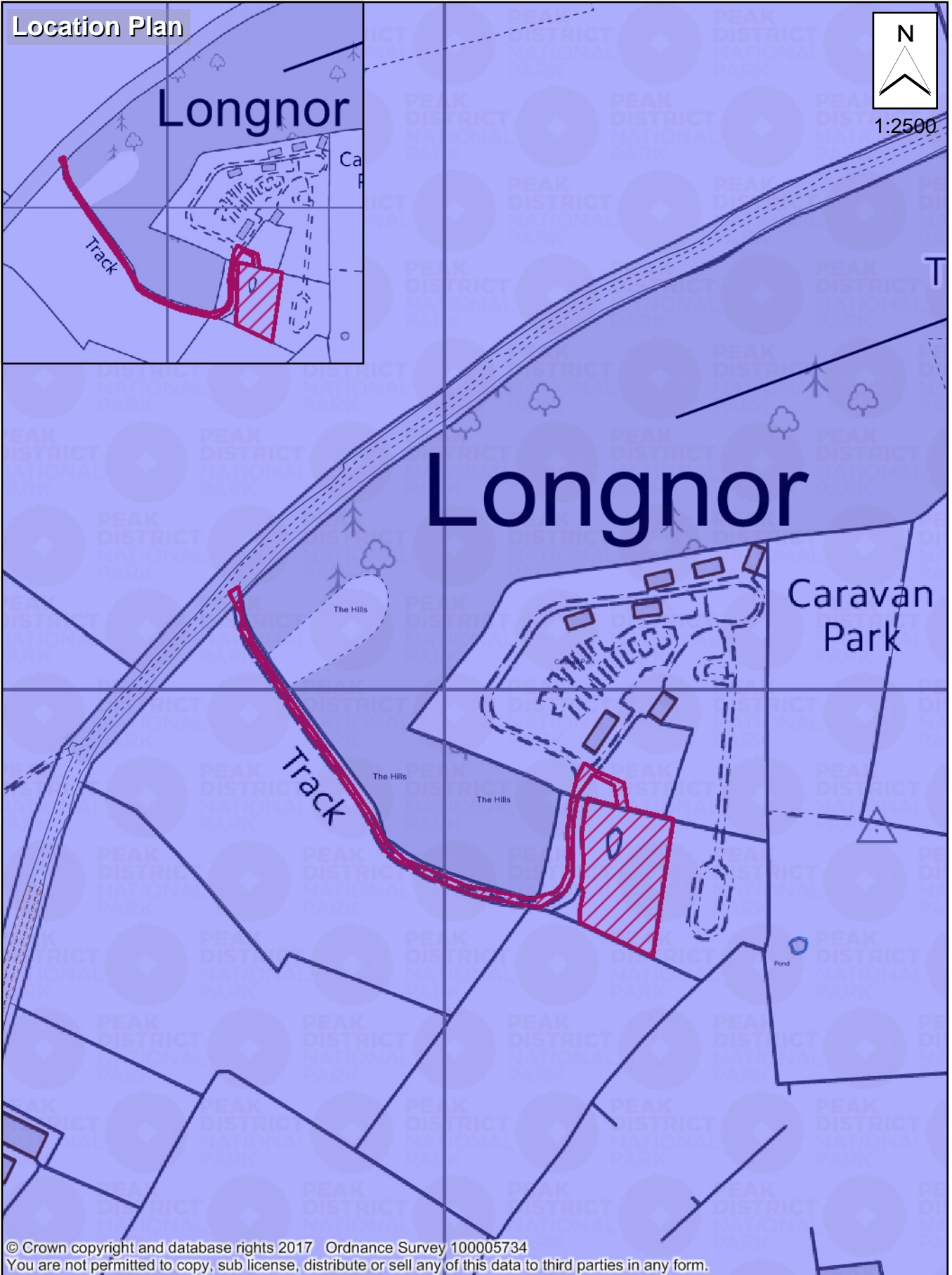
Nil

This page is intentionally left blank


Location Plan



1:2500



© Crown copyright and database rights 2017 Ordnance Survey 100005734  
 You are not permitted to copy, sub license, distribute or sell any of this data to third parties in any form.

Committee Date:	8th September	<b>Title:</b> Longnor Wood Holiday Park, Newtown, Longnor	 <b>PEAK DISTRICT NATIONAL PARK</b>
Item Number:	Item 7		
Application No:	NP/SM/0717/0699		
Grid Reference:	407103, 363993		

This page is intentionally left blank

---

**8. HOUSEHOLDER APPLICATION: ERECTION OF DOMESTIC GARAGE AND STORE AT SWALLOW COTTAGE, PILHOUGH ROAD, ROWSLEY (NP/DDD/0517/0458 P.10620 424893/364905 16/06/2017/TS)**

**APPLICANT: Mr W Mitchell**

**Site and Surroundings**

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

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

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

**Proposal**

The current application proposes the erection of a domestic garage and store.

The submitted plans show the garage would be of rectangular form and would have a footprint of 15.25 metres by 7.8 metres. It would have a pitched roof with a ridge height of 6.6 metres and eaves height of 2.7 metres. The ground floor would be used for garaging and motorcycle storage with further storage in the roof space above. The roof space would be accessed by an external staircase to the south east side elevation.

A flight of external stone steps are proposed on the south eastern gable to provide a separate access to a loft space, which will be provided with natural light by a window in the north western gable and a series of 8 roof lights within the rear roof slope.

**RECOMMENDATION:**

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

- 1. The development hereby permitted shall be begun within three years of the date of the permission.**
- 2. The development shall not be carried out other than in complete accordance with the submitted plans subject to the following conditions / modifications:**
- 3. No external lighting without the Authority's prior written consent.**

4. **Minor design details including an external walls sample panel.**
5. **The garaging hereby permitted shall be retained solely for the parking of domestic vehicles ancillary to the ordinary domestic use of Swallow Cottage and Swallow's End.**
6. **The loft space in the building hereby permitted shall be used solely for domestic storage ancillary to the ordinary domestic use of the host dwelling and for no other purposes.**

### **Key Issues**

- The impact of the proposed garage on the setting of the host dwelling and the character of the surrounding landscape.

### **History**

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

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

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

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

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

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

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



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

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

**February 2016:** NP/DDD/1215/1167: Planning Application submitted for a revised garage design with the ridge and eaves height lowered from the scheme refused in April 2015 and subsequently dismissed at appeal.

**July 2016:** APP/M9496/W/16/3152332: Appeal against refusal of application NP/DDD/1215/1167. Appeal dismissed as the proposal would have a significant adverse effect on the character and appearance of the area of the PDNP and would conflict with Policies LC4 and LH4 of the LP and Policies GSP1, GSP2, GSP3 and L1 of the Core Strategy and the Framework.

### **Consultations**

County Council (Highway Authority) - No objections.

Stanton in Peak Parish Council –

*“Stanton in Peak Parish Council objects to this application due to its immense scale and height in a prominent location of the Peak Park overlooking the Derwent Valley. The position is in an area which the National Park Landscape Character Assessment identifies as being within the Derwent Valley "Slopes and Valleys with Woodland" landscape character area which comprises of a pastoral landscape with interlocking blocks of ancient and secondary woodland.*

*The setting of the site, with sloping pasture below and an extensive belt of woodland on the higher ground above is very much in keeping with this landscape character. The proposal would be visible from the public highway at points close to the four-way junction to the north east of the site and from various sections of the road between that junction and the site access.*

*In more distant views its physical separation from Swallow Cottage would be clearly perceived and it would read as an isolated building that looks out of place in the landscape. Council considers that the application would have a significant harmful impact on the character and appearance of the area and on its special landscape qualities that contribute to the valued characteristics of the National Park. The conservation of the landscape and scenic beauty of the National Park must be protected.*

*Council would note that the drawings supplied seem to indicate a greater footprint to the existing cottage than reality as a large patio area has been included. Once this is removed the scale of the new development is of similar size to the cottage and for a garage and store this is totally inappropriate for a service building. Its bulk and mass is not subservient to Swallow Cottage and it is visually divorced from the other buildings making its presence more impactful and creating the mass of discordant development two planning appeals inspectors have already refused.*

*This application proposes a building that will be detrimental to the character and appearance of the Peak District National Park and should therefore be refused.”*

## **Representations**

During the consultation period, the Authority has received two letters of representation regarding the proposal, both objecting to the proposal for reasons which have been summarised below:

- Visual impact on the area
- Substantial dominant building which would be prominent even by reducing the footprint from previous submissions
- The site plan submitted indicates that Swallow Cottage is larger than it actually is as
- Would be clearly seen from public roads and a footpath prominent elevated location in an area of the National Park identified by the park's landscape character assessment as being within the Derwent Valley 'Slopes and Valleys with Woodland
- Two previous appeals have been dismissed
- Garage would be physically separated/isolated from the host dwelling
- Roof ridge would be prominent in public views and that the height would appear out of scale
- Would be a significantly harmful impact on the character and appearance of the area and on the special landscape qualities
- Garage does not need to be two storey building and could be single storey

## **Main Policies**

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

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

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

## **Wider Policy Context**

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

These policies are consistent with national planning policies in the Framework (the National Planning Policy Framework) 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**

### **Background**

As noted in the planning history, planning consent was granted on the current application site for the extension and alteration of an existing garage in 2012 (NP/DDD/0212/0156). The approved plans showed the previously existing garage would be modified into an 'L' shaped plan form, tripling its size. Height to the eaves was 2.7 metres and 6.5 metres to the ridge. However, the work that took place on site after consent was granted for the amended garage included demolishing the garage that existed at the time. Some structural steel framework was also erected which remains on the hillside today.

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

In July 2016 an amended application was submitted for a new garage that would have been of the same scale and appearance as the previously approved scheme to extend the original garage that has now been demolished. This involved reducing the eaves and ridge height from the scheme that had previously been refused and dismissed at appeal. This application was also refused and subsequently dismissed at appeal.

In considering the appeal, in terms of the similarity between the scheme and the previously approved application to extend the former garage, the Inspector noted:

*“The current scheme seeks permission for a garage of roughly the same size and footprint as the original building plus the extensions approved as part of the 2012 permission. However, like my colleague who dealt with the previous appeal, I take the position that the 2012 permission is incapable of being implemented as the original building has been demolished. Consequently I attach little weight to it. I have therefore assessed the scheme before me on the basis of a new building in light of the plans and supporting information submitted by the Appellant.”*

And that:

*“I acknowledge that the scale of the building has been reduced to mirror the dimensions of the 2012 permission. However, as I have already set out, that permission is of little relevance and should not therefore be seen as representing a scale benchmark for the proposed building.*

In terms of the visual and landscape impact that the amended scheme would have, the Inspector noted:

*“The plans show a substantial structure that would be physically and visually divorced from other buildings in the vicinity. Its scale would be more akin to a small commercial or agricultural building rather than a domestic outbuilding. Its bulk and mass would challenge other buildings on the site and its relationship with Swallow Cottage could not reasonably be described as subservient.*

*The building's incongruence would be exacerbated by its elevated position. I accept that the belt of woodland to the rear and trees along Pilhough Lane would soften its visual impact somewhat. However, as I saw when I visited the area, the building would be readily apparent from the woodland path to the rear of the site particularly in the winter months. It would also be prominent in views from Pilhough Lane to the north and the four-way junction where it would appear as an overbearing and isolated building that would draw the eye. I concur with the Authority that the building would also be visible in more distance views although not in a manner that could reasonably be described as prominent. Nonetheless, this adds to my overall concerns.*

*Based on the foregoing, I conclude that the development would impose a significant mass of discordant built development upon the landscape where none currently exists. It would thus have a significant adverse effect on the character and appearance of the area of the PDNP.”*

Therefore, the impact of the proposed garage on the setting of the host dwelling and the character of the surrounding landscape is a key issue in the determination of this application.

The application now under consideration differs from the most recent previously refused scheme in that a large front-projecting gable end, which would have extended some 3 metres and would be nearly the full height of the main part of the building, has been omitted. This serves to significantly reduce the massing of the proposed building and also simplifies its appearance.

#### Impact on Visual Amenity and Landscape Character

In terms of the design of the proposed garage, the structure would be built in natural stone, which is considered to be acceptable. The submitted details refer to a tile roof, but it is considered that this should be a blue slate roof and this can be conditioned accordingly. The submitted plans indicate the front of the garage would have two garage doors, one double and one single. It is considered that the double door should be split into two single garage doors and this too can be secured by way of a condition. Gritstone or sandstone lintels should also be introduced.

The 'L' shaped plan form of the previously refused schemes has now been omitted and the garage would have a simple, rectangular form. The garage would still have a ridge height of 6.6 metres and it is acknowledged that the roof would remain visible in the landscape from some vantage points. However, given that the overall roof structure has been simplified by the omission of the front-projecting gable, it is considered that the roof height is now acceptable.

This proposal includes an external stone staircase to the south eastern side elevation has included this addition to the building. Due to their location on the south western gable they would be screened by hillside, trees and shrubs which extend north from the garden at Swallow Cottage. The roof lights that are proposed in the rear roof slope also raise no concern as they would be concealed from view by the surrounding hillside and woodland.

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

Therefore, the building would make best use of landscape features, and the existing woodland would serve to reduce the visual impact of the proposed building in the wider landscape. Sloping pastures below the site which flow into surrounding fields also allow the building to sit comfortably within the landscape and its wider setting by foiling views of the application site from

various vantage points broadly to the south of the site. For example, when approaching the site on Pilhough Lane, the lower part of the proposed building would be screened by the rising ground within the sloping fields and roadside vegetation would provide some filtering of these views.

Clearly the siting of the garage was not considered to mitigate the visual and landscape impact in the consideration of the previously refused applications and subsequent dismissed appeals. However, it is considered that the reduced massing and simpler appearance of the garage now proposed would prevent it from having an unacceptable landscape impact and overcomes the previous grounds for refusal in this respect.

In summary, the amended design and reduced massing of the garage as now proposed would reduce the impact of the building on the established landscape character of its setting when compared to the previously refused schemes. It is considered that the amended scheme as now proposed would be acceptable in landscape terms and this application does not conflict with GSP1, GSP2, GSP3 and L1 of Local Plan policies LC4 and LH4. The previous reasons for refusal are considered to have been overcome.

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

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

## **Conclusion**

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

Therefore, it is considered that the proposal is in accordance with GSP1, GSP2, GSP3 and L1 of the Core Strategy which seek to ensure that development proposals respect, conserve and enhance the valued characteristics of the National Park and of the site and buildings that are subject of the proposal; and saved policies LC4 and LH4 of the Local Plan, which seek to ensure householder development is of a high standard of design that respects and conserves the landscape. Accordingly, it is considered that previous reasons for refusal have been addressed and the current application is recommended for conditional approval.

In this case, conditions imposing a time limit for commencement and compliance with the submitted plans would be reasonable and necessary in the interests of proper planning of the local area. It would also be reasonable and necessary to specify design details in the interests of the character and appearance of the completed development and to seek to retain control over external lighting because of the detached hillside location; any insensitive lighting would have a significant impact on dark skies and the tranquillity of the local area.

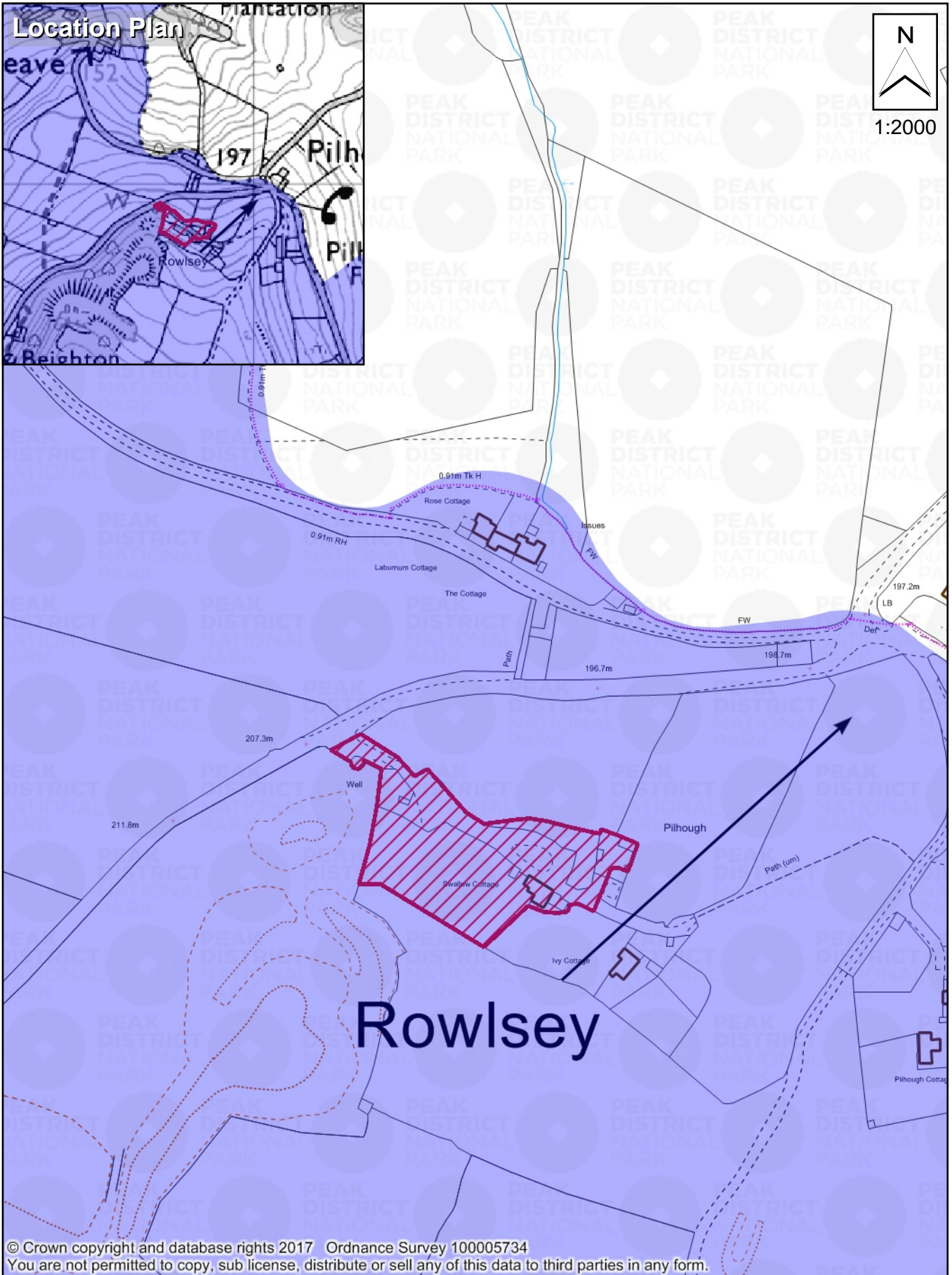
Finally due to the size and scale of the garage building it would be necessary to restrict the use of the garage to the parking of domestic vehicles in relation to the host dwelling only and to restrict the use of the loft space to domestic storage. These conditions would allow the Authority to retain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


### **Human Rights**

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

List of Background Papers (not previously published)

Nil



Committee Date:	8th September	<b>Title:</b> Swallow Corttage, Pilhough Road, Rowsley	 <b>PEAK DISTRICT NATIONAL PARK</b>
Item Number:	Item 8		
Application No:	NP/DDD/0517/0458		
Grid Reference:	424890, 364905		

This page is intentionally left blank



---

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

1. **APPEALS LODGED**

The following appeal has been lodged during this month.

<b><u>Reference</u></b>	<b><u>Details</u></b>	<b><u>Method of Appeal</u></b>	<b><u>Committee/ Delegated</u></b>
NP/SM/1116/1188 3178788	Removal of condition 4 - use as holiday let only on NP/SM/0601/056 at Greenhead Cottage, Pot Hooks Lane, Butterton	Written Representations	Delegated

---

2. **APPEALS WITHDRAWN**

There have been no appeals withdrawn during this month.

3. **APPEALS DECIDED**

There have been no appeals decided during this month.

4. **RECOMMENDATION:**

**That the report be received.**

This page is intentionally left blank