

Public Document Pack

Peak District National Park Authority

Tel: 01629 816200

E-mail: customer.service@peakdistrict.gov.uk

Web: www.peakdistrict.gov.uk

Minicom: 01629 816319

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



Our Ref: A.1142/1593

Date: 30 November 2017



NOTICE OF MEETING

Meeting: **Planning Committee**

Date: **Friday 8 December 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 of 10/11/2017 (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. **Full Application - Variation of Conditions 2, 3, 4, 5, 6, 7, 9, 10, 13, 15, 20, 21 and 22 on application NP/DDD/0415/0339 for demolition of former mill buildings, associated structures and other buildings and full planning permission for class C1 (hotel) development incorporating ground floor floorspace with flexibility to be used for class A3 and class D2 uses, improvements to existing site access, parking, landscaping and other associated works at, Riverside Business Park, Buxton Road, Bakewell (NP/DD/1017/1068), P.4822, 421118/369156, 12/10/2017/TS) (Pages 15 - 42)**
Site Plan

Appendix 1

7. **Full Application - Conversion of redundant water treatment works into 16 apartments, conversion of stone outbuilding into a studio apartment and four new cottages at Former Treatment Works, Mill Lee Road, Low Bradfield (NP/S/0914/1007, P.7042, 22/09/14, 426261/391743, JK) (Pages 43 - 68)**
Site Plan
8. **Full Application - For alteration and extension of public house, new accommodation building, and changes to car park layout at the Old Bulls Head Inn, Little Hucklow (NP/DDD/0617/0682, P.932, 30/6/17, 416445/378568, MN) (Pages 69 - 80)**
Site Plan
9. **S.73 Application - For the removal or alteration to condition 4 (holiday occupancy condition) from planning consent NP/SM/0106/0032, Old Dains Mill, Upper Hulme (NP/SM/1017/1042, P.2315, 401278/361117 06/10/2017 TS) (Pages 81 - 90)**
Site Plan
10. **Full Application - For change of use from A1 shop to A5 hot food takeaway - Brook House, Hathersage (NP/DDD/0417/0351, P.6175, 04/04/17, 423115/381560, MN) (Pages 91 - 102)**
Site Plan
11. **Full Application - Extension and alterations, re-organisation of drive and garden area, new double garage and ancillary accommodation at Gatehouse Farm Cottage, Gatehouse Lane, Hathersage (NP/DDD/0817/0892, P.9810, 422385 / 383340, 29/08/2017/AM) (Pages 103 - 112)**
Site Plan
12. **Full Application - Erection of agricultural workers dwelling at Valley View Farm, Hayfield Road, Chinley (NP/HPK/0817/0854 404927 / 384076 P610 AM 16/08/2017) (Pages 113 - 126)**
Site Plan
13. **Full Application - Erection of re-locatable timber framed garden room for additional learning space designed around the needs of a disabled pupil at Combs Infant School, Combs County School, Lesser Lane, Combs (NP/HPK/0817/0843 404120 / 378383 P5524 AM 15/08/2017) (Pages 127 - 134)**
Site Plan
14. **Full Application - Erection of additional livestock building and extension to existing agricultural building on land off Dam Lane, Parwich (NP/DDD/0817/0911, P5642 + P5522, 31/08/2017, 418070/354106/ALN) (Pages 135 - 142)**
Site Plan
15. **Full Application - Demolition of existing agricultural building and replacement with a modern storage building, and the change of use of the existing traditional building to provide storage and office facilities for the estate ranger service of the national park at Pump Farm, School Lane, Warslow (NP/SM/1017/1043/ P6601, 408763/358552, 11/10/2017/ALN) (Pages 143 - 150)**
Site Plan
16. **Full Application - Construction of manege at Middleton Hall, Rakes Lane, Middleton by Youlgreave (NP/DDD/0917/0952, P1462, 419462/363034, 29/09/2017/ALN) (Pages 151 - 158)**
Site Plan
17. **Brownfield Land Register and Permission in Principle (SW) (Pages 159 - 172)**
Appendix 1 Site Plan - Low Bradfield

Appendix 2 Site Plan - Newburgh

Appendix 3 Site Plan - Markovitz

Appendix 4 Site Plan - Dove Dairy

18. Head of Law Report - Planning Appeals (A.1536/AMC) (Pages 173 - 174)

Duration of Meeting

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

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

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

Agendas and reports

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

Background Papers

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

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

Written Representations

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

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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.

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MINUTES

Meeting: **Planning Committee**

Date: Friday 10 November 2017 at 10.00 am

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

Chair: Mr P Ancell

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

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

Apologies for absence: Cllr A Hart and Cllr Mrs J A Twigg.

124/17 CHAIR'S ANNOUNCEMENTS

The Chair announced that a one minute silence would be held at the start of the meeting as it was the closest meeting to Remembrance Day. He also welcomed Jane Newman who had been promoted to Acting Head of Development Management. The meeting then stood in silence for one minute.

125/17 MINUTES OF PREVIOUS MEETING

The minutes of the last meeting of the Planning Committee held on 13 October 2017 were approved as a correct record.

126/17 URGENT BUSINESS

There were no items of urgent business to consider.

127/17 MEMBERS DECLARATIONS OF INTEREST

Item 7

Cllr P Brady, Cllr C Carr, Cllr Mrs C Howe and Cllr Mrs K Potter all declared that they had received correspondence from Sheldon Parish Meeting.

Cllr P Brady declared a prejudicial interest as an occupant of Rose Cottage, which is adjacent to the site, was a regular visitor to his house.

Item 8

Mr R Helliwell declared a prejudicial interest as the applicant was well.

Cllr A McCloy declared a personal interest as he knew the applicant.

Item 9

Mr R Helliwell declared a personal interest as he knew the applicant.

Item 10

Mr R Helliwell declared a personal interest as he knew the applicant.

Item 11

Mr R Helliwell declared a personal interest as he knew the applicant.

Item 12

It was noted that Members had received correspondence from Dr P Owens.

128/17 PUBLIC PARTICIPATION

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

129/17 FULL APPLICATION - DEMOLITION OF EXISTING AGRICULTURAL BUILDING AND ERECTION OF A SINGLE LOCAL NEEDS AFFORDABLE DWELLING AT MANOR FARM, POWN STREET, SHEEN

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

The Planning officer reported that a petition in support of the application, containing 46 signatures had been received. A letter from the applicant's father's doctor had also been received regarding the father's progressive illness and need for care and supported the applicant's desire to live near her father.

The Planning officer stated that the main issue to consider was whether or not there was a local need as the applicant was still short of the 10 years local residence requirement.

The following persons spoke under the public participation at meetings scheme:

- Mr Ken Wainman, Agent
- Cllr Gill Heath, Supporter

A motion for approval was moved and seconded. Members felt that although the officer recommendation for refusal was in line with policies there could be some flexibility in this instance as there was sufficient evidence of a local residence and need.

The Director of Conservation and Planning stated that normally in instances like this the application would be referred back to the next Planning Committee, under Standing Order S1.48, for further debate but that in this instance he thought this was unnecessary as Members were giving significant weight to the amount of time the applicant has lived in the area. Therefore an approval should include:

1. S.106 agreement to tie the accommodation to affordable local needs
2. 2 year implementation
3. Adopt amended plans
4. Permitted development rights removed for alterations, extensions, outbuildings, gates, fences and walls.
5. Written scheme of investigation submitted and agreed and Level 1 record of long barn
6. Details of making good the land after demolition of long barn to be agreed
7. Exit gateway to be blocked off and verge reinstated
8. Hard and soft landscaping scheme agreed
9. Highway conditions for access surfacing and maintenance, gates to be no less than 5m from rear carriageway
10. Vehicle access through site to field in north to be maintained in perpetuity
11. Design details to be submitted and agreed including sample panels
12. No stonework from listed barn to be used in development
13. Details of new gates to be agreed
14. Other minor details.

The motion for approval subject to conditions was then voted on and carried.

RESOLVED:

That the application be APPROVED subject to completion of a S.106 agreement tying the accommodation to affordable local needs and the following conditions:

1. **2 year implementation**
2. **Adopt amended plans**
3. **Permitted development rights removed for alterations, extensions, outbuildings, gates, fences and walls to ensure the property remains affordable and to protect the Conservation Area.**
4. **Written scheme of investigation to be submitted and agreed and a Level 1 record of the long barn.**
5. **Details of making good the land after demolition of the long barn to be submitted and agreed.**
6. **Exit gateway to be blocked off and the verge reinstated in accordance with approved plans before dwelling brought into use.**
7. **Hard and soft landscaping scheme to be submitted and agreed.**
8. **The access should be surfaced and maintained in a solid bound material**
9. **Gates to be no less than 5m from the rear of the carriageway.**
10. **The garage to be retained for private domestic parking.**
11. **Vehicle access through the site to the field to the north to be provided and maintained in perpetuity.**
12. **Design details including sample panels to be submitted and agreed**
13. **No stonework from the listed barn to be used in the construction of the dwelling and/or its surrounds.**
14. **Details of new gates to be submitted and agreed**
15. **Other minor details.**

130/17 FULL APPLICATION - CHANGE OF USE OF BARNES TO FOUR HOLIDAY UNITS AT MANOR FARM, JOHNSON LANE, SHELDON

Cllr Mrs K Potter declared a personal interest as she knew the speaker Mr Noble.

The Head of Law reminded the meeting that Cllr P Brady had left the room due to his declared prejudicial interest in this application.

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

The Planning officer reported that there were 2 amendments to make to the report. In the first paragraph under the heading 'Proposals' the last sentence should state 'and one 6-bed unit' not 'and one 4-bed unit'. In the recommendation there were 2 conditions numbered 11 and the second one of these should be deleted, it was noted that it was a duplication of the condition numbered 5. Also an amended site plan had been circulated.

The following persons spoke under the public participation at meetings scheme:

- Cllr Joe Noble, Sheldon Parish Meeting, Objector
- Mr Hackett, Applicant

Although some Members were concerned about the scale and intensity of the development and the effects on the village the recommendation for approval subject to conditions as amended and including an extra condition regarding provision of bat boxes and nesting bird boxes was moved and seconded. This was then voted on and carried.

RESOLVED:

That the application be APPROVED subject to the following conditions:

- 1. 3 year time limit.**
- 2. Adopt submitted and amended plans.**
- 3. Holiday occupancy condition.**
- 4. Remove permitted development rights for alterations, extensions, outbuildings, fences, gate and walls.**
- 5. Foul sewage to be disposed of via a package treatment plant unless otherwise agreed in writing by the National Park Authority, details of the siting and design of which to be submitted and agreed.**
- 6. Games room hereby to remain ancillary to the holiday accommodation hereby approved. Remaining space within the building to be used for agricultural purposes only.**
- 7. Before any external lighting is provided, full details of the number, siting, design and luminosity of the lighting to be submitted to and agreed by the National Park Authority.**
- 8. No construction works to take place on Sundays or Bank Holidays or before 8am nor after 6pm on weekdays and before 9am nor after 1pm on Saturdays unless otherwise agreed in writing.**
- 9. Before any operations are commenced, space shall be provided within the site curtilage for site accommodation, storage of plant and materials, parking and manoeuvring of site operative's and visitor's vehicles together with the loading/unloading and manoeuvring of goods vehicles, designed, laid out and constructed all as may be agreed with the Local Planning Authority in advance of construction work commencing and maintained free from impediment throughout the duration of construction works.**
- 10. The premises, the subject of the application, shall not be occupied until the on-site parking spaces (each measuring a minimum of 2.4m x 4.8m) and turning have been provided for laid out and constructed in accordance with the approved plans maintained thereafter free from any impediment to designated use.**

11. **Prior to the occupation adequate bin storage and a bin dwell area for use on refuse collection days shall be provided clear of the public highway, within the site curtilage clear of all access and parking and turning provision and retained thereafter free from impediment to designated use.**
12. **Minor architectural and design details.**
13. **Provision of bat boxes and nesting bird boxes.**

The meeting was adjourned at 11.16am for a short break and reconvened at 11.28am.

131/17 APPLICATION TO VARY OR REMOVE PLANNING CONDITIONS (S73) - REMOVAL OF CONDITION REQUIRING STONE CLADDING OF EXTENSION TO ALLOW TIMBER CLADDING AS ORIGINALLY PROPOSED, PINFOLD CROFT, PINFOLD HILL, CURBAR

The Planning officer introduced the report and clarified that the condition referred to in the application was for the use of reconstituted stone or natural stone for the cladding.

The following spoke under the public participation at meetings scheme:

- Prof Crook, Applicant spoke first as he had to then leave for another commitment
- Dr P Owens, Objector
- Cllr D Nicholson, Curbar Parish Council, Objector

Members had mixed views on whether or not the condition to require the reconstituted or natural stone cladding had been reasonable, however the recommendation for approval to remove the condition subject to conditions was moved and seconded. This was then voted on and carried.

RESOLVED:

That the application be APPROVED subject to the following conditions:

1. **Statutory 3 year time limit for implementation.**
2. **Development not to be carried out otherwise than in accordance with specified amended plans.**
3. **Concrete tiles to match the existing dwelling, glass to the rear roof.**
4. **Roof light to be set flush with roof slope**

132/17 FULL APPLICATION - CONSTRUCTION OF A NEW AGRICULTURAL BARN FOR HOUSING CATTLE, ALONG WITH ASSOCIATED ACCESS TRACK, YARD AREA AND LANDSCAPING AT BROADMEADOWS FARM, LAWNS LANE, ALPORT

The Head of Law reminded the meeting that Mr R Helliwell had left the room due to his declared prejudicial interest and that Cllr A McCloy had declared a personal interest.

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

The following spoke under the public participation at meetings scheme:

- Ms N Walker, Supporter

- Mr M Walker, Applicant

Members were supportive of this application but were concerned about landscaping of the site. It was noted that the applicant had stated his future intentions for further development on the site and that the landscaping required would need to take account of future development needs. A motion for approval was moved and seconded. Conditions for the approval would need to cover requirements for dark colouring and timber boarding, agricultural use, surfacing and construction of track, landscaping scheme as amended, existing trees and lighting controls.

The motion for approval subject to conditions was voted on and carried.

RESOLVED:

That the application be APPROVED subject to the following conditions:

- 1. Buildings to be dark coloured and have timber boarding**
- 2. Agricultural use only**
- 3. Details of surfacing and construction of track**
- 4. Adopt amended landscaping scheme and retaining existing trees.**
- 5. Submit scheme of details for lighting**

The meeting adjourned at 12.44pm for a lunch break and reconvened at 1.15pm.

Cllr A Law and Cllr Mrs L Roberts left during the lunch break.

Chair: Mr P Ancell

Present: Cllr D Birkinshaw, Cllr P Brady, Cllr C Carr, Cllr D Chapman, Mr R Helliwell, Cllr Mrs C Howe, Cllr H Laws, Cllr J Macrae, and Cllr Mrs K Potter.

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

The Committee voted to agree to continue the meeting beyond 3 hours in accordance with Standing Order 1.10.

133/17 FULL APPLICATION - ERECTION OF A STEEL FRAMES BUILDING WITH A CANOPY AND AN EXTERNAL MUCK MIDDEN TO BE USED FOR THE HOUSING OF LIVESTOCK ALONG WITH THE STORAGE OF STRAW AND HAY AT STANEDGE GRANGE, NEWHAVEN

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

The Planning Officer amended the report at Page 47 stating that the information supplied referring to the applicant renting a further 235 acres was incorrect and should be deleted.

In response to Members' queries the Director of Conservation and Planning stated that there was evidence that the applicant had spoken with the Authority's Tree Conservation Officer but no further pre-application advice had been requested.

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

RESOLVED:

That the application be REFUSED for the following reason:

- 1. The proposed agricultural building and muck midden would be sited in an open setting, appearing isolated from the existing farm buildings whilst visible from long and short range vantage points, therefore creating a harmful impact upon the local landscape character and the wider scenic beauty of the National Park. Moreover, it is considered there is insufficient justification at this stage to demonstrate that the buildings are essential for the agricultural need and as such the benefits of the scheme would not outweigh the landscape harm that would arise from the development. The proposal is therefore contrary to Core Strategy policies GSP1, GSP3, L1, Local Plan Policies LC4 and LC13, and the National Planning Policy Framework.**

134/17

FULL APPLICATION - REAR EXTENSION TO PROVIDE HALL, WC AND STUDIO. INSERTION OF WC AT FIRST FLOOR LEVEL. REFURBISHMENT OF BASEMENT FOR USE AS HABITABLE SPACE INCLUDING FORMATION OF LIGHTWELLS FOR BASEMENT WINDOWS. HALL COTTAGE, BAULK LANE, HATHERSAGE

The Planning officer introduced this report and the following report for the associated listed building consent. The officer also summarised an email from the applicant clarifying the space available for the new staircase in response to the concerns in the report raised by the Conservation Officer.

The following spoke under the public participation at meetings scheme for both this and the following item so 6 minutes was allowed:

- Mr M Shuttleworth, Applicant

Members were sympathetic to the application but also aware of the issues that would affect the listed building. A motion for deferral to allow for further discussion with the applicant regarding revisions to the scale and detailing of the proposed lean-to. This was voted on and carried.

RESOLVED:

That the application be DEFERRED pending further discussions with the applicant.

135/17

LISTED BUILDING CONSENT - REAR EXTENSION TO PROVIDE HALL, WC AND STUDIO. INSERTION OF WC AT FIRST FLOOR LEVEL. REFURBISHMENT OF BASEMENT FOR USE AS HABITABLE SPACE INCLUDING FORMATION OF LIGHTWELLS FOR BASEMENT WINDOWS. HALL COTTAGE, BAULK LANE, HATHERSAGE

This item was considered in conjunction with the related planning application details of which are in Minute No 134/17 above.

Members were sympathetic to the application but also aware of the issues that would affect the listed building. A motion for deferral to allow for further discussion with the applicant regarding revisions to the scale and detailing of the proposed lean-to. This was voted on and carried.

RESOLVED:

That the application be DEFERRED pending further discussions with the applicant.

Cllr D Chapman left the meeting after consideration of this item.

136/17 FULL APPLICATION - DOMESTIC GARAGE, WORKSHOP AND STORE AT BEIGHTON LODGE, COACH LANE, STANTON-IN-THE-PEAK

The following persons spoke under the public participation at meetings scheme:

- Mr I Mortimor, Stanton-in-Peak Parish Council, Objector
- Mr I Walford, Applicant

In response to an issue raised by the Parish Council speaker the Director of Conservation and Planning stated that under the guidelines for erecting yellow notices on sites it was not necessary to do so in this instance as the Parish Council and the immediate neighbour had been notified of the application directly.

The recommendation for approval subject to conditions was moved and seconded. Additional conditions covering construction management plan, disposal of soil and storage of waste bins were agreed. The motion for approval with amended conditions was voted on and carried.

RESOLVED:

That the application be APPROVED subject to the following conditions:

- 1. 3 year time limit**
- 2. Adopt amended plans**
- 3. Garage to remain available for parking of private domestic vehicles in connection with Beighton Lodge.**
- 4. Sample panel to be agreed.**
- 5. Minor architectural details.**
- 6. Agree construction management plan.**
- 7. Submit and approve disposal of soil.**
- 8. Storage of waste bins to be agreed.**

137/17 HEAD OF LAW REPORT - PLANNING APPEALS

The report on appeals lodged and decided during the month was received.

RESOLVED:

That the report be received.

138/17 PEAK DISTRICT NATIONAL PARK HISTORIC FARMSTEADS GUIDANCE

The Head of Policy and Communities and the Conservation Officer joined the meeting for this item. The report requested Members to endorse recently completed joint work by Historic England and Locus Consulting, supported by the National Park Authority, to provide a suite of reports and guidance detailing the significance of historic farmsteads in the Peak District.

An extra recommendation was added to the report to request that Members support the guidance as a material consideration on future planning applications.

In response to Members' queries officers stated that the information was an evidence base and toolkit to help officers and applicants. It was not being adopted as policy but was for guidance.

The recommendations set out in the report and the additional recommendation were moved, seconded, voted on and carried.

RESOLVED:

That Planning Committee:

- 1. Endorses the suite of documents forming the Peak District Historic Farmsteads Guidance**
- 2. Supports the future development of the Peak District Farmstead Assessment Framework as a Supplementary Planning Document**
- 3. Supports the use of the guidance in contributing to current work on redefining the National Park's special qualities.**
- 4. Supports the use of the guidance as a material consideration on future planning applications.**

The meeting ended at 3.20 pm

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6. FULL APPLICATION: VARIATION OF CONDITIONS 2, 3, 4, 5, 6, 7, 9, 10, 13, 15, 20, 21 AND 22 ON APPLICATION NP/DDD/0415/0339 FOR DEMOLITION OF FORMER MILL BUILDINGS, ASSOCIATED STRUCTURES AND OTHER BUILDINGS AND FULL PLANNING PERMISSION FOR CLASS C1 (HOTEL) DEVELOPMENT INCORPORATING GROUND FLOOR FLOORSPACE WITH FLEXIBILITY TO BE USED FOR CLASS A3 AND CLASS D2 USES, IMPROVEMENTS TO EXISTING SITE ACCESS, PARKING, LANDSCAPING AND OTHER ASSOCIATED WORKS AT, RIVERSIDE BUSINESS PARK, BUXTON ROAD, BAKEWELL (NP/DDD/1017/1068), P.4822, 421118/369156, 12/10/2017/TS)

APPLICANT: RIVERSIDE BUSINESS PARK LIMITED

Site and Surroundings

Riverside Business Park (RBP) lies on the north west side of Bakewell in the Wye valley approximately 0.8 km from the town centre. Land in ownership extends to 5ha north of the A6 Buxton Road and comprises a mixture of buildings used primarily for business (B1 use), general industrial (B2 use), and storage and distribution purposes (B8 use). There is also a gym on site (D2 use) and a 'cash and carry' (A1 use/sui generis) operating from a recently constructed building at the rear of the site. Thornbridge Brewery and Pinelog also have a substantial presence on the Business Park.

The buildings on the Business Park have been constructed at different times from the late eighteenth century onwards and include three listed stone-built buildings, modern stone buildings, modern industrial buildings of a variety of styles and finishes and states of repair and WW II blister hangers. There are also some notable historic features on the site including a riverside mill, adjacent river bridge and facings to the mill leat, which are grade II listed. The site was originally developed as a mill complex by Sir Richard Arkwright and the original water management system, including the mill leat, is a Scheduled Ancient Monument. By virtue of the site's proximity to the River Wye and the water management systems, the site is located within the Environment Agency Flood Zone 3.

The eastern part of the site lies within the Bakewell Conservation Area and the entire application site lies within the Local Plan Development Boundary for Bakewell. There is also a specific Local Plan policy (LB7) relevant to the Business Park. LB7 promotes the comprehensive redevelopment of the site, predominantly for industrial/business use (Use Classes B1 and B2). This policy also requires the provision of a new access bridge across the River Wye if further development on the site results in an increase in existing floorspace on the Business Park.

The site is currently accessed from the A6 via a narrow stone bridge unsuitable for HGVs, and from the residential road 'Holme Lane', which itself is frequently used for residential parking on its northern side, resulting in significant sections of the lane being of single vehicle width. The eastern end of Holme Lane serves 6 residential properties and a business premises. At the western end of Holme Lane, the access to the RBP reverts to a single-width tarmacked track, which passes immediately alongside the front gardens of a row of 26 terraced and semi-detached properties at Lumford, whose main vehicular access is also via Holme Lane.

Proposal

The current application seeks variation of conditions 2, 3, 4, 5, 6, 7, 9, 10, 13, 15, 20, 21 and 22 on application NP/DDD/0415/0339 for demolition of former mill buildings, associated structures and other buildings and full planning permission for class c1 (hotel) development incorporating ground floor floorspace with flexibility to be used for class a3 and class d2 uses, improvements to existing site access, parking, landscaping and other associated works.

Application NP/DDD/0415/0339 was refused by the Authority on 11 December 2015 but a subsequent appeal against the Authority's decision to refuse the application was allowed on 01 December 2016.

The hotel profile, massing and footprint as approved is based on the original 3-4 storey mill that used to occupy this part of the site, which was destroyed by fire in 1868. There is little remaining evidence of the former mill, however, there is a surviving sectional plan and small sketch drawing showing its four-storey height and massing.

The approved hotel design reflects the character style and massing of the former traditional mill structure, but with some contemporary detailing, particularly in respect of the two four-storey high stair towers, which are located on the rear (west) and north gable elevations.

The hotel building is provided with a double-pile roof and the resultant elevation facing eastwards towards Bakewell town centre is reminiscent of a traditional monolithic mill structure with repetitive window openings arrangements. The rear (west) elevation and north gables are interrupted by the contemporary 4-storey box stair towers, which have functional appearance. They are to be externally clad with dark grey metal profiled wall and roof cladding to act as a foil to the large expanses of stonework on the main elevations.

As approved, the 3 upper floors are recessed 6.7m back from the original façade of the mill. The ground floor footprint of the building is therefore greater than the 3 upper floors and also incorporates a later flat-roofed building on the east elevation. The ground floor footprint of the building including the hotel/restaurant/commercial units and former turbine room extends to around 1423.6m².

The application seeks to vary conditions 2 (approved plans), 5 (finished ground floor level and 12 (vehicle hardstanding) in order to allow for changes to the form of the new hotel building and the car parking area adjacent to the western elevation of the hotel. The scope of the alterations proposed go beyond what could reasonable be considered to be non-material amendments. It is considered that they amount to minor material amendments.

The proposed alterations are as follows:

- The ground floor plan form to be reduced resulting in a reduced amount of commercial space to the ground floor.
- Internal layout amended to reflect operator requirements
- Stair core relocated
- Entrance lobby reconfigured
- The upper floors of the hotel to be set above the retained façade. As such, the upper floors would no longer be set back. The ground floor footprint would also be slightly smaller than previously approved, with around 200 square metres of floor space omitted.
- Alterations to the fenestration through changes to the door and window details
- Third floor window heights increased in order to allow roof lights to be omitted
- Car parking area to the west to be reconfigured to provide 27 spaces (previously 25)

The total number of bedrooms and the floor area of the upper floors remain unaltered.

The proposal also seeks to vary condition number 20 which requires that a scheme for two passing places is submitted and agreed prior to development. The current application includes details of the passing places, which are consistent with the passing places that were agreed for a recent application for replacement employment units at Riverside Business Park. The passing places are however outside of the previous red line area from the original hotel application. As such, a revised red line location plan has been submitted which would regularise this situation. As the details of the passing places have now been provided, it is proposed to alter the wording of condition 20 from requiring further details to be submitted and agreed to one which requires the passing paces to be provided in accordance with the details that have now been submitted.

Furthermore, the application seeks to vary the wording of conditions 3, 4, 6, 7, 9, 10, 13, 15 and 21. These conditions all require details to be submitted and agreed prior to commencement of the development, with the exception of condition 15 which requires details to be submitted and agreed within three months of commencement. A copy of all the conditions attached to the permitted scheme is attached to the end of this report.

Condition 20 for the provision of passing places requires that the passing places are provided before the commencement of demolition. In order to allow the passing places to be provided before the other pre-commencement conditions have been discharged, the application proposed to amend the wording of each condition be amended to state: *“No development save for the construction of two passing places on Lumford shall take place until”* or similar and that condition 15 is reworded to trigger the submission of details *“within 3 months of the commencement of development (excluding construction of the two passing places on Lumford)”*.

The vehicular access for the hotel remain unaltered from the previously approved scheme.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions:

- 1. The development hereby permitted shall begin no later than 3 years from the date of the original approval.**
- 2. The development hereby permitted shall be carried out in accordance with the following approved plans:**
 - a. Location plan ref 2014-257/102 rev H
 - b. proposed Site Plan (Phase 1) 1 of 2 ref 2014-257/105 rev F
 - c. proposed Site Plan (Phase 1) 2 of 2 ref 2014-257/106 rev E
 - d. Site Demolition Plan (Phase 1) ref 2014-257/02A
 - e. Proposed Levels (Phase 1) ref 2014-257/803D
 - f. Detailed Landscape Plan (Phase 1) 1 of 2 ref 9015-006/102 rev I
 - g. Detailed Landscape Plan (Phase 1) 2 of 2 ref 9015-006/103 rev G
 - h. Proposed Hotel Ground Floor Plan ref 2014-257/201 rev O
 - i. proposed Hotel First Floor Plan ref 2014-257/202 rev H
 - j. proposed Hotel Second Floor Plan ref 2014-257/203 rev H
 - k. proposed Hotel Third Floor Plan ref 2014-257/204 rev I
 - l. Proposed Hotel Roof Plan ref 2014-257/205 rev K
 - m. Proposed Hotel Elevations ref 2014-257/206 rev P
 - n. proposed Hotel Site Sections/Elevations ref 2014-257/208 rev J

Subject to the following conditions and modifications:

- 3. No development other than the creation of two passing places on Lumford shall take place until samples of the facing and roofing materials to be used in the hotel and details of all new stonework, including pointing, copings and quoinwork, window and door details, including, colour, recesses, lintels, sills and jambs, any external metal work and rainwater goods have been submitted to and approved in writing by the National Park Authority. The development shall thereafter be carried out in accordance with the approved details.**
- 4. a) No development shall take place until a Written Scheme of Investigation for archaeological work and historic building recording has been submitted to and approved by the National Park Authority in writing, and until any prestart element of the approved scheme has been completed to the written satisfaction of the local planning authority. The scheme shall include an assessment of significance and research questions; and**

1. The programme and methodology of site investigation and Recording.
2. The programme for post investigation assessment.
3. Provision to be made for analysis of the site investigation and Recording.
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation.
5. Provision to be made for archive deposition of the analysis and records of the site investigation.
6. Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation.

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

c) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological Written Scheme of Investigation approved under condition (a) and the provision to be made for analysis and publication of results and archive deposition has been secured.

d) Should archaeological remains of national importance be identified within the development area, then development work shall cease in the relevant area until a written method statement for preservation in situ of the relevant remains has been submitted by the applicant and approved in writing by the National Park Authority. No development work shall then proceed other than in accordance with the approved method statement so as to ensure that relevant remains are preserved in situ.

5. Notwithstanding condition 2, the finished ground floor level of the hotel shall be set a minimum of 126.50 metres above Ordnance Datum (mAOD) as shown on the amended plan entitled 'Proposed Hotel Proposed Elevations' (Drawing Number 2014-257_206 Rev P), unless otherwise agreed in writing by the National Park Authority in consultation with the Environment Agency.

6. Prior to commencement of development other than the construction of two passing places on Lumford, details of external ground levels shall be submitted to and approved in writing by the National Park Authority in consultation with the Environment Agency. The details shall demonstrate a maximum depth of 300mm of floodwater on access roads and car parking areas in a 1 in 100 year event. The development shall be carried out in accordance with the approved details.

7. Prior to commencement of development other than the construction of two passing places on Lumford, a scheme to raise and refurbish the riverside wall shall be submitted to and approved in writing by the National Park Authority in consultation with the Environment Agency. The scheme to be submitted shall demonstrate the continuity of flood protection up to a 1 in 100 year plus climate change flood event plus 400mm freeboard allowance. The scheme to be submitted shall be based upon drawings showing upstream and downstream tie-in arrangements and an assessment of the structural integrity of the existing riverside wall and shall make recommendations for any remedial measures to ensure the structural integrity of the wall. Development shall be carried out in accordance with the approved details.

8. No building hereby permitted shall be occupied until surface water drainage works shall have been implemented in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority. Before any details are submitted to the Local Planning Authority an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system, having regard to Defra's non-statutory technical standards for sustainable drainage systems (or any subsequent version), and the results of the assessment shall have been provided to the local planning authority.

Where a sustainable drainage scheme is to be provided, the submitted details shall:

- i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii) include a timetable for its implementation; and,
- iii) provide, a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

9. No development other than the construction of two passing places on Lumford shall commence until an assessment of the risks posed by any contamination shall have been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a suitably qualified contaminated land practitioner, in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), and shall assess any contamination on the site, whether or not it originates on the site. The assessment shall include:

- i) a survey of the extent, scale and nature of contamination;
- ii) the potential risks to:
 - human health;
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes;
 - adjoining land;
 - ground waters and surface waters;
 - ecological systems; and
 - archaeological sites and ancient monuments.

10. No development shall take place where (following the risk assessment) land affected by contamination is found which poses risks identified as unacceptable in the risk assessment, until a detailed remediation scheme shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include an appraisal of remediation options, identification of the preferred option(s), the proposed remediation objectives and remediation criteria, and a description and programme of the works to be undertaken including the verification plan. The remediation scheme shall be sufficiently detailed and thorough to ensure that upon completion the site will not qualify as contaminated land under Part IIA of the Environmental Protection Act 1990 in relation to its intended use. The approved remediation scheme shall be carried out and upon completion a verification report by a suitably qualified contaminated land practitioner shall be submitted to and approved in writing by the local planning authority before the development is first occupied.

11. Any contamination that is found during the course of construction of the approved development that was not previously identified shall be reported immediately to the Local Planning Authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. These approved schemes shall be carried out before the development is resumed or continued.

12. In the event it is proposed to import soil onto the site in connection with the development or remediation the proposed soil shall be sampled at source and analysed in a UKAS accredited laboratory. The results of the analysis, and an interpretation, shall be

submitted to the Local Planning Authority for approval prior to importation. Imported topsoil shall comply with British Standard 3882:2007 - Specification for topsoil and requirements for use. Only soil approved in writing by the Local Planning Authority shall be used on site.

13. No development other than the construction of two passing places on Lumford shall take place until a detailed statement of mitigation measures for bat species, including timings of works and replacement habitat, has been submitted to and agreed in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in complete accordance with the approved statement.

14. The landscaping tree and shrub planting shown on the approved plans shall be carried out in the first planting and seeding seasons following occupation of the building or completion of the development whichever is the sooner. Any walling or surfacing shown on the plan shall be completed before the building is first occupied. Any trees or plant which die, are removed or become seriously damaged or diseased within five years of completion of the development shall be replaced in the next planting season with others of a similar size and species or in accordance with an alternative scheme previously agreed in writing by the National Park Authority.

15. Notwithstanding conditions 2 and 14, within 3 months of the commencement of development (excluding development comprising of the provision of two passing places on Lumford), full details of the treatment of the site boundary adjacent to the side of 14 Lumford shall be submitted to and approved in writing by the Local Planning Authority. The details shall specify the siting, design, height and materials of a screen wall/fence to be constructed or erected and/or the species, spacing and height of hedging to be planted. The approved boundary treatment shall be constructed or erected before the hotel hereby permitted is first occupied. If hedging is approved it shall be carried out in the first planting season following first occupation of the hotel. Any approved hedging removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by soft landscaping of similar size and species to those originally required to be planted.

16. Before the development is first brought into use a scheme of mitigation measures designed to limit noise emanating from within the building and noise from fixed plant installations shall be submitted to and approved in writing by the National Park Authority. Development shall be carried out in accordance with the approved details prior to first occupation of the development and thereafter retained.

17. Before the development is first brought into use, equipment to control the emission of fumes and smell from the premises shall be installed in accordance with a scheme to be first submitted to and approved in writing by the National Park Authority. All equipment installed as part of the approved scheme shall thereafter be operated and maintained in accordance with that approval and retained for so long as the use continues.

18. Before the development is first brought into use, details of deliveries and waste collection shall be submitted to and approved in writing by the National Park Authority. Deliveries and waste collection shall be carried out in accordance with the approved details.

19. No new external lighting shall be installed within the red-edged application site until a detailed lighting plan, including the details of the precise locations and specifications of the types of lighting to be used and the lux levels at the nearest properties, has been submitted to and agreed in writing by the Local Planning Authority. Thereafter, all new external lighting shall be installed in complete accordance with the approved scheme and shall be retained thereafter.

20. The 2 no. passing places on Lumford shall be constructed in accordance with the approved scheme of works as shown on submitted drawing Ref. 2014-257/106 Rev E prior to the commencement of demolition and shall thereafter be retained.

21. No development other than the construction of two passing places on Lumford shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The Statement shall provide for:

- i) the parking of vehicles of site operatives and visitors;**
- ii) loading and unloading of plant and materials;**
- iii) storage of plant and materials used in constructing the development;**
- iv) wheel washing facilities;**

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

22. The hotel and A3/D2 use hereby approved shall not be occupied until space has been laid out within the site in accordance with drawing Nos 2014-257/105 Rev F and 1981-02 for 141 cars to be parked, for the loading and unloading of service/delivery vehicles and for all vehicles to turn so that they may enter and leave the site a forward gear.

23. No part of the development shall be occupied until details of arrangements for storage of bins and collection of waste have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the agreed details and the facilities retained for the designated purposes at all times thereafter.

Key Issues

- Whether, having regard to local and national policy, the material considerations in this case would amount to the exceptional circumstances necessary to justify major development in the Peak District National Park, with particular reference to: the impact of the out of town location of the site and, potential impact of the loss of employment land and the effect on the character and appearance of the landscape.
- Whether the proposed variation of conditions are acceptable in planning terms with regards to (i) Flood Risk Issues; (ii) Ecology; (iii) Archaeology and Heritage Assets; (iv) Highway Issues; (v) Site Contamination; (vi) Impact on Amenity of Local Residents; and (vii) Environmental Management.

Relevant Planning History Relating to the Riverside Business Park Site

The use of the site as an industrial estate pre-dates planning controls. Subsequently, the site has a long history of time-limited consents for "temporary" buildings which have been renewed many times from the 1950s onwards. The general character and appearance of Riverside Business Park would benefit from the removal of many of these buildings. From the late 1980s, the planning history of the site is more directly related to the organic growth of the site and provision of infrastructure to facilitate its redevelopment. The following planning history is considered to be the most relevant to the current application:

1989	Planning permission granted for new access road from A6 and bridge over River Wye to serve industrial estate.
1994	Planning permission renewed for access road and bridge to serve the industrial site based on 1989 consent.
2002	Planning permission renewed for access and bridge over River Wye to serve the industrial estate based on 1994 consent.

2004	Listed building consents granted for construction of flood defence walls (not implemented).
2004	Submission of an application for outline planning permission for redevelopment of the site. The application proposed a mixed use redevelopment including demolitions, conversion and new build to provide employment and residential uses.
2005	The Authority's Planning Committee resolved to defer determination of the 2004 application for the redevelopment of the site requiring more information about enabling development; potential for more affordable housing; a flood risk assessment; and provision of interpretative facilities relating to the archaeological and historic buildings and features on the site.
2005	Temporary consent granted for change of use of Unit 16 to allow textiles / embroidery mail order and teaching business including storage and ancillary retail sales.
2005	Planning permission granted for new industrial unit with associated service yard and parking and extension to Pinelog's existing industrial unit. A planning condition was attached stating that: <i>“There shall be no increase in industrial building floorspace on the Riverside business park without the prior provision of a vehicular access on to Buxton Road, which is capable of use by heavy goods vehicles. In the event of no new access being provided, a plan shall be submitted for approval and implementation showing demolition of buildings to permit replacement by the development hereby approved.”</i>
2006	The Authority's Planning Committee resolved to defer determination of the 2004 application for redevelopment of the site to enable further information regarding the enabling development to be obtained and reported back to the next meeting and, in addition, the potential for affordable housing, a flood-risk assessment and the provision of interpretive facilities relating to the archaeological and historic buildings features on the site.
2006	Temporary consent granted for retention of timber store for Pinelog.
2007	Submission of environmental impact assessment to support the 2008 Masterplan – Revision 18 submitted in 2008
2008	Planning permission renewed for creation of access road and bridge over river to provide access to W Fearnough LTD (Riverside Business Park) based on the 2002 consent.
2008	Submission of amended plans (Masterplan - Revision 18) to support the 2004 application for redevelopment of the site.
2009	Planning permission granted for installation of new solar panels on roof of Unit 11.
2010	Planning permission refused for the 2004 application for redevelopment of the site by the Authority's Planning Committee. The application was determined on the basis of the Masterplan (Revision18) and refused for the following reasons: <ul style="list-style-type: none">• The proposed development, as shown on Masterplan 18, was held contrary to Local Plan policy LB7 and the submitted details failed to offer sufficient justification or information to warrant a departure from LB7.• The loss of employment space and the level of affordable housing shown on Masterplan 18 were considered to conflict with the requirements of RSS policy 8 and the objectives of policies in the Development Plan that seek to

address the social and economic needs of the local community within the National Park.

- The submitted details were held not to provide sufficient information to demonstrate that the development and proposed phasing would secure the long term sustainability, vitality and viability of the business park and fail to demonstrate that the proposal would achieve the objectives of Planning Policy Statement 4 (PPS4): Planning for Sustainable Economic Growth in respects of sustainable economic growth in rural areas.

An appeal was subsequently lodged against the refusal of planning permission for the 2004 application for redevelopment of the site but the appeal was withdrawn prior to determination.

2011

Planning permission for what was effectively a resubmission of the 2004 planning application proposing demolition of existing buildings to provide a mixed use employment (Class B1/B2 and B8/residential development (new Build and conversion), car parking and associated works. This application was refused by the Authority's Planning Committee for the following reasons:

- The proposed development, as shown on Masterplan 22, was held contrary to Local Plan policy LB7 and the submitted details failed to offer sufficient justification or information to warrant a departure from LB7.
- The loss of employment space and the level, form and location of affordable housing shown on Masterplan 22 would not meet the requirements of RSS policy 8 and the objectives of policies in the Development Plan that seek to address the social and economic needs of the local community within the National Park.
- The cumulative loss of employment space and the proposed phasing would not secure the long term sustainability, or vitality and viability of the business park and the submitted details otherwise fail to demonstrate that the proposal would achieve the objectives of Planning Policy Statement 4 (PPS4): Planning for Sustainable Economic Growth in respects of sustainable economic growth in rural areas and Local Plan policy LB7.

An appeal was subsequently lodged against the refusal of planning permission for the 2011 application for redevelopment of the site but this appeal was again withdrawn prior to determination.

2012

Planning permission granted for a variation to the 2005 permission granted for a new industrial unit with associated service yard and parking and extension to Pinelog's existing industrial unit to allow a gym to operate from part of one of the two new units allowed by this permission. This building (Building K) now accommodates a gym, a cash carry and Thornbridge Brewery, who also occupy the whole of the second new unit allowed by this permission.

2013

Planning permission granted for the installation of two bulk malt handling silos adjacent to the unit occupied by Thornbridge Brewery.

2014

Planning permission and Listed Building Consent granted for the erection of a closed circuit security camera mast/ camera installation to provide surveillance of vehicles entering and leaving the Business Park.

- 2015 Submission of parallel application proposing demolition of former mill buildings, associated structures and other buildings and seeking full planning permission for hotel (C1) development incorporating ground floor floorspace with flexibility to be used for café (A3) and gym (D2), improvements to existing site access, parking, landscaping and other associated works.
- March 2015 Submission of environmental impact assessment to support the current application. An expedited consultation exercise was carried out by the Authority that was used to inform the Authority's formal screening opinion. The responses to this consultation exercise supported the Authority's view that the proposed development was not EIA development. The Authority subsequently confirmed in April 2015 that an EIA was not required.
- December 2015 Planning permission refused for demolition of former mill buildings, associated structures and other buildings and full planning permission for Class C1 (Hotel) development incorporating ground floor floorspace with flexibility to be used for Class A3 and Class D2 uses, improvements to existing site access, parking, landscaping and other associated works.
- December 2016 Appeal allowed against the refusal of the above application for the hotel development as allowed.

Consultation Responses

Highway Authority – No comments received

Lead Local Flood Authority – No objections

District Council – No objections

Town Council – No comments received

Authority Archaeologist – Advises not to approve the amended wording of condition 4 which would allow passing places to be provided in advance of Archaeological work being carried out as the construction of the passing places could have archaeological implications.

Authority Conservation Officer – Would be preferable if the upper stories and stair tower were to remain as approved.

Natural England – No objections, refer to standing advice

Authority Ecologist – No comments received

Representations

Letters of Support

One letter of support has been received which states that the development of this site can only be a positive benefits to Bakewell and the surrounding area.

Letters of objection

Four letters of objection, including one from the Lumford and Holme Lane Residents Association have been received. The concerns raised are summarised as follows:

- The conditions provide protection for local residents to reduce impact on local environment, sound pollution, traffic and disruption so should not be removed.
- Quality of life and safety should be safeguarded

- Concerns about car parking and lighting and the impact of this on resident's amenity

Letters of comment

One letter of comments has been received which raises the following points:

- The existing chimneys should be retained
- The mills wheels should be reinstated to provide power for the development
- Cannot see where trees will be planted to screen the car park and replace any lost during construction

Relevant Policy Context

National Policy

As the current application seeks permission for commercial buildings with a floor area of significantly more than 1,000 m², the proposals are considered to comprise 'major development'. GSP1(D) in the Authority's Core Strategy says in securing National Park purposes major development should not take place within the Peak District National Park. Major development will only be permitted following rigorous consideration of the criteria in national policy.

National policy at paragraph 116 of the National Planning Policy Framework ('the Framework') says planning permission should be refused for major developments in National Parks except in exceptional circumstances and where it can be demonstrated they are in the public interest. Consideration of such applications should include an assessment of:

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

Paragraph 115 of the Framework states that great weight should be given to conserving landscape and scenic beauty in National Parks, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important.

Paragraph 17 of the Framework refers to Core planning principles, amongst which are the following:

- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
- encourage the effective use of land by reusing land that has been previously developed (brownfield land),

National policy applying to proposals involving hotel/leisure development is set out at Paras 23-27 of the Framework. Paragraph 23, "Ensuring the Vitality of Town centres", states amongst other things that local planning authorities should allocate a range of suitable sites to meet the scale of and type of leisure/tourism development needed in town centres. It states that it is important that the needs for leisure and other main town centre uses are met in full and are not compromised by limited site availability. LPA's should therefore undertake an assessment of the need to expand town centres to ensure a sufficient supply of suitable sites. This includes the allocation of appropriate edge of centre sites for main town centre uses that are well connected to the town centre, where suitable and viable town centre sites are not available. LPA's should also set policies for the consideration of main town centre uses which cannot be accommodated in or adjacent to town centres.

Paragraph 24 confirms that local authorities should apply a ‘sequential test’ to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. Such proposals are required to be located in town centres, then edge-of-centre locations, and only if suitable sites are not available should out-of-centre sites be considered. The Framework advises that in considering edge and out-of-centre sites, preference should be given to sites that are accessible and well connected to the town centre.

Paragraph 26 confirms that when assessing applications for retail, leisure and office development outside of town centres, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold. If there is no locally set threshold, the default threshold is 2,500m². Where impact assessments are required these should include an assessment of the impact on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposals and the impact of the proposals on town centre vitality and viability, up to five years from the time the application is made and ten years for major schemes where the full impact will not be realised in five years.

Where an application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the above factors, it should be refused.

The glossary of terms in Annexe 2 of the NPPF defines retail development, leisure facilities, and offices, which require impact assessments under Paragraph 26, as outlined above. This excludes, however, hotel developments, which are defined within a separate art, culture and tourism development category, which are not subject to the more stringent requirements of Paragraph 26.

Further government guidance on planning for town centres is given in the Planning Practice Guidance note ‘Ensuring the Vitality of Town Centres’. This confirms that the ‘sequential test’ seeks to deliver the Government’s ‘town centre first’ policy by placing existing town centres foremost in plan making and decision taking.

With regard to delivering sustainable development, paragraph 19 of the Framework states that significant weight should be placed on the need to support economic growth through the planning system. Paragraph 22 states that where there is no reasonable prospect of a site being used for allocated employment use applications for alternative uses of land should be treated on their merits having regard to market signal and the relative need for different land uses to support sustainable local communities. Paragraph 28 states that planning policies should support economic growth in rural areas in order to create jobs and prosperity.

Paragraphs 59 and 60 of the NPPF seek to secure good design in new developments. Paragraph 59 states that LPA’s should consider using design codes where they could help deliver high quality outcomes. However, design policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally.

Paragraph 60 states that planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.

Paragraph 93 states that planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development.

In furtherance of these objectives paragraph 99 states that

The Framework otherwise recognises the value and importance of pre-application engagement. It also recognises that planning obligations may be required to make a development acceptable but they should only be sought where necessary, directly related to the development and fairly and reasonably related in scale and kind of development.

Development Plan

Core Strategy Policies

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

Policy GSP3 refers to development management principles. Relevant criteria listed in this policy relate to appropriate scale of development in relation to the character and appearance of the National Park, impact on access and traffic, and impact on living conditions of communities. Policy GSP4 recommends the use of conditions and legal agreements to ensure that benefits and enhancement are achieved.

Policy DS1 is the development strategy. Bakewell is a named settlement under this policy and as such 'small scale' retail development would be permitted in or on the edge of the settlement. DS1 (F) outlines the spatial strategy for Bakewell which includes protection of the range and integrity of the Central Shopping Area and safeguarding employment site and promote the take-up and enhancement of under-used employment sites.

Policy RT2 states that new-build holiday accommodation will not be permitted, except for a new hotel in Bakewell. The explanatory text states that this policy responds to evidence showing a lack of serviced accommodation, by giving the opportunity to build a new hotel in Bakewell, selected because of its accessibility and important market town role.

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

Policy HC5 (A) seeks to direct the location of new town centre uses including retail development to the Bakewell Central Shopping Area and this type of development should be of an appropriate scale to serve the needs of the local community and the settlement's visitor capacity. HC5(B) states that significant out of centre retail development will not be permitted.

Other relevant policies include policy CC1 relating to environmental management measures, CC5 relating to flood risk and the presumption against development which increases flood risk, and policy T1 which aims to reduce the need to travel by unsustainable means.

Saved Local Plan Policies

Policy LB9 states that within the Central Shopping Area, development in Use Classes A1, A2 and

A3 will be permitted. Retail development will not be permitted outside the Central Shopping Area, except for individual shop units of a scale appropriate to serve the needs of nearby residents.

Saved Local Plan policy LB7 sets out specific provisions for the re-development of Riverside Business Park, which is allocated in the Local Plan as a designated employment site. LB7(a) says that Comprehensive redevelopment, predominantly for industrial/business use (Use Classes B1 and B2) will be permitted on some 5 hectares at Riverside Business Park, provided that:

- i. the Listed Building and Scheduled Ancient Monument and their settings are adequately safeguarded in the long term;
- ii. design, layout, landscaping and neighbourliness with adjacent uses are satisfactory;
- iii. a new access bridge is built across the River Wye, and the old bridge is closed to vehicles.

LB7(b) goes on to say acceptable uses on minor parts of the site may include affordable housing to meet a local need (close to existing houses), and general market housing or tourist accommodation by conversion of the existing listed mill building.

Policies LC16, LC17 and LC18 refer to the protection of archaeological features; site features or species of wildlife, geological or geomorphological importance; and safeguarding nature conservation interests respectively. All seek to avoid unnecessary damage and to ensure enhancement where possible.

LT10 states that in new development, parking must be of a very limited nature or accompanied by on-street waiting restrictions. LT18 seeks to ensure that the highest standard of design and material is achieved in transport infrastructure to conserve the valued character of the area.

Policy LC4 expects a high standard of design with particular attention being paid to scale, form and mass, building materials, landscaping, and amenity and privacy. LC24 requires that development on land believed to be contaminated will be permitted provided that an accredited risk assessment is agreed.

Emerging draft Development Management Policies Development Plan Document (DPD) policies

In addition to the above policies, the draft Development Management Policies Development Plan Document (DPD) was presented to and agreed by members at the Authority meeting on 2 October 2015. At the October Authority Meeting members agreed that from this stage some limited weight may be attached to the emerging DPD as a material planning consideration; as an agreed statement of the Authority's intended position on development management policy.

The DPD document contains one policy specific to Bakewell. Policy DMB 1 relates to Bakewell's Settlement Boundary and states that the future development of Bakewell will be contained within this boundary.

The explanatory text to DPD policy DMB 1 acknowledges that strategic role that Bakewell plays within the context of the National Park and its important role as a tourist destination for a large number of visitors, which in many cases help sustain local businesses.

In respect of business premises it states that business premises now exist on the Deepdale site on Ashford road, and some businesses have taken up residence on the Riverside site since the Local plan was published in 2001. It states, however, that the Riverside is an example of where premises could be improved and policy would allow for a mix of uses provided a significant element of business use is retained.

In relation to Bakewell's central shopping area the explanatory text states that the range of retail shops fulfil an important role, not just for Bakewell residents but those in the surrounding area. Those shops that do exist are in themselves relatively modest in size. For this reason the development plan shows what is considered to be the Central Shopping Area. The explanatory text states that the central shopping Area is a tool to direct retail development to the core of the town and avoid the spread of significant retail activity to the fringes of the town. This reaffirms the principle that significant retail development should be contained within this boundary. The Core Strategy development plan policy HC5 makes this clear.

In relation to the principles for land use across the town the explanatory text states that the Core Strategy establishes development expectations and CS policy DS1 also reaffirms a commitment to protect the range and integrity of the Central Shopping Area. The strategic need for employment sites means that the policy intent is to safeguard employment sites so that their redevelopment includes a substantial element of business use, and promote enhancement of under-used employment sites. Evidence of the Core Strategy has also led to policy scope for a new build hotel to serve the town and improve the range of accommodation within the National Park.

Other Relevant Documents

Peak Sub-Region Employment Land Review

This report was published in 2008. This identifies a pattern of continued decline of manufacturing and an oversupply of employment land within the Sub-Region in quantitative terms. It identifies that there may be scope to lose some employment site and that factors to be taken into account in identifying sites for de-allocation includes the role and function of the site, local authority's aspirations for the site, site constraints and deliverability and environmental impacts of their operation.

Adopted Landscape Strategy

Bakewell falls within the Derwent Valley area, which separates the limestones of the White Peak from the prominent gritstone edges of the Eastern Moors to the east and high moorland of the Dark Peak to the north. The application site falls mainly within the Riverside Meadows landscape character type where the priority is to enhance the diversity of agricultural grassland and manage and enhance linear tree cover and amenity trees.

Assessment

Key Issue 1 ~ Whether, having regard to local and national policy, the material considerations in this case would amount to the exceptional circumstances necessary to justify major development in the Peak District National Park, with particular reference to: the impact of the out of town location of the site and, potential impact of the loss of employment land and the effect on the character and appearance of the landscape.

Principle of Development

The principle of the hotel development was fully considered under previous application NP/DDD/0415/0339 and deemed to be acceptable. The current application seeks amendments to the building and variation of the wording of some pre-commencement conditions. However, the floor space of the development is not proposed to increase.

It is considered therefore that the principle of the scheme of major development within the National Park remains acceptable and is justified in light of policy RT2 C which supports the provision of a new hotel in Bakewell. It is therefore considered that exceptional circumstances exist that would warrant approval of the major development on Riverside Business Park proposed in this application. There have been no changes in circumstances or national and local planning policy and guidance that would justify an alternative view being taken now.

Key Issue 2 ~ Whether the proposed variation of conditions are acceptable in planning terms with regards to (i) Flood Risk Issues; (ii) Ecology; (iii) Archaeology and Heritage Assets; (iv) Highway Issues; (v) Site Contamination and (vi) Impact on Amenity of Local Residents.

Key Issue 2 Part (i) Physical alterations to the building

Impact on Character and Appearance of the Area.

Riverside Business Park is well screened by trees and man-made features but the existing, modern factory buildings to the rear of the remaining single-storey façade of the original mill building detract from the character and appearance of the National Park's landscape. Whilst the hotel site lies just beyond the conservation area boundary, the land immediately to the south encompassing the River Wye and the Mill Stream, together with the listed mill workshop building and the existing road bridge are within the Conservation Area. The hotel site is also immediately adjacent to the Ancient Monument site.

The 4-storey hotel as approved is set 6.7m back from the retained façade and is sited on the footprint of the previous Lumford Mill, which was 4 storeys in height and directly abutted the mill race. The proposed hotel assumes a similar mass and building line and was designed in this way to address the setting of the Conservation area and Holme Lane, whilst providing a visual buffer to the proposed retail, restaurant and industrial units (existing and proposed) at Riverside Business Park.

The current scheme proposes to retain the mass, height and overall design ethos of the previous scheme, but proposes to set the front elevation of the upper floors almost directly above the retained façade. As such, the upper floors would no longer be set back from the ground floor and the building would take on a more conventional form.

The Authority's Conservation Officer has raised some concerns about the proposal, noting the following:

- Bringing the upper floors forward towards the retained façade brings the massing of the new hotel closer to the western edge of the Bakewell Conservation Area, which could increase its prominence in views out of the Conservation Area and dominance over the grade II listed bridge and arches over the mill stream.
- In the newly proposed position, the upper floors of the hotel will have an increased negative impact, visually and in terms of dominance, on the grade II listed Lumford Mill, obscuring more of the building when viewed from the north-east and having a more overbearing impact on its north elevation, enclosing the entrance to the lane into the Riverside complex.
- From the south side, bringing the upper floors forward will obscure views of the tall stone chimney stack when viewed from the south side, within the Conservation Area.
- The projecting stair tower on the west elevation is wider than approved, with larger, wider windows, which could increase its prominence when approaching Bakewell from the west.

The above points are fully acknowledged and understood. However, it is also considered that the additional impacts are limited to views from certain vantage points. On balance, it is considered that the overall impacts on the Conservation Area, Listed Buildings and other designated and non-designated heritage assets would not be significantly greater than the scheme as approved

Other Material Considerations

Flood Risk

The site is located within the Environment Agency Flood Zone 3. Hotel use is classed as a 'More vulnerable' use in terms of the Environment Agency's classifications, which is compatible with flood zone 3a and therefore there is a requirement for the sequential and exceptions tests to be applied in this case.

Sequential and exceptions tests were completed under the previous application and the conclusions reached (that the tests are passed) remain applicable to the current scheme. The proposal involves a slight reduction in floor space and would not increase the risk of flooding within or around the development.

The Environment Agency raised no objections to the original application subject to conditions to address the following:

- The finished floor level of the hotel to be set a minimum of 126.50 metres above Ordnance Datum (mAOD) as shown on the amended plan entitled 'proposed Hotel Proposed Elevations' (Drawing Number 2014-257_206 Rev I.
- Prior to the commencement of development, details of external ground levels to be submitted and agreed demonstrating a maximum depth of floodwater on access roads and car parking areas in a 1 in 100 year event.

Subject to the appropriate environment agency conditions being repeated, it is concluded that the development as proposed to be amended will not lead to a net loss in floodplain storage, will not impede water flows, and will not increase flood risk elsewhere. As such, the development is compliant with the National Planning policy Framework and Core Strategy policies CC1 and CC5.

Ecology

The nature of the proposed amendments do not give rise to any ecology implications over and above the previously approved scheme.

Archaeology and Heritage Assets

The riverside mill, adjacent river bridge and facings to the mill leat are listed grade II. Arkwright's water management system is a Scheduled Monument. The eastern part of the site lies within the Conservation Area. Therefore, a detailed heritage impact assessment was submitted with the original application. Condition 4 of the approval requires a detailed scheme of Archaeology Works to be agreed and then undertaken and a draft Written Scheme has been produced, although not formally agreed at the time of writing this report. Given that the proposed physical amendments slightly reduce the footprint of the hotel building, it is considered that the archaeological implications can still be fully addressed through the works required for condition 4 and it is therefore recommended that condition 4 is repeated on any approval of the current application.

Subject to this, it remains the case that the proposed scheme will amount to less than substantial harm to the designated heritage assets, in compliance with NPPF para's 128 – 134 with regard to the conservation and enhancement of the historic environment.

Highway Issues

The previous arrangements to access the hotel via the bridge from the A6 and Home Lane/Lumford, with the ultimate intention of most traffic using a new road access bridge from the

A6 remain unaltered. The amount of commercial space is proposed to be slightly reduced and the number and size of the bedrooms remains unaltered. As such, the proposed amendments would not significantly alter the anticipated amount of traffic associated with the development, which was considered by the Planning Inspector to not result in unacceptable intensification of the existing accesses. The proposed amendment is therefore considered to be acceptable in this respect.

Impact on Amenity

Letters of objection have raised concerns relating to the removal of conditions intended to protect residents amenity. This is discussed further below. In terms of the proposed physical amendments, it is acknowledged that setting the hotel above the retained façade would bring the main massing of the development slightly closer to the nearby residential properties at Lumford and New Lumford as the upper floors were previously proposed to be set back some 6.7 metres. However, a separation distance of over 25 metres would be maintained to the nearest dwelling and it is considered that the proposed amendments would not result in any significant harm to residential amenity by way of impacts on privacy, overshadowing or oppressiveness.

The proposed amendments would be unlikely to result in any intensification in use over and above the previously approved scheme so there would be no additional harm to amenity by way of noise or other associated pollution and disturbance.

Site Contamination

The proposed amendments would not give rise to any additional issues of land contamination over and above those that were considered under the previous application. Subject to the repetition of relevant conditions relating to land contamination investigation and remediation, the proposal is considered to be acceptable in this respect.

Key Issues 2 Part (ii) Variation to wording of conditions 3, 4, 6, 7, 9, 10, 13, 15 and 21 to allow the passing places to be completed in advance of the conditions being discharged

The proposed amended wording to conditions 3, 4, 6, 7, 9, 10, 13, 15 and 21 is requested only to allow the passing places to be constructed in advance of the other conditions being discharged. Letters of objection have raised concerns about the removal of conditions that are intended to protect local resident's amenity. However, there are no proposals to remove any of the conditions, nor would any of the requirements to satisfy the conditions become any less robust as a result of the proposed variation. It is considered that the variation of conditions 3, 6, 7, 9, 10, 13, 15 and 21 would still achieve the purposes that they were intended for.

It is noted however that it is not considered acceptable to vary condition 4 in advance of the provision of the passing places as the archaeological work required for condition 4 could be relevant to the construction of the passing places. It is therefore recommended that the wording of condition 4 is not varied.

Conclusion

It is considered that the principle of the hotel development remains acceptable. Furthermore, the proposed physical amendments are acceptable and would not result in harm to the character of the Conservation Area or to the designated and undesignated heritage assets in the locality or result in any issues relating to amenity, highway safety, ecology, flood risk or land contamination. The proposed variation of the wording of conditions 3, 6, 7, 9, 10, 13, 15 and 21 to allow the passing places to be constructed in advance of these conditions being charged is also considered to be acceptable.

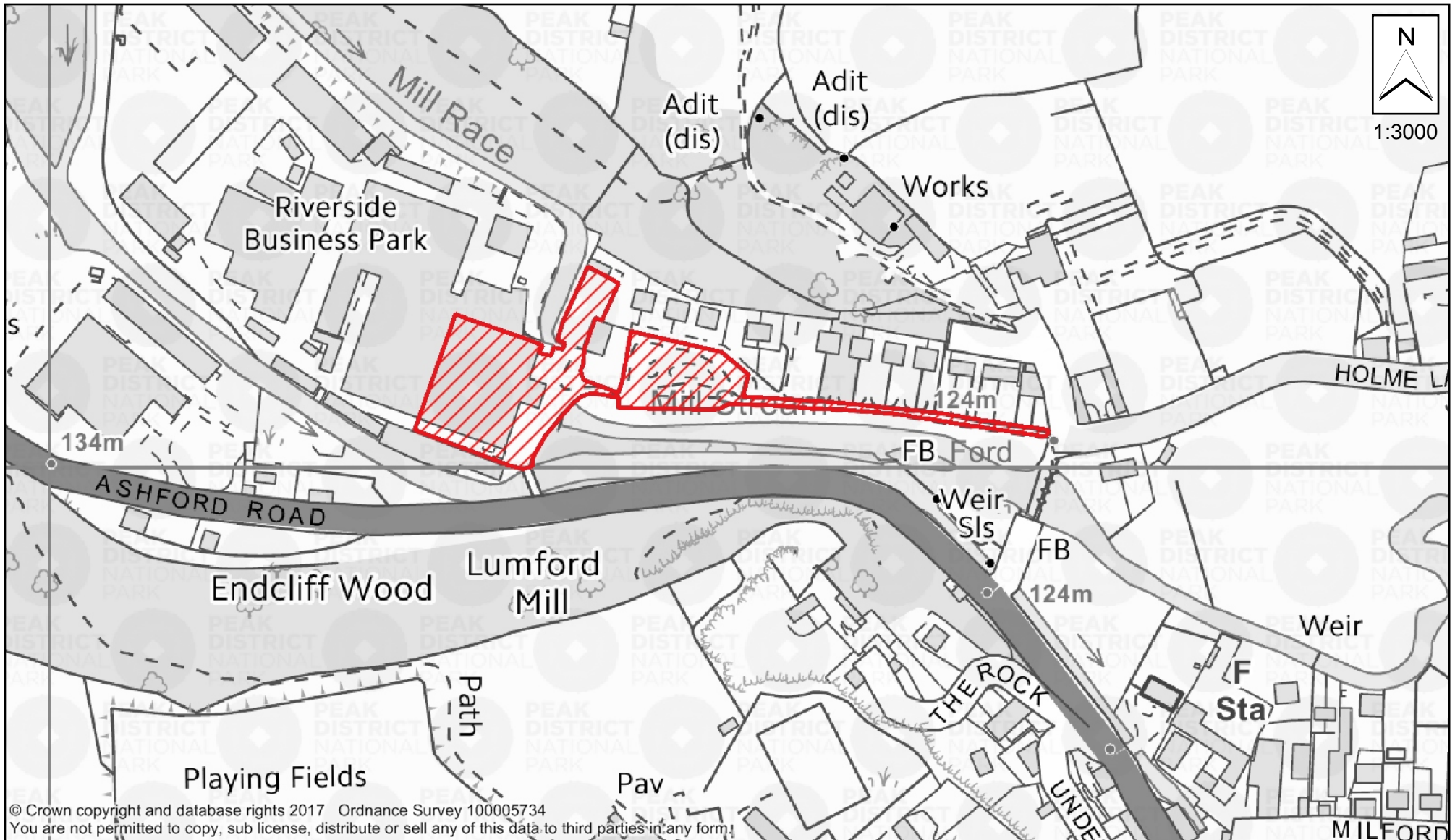
Human Rights

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


List of Background Papers (not previously published)

Nil

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Committee Date:	8th December 2017	Title: Riverside Hotel, Bakewell	 PEAK DISTRICT NATIONAL PARK
Item Number:	Item 6		
Application No:	NP/DDD/1017/1068		
Grid Reference:	421118, 369156		

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Conditions attached to application NP/DDD/0415/0339

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - a. Proposed Site Plan 1 of 2, ref 2014-257-105 Rev C
 - b. Proposed Site Plan 2 of 2, ref 2014-257-106 Rev B
 - c. Site Demolition, ref 2014-257-602 Rev A
 - d. Proposed Levels, ref 2014-257-803 Rev C
 - e. Delivery Vehicle Swept Path, ref 2014-257-890 Rev C
 - f. Detailed Landscape Plan 1 of 2, ref 9015-006-102 Rev F
 - g. Detailed Landscape Plan 2 of 2, ref 9015-006-103 Rev D
 - h. Proposed Hotel Ground Floor Plan, ref 2014-257-201 Rev K
 - i. Proposed Hotel First Floor Plan, ref 2014-257-202 Rev E
 - j. Proposed Hotel Second Floor Plan, ref 2014-257-203 Rev E
 - k. Proposed Hotel Third Floor Plan, ref 2014-257-204 Rev F
 - l. Proposed Hotel Roof Plan, ref 2014-257-205 Rev I
 - m. Proposed Hotel Elevations, ref 2014-257-206 Rev M
 - n. Proposed Hotel Sections, ref 2014-257-207 Rev J
 - o. Proposed Hotel Sections & Elevations, ref 2014-257-208 Rev H

- 3) No development shall take place until samples of the facing and roofing materials to be used in the hotel and details of all new stonework, including pointing, copings and quoinwork, window and door details, including, colour, recesses, lintels, sills and jambs, any external metal work and rainwater goods have been submitted to and approved in writing by the National Park Authority. The development shall thereafter be carried out in accordance with the approved details.

- 4) a) No development shall take place until a Written Scheme of Investigation for archaeological work and historic building recording has been submitted to and approved by the National Park Authority in writing, and until any prestart element of the approved scheme has been completed to the written satisfaction of the local planning authority. The scheme shall include an assessment of significance and research questions; and
 1. The programme and methodology of site investigation and Recording.
 2. The programme for post investigation assessment.
 3. Provision to be made for analysis of the site investigation and Recording.

4. Provision to be made for publication and dissemination of the analysis and records of the site investigation.
5. Provision to be made for archive deposition of the analysis and records of the site investigation.
6. Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation.

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

c) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological Written Scheme of Investigation approved under condition (a) and the provision to be made for analysis and publication of results and archive deposition has been secured.

d) Should archaeological remains of national importance be identified within the development area, then development work shall cease in the relevant area until a written method statement for preservation in situ of the relevant remains has been submitted by the applicant and approved in writing by the National Park Authority. No development work shall then proceed other than in accordance with the approved method statement so as to ensure that relevant remains are preserved in situ.

5) Notwithstanding condition 2, the finished ground floor level of the hotel shall be set a minimum of 126.50 metres above Ordnance Datum (mAOD) as shown on the amended plan entitled 'Proposed Hotel Proposed Elevations' (Drawing Number 2014-257_206 Rev I), unless otherwise agreed in writing by the National Park Authority in consultation with the Environment Agency.

6) Prior to commencement of development, details of external ground levels shall be submitted to and approved in writing by the National Park Authority in consultation with the Environment Agency. The details shall demonstrate a maximum depth of 300mm of floodwater on access roads and car parking areas in a 1 in 100 year event. The development shall be carried out in accordance with the approved details.

7) Prior to commencement of development, a scheme to raise and refurbish the riverside wall shall be submitted to and approved in writing by the National Park Authority in consultation with the Environment Agency. The scheme to be submitted shall demonstrate the continuity of flood protection up to a 1 in 100 year plus climate change flood event plus 400mm freeboard allowance. The scheme to be submitted shall be based upon drawings showing upstream and downstream tie-in arrangements and an assessment of the structural integrity of the existing riverside wall and shall make recommendations for any remedial measures to ensure the structural integrity of the wall. Development shall be carried out in accordance with the approved details.

8) No building hereby permitted shall be occupied until surface water drainage works shall have been implemented in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority. Before any details are submitted to the Local Planning Authority an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system, having regard to Defra's non-statutory technical standards for sustainable drainage systems (or any subsequent version), and the results of the assessment shall have been provided to the local planning authority.

Where a sustainable drainage scheme is to be provided, the submitted details shall:

- i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii) include a timetable for its implementation; and,
- iii) provide, a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

9) No development shall commence until an assessment of the risks posed by any contamination shall have been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a suitably qualified contaminated land practitioner, in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), and shall assess any contamination on the site, whether or not it originates on the site. The assessment shall include:

- i) a survey of the extent, scale and nature of contamination;

ii) the potential risks to:

- human health;
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes;
- adjoining land;
- ground waters and surface waters;
- ecological systems; and
- archaeological sites and ancient monuments.

10) No development shall take place where (following the risk assessment) land affected by contamination is found which poses risks identified as unacceptable in the risk assessment, until a detailed remediation scheme shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include an appraisal of remediation options, identification of the preferred option(s), the proposed remediation objectives and remediation criteria, and a description and programme of the works to be undertaken including the verification plan. The remediation scheme shall be sufficiently detailed and thorough to ensure that upon completion the site will not qualify as contaminated land under Part IIA of the Environmental Protection Act 1990 in relation to its intended use. The approved remediation scheme shall be carried out and upon completion a verification report by a suitably qualified contaminated land practitioner shall be submitted to and approved in writing by the local planning authority before the development is first occupied.

11) Any contamination that is found during the course of construction of the approved development that was not previously identified shall be reported immediately to the Local Planning Authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. These approved schemes shall be carried out before the development is resumed or continued.

12) In the event it is proposed to import soil onto the site in connection with the development or remediation the proposed soil shall be sampled at source and analysed in a UKAS accredited laboratory. The results of the analysis, and an interpretation, shall be submitted to the Local Planning Authority for approval prior to importation. Imported topsoil shall comply with British Standard 3882:2007 - Specification for topsoil and requirements for use. Only soil approved in writing by the Local Planning Authority shall be used on site.

13) No development shall take place until a detailed statement of mitigation measures for bat species, including timings of works and replacement habitat, has been submitted to and agreed in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in complete accordance with the approved statement.

14) The landscaping tree and shrub planting shown on the approved plans shall be carried out in the first planting and seeding seasons following occupation of the building or completion of the development whichever is the sooner. Any walling or surfacing shown on the plan shall be completed before the building is first occupied. Any trees or plant which die, are removed or become seriously damaged or diseased within five years of completion of the development shall be replaced in the next planting season with others of a similar size and species or in accordance with an alternative scheme previously agreed in writing by the National Park Authority.

15) Notwithstanding conditions 2 and 14, within 3 months of the commencement of development, full details of the treatment of the site boundary adjacent to the side of 14 Lumford shall be submitted to and approved in writing by the Local Planning Authority. The details shall specify the siting, design, height and materials of a screen wall/fence to be constructed or erected and/or the species, spacing and height of hedging to be planted. The approved boundary treatment shall be constructed or erected before the hotel hereby permitted is first occupied. If hedging is approved it shall be carried out in the first planting season following first occupation of the hotel. Any approved hedging removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by soft landscaping of similar size and species to those originally required to be planted.

16) Before the development is first brought into use a scheme of mitigation measures designed to limit noise emanating from within the building and noise from fixed plant installations shall be submitted to and approved in writing by the National Park Authority. Development shall be carried out in accordance with the approved details prior to first occupation of the development and thereafter retained.

17) Before the development is first brought into use, equipment to control the emission of fumes and smell from the premises shall be installed in accordance with a scheme to be first submitted to and approved in writing by the National Park Authority. All equipment installed as part of the approved scheme shall thereafter be operated and maintained in accordance with that approval and retained for so long as the use continues.

18) Before the development is first brought into use, details of deliveries and waste collection shall be submitted to and approved in writing by the National Park Authority. Deliveries and waste collection shall be carried out in accordance with the approved details.

19) No new external lighting shall be installed within the red-edged application site until a detailed lighting plan, including the details of the precise locations and specifications of the types of lighting to be used and the lux levels at the nearest properties, has been submitted to and agreed in writing by the Local Planning Authority. Thereafter, all new external lighting shall be installed in complete accordance with the approved scheme and shall be retained thereafter.

20) Notwithstanding condition 2, no development shall take place until a scheme for two passing places on Lumford has been submitted to and approved in writing by the National Park Authority. Development shall be carried out in accordance with the approved details prior to the commencement of demolition and shall thereafter be retained.

21) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The Statement shall provide for:

- i) the parking of vehicles of site operatives and visitors;
- ii) loading and unloading of plant and materials;
- iii) storage of plant and materials used in constructing the development;
- iv) wheel washing facilities;

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

22) The hotel and A3/D2 use hereby approved shall not be occupied until space has been laid out within the site in accordance with drawing Nos 2014-257-105 Rev C and 2014-257-890 Rev C for 143 cars to be parked, for the loading and unloading of service/delivery vehicles and for all vehicles to turn so that they may enter and leave the site a forward gear.

23) No part of the development shall be occupied until details of arrangements for storage of bins and collection of waste have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the agreed details and the facilities retained for the designated purposes at all times thereafter.

7. FULL APPLICATION: CONVERSION OF REDUNDANT WATER TREATMENT WORKS INTO 16 APARTMENTS, CONVERSION OF STONE OUTBUILDING INTO A STUDIO APARTMENT AND FOUR NEW COTTAGES AT FORMER TREATMENT WORKS, MILL LEE ROAD, LOW BRADFIELD. (NP/S/0914/1007, P.7042, 22/09/14, 426261/391743, JK)

APPLICANT: Bradfield Water Works Ltd

Introduction

This application was last presented to the June 2017 Committee with a recommendation of refusal on grounds that the additional development over and above the conversion of the 1913 building had not been demonstrated to be necessary to achieve conservation and enhancement of the original building. Members however wished to see a conversion of the whole treatment building (original 1913 building and later 1950's additions) as part of the comprehensive redevelopment of the whole site to maximise the opportunity for enhancement. The Committee therefore deferred the item to enable this to take place and for officers to also consider with the applicant the opportunity for the inclusion of affordable housing on the site. Since the deferral a local housing need survey has been conducted and further discussions between officers and the applicants have resulted in an amendment to the scheme to designate two of the apartments as affordable dwellings.

Site and Surroundings

The Bradfield Filter Works is a 1.3ha site located on the west side of Mill Lee Road at the southern edge of Low Bradfield village. It was built in 1913 to purify water from Strines, Dale Dyke and Agden Valley reservoirs, serving Sheffield until it closed in 1995. It comprises the original 1913 Treatment Works building which is built in typical local Water Board style in natural gritstone under a double pile pitched Welsh slate roof with patent glazed lantern ridge lights. In the 1950's the original building was extended with a number of stone faced, flat roofed extensions to the south and west elevations.

The application site, comprising the main filter works and its associated curtilage, is rectangular in shape, with a 140m frontage to the road and is around 88m deep. It wraps around the former Bradfield Methodist Chapel which fronts onto the road, being a dwelling in separate ownership. To the north, the site is bounded by Dale Dyke stream. The western boundary abuts open countryside with the southern boundary defined by Plumpton Lane, an unsurfaced track and public footpath, with open countryside beyond.

The main access into the site is directly off Mill Lee Road between the Treatment Works building and the converted Methodist Chapel. To the rear of the Methodist Chapel there are two settlement ponds beside the Dale Dyke Brook.

There is a detached two storey dwelling, Filter Cottage, to the rear of the Filter works building. This was the former caretaker's dwelling and although it is within the applicant's ownership, it is excluded from the application site area. To the south of Filter Cottage there is a detached single storey stone garage/outbuilding which straddles the western boundary wall.

A large mound on the southern part of the site conceals an earth sheltered concrete water storage tank covered in soil and grass.

Although the Filter Works have been redundant for some time, the water main from Dale Dyke Reservoir still passes under the site on its way to the new Loxley Water Treatment Plant. This main has a minimum 4.5m easement either side. Close to where it passes under the Mill Lee Road, a small area of the land above is excluded from the application site as it houses a low stone equipment box containing water company operational infrastructure. There is also an electricity sub-station currently sited between the filter building and the covered water tank.

The majority of the site, apart from the settlement ponds, lies within the Low Bradfield Conservation Area which also includes the adjacent Methodist Chapel. The Conservation Area includes most of the village to the north and was specifically extended in 2010 to include the Water Treatment Works. This was in recognition that public water supply is an important integral part of the National Park which has shaped its landscape, as well as the fact that the original 1913 building is a fine example of the Victorian/early twentieth Century Neo-Classical stone buildings constructed for water treatment. The Works is therefore defined for these reasons as an 'important unlisted building' in the Conservation Area Appraisal. This also noted that the works are in a poor condition and that repair and renovation of the building should be encouraged as it is in a very visible gateway position.

Unfortunately, all the internal water works pipework and equipment related to the former filter use has been stripped out, eroding much of the interest in the site. The empty rooms are of no interest in the 1950's section, compared to the main 1913 section which comprises an impressively large two storey open hall lit from above by patent glazed ridge lanterns running down each ridge. The site has stood empty for many years and has been the subject of vandalism and anti-social activity. As a result of its increasing dereliction and prominent location beside the main street it is having a significant adverse impact upon the special quality of the Conservation area, the street scene and the local community, and has done so for a long time.

The nearby Bradfield Council Office building to the north-east of the site is a Grade II listed building and marks the southerly limit of the Conservation Area on the opposite side of Mill Lee Road.

A narrow section of the site lying between the settlement ponds and the Dale Dyke Brook is designated flood zone.

Proposal

The amended proposal has three main elements; Firstly, the conversion with extensions and alterations of the Filter Works building to provide 16 market apartments one of which, No 11, which is a two bed 91m² ground floor unit at the rear of the building, would now be restricted to local needs.

Secondly, there is the removal of the large earth covered water tank and the construction of a terrace of 4 two storey, four bed, open market houses facing Mill Lee Road.

Thirdly, it is proposed to convert the stone garage at the back of the site into a one-bed studio apartment. This studio apartment would form the second affordable dwelling now offered by the applicant in the amended proposal.

Associated external works include the landscaping of the outside space with a communal garden together with the provision of 36 car parking spaces, 2 of which would be disabled spaces. Plans also propose the erection of a building housing a bin store, a cycle store and a biomass boiler. They also provide for the relocation of the existing electricity substation over to the southern boundary. The current vehicular access into the site between the Filter works building and the Methodist Chapel would remain as the entrance into the site.

The application has been the subject of extensive discussions between the applicants and officers. Prior to the June Planning Committee these mainly focussed on officer concerns over the financial viability case put forward by the applicant as justification for the inclusion within the scheme of the later 1950's flat roofed sections, the new build houses and the garage conversion.

Following the clear steer given to officers at the June Committee the negotiations have focussed on the gable width of the new build houses and how the scheme could accommodate affordable

units. An updated financial viability appraisal has been received, the applicants have offered the two affordable units and an amended site plan has been received resolving an access width issue where the drive passed between the works building and filter cottage.

The proposal shown on the amended plans comprises of the following detailed elements:

Main Filter Works Building

Conversion with extension and alterations to the whole filter works building to provide 15 open market apartments and 1 affordable apartment (2 bed unit) which comprises 11 x 4 bed units, 2 x 3 bed units and 3 x 2 bed units. The units would be arranged as follows:

- 6 x 4 bed two storey units would be accommodated within the original 1913 pitched roof building and take up the northern half and the front, road facing section of both gable ends facing the street. This leaves the majority of the southern part of the 1913 structure, forming one half the former large open machinery/filter hall, as a full height open internal courtyard/atrium space for shared residential amenity use, lit from above by the patent glazing ridge lights.
- 3 x 2 bed units would be accommodated within the 1950's single storey flat roofed section to the rear of the 1913 section.
- 7 units, 5 x 4 bed and 2 x 3 bed units, would be sited within the southern 1950's flat roofed addition, the main section of which would be raised by 1 metre to give space to accommodate a first floor, making each of these units two storeys in height.

Detached Garage Conversion

Plans show a simple conversion to a one-bed studio style affordable apartment, with a mezzanine forming the bedroom space. The alterations would comprise replacing the existing garage door with a 3-light glazed screen, re-glazing an existing side window and supplementing these with two new roof lights. To the front would be a single designated parking space.

New Houses

The four 4 bed houses would be constructed in stone as a single terrace of four under a double pile (i.e. two parallel gables), blue slate roof to accommodate the deep plan form. The site slopes up to the south so the terrace would be formed with a single step down in the middle of the roof ridge. The windows and doors would be timber. Boundary walls would be stone and each plot would have front and rear gardens with two designated parking spaces in the rear curtilage.

Bin/Cycle Store/Biomass boiler Building

This would be a simple rectangular building constructed from stone under a slate roof divided internally into three bays accessed by external timber planked doors. It would be sited beside the parking area and could accommodate six large bins in one bay, eight bikes in another, with the third for the accommodation of a CHP biomass boiler.

Supporting information

An updated Development Financial Viability Appraisal with supporting cost plans and sale valuations was submitted after the last meeting.

The application is also supported by a Historic building assessment, Heritage Report, Ecological survey and report, a Flood Risk Assessment and Archaeological walkover survey and assessment, a Planning Statement and a Design and Access Statement.

RECOMMENDATION:

That, subject to the prior entry into the Authority's standard affordable housing section 106 agreement controlling the occupation and affordability of unit 11 and the studio apartment, the application be APPROVED subject to the following conditions;

1. Commence development within 3 years.
2. The development as a whole shall be proceed to completion in one phase, with the Studio apartment being developed and made available for occupation concurrently with the apartments in the main building. Furthermore, other than the laying of the floor slab, no work shall proceed on construction of the new build houses until the external envelope of the main building conversion has been completed in full accordance with the approved plans and all internal apartment walls are constructed and clad with plasterboard (or equivalent).
3. Carry out in accordance with defined approved plans.
4. Submit and agree revised plan increasing no of parking spaces within the site for residents.
5. Submit and agree full details of the proposed new raised roof elements to the 1950s extensions, including external finish.
6. Withdraw permitted development rights for external alterations, extensions, porches gates, walls and other means of boundary enclosure, satellite dishes, ancillary buildings (with the exception of those sited within the rear gardens of the new build terraced houses).
7. Submit and agree details of walling (materials, coursing etc.) and roofing materials to the new houses and sample panels of new stonework, pointing, roofing materials for all of site.
8. Submit and agree full details of all new windows and doors (including details of lintels, sills, etc. to any new openings), to all buildings. Details to include the precise obscure glazing detail to the windows on the first floor of the filter works north elevation.
9. Submit and agree minor design/architectural details e.g. window finishes, rainwater goods, external vent details,
10. No work to commence until details of the means of disposal of foul and surface waters (to include Suds) have been submitted to, and agreed in writing by the Authority.
11. Submit and agree details of the biomass CHP system.
12. The development permitted by this planning permission shall be carried out in accordance with an approved non-mains drainage assessment including the following specific mitigation measures:
 1. Soakaways to be constructed to BS6297:2007
 2. No connection to watercourse or land drainage system and no part of the soakaway system is within 10 metres of any ditch or watercourse.
 3. No siting of the package sewage treatment plant within 50 metres or upslope of any well, spring or borehole used for private water supply.

13. **Submit and agree full details of external hard and soft landscaping works including a timescale for implementation and aftercare programme including a scheme to secure the long term management of the shared spaces.**
14. **Submit and agree a scheme of external lighting.**
15. **All the boundaries of the gardens of the new build houses shall be formed with natural stone walls laid dry with half round coping stones to a height of 1.2m. All pedestrian gateways onto the main road shall be fitted with stone gate posts and timber gates in accordance with a scheme that shall be first submitted to the Authority for approval in writing.**
16. **All new steps and any retaining walls within the site shall be faced with natural stone.**
17. **Submit and agree details of means of disposal of all waste/spoil/unused demolition materials arising from the site works.**
18. **All parking spaces and associated turning and manoeuvring shall be provided, laid out and surfaced to final finish before any of the dwellings are occupied.**
19. **Electricity sub-station shall be relocated within main site only as shown on the approved amended site plan and screened by a dry stone wall to a height no lower than 450mm above the highest piece of equipment within the compound.**
20. **Prior submission and agreement over the provision of a private outside amenity area for affordable studio apartment in the area immediately SE of the building.**
21. **Submit and agree precise details of the first floor apartment partitions at the junction with the glazed roof lantern and detailing how the metal trusses will be accommodated.**
22. **Submit and agree the details of the walling and ground surface treatment within the internal courtyard of the 1913 building.**
23. **Submit and agree scheme to maintain the timber boarding to the underside of the roof, at least within the southern open courtyard section.**
24. **No building or other obstruction, including landscape features, shall be located over or within 4.5 metres either side of the centre line of the water mains i.e. a protected strip width of 9 metres, that enters the site. If the required stand-off distance is to be achieved via diversion or closure of the water main, the developer shall submit evidence to the Authority that the diversion or closure has been agreed with the relevant statutory undertaker.**
25. **"No development shall take place until a Written Scheme of Investigation for a program of historic building recording, has been submitted to and approved by the local planning authority in writing. The Written Scheme of Investigation shall include an assessment of significance and research questions; and**
 - 1 . **The program and methodology of site investigation and recording**
 2. **The program and provision for post-investigation analysis and reporting**
 3. **Provision to be made for publication and dissemination of the analysis and records of the site investigation**

4. Provision to be made for archive deposition of the analysis and records of the site investigation
5. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation"

- a) "No development shall take place until all on-site elements of the approved scheme have been completed to the written satisfaction of the local planning authority."
- b) "The development shall not be occupied until the site investigation and post investigation analysis and assessment has been completed in accordance with the programme set out in the archaeological Written Scheme of Investigation approved under condition (a) and until the provision to be made for publication and dissemination of results and archive deposition has been secured."

26. Ecological mitigation measures

27. Archaeological mitigation; recording of the site

Footnotes Re:

1. Highway drainage proposals.
2. Contact with relevant drainage authorities re suitable watercourse for the disposal of surface water.
3. Developer to seek advice/comments from the Environment Agency/Land Drainage Authority/Internal Drainage Board, with regard to surface water disposal from the site.
4. The public sewer network is for domestic sewage purposes. Land and highway drainage have no right of connection to the public sewer network.
5. Encouraging the installation in an agreed location of a public interpretation panel at the front of the site which explains the history of the site and its importance to the water industry and landscape of the valley.
6. The Coal Authority's Standing Advice (site lies within the defined Development Low Risk Area. This means that there is no requirement under the risk-based approach for a Coal Mining Risk Assessment).
7. Under the terms of the Environmental Permitting (England and Wales) Regulations 2010, the applicant will need to apply for an Environmental Permit to discharge treated sewage effluent into the receiving watercourse, the Dale Dyke. The Agency's preferred discharge point would be downstream of the of the picnic area by the confluence of the Dale and Agden Dykes.
8. Storage of oils, fuels or chemicals shall be provided with adequate, durable secondary containment to prevent the escape of pollutants and where relevant, comply with the Control of Pollution (Oil Storage) (England) Regulations 2001 and the Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) Regulations 1991 and as amended 1997.
9. Site occupiers intending to purchase or install pollutant secondary containment (bundling) should ensure that the materials are not vulnerable to premature

structural failure in the event of a fire in the vicinity.

10. Environment Agency recommendations for developers when dealing with land affected by contamination.

Key Issues

1. The principle of redevelopment of the redundant water works building for housing.
2. Whether the conversion with extension of the later flat roofed 1950's extensions to the south and west elevations along with the converted garage and new build houses are necessary to achieve a viable development to conserve the valued character and interest of the 1913 building as a non-designated Heritage Asset as well as delivering the enhancement of the site and the Conservation Area.
3. Whether the design, layout, and landscaping of the proposal is appropriate to its setting within Bradfield Conservation Area.
4. The impacts of the development upon the amenity of neighbouring properties, with particular regard to converted Methodist Chapel
5. Highway/Access issues.
6. The impact of the development in respect of Ecology, Cultural Heritage and Archaeology, and the Water Environment.

Planning History

2013 – Application withdrawn before determination for the conversion of the Filter works into 16 apartments and a fish farm plus five new cottages following officer objections to the scheme. Although the proposal to repair and renovate the original 1913 building and to improve the site as a whole was welcomed, the submitted scheme fell short of this aim because of concerns relating to the removal of fabric, the impact of proposed alterations and the retention of the 1950's extensions which were felt not to make a positive contribution to the character or appearance or historic interest of the Conservation Area and have a negative impact on the original 1913 building. There were also objections to the use of the former garage for the studio apartment as this is of no architectural interest so there is no value in its retention and conversion. Other concerns related to the car parking location and the wholly unacceptable design of the new-build cottages.

Consultation Responses

These are summarised below, with the originals available to view in full on the Authority's website.

Bradfield Parish Council – Reply awaited on the change to incorporate 2 units as affordable dwellings.

Objected to the submitted scheme on the following grounds;

The Council acknowledge the revised costings but note they do not address their original concerns, which still stand. The Council draw attention to residents' concerns and also reiterate their own further concerns regarding a lack of affordable housing.

The Parish Council's initial response was that it would support some redevelopment of the site but object to this proposal as it is over-development of the site. The Parish Council also have

concerns regarding lack of parking with reliance on a rural bus service, traffic congestion, the overlooking of close neighbours and the situation with local fields which have recently changed hands which could bring potential residential spread. Also concerned over possible location of a new septic tank facility, current over-capacity in local schools, a lack of amenities for children and the lack of affordable housing.

The Council also note that the history of the building should be recognised and reflected somewhere in the development. They also query the reference to the trout farm on the amended plans, which was understood this is no longer part of the application. The drawings show a gate way to be installed from the site to the adjoining community orchard. The Parish Council currently lease the community orchard site from Yorkshire Water and as part of the lease there should be no encroachment or easements on to the land without the prior permission of Yorkshire Water.

Historic England - No objection to the application on heritage grounds.

Consider that the issues and safeguards outlined in our previous advice letter (comments set out below) need to be addressed in order for the application to meet the requirements of paragraphs 58, 84, and 132 of the NPPF. Refers the Authority to the statutory duty of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Previously commented by offering the following general observations:

The Conservation Area was specifically extended in 2010 to include the area around the former water treatment works. This highlights the importance of the site to the history and character of the conservation area; the water treatment plant is a key unlisted building, and the site is associated with the surrounding reservoirs whose construction contributed to the growth of the village from the mid-nineteenth century onwards.

The site is currently redundant and detracts from the appearance of the conservation area when entering from the south. We are therefore supportive of a sensitive redevelopment of the site. This revised proposal retains more of the existing water treatment building thus retaining more of the significance of the undesignated heritage asset, along with the contribution it makes to the conservation area.

Detailing is important to ensure any development integrates well with its surroundings and contributes to local character and distinctiveness, as required by the National Planning Policy Framework (paragraphs 58 and 64). If the Authority is minded to accept the principle of development, suggest details and materials for the conversion and new-build, landscaping and boundary treatments be agreed with the Authority's specialist conservation adviser.

Urge the Authority to address the above issues, and recommend that the application be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

Natural England - Lengthy comments provided under the following headings:

Statutory nature conservation sites – no objection

This application is in close proximity to the Dark Peak Site of Special Scientific Interest (SSSI - forms part of the South Pennine Moors Special Area of Conservation (SAC) and South Pennine Moors Phase 1 Special Protection Area (SPA))

The proposal is not likely to have a significant effect on the interest features for which South Pennine Moors SAC and SPA has been classified. Therefore the Authority is not required to

undertake an Appropriate Assessment.

In addition, the proposed development will not damage or destroy the interest features for which the Dark Peak SSSI has been notified. We therefore advise your authority that this SSSI does not represent a constraint in determining this application.

Protected species

We have not assessed this application and associated documents for impacts on protected species and have published Standing Advice on protected species. The Standing Advice includes a habitat decision tree which provides advice to planners on deciding if there is a 'reasonable likelihood' of protected species being present. It also provides detailed advice on the protected species most often affected by development, including flow charts for individual species to enable an assessment to be made of a protected species survey and mitigation strategy. PDNPA should apply our Standing Advice to this application as it is a material consideration in the determination of applications.

Local sites

If the proposal site is on or adjacent to a local site, e.g. Local Wildlife Site, Regionally Important Geological/Geomorphological Site (RIGS) or Local Nature Reserve (LNR) the authority should ensure it has sufficient information to fully understand the impact of the proposal on the local site before it determines the application.

Biodiversity enhancements

This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application.

Landscape enhancements

This application may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably; and bring benefits for the local community, for example through green space provision and access to and contact with nature. Landscape characterisation and townscape assessments, and associated sensitivity and capacity assessments provide tools for planners and developers to consider new development and ensure that it makes a positive contribution in terms of design, form and location, to the character and functions of the landscape and avoids any unacceptable impacts

The Coal Authority – No objections - recommend informative on standing advice.

The application site falls within the defined Development Low Risk Area meaning that there is no requirement under the risk-based approach that has been agreed with the LPA for a Coal Mining Risk Assessment to be submitted or for The Coal Authority to be consulted. Therefore, if this proposal is granted planning permission, it will be necessary to include The Coal Authority's Standing Advice within the Decision Notice as an informative note to the applicant in the interests of public health and safety.

PDNPA Conservation Officer – Considers application represents overdevelopment particularly in relation the additional new cottages and conversion of the garage but, if a decision is made to approve the application suggests conditions covering agreement over precise detailed design matters and the landscaping of the site.

The original 1913 building is of historic interest as an early C20th, purpose-built plant for the pressurised filtration of raw water– only the second such plant to be built around Sheffield; the building itself includes a number of features of architectural interest, internally and externally. The 1950s extensions are of limited historic interest and have no features of architectural interest. As stated previously, therefore, it would have been preferable to retain and convert only the original 1913 building, and to demolish the 1950s extensions.

Assuming that the viability assessments require the retention of the 1950s extensions, the revised proposals are an improvement on the earlier proposals. However, this is still an overdevelopment of the site, in particular the additional new cottages and conversion of the garage.

Comments on submission:

Retention of 1950s flat-roofed extensions:

Unfortunately the proposal still retains and extends the later flat roofed elements of the building “*which in our view detract from the building*” as advised in pre-application advice. This asked the applicants to look at alternatives to convert just the original building and demolish the later flat roof extensions, “*tested with sketch schemes and backed up with viability evidence to test the financial and physical viability of this option.*” If this demonstrated that a conversion retained within the main building would not be viable, only then “*should an assessment move on to look at options for further enabling development*”.

I can see no strong justification for the retention of the 1950s extensions. As the 2 reports produced by The Jessop Consultancy conclude, *the “total loss of all of the internal plant, pipework and machinery has had a dramatic impact upon the understanding of the former function of the building”*. The original 1913 building is of historic interest as an early C20th, purpose-built plant for the pressurised filtration of raw water– only the second such plant to be built around Sheffield; the building itself includes a number of features of architectural interest, internally and externally. Without the machinery which they were constructed to house, the 1950s extensions are of limited historic interest and the buildings themselves have no features of architectural interest (the Cultural Heritage Team are in unanimous agreement on this).

The Officer then outlines a large number of comments regarding concerns over the proposed details under the following headings. (*Planning officer’s comment: These are not all recorded here as some have been resolved by the amended plans and had the proposal been recommended for approval then either, further plans would have been requested or the detailing reserved by condition*).

Detailed Design issues re. alterations to the original building:

Design issues re. the altered 1950s extensions:

Design and detailing of the New cottages:

I think that if the flat roof extensions are retained and extended, and with the number of flats proposed for the entire former Water Works building, then to add an additional four houses to the site is over-development.

Conversion of Garage:

Cannot see the justification for converting this to living accommodation and then constructing a totally new bike shed on the site. Couldn’t the existing garage be used for this purpose? Converting the garage seems like over-development and removes the only potential storage facility already on site.

PDNPA Archaeologist – No objections in principle subject to conditions to secure the archaeological monitoring set out in the submitted desk based survey and historic building report.

PDNPA Landscape Architect – Generally happy with the landscape response subject to minor comments below;

Some concerns over grass mixes chosen. The new hedgerow structure is generally positive but it should be noted that low stone walls are the typical boundary features in this landscape. I note

the existing tree has been removed from the plan. As this is a Conservation Area the applicant needs to clarify the species / condition of this tree, if this tree is proposed to be retained and any protection measures to BS 5837 or if this tree is proposed to be removed.

Yorkshire Water Ltd – No objections but make the following comments;

If permission is granted, a condition should be attached in order to protect the YW existing live water mains located within the red line site boundary:

No objection to the conversion of existing buildings, however, the proposed new cottages may be affected. If this is the case, then the water main can be diverted under s.185 of the Water Industry Act 1991. These works would be carried out at the developer's expense. The cost of these works may be prohibitive.

The public sewer network does not have the capacity to accept any additional discharge of surface water. Sustainable Systems (SUDS), for example the use of soakaways and/or permeable hardstanding, may be a suitable solution for surface water disposal that is appropriate in this situation. The use of SUDS should be encouraged and the LPA's attention is drawn to NPPF. The developer and LPA are advised to seek comments on the suitability of SUDS from the appropriate authorities.

The developer must contact the Highway Authority with regard to acceptability of highway drainage proposals.

The developer is advised to contact the relevant drainage authorities with a view to establishing a Suitable watercourse for the disposal of surface water. It is understood that a pond/watercourse is located adjacent the site. Restrictions on surface water disposal from the site may be imposed by other parties.

Environment Agency - No objections, in principle, recommends if planning permission is granted the following planning conditions are imposed regarding;

- 1. Development carried out in accordance with an approved non-mains drainage assessment including specified mitigation measures:*
- 2. Development not be commenced until a scheme to dispose of foul and surface water has been submitted and approved in writing by the Authority.*

Informatives are also suggested re;

the need to apply for an Environmental Permit to discharge treated sewage effluent into the receiving water course, the Dale Dyke.

Bunding of any storage tanks/facilities for oils, fuels or chemicals.

recommend that developers should follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination and refer to the Environment Agency Guiding Principles for Land Contamination for the type of information that the Agency would require in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.

Representations

There have been one letter of support and 14 letters objecting to the proposal.

Supporters points summarised as:

- The site has been an eyesore for a number of years and the proposed development would be an enhancement.

Objectors points summarised as follows:

- The proposal is over development of the site.
- The proposal is insensitive to the heritage and architectural merit of the building.
- The buildings were included within the Low Bradfield Conservation Area for specific reasons: as an integral part of The National Park and a fine example of Victorian and early 20thC Neo-Classical stone buildings. Conversion to a range of apartments poses a great threat to its integrity.
- The flat extension was a later addition to the existing building and therefore should not be included in the renovation.
- The proposed cottages are too close to the road, spoiling the open aspect of the road junction.
- This area is designated as light industrial usage and not housing.
- The proposal would result in a significant increase in the population of Low Bradfield.
- The proposal would create a large number of traffic movements and on-street parking. Residential development generates on average 6 additional vehicle movements per day per dwelling, and the rural location with poor public transport services suggests the traffic generation will be greater than this; so we can expect in the region of 130-150 additional vehicle movements per day, plus exacerbation of parking congestion. This would be unsustainable and detrimental to local environmental quality.
- On-street parking on Mill Lee Road will cause congestion and reduce visibility for drivers at the junction with New Road and the access to the site. This poses a greater risk for cyclists using this route who come down Mill Lee Road at pace.
- There is insufficient parking provided on the site.
- There is only one access onto the site which is single car width with no passing areas.
- The development brings no benefit to local young people who cannot afford to stay in the area or older local people who would like to downsize.
- New build houses should not be allowed on the west side of Mill lea Road as this is expanding the village un-necessarily and creating precedent for future development applications.
- The proposal would result in pressure on local schools which are already full.
- Children living at the development would be in danger from traffic and no adequate provision appears to have been made for them within the development.
- There is insufficient private garden space within the development
- The development would create noise and disruption to the neighbouring property.
- There would be over-looking from the development towards the dwelling called Holly Chapel to the north. This would result in a loss of privacy to the occupants of the dwelling. The proposed fence / hedge planting would not resolve this issue.
- The proposal could result in sewerage and drainage problems.
- No proposal has been made for the old filter beds which need to be an integral part of any redevelopment proposals.
- The site and buildings have been allowed to deteriorate for many years and no application should be considered until the site has been improved.
- The proposal would lead to significant light pollution and would spoil the village.

Planning policies and Legislation

Legislation

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and Section 70 (2) of the Town and Country Planning Act 1990 require the Authority to determine planning applications in

accordance with the development plan, unless material considerations indicate otherwise.

Section 72 of the Listed Building Act 1990 contains a requirement for the Authority to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

Development Plan Policy

Major Development in a National Park

Major Development is defined by the Town and Country Planning (Development Management Procedure) (England) Order 2015/595. The relevant parts of the definition meaning that this application for is classed as Major Development are that for 21 dwellings it exceeds the threshold of 10 and at a site area of 1.3ha it exceeds the 1 ha threshold.

Whether a proposed development in the Park should be treated as a major development, to which the policy in paragraph 116 of the Framework applies, is stated by the National Guidance to be a matter for the relevant decision taker, taking into account the proposal in question and the local context. In this case the current proposals have been treated as major development by officers because of the overall scale and impact of the development upon the village.

GSP1(D) in the Authority's Core Strategy says in securing National Park purposes major development should not take place within the Peak District National Park. Major development will only be permitted following rigorous consideration of the criteria in national policy which is set out in paragraph 116 of the NPPF.

Paragraph 116 of the NPPF ('the Framework') says planning permission should be refused for major developments in National Parks except in exceptional circumstances and where it can be demonstrated they are in the public interest. Consideration of such applications should include an assessment of:

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

These tests and the provisions of Paragraph 116 are supported by the provisions of the preceding paragraph, Paragraph 115 of the Framework, which states that great weight should be given to conserving landscape and scenic beauty in National Parks, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are also important considerations in a National Park. Paragraph 14 of the Framework also cross refers to the English national parks and the broads: UK government vision and circular 2010 which provides further policy guidance on development in National Parks.

The Authority's Local Development Framework Core Strategy Development Plan Document adopted in 2011

This provides, along with saved policies in the 2001 Local Plan, the policy starting point for considering the development. The following list of policies are those of which account has been taken in the consideration of the application:

Core Strategy - GSP1, 2, 3, 4, DS1, L1, L2, L3, CC1,CC2, CC5, HC1, T2,T3, T6, T7.

Saved Local Plan Policies - LC4, LC5, LC8, LC15, LC16, LC17, LC18, LC19, LC21, LC22, LC24,

LH1, LH2, LT11, LT17, LT21, LT22.

In summary, General Strategic Policy GSP1 requires all new development in the National Park to respect and reflect the conservation purpose of the National Park's statutory designation and promotes sustainable development. GSP2 supports development that would enhance the valued characteristics of the National Park and sets out the criteria upon which proposals intending to enhance the park must meet and states that they must demonstrate significant overall benefit to the natural beauty, wildlife and cultural heritage of the area and not undermine the achievement of other policies. Furthermore, work must be undertaken in a manner which conserves the valued characteristics of the site and its surroundings. Policy GSP3 sets out the principles and finer criteria for assessing impact on valued characteristics stating that development must respect, conserve and enhance all valued characteristics of the site and buildings that are subject to the development proposal. Policy GSP4 covers the use of Planning conditions and/or legal agreements to achieve the spatial outcomes in the plan.

GSP3 is supported by the provisions of saved Local Plan policy LC4 (a), which says where development is acceptable in principle, it will be permitted provided that its detailed treatment is of a high standard that respects, conserves and where possible it enhances the landscape, built environment and other valued characteristics of the area. Local Plan policy LC4(b) goes on to say, amongst other things, that particular attention will be paid to scale, form, and mass in relation to existing buildings, settlement form and character, landscape features and the wider landscape setting along with design matters, landscaping the amenity of nearby properties and any nuisance or harm from lighting schemes

Local Plan policy LC5 also seeks to preserve and enhance the National Park's historic built environment and respectively address development that would affect the special qualities of a designated Conservation Area and its setting. Local Plan policy LC5 requires that development within Conservation areas should assess and clearly demonstrate how the existing character and appearance of the Conservation Area will be preserved and, where possible, enhanced. Proposals involving demolition of existing buildings which make a positive contribution to the character and appearance or historic interest of the Conservation Area will not be permitted unless the demolition is to remove an unsightly or otherwise inappropriate modern addition to the building.

Core Strategy (CS) Policy DS1 sets out the development strategy for the park and states that the majority of new development (including about 80 to 90% of new homes) will be directed into Bakewell and named settlements like Low Bradfield. In all settlements it states that the following forms of development (relevant to this case) will be acceptable in principle; extensions to existing buildings; conversion or change of use for housing, preferably by re-use of traditional buildings; other development and alternative uses needed to secure effective conservation and enhancement.

Policy DS1 further states that where there is pressure for development and the National Park Authority is uncertain about the capacity for this in a named settlement, an assessment of site alternatives will be required to demonstrate the extent of development which may be permitted. This process should involve the Parish Council or Parish Meeting and demonstrate that the proposed development complements the settlement's overall pattern of development; the character and setting of nearby buildings and structures; and the character of the landscape in which the settlement sits.

L1 requires that development must conserve and enhance valued landscape character as identified in the Landscape Strategy and Action Plan, and other valued characteristics. L2 requires that development must conserve and enhance any sites, features or species of biodiversity importance and where appropriate, their setting. L3 seeks to ensure the National Park's historic built environment is conserved and enhanced for future generations and set out three criteria under which the current application should be assessed because of the potential

impacts proposed development on cultural heritage assets of archaeological, architectural, and historic significance:

- A. Development must conserve and where appropriate enhance or reveal the significance of archaeological, architectural, artistic or historic assets and their settings, including statutory designations and other heritage assets of international, national, regional or local importance or special interest;
- B. Other than in exceptional circumstances development will not be permitted where it is likely to cause harm to the significance of any cultural heritage asset of archaeological, architectural, artistic or historic significance or its setting, including statutory designations or other heritage assets of international, national, regional or local importance or special interest;
- C. Proposals for development will be expected to meet the objectives of any strategy, wholly or partly covering the National Park, that has, as an objective, the conservation and where possible the enhancement of cultural heritage assets. This includes, but is not exclusive to, the Cultural Heritage Strategy for the Peak District National Park and any successor strategy.

Policy CC1 seeks to build in resilience to and mitigate the effects of climate change and requires all development, amongst other things to; make the most efficient and sustainable use of land, buildings and resources, take account of the energy hierarchy and achieve a minimum sustainability standard in all new housing. CC2 and CC5 cover low carbon and renewable energy development and flood risk and water conservation respectively.

Policy HC1 sets out the Authority's approach to new housing in the National Park. The supporting text to policy HC1 clearly sets out at paragraph 12.18 that new housing in the National Park is not required to meet open market demand. However, paragraph 12.19 goes on to acknowledge that the provision of open market housing is often the best way to achieve conservation and enhancement or the treatment of a despoiled site.

Policy HC1 states that exceptionally new housing (whether newly built or from re-use of an existing building) can be accepted where it A) addresses eligible local needs B) provides for key workers or C) in accordance with core policies GSP1 and GSP2 it is required to achieve conservation or enhancement in settlements listed in DS1 like Low Bradfield. For schemes like this which propose more than one dwelling they must also address identified eligible local needs and be affordable with occupation restricted to local people unless a) it is not financially viable, or b) it would provide more affordable homes than are needed in the parish and adjacent parishes, in which case a financial contribution will be required towards affordable housing elsewhere in the park.

In respect of affordable housing (although none is proposed as part of this development) Local Plan policies LH1 and LH2 are relevant as they set out the requirements in terms of the occupancy of affordable housing units.

Policy T1 aims to reduce the need to travel by unsustainable means. Paragraph 15.25 of the Core Strategy states that the Landscape Strategy and the Design Guide give a design context for infrastructure projects and complement the Manual for Streets for settlements. Streets should be places where people want to live and spend time, rather than just being transport corridors. Nationally, high standards of urban design are expected in towns and villages with transport infrastructure contributing positively to the quality of the street scene. In a national park nothing less is acceptable. T3A therefore states that Transport infrastructure, including roads, bridges, lighting, signing, other street furniture and public transport infrastructure, will be carefully designed and maintained to take full account of the valued characteristics of the National Park.

Policy T7B states that residential parking and operational parking for service and delivery vehicles will be the minimum required for operational purposes, taking into account environmental constraints and future requirements.

Local Plan Policies LC16, LC17 and LC18 refer to the protection of archaeological features; site features or species of wildlife, geological or geomorphological importance; and safeguarding nature conservation interests respectively. All seek to avoid unnecessary damage and to ensure enhancement where possible.

Transport policy LT11 refers to minimising the impact of car parking.

Other Relevant Documents

Landscape Strategy and Action Plan

The Peak National Park Design Guide and its technical supplement The Building Design Guide

Climate Change Action Plan

National Planning Policy Framework

The National Planning Policy Framework (NPPF) was published in 2012. The Government's intention is that the document should be considered to be a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. In the National Park the development plan comprises the Authority's Core Strategy 2011 and saved policies in the Peak District National Park Local Plan 2001. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. The Authority has considered the relationship between the Core Strategy and the National Planning Framework and resolved that they are consistent. This application does not raise matters that suggest otherwise.

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

Along with the need to give great weight to considerations for the conservation of wildlife and cultural heritage, paragraph 115 of the Framework confirms the highest status of protection in relation to landscape and scenic beauty, reflecting primary legislation, whilst paragraph 116 sets out guidance on major developments in designated areas (this application is for "major" development):

"115. Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads.

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

- *the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;*
- *the cost of, and scope for, developing elsewhere outside the designated area, or meeting the*

need for it in some other way; and

● *any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated”.*

It also points out (footnote 25) that further guidance and information, including explanation of statutory purposes, is provided in the English National Parks and the Broads Vision and Circular 2010.

The NPPF sets out the Government’s planning policies to achieve sustainable development and sets out the three dimensions to sustainable planning with the planning system needing to perform an economic role in building a strong economy support growth, a social role in supporting strong healthy communities by providing housing to meet needs and creating a high quality environment with services that reflect a communities needs and support its health social and cultural well-being and an environmental role to protect and enhance the natural, built and historic environment and mitigate and adapt to climate change. The plan contains a presumption in favour of sustainable development.

Chapter 11 of the framework covers conserving and enhancing the natural environment with Chapter 12 containing policies covering conserving and enhancing the historic environment

The National Planning Policy Guidance was published in 2014 to support the framework.

Officer Assessment

The Principle of Development of the site

The conversion of the filter works building:

The site lies within the village of Low Bradfield, a named settlement identified in Core Strategy policy DS1. This states that new development in the village will be acceptable in principle if it comprises conversion or change of use for housing, preferably by re-use of traditional buildings. Housing Policy HC1 states that provision will not be made for housing solely to meet open market demand. However, exceptionally, new housing (whether newly built or from the reuse of an existing building) can be accepted where it addresses eligible local needs for affordable homes or it is required in order to achieve conservation and/or enhancement of valued vernacular or listed buildings (HC1CI) or designated settlement like Low Bradfield.

NPPF paragraph 111 states that planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value.

Development is therefore acceptable in principle on this brownfield site, subject to compliance with national and local planning policy considerations and provided the normal scale, layout, design and landscaping considerations are all satisfied.

The original 1913 section of the filter works is clearly a valued vernacular building and a non-designated heritage asset. The advice from the Authority’s Cultural Heritage Team was that the later 1950’s extensions are not of the same quality to warrant conserving on their own merit especially now since all equipment inside has been stripped out. However, in deferring the item at the June Planning Committee, members gave officers a clear steer that they wished to see a comprehensive redevelopment of the whole site including the 1950’s section, which they valued as part of the historical development of the site for water treatment. Members also wished officers to explore the opportunity for inclusion of affordable housing within the scheme to meet local needs.

The conversion of all the Filter building to housing is therefore considered acceptable in principle under current housing policy provided the amount of affordable housing provision in the scheme is

maximised within viability constraints (to accord with HC1C) and subject to the normal design, layout, access and landscaping considerations being satisfied.

The principle of New build housing:

As a named settlement Low Bradfield is also considered, in policy terms, to have additional scope to maintain and improve the sustainability and vitality of the community via new build development for affordable housing (as well as community facilities and small scale business and retail development). Therefore whilst new build housing on the site in accordance with policies HC1 and LH1 and LH2 would be acceptable in principle if it were to meet local needs for affordable housing, the policy is clear that new build market housing will not be permitted other than in exceptional circumstances. The case put forward by the application is that the 4 new market houses are justified, together with the conversion of the 1950s flat roofed extensions and the garage conversion, to achieve a viable development that would conserve and enhance the 1913 building, which is acknowledged to be a heritage asset.

Consequently, the acceptability or otherwise of the principle and scale of open market housing proposed on the site therefore turns on the evidence provided by the applicant's development viability appraisal.

Following receipt of an updated appraisal and the clear steer from members regarding the possibility of the scheme accommodating affordable housing on the site, the Director of Planning and the case officer met the applicant and their financial advisor to discuss this within viability constraints. Following this updated evidence and that meeting your officers accept that the 4 market houses are necessary to achieve a viable redevelopment of the whole site to accord with members wishes and that with a maximum level of two apartments offered by the applicants for affordable dwellings represents an appropriate and acceptable mix within viability constraints.

The issue of Major development in the Park

In proposing 21 dwellings, the proposed development exceeds the 10 unit threshold which is used to define major development in The Town and Country Planning (Development Management Procedure) (England) Order. Furthermore, in the context of High Bradfield the proposal for 21 dwellings would in any case represent major development irrespective of the legal definition within the order.

The NPPF states in paragraph 116 that major development in the National Park should be refused except in exceptional circumstances and where it can be demonstrated to be in the public interest. It also states that consideration of such applications should include an assessment of :

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

In this case, conversion to of the building to housing would be an appropriate reuse to conserve a non-designated heritage asset as well as bringing about major enhancement for the village, the conservation area and the Parks landscape. Such a use would meet several policy objectives and the new households in the village would boost the viability and vitality of the local community and that of the wider local economy. It would also bring wider benefits by meeting the demand for homes and thereby reducing pressures in the protected landscape of the National Park and elsewhere for new housing on greenfield sites. As a conversion of an existing building the scheme could not be relocated outside the Park and achieve the necessary enhancement of this site or the benefits to the local economy. It is therefore considered these are the exceptional circumstances

and a clear public interest which supports the principle of this ‘major development’ being acceptable in the Park.

In principle therefore, a development which provides an appropriate scale of housing has the potential to realise the enhancement opportunity sought by Development Plan policy and, provided the impact on landscape is acceptable, meet the ‘major development test’ in paragraph 116 of the framework.

As this conversion scheme proposes more than one dwelling, the application is also required by policy HC1C to maximise the opportunity to address the local needs for affordable housing, unless this is proven to be unviable. The applicant has previously evidence that for conversion of all of the treatment works building to be viable, the additional four new build houses and the garage studio are essential especially given the need to conserve the key internal space and character of the 1913 building, and achieve the enhancement of the whole site. Although previous evidence stated that this is the minimal necessary enabling development to achieve viability, after meeting officers and looking again at potential savings within the demolition works they have now proposed two of the apartments as affordable housing.

The key issue therefore in the consideration as to whether or not to grant permission remains whether the detailed proposal itself would be acceptable in terms of its impacts on the works building as a heritage asset, the environment, the landscape and neighbouring interests.

Whether all of the new build market housing is justified enabling development necessary to secure a viable development which conserves the valued character and interest of the 1913 building as a non-designated Heritage Asset and delivers the enhancement of the site.

The applicant’s case:

The proposal to convert the 1950’s flat roofed sections of the Filter building, convert the garage and erect four new houses is argued to be necessary enabling works to secure a financially viable redevelopment. They also point out that all three are needed to deliver a scheme which best conserves the valued internal, as well as the external, character of the 1913 section by retaining a large part of the main hall with its high level ridge lanterns lights as a full height undeveloped space. This latter objective is fully supported by officers who consider this to be essential to conserve the internal character of the building. It would also provide an interesting internal amenity space giving the units within the building an outlook from the internal facing rooms. This would be particularly important on amenity grounds for the units on the north side as it would help offset the restricted outlook of those units on the north side. This is because they would have to have obscure glazing to part of the windows facing north which would overlook directly the principal windows of the adjacent Methodist Chapel conversion.

The Authority’s consultant surveyor raised a number of concerns about the figures and methodology used by the applicants in their first appraisals

Since then the applicants have responded to the consultant’s points of concern, providing additional supporting evidence and amended their costs plans and conclusions accordingly. They now consider the corrected appraisals to be accurate and up to date.

Since the deferral a local parish housing needs survey has been conducted in consultation with the Parish and the Authority’s policy team which has identified a small local need now of 5-7. Following these results the case officer and the Director of Conservation and Planning met the applicant with their planning agent and financial advisors over the level of affordable provision that could be provided on the site as part of this application. The outcome is the applicant’s amendment to modify the proposal to provide that two of the units will affordable and restricted to local occupation, unit 11 and the studio apartment. Officers have accepted this level as being an acceptable and proportionate response to members wishes within the viability constraints of the

development. In the event of an approval this provision would need to be controlled by the Authority's standard affordable housing section 106 agreement which is included in the above officer recommendation of approval. The applicant's agent has confirmed his client's willingness to enter into the Authority's standard affordable housing S106 in respect of the 2 affordable units.

The Officers assessment and conclusions;

Policy HC1 seeks to maximise the amount of affordable housing, subject to viability constraints. In this case officers are satisfied that the level of affordable housing now offered is appropriate and proportionate to the local need and what the development can sustain.

Design layout and landscaping considerations

Access

No response has been received from the Sheffield Highways department although Authority officers consider that there should be no objections to the continued use of the current access as the main vehicular access into the site off Mill Lee Road. It already serves the existing dwelling, Filter Cottage to the rear of the site so its retention is both necessary, practical and logical. The amended plan which widens the access as it passes Filter Cottage resolves the pinch point in the submitted plans and still leaves the cottage with ample outdoor space.

Layout

There are no objections in principle to the amended layout of the site. The new build houses face onto the road as requested by officers to reflect the character of the street scene. The parking layout has 36 spaces would give two spaces within the curtilage of each new build house and a further two opposite these. However as the houses are 4 bed units the adopted standard within the local plan is 3 per dwelling so a further 2 spaces are needed for the houses. A single space is shown for the studio apartment which is acceptable for a one bed apartment. However, for the remaining 16 apartments in the main building only 28 spaces are shown which includes the two disabled spaces by the main door. This represents a shortfall of 20 spaces and in officer's experience of similar developments in traditional rural Peak villages, this would give rise to an unacceptable level of ad-hoc parking within the development and on the street outside. Space is available to increase the parking provision but it is unlikely that the full 20 additional spaces could be accommodated without losing all of the communal garden area. In the absence of any comments from the Highway Authority it is recommended that a condition be imposed requiring the submission and agreement of an amended parking plan which maximises provision with full implementation before any dwelling is occupied. A condition to this effect is therefore suggested in the recommendation above.

Design

The garage is of no architectural or historic merit to be normally considered suitable for conversion under the Authority's housing policy, however there are no objections to the design details of its simple conversion to a studio apartment and none to its swap from market dwelling to form one of the two designated affordable dwellings.

In relation to the design of the new build houses, the officer concerns remain over their deep plan which has necessitated the double pitched roof form rather than the simpler local tradition for a more modest single pitched roof with rear wing at 90degrees. Nevertheless, on balance these would be acceptable. There are also no objections to the design details as the houses would be built in natural gritstone with slate roofs, stone chimneys and timber windows and doors.

The proposals for the conversion and extension of the filter building into 16 apartments include two

extensions to the current envelope of the building. Firstly, a 7m x 7.5m single storey flat roofed infill extension to the rear (west) elevation to provide more space to create a useable apartment in this corner. The flat roofed form, materials and fenestration would match the existing extension it sits alongside and therefore, leaving aside concerns over the principle, there are no objections to its overall design.

Secondly, due to a lack of height within the southern 1950's extension, the amended plans propose that this section be raised by 1m to provide sufficient height to accommodate a second storey. The amended design of the extension follows the advice of officers to cut back the new work from the edges of the existing roof and treat it in a contemporary manner in terms of external cladding to complement rather than copy the existing building. Plans therefore show it clad in a lead coloured material and overall it is considered to be appropriate in design terms subject to agreement over its precise detailing and finish. A planning condition to this effect is therefore suggested.

The conversion itself uses all existing openings, with new openings confined to the north elevation. Here 20 new window openings are proposed for the 6 apartments on this side, 7 of which at first floor, would need to be partially obscure glazed in the lower half to protect the adjoining chapel conversion from harmful overlooking. All new windows would have traditional proportions with divided frames and are considered to be appropriate in this setting.

In conclusion, subject to minor detailed conditions there would be no objections to the design details of the proposed conversion and extension of the filter works, the houses or the garage conversion.

Landscape considerations

As a disused and dilapidated site, the Filter works currently has a significant harmful impact on the landscape from the immediately vicinity of the village street and particularly in views down into the village from further up Mill Lee Road. The appropriate redevelopment of the site within policy constraints is therefore welcomed to bring about much-needed improvement to the area. The overall landscape approach taken in the scheme is welcomed by the Authority's Landscape Architect, who raises no objections to the details of the proposed landscaping scheme subject to detailed matters which can be covered by planning condition. A condition would also be required to control external lighting on the site to protect the character of the area, the amenity of local residents and the National Park's dark skies.

Impacts upon the Conservation Area

The Conservation Area was specifically extended to include the Filter Works site in recognition of the importance of the building to the history of the area and for its contribution to the street scene and the significance of the conservation area. In its current dilapidated state the site is having a significant detrimental impact upon the character of the area. The conversion, extension and alteration of the filter works building for housing would clearly bring significant enhancement to the Conservation Area as would the removal of the underground storage tank. The new build dwellings would reflect closely the local tradition and would also conserve the conservation area.

Ecological Considerations

The ecological report states that bat roosts and nesting birds were found to be using various parts of the filter works building and the garage. It therefore recommends specific protection/precautionary methodology to be followed in carrying out the works together with specific mitigation and enhancement measures for each roost in the form of either retention of existing features or the provision of replacement housing (bat boxes). For birds similar specific works are suggested to protect nesting birds with mitigation measures to compensate for the loss of nesting sites. Planning conditions can be used to secure these measures.

Archaeological Considerations

The filter building is of archaeological interest as it is a good example of a purpose built plant for the pressurised filtration of water. The submitted desk based archaeological assessment notes the building fabric remains intact but that the total loss of all the internal plant, pipework and machinery has had a dramatic impact upon understanding the former function of the building. The report goes on to recommend that the demolition of the external fabric should therefore be avoided to allow the historical development of the building to be read and understood. No pre-20th Century archaeological features were identified within the site boundary, so the impact of the conversion works on any remains is considered low or negligible. It is therefore recommended that an archaeological survey to record the building and site would be an appropriate form of mitigation which the Authority's own archaeologist supports. A condition is therefore recommended to this effect to agree a written scheme of investigation/recording.

Environmental Management

The application details state that, at the time it was made, the scheme would be designed to the code for sustainable homes Level 4 (a code now abandoned), principally as a result of the proposed biomass CHP unit which would provide a district hot water supply and some electrical power, alongside, double-glazing, rainwater harvesting and grey water recycling. The agent rules out the use of solar panels on the south facing roofs on the basis that this would be in conflict with the conservation aims of the project. He further points out that cycle storage would be provided and the site is within a village with a good range of local services as well as being on a bus route with links into the nearby city of Sheffield.

The application also proposes a packaged treatment plant to deal with waste from the site which would discharge treated water into the Dale Dyke. It also states that the settling ponds could form part of an attenuation system for storm surge of surface water, although no details of a sustainable drainage system based around such a feature is detailed in the application documents.

Due to an absence of detail on the above matters, and in response to consultation returns conditions have been suggested to require these details to be submitted and agreed in due course to ensure compliance with Core Strategy policy CC1. With such conditions there would be no objections in principle to the approach taken over the environmental management of the scheme.

Overall Conclusion

The original 1913 Filter works building is a valued vernacular building and a non-designated heritage asset of some local significance arising from its associated use with the water industry. It makes an important contribution to the village street scene and the conservation area but currently this is spoiled by the increasing dereliction of building. National and local planning policy supports the reuse of the site in principle for housing and there are therefore no objections to the principle of redeveloping the 1913 works, indeed it is positively encouraged by officers.

The later 1950's flat roofed additions, although of no particular architectural interest to warrant conservation in their own right, are nevertheless an important part of the development of the site to meet the increased need for water filtration. They are therefore a key feature in the development of the site part of the significance of the works as a Heritage asset.

The clear steer by members at the June Committee meeting to see conversion of all of the filter works building as part of a comprehensive development of the whole site to maximise the enhancement opportunity has been met by the amended plans. Furthermore, the amendment to now include the two affordable dwellings meets the identified local need in the recently completed housing needs survey. The viability work furthermore supports the conclusion that the redevelopment of the filter works building in the best manner consistent with its conservation cannot be viable without the inclusion of the enabling development in the form of the conversion of

the new build houses and garage conversion.

There are also no overriding concerns over the design, layout, landscaping or in terms of any ecological or archaeological impact of the proposal subject to detailed conditions set out above. Consequently the application is recommended for approval subject to the prior entry into the S106 agreement and subject to the aforementioned conditions.

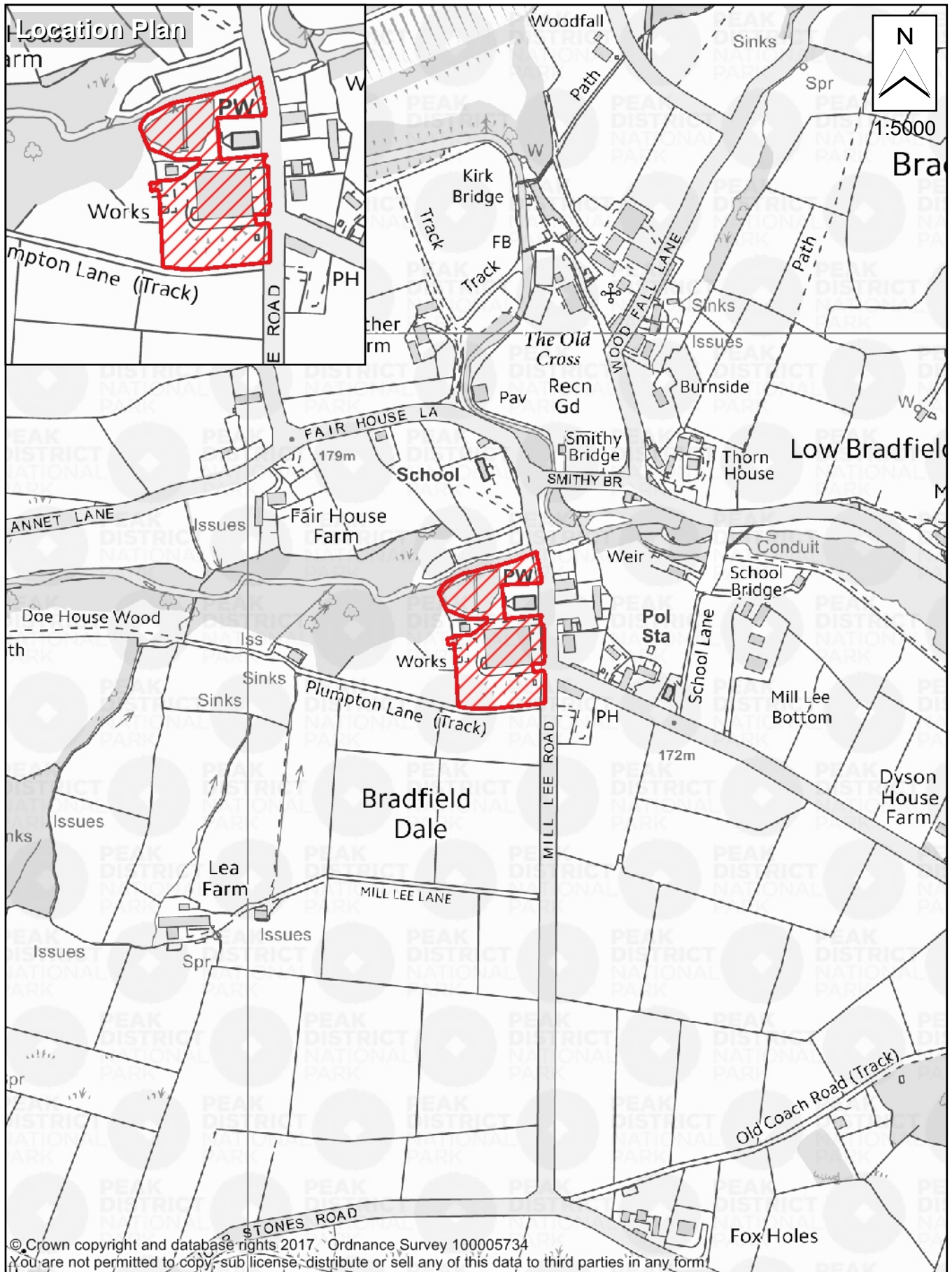
Human Rights


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

List of Background Papers (not previously published)

Nil

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Committee Date:	8th December	Title: Bradfield Filter Works	 PEAK DISTRICT NATIONAL PARK
Item Number:	Item 7		
Application No:	NP/S/0914/1007		
Grid Reference:	426261, 391743		

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8. FULL APPLICATION FOR ALTERATION AND EXTENSION OF PUBLIC HOUSE, NEW ACCOMMODATION BUILDING, AND CHANGES TO CAR PARK LAYOUT – OLD BULLS HEAD INN, LITTLE HUCKLOW (NP/DDD/0617/0682, P.932, 30/6/17, 416445/378568, MN)

APPLICANT: MICHELLE DYKSTRA

Site and Surroundings

The Old Bull's Head public house is located to the southwest side of Town Gate at the eastern edge of Little Hucklow. The building has been vacant for a long time and has fallen into a state of disrepair.

The building is two storey and is broadly L shaped, with one wing extending along a north-south axis, and the other extending out to the east. The building has been extended at various points throughout its history, with earlier sections dating from at least the 19th century.

The primary elevations are to the east and north, facing towards the road. The building extends to the street. To the south of the public house is a large garden.

To the north-east, across the road from is a further site associated with the public house, comprising a hardstanding formerly used as the pub car park and a single storey structure referred to as 'the piggery'. This small building was erected in the late 20th century, and was previously used as a single holiday cottage

The pub is sited in front of a Grade 2* listed Manor House, which is situated to the west of the pub building. In addition to the Manor House to the west of the pub building, there is a further neighbouring dwelling to the north west of the pub, and another to the south west, spaced further away from the pub.

There are neighbouring properties to the north, north east, and north west of the former car park and piggery.

The site is within the Little Hucklow Conservation Area.

Proposal

- To make alterations to the pub building, including the addition of a glazed 'seed room' extension, the addition of an external stone stair, an extension to the south-west corner of the property, removal of the porch, alterations to openings, and internal layout changes.
- To demolish the piggery building, constructing a larger replacement building on the car park to accommodate six letting rooms associated with the pub. The car park would be altered to accommodate the building and to formalise its layout.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions:

- 1) Development commencement within 3 years**
- 2) Development in complete accordance with amended plans**
- 3) Letting rooms to remain ancillary to the pub, subject to holiday occupancy restriction**
- 4) Details of new boundary walls and gates to be agreed**

- 5) Any external lighting to be agreed
- 6) Access visibility maintained in accordance with approved plans
- 7) Construction site layout to be agreed
- 8) Parking provided prior to use commencing
- 9) The redundant vehicular access closed and the highway margin reinstated
- 10) Scheme of archaeological works to be agreed
- 11) Details of drainage to be agreed
- 12) Details of how the tree to eastern boundary of site will be protected to be agreed
- 13) Details of hard and soft landscaping of car park to be agreed
- 14) Minor architectural and design details

Key Issues

- Whether the principle of extending the pub through the construction of a new building on the car park is acceptable
- The impacts of the development on the character and appearance of the building, the adjacent listed Manor House, and the Conservation Area
- The impacts of the development on highway safety and amenity

History

The site has a long planning history, the most relevant entries to the current application are as follows;

1997 – Planning permission granted for change of use of outbuildings from storage to 2 bed & breakfast rooms.

2006 – Planning permission refused for change of use of public house to dwelling for a disabled person. The decision was Appealed, and the Appeal was dismissed.

Consultations

Derbyshire County Council - Highways

Objections were raised based on the submitted plans. Revised plans were subsequently submitted, and the following revised response has been provided:

The proposals would now appear to be utilising the eastern end of the site to gain access which was previously recommended. The majority of the frontage is currently open and vehicles can currently emerge anywhere and so this would appear a better solution.

The proposed building has been set back and with the fronting walls kept to a maximum 1m in height meaning that levels of exit visibility are not impeded.

The parking layout has now been formalised with spaces and manoeuvring space meeting the recommended standards.

The submitted layout provides manoeuvring space to ensure vehicles leave the site in a forward gear and the formal layout of the spaces is likely to be of a similar level to existing, should the

pub re-open.

In view of the above a highway objection would not be sustainable.

Seek conditions to ensure that:

1. the letting units remain ancillary to the pub
2. the parking layout as demonstrated is provided prior to the pub/letting rooms being taken into use
3. The redundant vehicular access is formally closed with a physical barrier and the highway margin (kerbs/footway) fully reinstated.

Derbyshire Dales District Council

No response at time of writing

Great Hucklow, Little Hucklow, and Grindlow Parish Council

Support the principle of the application but raise the following concerns:

Concern relating to parking provision and potential for on-road parking arising from the development.

The parking area to the roadside is too small to park six cars on (this area of parking has since been omitted from the proposal).

Consider the scale of development needs to be in keeping with the scale of surrounding development. They have concerns that the new accommodation block in particular does not achieve this and would be overpowering.

Concerns relating to the design of the extension on the southern side of the pub

Historic England

Do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

PDNPA – Conservation

These comments were provided on the proposal as originally submitted. Revisions to the application have since been made to address some of the issues raised, as detailed more specifically in the Assessment section of this report, below:

The refurbishment of the public house is fully supported as this will help secure the longevity of a non-designated heritage asset and an important community facility within the settlement. The proposal to enhance plots of land, in and adjacent to the Conservation Area, is also welcomed.

However, the proposed design, particularly the size and mass of the extension proposed to the south elevation of the public house coupled with the number of rooflights, will harm the significance of the host building and therefore also the Little Hucklow Conservation Area.

There is no objection to the removal of the building on the plot of land to the north-east of the public house and the introduction of a new structure to provide holiday accommodation. However, the proposed mass, form and design of the new build will detract from the character and appearance of the Conservation Area.

Suggests further discussion with the applicant to resolve the matters highlighted.

(The full response can be viewed on the Authority's website).

PDNPA – Archaeology

Works to the pub site

The work proposed to the pub building will result in minor harm to its significance from the loss of historic fabric. It would be preferred that as much historic fabric as possible is retained, but the harm is more than outweighed by the public benefit of refurbishing the building to secure the long term conservation of its remaining heritage values.

Works to the car park and piggery site

This is the area with the greatest potential for archaeological impact. The ground works associated with the construction of the developments would damage or destroy any archaeological remains that survive at the site, including remains of the barn structure that once occupied that site, remains of historic lead mining activity and remains associated with the history and development of the village. This would result in harm to the archaeological interest of the site.

Therefore, if the planning authority is minded to grant consent I recommend that a condition is attached to the decision notice for a phased scheme of archaeological works. This will ensure that the nature and significance of archaeological remains, which could be of local/regional significance, will be sufficiently characterised initially by means of a small scale archaeological evaluation, and then subsequently appropriately investigated and recorded, prior to the development taking place.

Representations

At time of writing 9 letters of representation have been received. All object to the proposals, although most do support the principle of bringing the pub back in to use as such.

The grounds for objection are summarised as follows:

- The increased vehicular activity would lead to road safety issues and is too much for a small village
- The development would not benefit local people, only visitors
- There are other pubs in the area already
- There is already sufficient levels of holiday accommodation in the area
- The design of the proposals does not conserve the appearance of the built environment
- The property should be converted to a dwelling instead
- The ground is unsound in the car park due to previous excavation works
- The new accommodation building would be too large and out of keeping
- Noise would cause disturbance to neighbouring dwellings
- Harm to the setting of the listed Manor House

Main Policies

Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L3, HC4.

Relevant Local Plan policies: LC4, LC5, LC6, LT10, LT18.

Core Strategy policy GSP1 reiterates that the Authority has a statutory duty to foster the social and economic welfare of local communities in the National Park whilst GSP2 states opportunities to enhance the National Park should be acted upon.

Core Strategy policies DS1 details the development strategy for the National Park. It identifies Baslow as a named settlement.

Core Strategy policy HC4 states that the provision or improvement of community facilities and services will be encouraged within settlements listed in Core Policy DS1 (Little Hucklow is such a settlement). Whilst it encourages the re-use of existing traditional buildings, replacements may be acceptable where enhancement can be achieved.

Core Strategy policy GSP3 and policy LC4 of the Local Plan seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Policy LC4 also notes, amongst other things, the particular attention will be paid to the impact of developments on the amenity, privacy and security of nearby properties.

Local Plan policy LC5 states that development in conservation areas should assess and clearly demonstrate how the existing appearance of the conservation area will be preserved and, where possible, enhanced.

Core Strategy policy L3 requires development to conserve historic assets. Local Plan policy LC6, which states that any applications for development affecting listed buildings must clearly demonstrate how the building will be preserved and enhanced and why the development is desirable or necessary.

Policy LT10 states that where planning permission is required for an expansion or alteration of a business, parking must be of a very limited nature or accompanied by on-street waiting restrictions, especially in areas served by good public transport.

Policy LT18 states that the provision of safe access arrangements will be a prerequisite of any development.

It is considered that these policies are consistent with the core planning principles set out in paragraph 17 of the National Planning Policy Framework.

Paragraph 28 is also particularly relevant here as it guards against the unnecessary loss of valued facilities and services, particularly where it would reduce a community's ability to meet its day-to-day needs.

Paragraph 70 of the Framework also addresses local services, seeking to ensure that they are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community.

Part 12 of the NPPF addresses the historic environment in detail, stating that in weighing applications that affect non-designated heritage assets, a balanced judgement will be required, having regard to the scale of any harm or loss and the significance of the heritage asset and taking account of other public benefits that a development would result in.

Overall the Development Plan is considered to be in accordance with the policies in the Framework when taken as a whole because both documents seek to support the prosperity of rural communities, and promote the retention and development of local service provision, including public houses. Both documents also seek to secure high quality design that would conserve the valued characteristics of the National Park.

The Little Hucklow Conservation Area Appraisal was adopted in 1996 and is a material consideration. The Bulls Head is situated in character area A as identified in the Appraisal. The appraisal notes, 'The buildings broadly get younger from the east to west, with the original core group in the east.' The appraisal further states, 'The Old Bulls Head is the social centre of the village.' Section K of the development considerations in the appraisal advises, 'All features identified on Drawing No.A4160/3 and/or the accompanying notes should be accepted as being of importance and value within the Conservation Area.'

The Old Bulls Head is referred to in the appraisal and is therefore of significance and contributes to the character and appearance of the Little Hucklow Conservation Area.

The Authority also has a range of adopted supplementary planning documents, including several providing design guidance, which are further material considerations.

Assessment

Principle

The Authority's planning policies do not support new building for holiday accommodation.

However, whilst a new building would be required for the accommodation, it is not proposed as holiday let units. Instead, it would be for letting rooms associated with and ancillary to the pub to support the primary business use.

As such, it does not represent new building holiday accommodation, rather an extension of the existing business premises. This is reinforced by the size and provisions within the rooms. These do not contain facilities for self-contained living and would thus help ensure dependence of visitors on the facilities within the pub.

Public houses are considered to represent community facilities, and as such their provision or improvement is encouraged, as noted by policy HC4 and the proposal is acceptable on this basis, in principle.

In addition, the Authority's Conservation Officer welcomes the refurbishment and use of the structure as it is an important focal building at the eastern entrance to the settlement and the Little Hucklow Conservation Area. Therefore, in principle, the development also serves the purposes of the Authority's conservation focused policies.

Design and appearance

Pub building

A number of alterations to the main pub building are proposed as part of the development.

An external staircase is proposed to the north gable end of the property, to provide access to the first floor living accommodation. An associated new window and door are proposed at first floor level within the north gable end. A new ground floor doorway is to be introduced, directly below a window within the north elevation of the back extension. The modern porch would also be removed and an extension is proposed to the south-west corner of the property to form a beer cellar. A number of rooflights are also proposed, along with replacement of windows and doors.

Some of the alterations - such as replacement of the modern windows and removal of the porch – are welcomed and the Authority's Conservation Officer has suggested some revisions to other elements of the proposed alterations.

The applicant has submitted revised plans accommodating some of the suggested changes,

whilst others remain as submitted. The Conservation Officer has not actually objected to these details as submitted and considering the buildings status as a non-designated heritage asset, Officers consider that the overall impact of these changes largely conserves the character and appearance of the building in accordance with policy LC4. This is subject to conditions to ensure that design details such as window details and stonework are in keeping with the buildings character and appearance.

The only part of the alterations that are still at odds to any significant degree with the Conservation Officer's view is the proposed 'seed room' extension. The Conservation Officer's view is that the extension would be somewhat dominant on this prominent side of the building by virtue of its massing, detracting from the appearance of the building and that of the conservation area. Officers agree that the extension is larger than would be preferred.

In terms of its impact on the parent building, the design of the extension itself generally follows the Authority's design guidance, being a lightweight structure of traditional materials and with a form that reflects that of the parent building.

Officers have tried to negotiate a reduction in size of this part of the proposal, but the applicant advises that any further reduction would prevent the extension fulfilling a useful purpose, and that this extra space is necessary to provide sufficient dining space for the business to be viable.

Officers consider that it would be unreasonable and disproportionate to require the applicant to provide a viability assessment to justify the extension, but based upon the floor plans and layout options it is accepted that it is unlikely that a smaller extension would provide any significant further useable space, and note that the current floorspace within the pub is restrictive in terms of potential dining provision.

The Conservation Officer also considers that it would detract from the setting of the listed Manor House to the west. However, due to the separation between the position of the extension, the screening provided by planting between the two, and the simple form and palette of materials used on the extension it is not considered that this argument could be reasonably upheld. The proposal is therefore considered to accord with policy LC6.

Officers give some weight to the fact that the extension would facilitate the viability of the pub and, given the low level of harm that the extension would result in, it is considered that in this case the extension should be supported as this harm is outweighed by the public benefit of improving the viability of a community facility.

This position also accords with the view of the Authority's Archaeologist in so far as it relates to the buildings historic fabric, with this Officer advising that the minor harm resulting from loss of fabric would be more than outweighed by the public benefit of bringing the building back into beneficial use.

Car park and new accommodation building

The appearance of the carpark is currently unfortunate, comprising an expanse of broken tarmac and concrete that is prominent at the entrance of the conservation area. Whilst the piggery building is modest, its design and appearance is not reflective of local buildings and its location away from the roadside does not follow the general pattern of development found throughout the village.

Whilst the proposed building would be much larger than the piggery, its position and orientation relative to the road would provide a sense of enclosure to the roadside and reduce the prominence of the car park, which would be particularly beneficial in streetscape terms when the car park was occupied. It also shares a similar position and orientation to a former historic building that once stood on the site, providing some historical justification for the arrangement.

Furthermore, the building would much better reflect the local building traditions and those found throughout the village than the existing building, having adopted the basic design elements of a traditional barn, including a relatively limited number of openings of modest size.

Based on the originally submitted plans the Conservation Officer considered the building to be too domineering on approach to the village by virtue of its size and position. The scheme has since been altered by reducing the gable width and introducing a catslide roof off the front elevation. This roof form serves to break up the apparent length of the building whilst introducing some interest by way of a traditional feature of many such buildings. The massing has also been kept to a minimum by maintaining a low eaves height.

The position of the building has also been adjusted (in part to address highway concerns, as discussed below), angling it somewhat away from the road and setting it closer to other buildings to the west.

Officers consider that the revisions would prevent the building from dominating the entrance to the village, especially when considering that the land rises behind the building when approaching the village from this direction, reducing the dominance of the building relative to those beyond it.

Overall, officers consider that the proposed new building and revised car park arrangement would provide a modest enhancement to the character and appearance of this part of the village, complying with policies LC4 and LC5.

The repair of the existing drystone boundary walls and the introduction of boundary treatments to match the existing are welcomed. It is recommended that details of new walls and gates are reserved by condition if permission is granted.

Surfacing to the car park has not been specified. This should be secured by planning condition if permission is granted in order to ensure any treatment respects the appearance of the area.

Highway matters

As originally proposed the Highway Authority raised concerns that the proposal would result in a new access with insufficient exit visibility from the car park, and that the proposed parking layout was sub-standard in terms of size of parking spaces and available manoeuvring space. They also advised that the originally proposed parking spaces to the south side of the road were sub-standard. The scheme has been revised in light of these comments, including moving the car park entrance, re-arranging the parking layout, and omitting the spaces to the south side of the road. The Highway Authority have been re-consulted and no longer object to the proposal, subject to some standard highway conditions.

Some concern has been raised in representations regarding the level of parking that would be available, and the impacts that this could have on on-road parking and highway safety in close proximity to the site.

The existing car park is not marked out and is subdivided by the walls to front of the piggery. Whilst it is therefore difficult to precisely calculate the current level of parking provision Officers estimate that between 15-18 spaces could be provided as a maximum, if these were laid out to meet current highway standards. However, it is of note that the pub business could currently be re-opened without such formalisation of the parking area being carried out. In that case the amount of vehicles that could be accommodated within the existing car park would be likely to be significantly reduced, as there would be no control over where or how these visitors parked.

The current application proposes 17 parking spaces, arranged to meet current highway standards, which is similar to the current level of provision.

Officers have calculated parking requirements for the existing and proposed uses based on floor (and garden) areas, and using current adopted parking standards.

In terms of the existing use, if the pub was to re-open as a drinking establishment with the main downstairs rooms given over to drinking areas (the most intensive use of pub floor space in terms of parking requirements), with one guest room at first floor (which would still leave space for managers accommodation), and with the piggery retained as two letting rooms, then adopted parking standards would require 45 parking spaces to be provided (22 for the drinking area, 4 for the accommodation, and 19 for the beer garden).

The proposed development would require 47 spaces (16 for the drinking area, 6 for the dining area, 7 for the accommodation, and 18 for the beer garden).

Both the existing level of provision and the proposed level of provision are therefore far below the recommended standards.

In this context, and given the lack of control over how the existing car park is utilised by visitors, Officers do not consider that an objection on grounds of a lack of parking provision could be sustained. This position accords with the view of the Highway Authority, who have raised no objection to the proposal on grounds of these grounds.

Amenity

The proposed new building is considered to be sufficiently far from any neighbours so as to not be overbearing or overshadowing. Windows would face towards neighbours in some cases but due to the distances between the proposed building and these existing dwellings it is considered that there would be no significant overlooking of any other property.

The proposal is not considered to raise any concerns in relation to noise – the accommodation is comprises one-bed rooms with limited outdoor space, which would result in low intensity occupation and low potential for disturbance of nearby neighbours.

Comings and goings from the car park would generate some noise, but this would not be significantly different to the situation that would arise were the pub to be re-opened in its current form.

In terms of the alterations and extensions to the pub building, due to the position of new openings, size of the extensions, and distances from neighbours they are not considered to significantly overshadow, overbear or result in any significant loss of privacy to any neighbour.

The development is therefore considered to conserve neighbouring amenity as required by policy LC4.

Other matters

Archaeology

The Authority's Archaeologist advises that the ground works associated with the construction of the developments, including any foundation trenches, new services, landscaping etc., would damage or destroy any archaeological remains that survive at the site, including remains of the barn structure that once occupied that site, remains of historic lead mining activity and remains associated with the history and development of the village. This would result in harm to the archaeological interest of the site.

The archaeologist is satisfied that these impacts could be sufficiently mitigated through a scheme

of archaeological works. This would ensure that the nature and significance of archaeological remains, which could be of local/regional significance, will be sufficiently characterised initially by means of a small scale archaeological evaluation, and then subsequently appropriately investigated and recorded, prior to the development taking place.

This could be secured by planning condition if permission was granted.

Foul water and drainage

No details have been provided regarding the disposal of surface and foul water from the new accommodation building. Given the proximity to the road and other premises it is anticipated that it would be connected to existing drainage provision. For clarity though it is recommended that a condition is imposed to secure appropriate provision if permission is granted.

Environmental management

No environmental management measures have been proposed, although the development would be required to comply with building regulations. Given the scale of extension proposed, this is considered sufficient for the development to comply with the Authority's climate change policies.

Trees

A mature tree is located to the eastern edge of the car park close to the road. This is an important landscape feature. It is considered that if permission is granted a condition should be imposed to ensure that the tree is protected both during works and by any alterations made to the car park access.

Conclusion

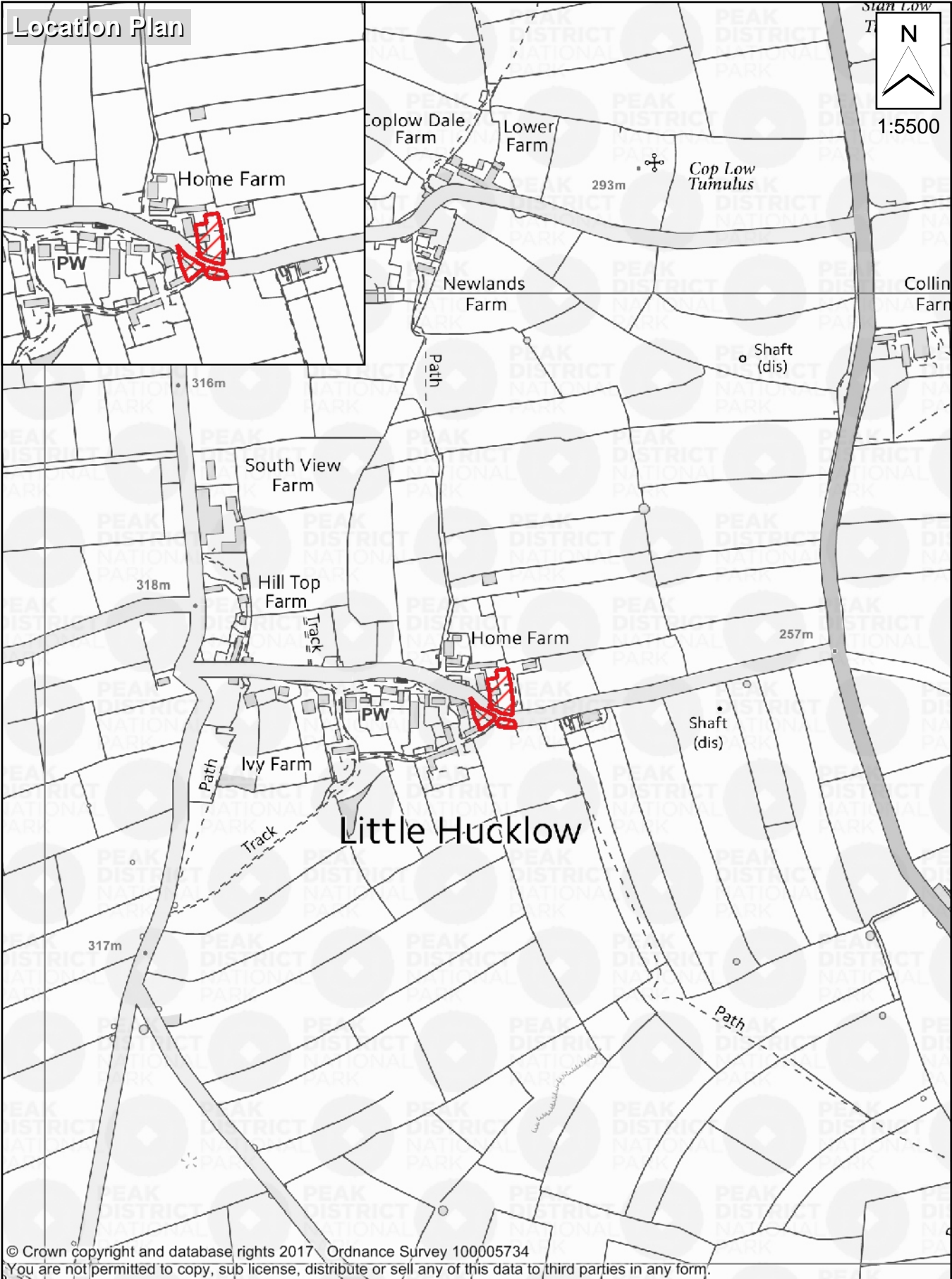
The principle of improving the viability of the public use and bringing it back in to use is welcomed, as it would secure the long term future of the building and reinstate this community facility, both of which are supported and encouraged by planning policy.


For the most part, the proposals are considered to conserve the character and appearance of the building, site, conservation area, and nearby listed building as required by planning policy. The minor harm identified in relation to the provision of extension to the pub building is considered to be outweighed by bringing the building back in to use and securing what will be significant enhancement to this end of the village by the resolution of a long standing problem site which was falling into increasing dereliction.

Overall the proposal is considered to be in accordance with the policies of the Development Plan and the Framework.

All other material matters have been considered, and impacts have been found to be acceptable.

The application is therefore recommended for approval.



Committee Date:	8th December 2017	Title: Old Bulls Head Inn, Little Hucklow	 PEAK DISTRICT NATIONAL PARK
Item Number:	Item 8		
Application No:	NP/DDD/0617/0682		
Grid Reference:	416445,378568		

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9. S.73 APPLICATION – FOR THE REMOVAL OR ALTERATION TO CONDITION 4 (HOLIDAY OCCUPANCY CONDITION) FROM PLANNING CONSENT NP/SM/0106/0032, OLD DAINS MILL, UPPER HULME (NP/SM/1017/1042, P.2315, 401278/361117 06/10/2017/TS)

APPLICANT: Mr R Ball

Site and Surroundings

Dains Mill is located in open countryside to the north of the ford at Upper Hulme and is a two storey stone building that was formerly a mill and is part way through refurbishment. There is a three-storey building formerly used as a store house adjacent to the mill building and an access track runs from Upper Hulme through these two buildings and on up a steep bank to a second private access track at a much higher level.

The track from Upper Hulme passes through a series of properties, which all share the same access. The two nearest neighbouring properties to the mill are Mill House, which is approximately 25m to the south west, and Mill Cottage 32m to the south. There is also a public Right of Way that runs in a northerly direction approximately 70m to the west of the mill building and the site lies within the designated Upper Hulme Conservation Area.

Proposal

This application has been submitted under section 73 of the Town and Country Planning Act 1990, as amended.

This application seeks the removal of planning condition 4 imposed on Planning Decision NP/SM/0106/0032 which restricts the occupancy of the application building to short let holiday residential use, and prevents the holiday let from being occupied by any one person for a period exceeding 28 days in any calendar year.

The effect of granting planning permission for the current application would be to allow the use of the mill building as a permanent open market house to meet general demand. However, this would not prevent the premises continuing to be used as a holiday let once the current refurbishment has been completed.

An application to remove the condition was refused by the Authority in September 2016. The current application contains additional financial and heritage information, which is referred to and discussed in the Assessment section below.

RECOMMENDATION:

That the application be REFUSED for the following reasons:

- 1. The proposal fails to meet the requirements of Core Strategy Policy HC1(C) and national planning policies because the removal of the planning condition is not required in order to achieve conservation of the mill building and adjacent store house, and the proposals would not otherwise achieve any significant enhancements to the character and appearance of the building or its landscape setting.**

Key Issues

- Whether the removal of the holiday occupancy is required in order to achieve the conservation and / or enhancement of a building of vernacular merit in accordance with Core Strategy policy HC1(C)I and the provisions of paragraph 55 of the Framework.

History

2004 Restoration of derelict water mill – Granted subject to conditions (NP/SM/1203/0923)

2006 Change of use of restored water mill to holiday accommodation - Granted subject to conditions (NP/SM/0106/0032)

Condition 4, which is the subject of the current application and attached to this permission says: *“This permission relates solely to the use of the main mill building hereby approved for short-let holiday residential use; the property shall not be occupied as a permanent dwelling and shall not be occupied by any one person for a period exceeding 28 days in any calendar year. The owner shall maintain a register of occupants for each calendar year which shall be made available for inspection by the National Park Authority on request.”*

The reason for the above condition was stated as *“Permission has been granted solely for the holiday use and the National Park Authority wishes to retain control over the use of the property which is unsuitable for full residential use.”*

2016 Section 73 application to remove condition 4 was refused for the following reason:

“The proposal fails to meet the requirements of Core Strategy Policy HC1(C) and national planning policies because the removal of the planning condition is not required in order to achieve conservation of the mill building and adjacent store house, and the proposals would not otherwise achieve any significant enhancements to the character and appearance of the building or its landscape setting.”

Consultations

County Council (Highway Authority) – No objections

District Council - No response received to date.

Heathylee Parish Council – Heathylee Parish Council supports this application.

Authority’s Senior Archaeologist – Objects to the application.

Representations

No letters of representation have been received.

Main Policies

In this case, the effect of removing the holiday occupancy restriction attached to the building would be to create a new open market house outside a named settlement to meet general demand. Therefore, the most relevant policy in the determination of the current application is policy HC1 of the Core Strategy.

Policy HC1 says provision will not be made for housing solely to meet open market demand, and housing land will not be allocated in the development plan. Exceptionally, new housing can be accepted where it is (A) for affordable housing to meet local need or for assisted accommodation; (B) for key workers or (C) in accordance with core policy GSP2, it is required in order to achieve conservation and/or enhancement of valued vernacular or listed buildings.

The current proposals fall to be considered under the criteria of HC1(C) because the thrust of the submitted application is that the removal of the holiday occupancy restriction is required in order to complete the restoration and therefore the conservation and enhancement of a building that has both architectural and historic interest albeit the mill building is not listed.

There is no indication within the submitted application that the new house is otherwise intended for a key worker within the criteria of HC1(B), and there are no proposals to create affordable housing to meet local need or accommodation that would be prioritised by HC1(A).

The provisions of HC1(C) are supported by policies DS1 and GSP2 of the Core Strategy and policy LH1 of the Local Plan.

DS1 sets out very clearly new residential development should normally be directed to existing settlements within the National Park. By virtue of the distance between Parwich Lees and the main built up area of Parwich, the application site cannot be said to be within the village and therefore lies in open countryside.

Local Plan policy LH1 says exceptionally, residential development will be permitted either as a newly built dwelling in or on the edge of settlements or, as the conversion of an existing building of traditional design and materials in the countryside provided that it would be affordable housing to meet local need.

Policy GSP2 of the Core Strategy says opportunities will be taken to enhance the National Park will be taken and, in the supporting text to HC1, it is recognised that new housing may be the best way to achieve conservation and enhancement of a valued building. Hence, the provisions of HC1(C), which acknowledge that sometimes this requires the impetus provided by open market values.

However, the supporting text to HC1 also reiterates that unless open-market values are demonstrably required for conservation and enhancement purposes, all other schemes of this type that provide new housing should be controlled by agreements to keep them affordable and available for local needs in-perpetuity.

National Planning Policy Framework (NPPF)

It is considered the provisions of HC1(C) and supporting policies in the Development Plan are consistent with national policies in respects of new housing with the National Park. Firstly, because paragraph 54 of the Framework states that in rural areas, local planning authorities should be responsive to local circumstances and plan housing development to reflect local needs, particularly for affordable housing, including through rural exception sites where appropriate.

Paragraph 55 of the Framework goes on to say local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as:

- the essential need for a rural worker to live permanently at or near their place of work in the countryside; or
- where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or
- where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; or
- the exceptional quality or innovative nature of the design of the dwelling

In these respects, whilst prioritising affordable housing to meet local need on rural exception sites, policy HC1 clearly provides the opportunity for new residential development that would secure the optimal viable use of a heritage asset, or represent enabling development, or allow for the re-use of a disused building even where the application site may be outside of a recognised settlement in full accordance with the provisions of paragraphs 54 and 55 of the Framework.

Wider Policy Context

Relevant Core Strategy policies include: GSP1, GSP3, HC1, L1 and L3.

Relevant Local Plan policies include: LC4 and LC6.

GSP1 requires all new development in the National Park to respect and reflect the conservation purpose of the National Park's statutory designation and promotes sustainable development. L1 promotes development that would conserve and enhance the landscape character of the National Park.

Policies L3 and LC5 set out specific criteria applicable to proposals that would affect the special qualities of the National Park's designated Conservation Areas stating that, other than in exceptional circumstances, all development should conserve, and where possible enhance the significance of designated heritage assets. Policies LC4 and GSP3 set out further criteria to assess the acceptability of all new development in the National Park

The policies are also consistent with national policies in the Framework, which taken as a whole, encourage sustainable development proposals that would be of a high standard of design and sensitive to the locally distinctive character of the National Park and its cultural heritage

Assessment

In this case, a significant amount of work has been undertaken to restore the mill building and adjacent store house following the grant of planning permission for its restoration in 2004. Prior to these works, the mill building was in a derelict state and a significant amount of capital investment has been made to bring both the mill building and the adjacent store house back from the point of falling down and being lost forever. Information provides sets out that around £366,000 has been spent on the building to date. £315,000 of this was provided in DEFRA grants. The remainder was funded by the owners. The shells of both buildings have now been fully restored and a water wheel has been reinstated within the former mill building.

Therefore, it is mainly internal works that are required to fully implement the 2006 permission for the change of use of the buildings to holiday accommodation and bring the buildings back into use. However, costings provided by the applicant (detailed later in this report) suggest a significant amount of additional money will need to be spent to be able to complete the building works. Consequently, works have stalled on site not least because the projected revenue from the completed holiday let does not provide a sufficient return on investment to encourage further investment in the buildings now that they are secure and watertight. In summary, removing the holiday occupancy restriction and the impetus of open market values that would arise from the property becoming a house to meet general demand would 'unlock' the development and bring the buildings back into use.

In these respects, there is an argument that the holiday occupancy condition no longer fulfils a proper planning purpose because retaining this restriction means that the mill building and store house could stand empty for some considerable time whereas it could be brought back into use to provide housing much sooner if the condition was removed. However, there is no reason to consider that holiday accommodation would amount to a non-conforming use in this location and there are no changes in circumstances since the 2006 approval that would mean that the change

of use of the building to a holiday let would no longer be acceptable in planning terms. Therefore, there are no immediate reasons to consider that the holiday occupancy condition should be removed in the interests of the proper planning of the local area.

The Authority's policies also continue to support the re-use of buildings for holiday accommodation because this would support both purposes of the National Park statutory designation by conserving buildings and promoting enjoyment and understanding of the National Park's special qualities. In some cases, holiday accommodation can also provide a supplementary income for local residents including farmers. In a range of appeal decisions, Planning Inspectors have agreed with the Authority that removing a holiday occupancy condition to provide open market housing does not in itself accord with the Authority's housing policies, the National Park's purposes or the Authority's duty to foster the social and economic welfare of local communities. This has been the case even where there has been some doubt about the viability of holiday accommodation.

One of the key reasons that removal of holiday occupation conditions to allow permanent open market housing has not been supported at appeal is because HC1(C)I is consistent with paragraph 55 of the NPPF insofar as both policies only support housing in open countryside as a means to achieve significant enhancements to particular sites and their settings. This means the removal of a holiday occupancy condition to create an open market housing to meet general demand would not accord with policy HC1(C)I or present the exceptional circumstances required by national planning policies if an approval of a new house in open countryside would not achieve enhancements to the site or its setting. In contrast, the creation of affordable housing or a farm worker's dwelling are accepted in policy terms because both would meet a genuine or essential need for new housing outside of a designated settlement in a manner that is consistent with the priorities set out in the Authority's Development Plan and the Framework.

In this case, removing the holiday occupancy condition would not in itself secure any enhancement to the site and surroundings above what has already been achieved because the external shells of both buildings have been fully restored. Affordable housing is not being proposed albeit it is likely that the new house would not be affordable unless the premises were to be subdivided. Equally, a key worker's dwelling is not being proposed but again it is not clear that the property would be affordable to a person who needed to live close to their work who would be employed in the local area. Therefore, the removal of the condition would not provide any wider public benefits other than the impetus of open market values might bring the buildings back in to use in a much shorter timeframe and there is no overriding justification to allow an exceptional approval for the removal of the holiday occupancy condition on conservation and enhancement grounds.

Since the previously refused application to remove the holiday occupancy restriction, the applicant has provided additional information relating to the viability of completing the development for holiday use and which also considers the possible alternative use of the building to provide affordable local need dwellings.

The financial information is summarised as follows:

Costs (all additional to the money that has already been spent on the conversion to date)

- Completing the conversion for holiday accommodation will cost £286,695.
- Completing the conversion to an open market dwelling with on-site energy generation will cost £218,950.
- Completing the conversion to an open market dwelling with connection to mains will cost £265,850.
- Conversion of the building to two dwellings would cost £371,600.
- A personal loan of £130,000 has already been taken out to part-finance the works that have been carried out to date.

Returns

- Income from the holiday let would realise an annual profit of £8,836 in 2020
- The annual profit does not take into account the large capital loan that would be needed to finance the conversion so would result in an annually increasing overdraft.
- An open market dwelling is forecast to be valued at £400,000
- Sale of an open market dwelling with on-site energy generation would realise a net profit of £161,954 (not including the money spent on the project to date).
- Sale of an open market dwelling with mains connections would achieve a net profit of £129,940 (not including the money spent on the project to date).
- The conversion of the property to two affordable dwellings for local needs would achieve sales of £300,000 and would result in a loss of £93,016.
- The conversion of the property to one open market dwelling and one affordable dwelling for local needs would achieve sales of £375,000 and would result in a loss of £18,766

In addition to the above information, the submitted planning statement states in respect of financing completion of the project for holiday let use that *“Discussions with two mainstream lenders have furthermore confirmed that no lender would finance the sum required, as the business is not forecast to make sufficient profits to fund capital and interest repayments.”*

Based on the information submitted by the applicant, it is therefore acknowledged that an alternative conversion including either one or two affordable local needs dwellings is not viable and therefore does not represent a realistic alternative use to the previously approved holiday let use. It is also acknowledged that, based on the submitted figures, the holiday let returns are unlikely to incentivise the current owners to complete the project for holiday let use. It is therefore further acknowledged that there is a possibility that if the application to remove the holiday occupancy condition is refused that the building may remain empty.

The submitted planning statement acknowledges that the previous application was refused as the Authority considered that there would be no conservation or enhancement benefit as the external shells of the mill building and adjacent drying house have already been fully restored. However the statement goes on to assert that *“this stance is somewhat short sighted, and is contrary to the principles of sustainable development.”* This is because the applicant maintains that the removal of the condition is required to bring the building into use and failure to bring the building into use will result in harm.

A Heritage Statement has been submitted which outlines the significance of the mill buildings and it is agreed that the site is one of historic, archaeological and architectural interest. The site is considered to be a non-designated heritage asset. Buildings on the site include the remains of a water-powered corn mill and drying kiln. There are also water management features associated with this and, possibly earlier, mills lying immediately to the north of the existing buildings.

The Heritage Statement makes an assessment of the impact of not allowing the mill complex to become an open market residential dwelling, i.e. if the building remains unused. This concludes that:

*“Whilst the mill buildings are currently in good repair, the greatest risk to the restored mill would be for it to be left vacant and unmaintained. This would inevitably result in the carefully restored buildings once again falling into disrepair and eventual dereliction. This would represent an impact of **substantial harm** to the significance of an important heritage asset.”*

The Planning Statement goes on to state that: *“The building’s long-term survival is dependent upon an assured level of future permanent maintenance and the removal of the holiday occupancy restriction is the only means of achieving this.”*

It is fully acknowledged that it would be desirable to bring the heritage asset into an appropriate use that accords with the Authority's planning policies, which the approved holiday let use would do. It is also acknowledged that, in light of the financial information that has been submitted, there must be some doubt about the likelihood of the holiday let use being implemented by the current owners. However, it is considered that the view put forward in the supporting information that leaving the building vacant would result in substantial harm is not correct.

The Authority's Senior Archaeologist has noted that substantial harm is a very high test, usually arising from significant demolition of buildings, and one that would not be reached from leaving the building vacant. The gradual decline of the buildings would result in some harm to significance, but not substantial harm. Any decline from vacancy is likely to be slow and gradual. Due to the earlier work, the buildings are currently secure and the conservation of the buildings has been realised. It is considered likely that the buildings will remain in their current condition with minimal maintenance for decades to come.

The NPPF sets out that Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances, including where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets. The supporting information states that the proposed removal of the holiday occupancy condition will derive an end use which represents the optimal viable use of this existing heritage asset, and therefore the development will be consistent with the provisions of paragraph 55 of the NPPF. However, it is important to clarify that Optimum Viable Use is defined by Historic England as follows:

"If there are a range of alternative ways in which an asset could viably be used, the optimum use is the one that causes the least harm to the significance of the asset, not just through necessary initial changes but also as a result of subsequent wear and tear likely future changes."

The optimum viable use therefore is not the one which is most profitable. Case law has confirmed this, notably *R Gibson v Waverley Borough Council (2012)* which establishes that *"the optimum viable use is that which has the least harmful impact on the significance of the asset, a use that may not be the most profitable"*.

No options appraisal has been submitted with the application so it is not possible to conclude with any certainty that an open market dwelling is the optimum viable use of the heritage asset.

It is therefore considered overall that there is a fine balance between the desire to see the building brought into use and also protection of the Authority's housing policies. It is considered that the holiday use restriction should only be removed if doing so would deliver tangible conservation or enhancement benefits. The applicant's assertion that failure to approve the removal of the condition would result in substantial harm to the building, and as such there is a conservation benefit by avoiding substantial harm, is not accepted. This is because any decline through the building remaining empty is likely to be very gradual, given the conservation works that have already been done. It is also considered that, whilst the submitted information has demonstrated that the financial returns are unlikely to incentivise the current owner to complete the project for holiday let use or an affordable housing scheme, the application has not demonstrated that other options have been fully explored and discounted or that the property has been marketed for a different developer to complete the works required to implement the holiday let use. It is ultimately considered that removal of the condition is not required to achieve conservation or enhancement of the non-designated heritage asset.

In these respects, in the determination of an application to remove a condition, a local planning authority should apply relevant policies in the Development Plan and the Framework, and in this case: the proposals conflict with policy HC1(C)I and the provisions of paragraph 55 of the Framework which place strict controls on residential development in open countryside in the

National Park. It is acknowledged that the removal of the condition would have some benefits for the applicant and the local area by bringing the buildings back into use as housing. However, these benefits do not outweigh the identified conflict with national and local housing policies because there are no exceptional circumstances that warrant releasing the holiday occupancy condition that continues to fulfil a useful planning purpose consistent with planning policy and the National Park's purposes. Consequently, the current application should be refused planning permission unless any other relevant considerations indicate otherwise.

Other Relevant Considerations

The Authority's Senior Archaeologist has raised concerns that open market residential use would represent a more intensive use of the site than the approved holiday use and it would harm the setting and significance of the important non-designated heritage asset. However, it is considered that the mill building and adjacent store house could be occupied on a permanent basis without harming the character and appearance of the building or their setting especially taking into account there would be no changes to the buildings compared to what has been approved in 2004 and 2006. Adequate parking and provision and outdoor amenity space could be achieved without harming the character of the surrounding landscape also noting that the application site is hardly visible in the wider landscape. It is therefore considered that a refusal on grounds of harm to the heritage asset could not be substantiated. It is also considered that the permanent occupancy of the property would not harm the living conditions of the occupants of the nearest neighbouring properties not least because of the intervening distances between them.

Access to the buildings from Upper Hulme is through a range of other properties but there is no reason to consider the proposals to remove the holiday occupancy condition would unacceptably intensify the use of the shared access track or give rise to highway safety concerns. It remains the case that the property already has a suitable access from Upper Hulme and no objections have been received to the continued use of this access.

Conclusions

It is therefore concluded that removing the condition and the creation of a house to meet general demand in open countryside in a National Park is unacceptable and no material considerations exist which outweighs this. In this case, the proposal fails to meet the requirements of Core Strategy Policy HC1(C) and national planning policies because the removal of the planning condition is not required in order to achieve conservation of the mill building and adjacent store house, and the proposals would not otherwise achieve any significant enhancements to the character and appearance of the buildings or its landscape setting.

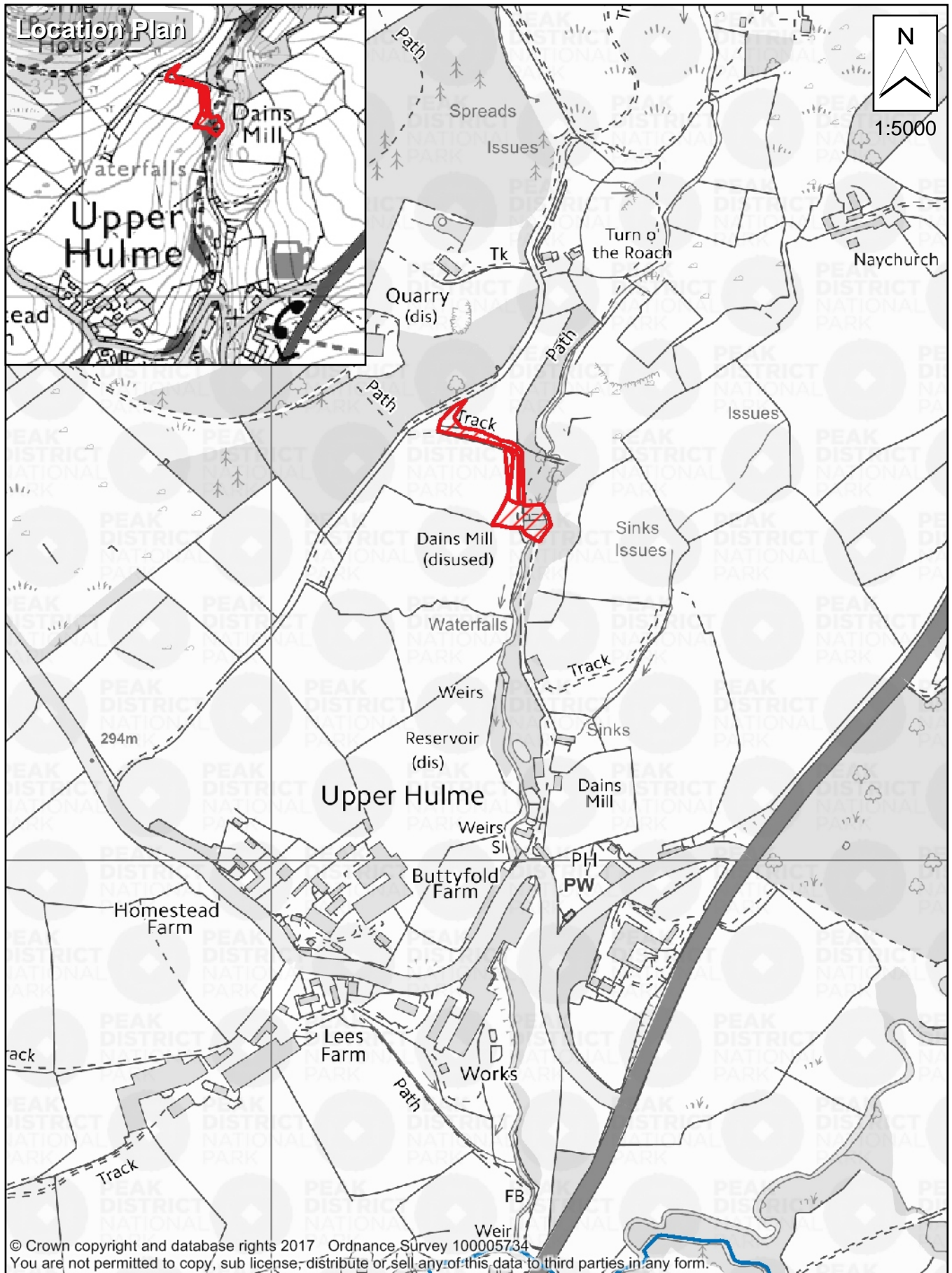
Accordingly, the current application is recommended for refusal.


Human Rights

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

List of Background Papers (not previously published)

Nil



Committee Date:	8th December	Title: Dains Mill, Upper Hulme	 PEAK DISTRICT NATIONAL PARK
Item Number:	Item 9		
Application No:	NP/SM/1017/1042		
Grid Reference:	401278, 361117		

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10. APPLICATION FOR CHANGE OF USE FROM A1 SHOP TO A5 HOT FOOD TAKEAWAY – BROOK HOUSE, HATHERSAGE (NP/DDD/0417/0351, P.6175, 04/04/17, 423115/381560, MN)

APPLICANT: MR DALE HEFFREN

Site and Surroundings

Brook House is an end of terrace property situated on Main Road in the centre of Hathersage village. The property is set back from the main road behind a footpath and a row of six parking spaces. The property is a 19th century building of gritstone construction under a stone slate roof. The front wall is staggered, stepping in at the eastern end.

The ground floor has a lawful use as an A1 shop, and was most recently occupied by the Post Office. It is currently vacant. Above the shop is a first floor 1 bedroom flat. The only external space associated with the property is a thin strip of yard area to the rear, accessed through the building.

Behind the building the ground level immediately rises by approximately 2m to the garden of the neighbouring dwellinghouse to the north, Thornfield. There is a terrace of listed cottages adjacent to north east of the building, and the former bank is adjacent to the south which has just gained consent for change of use to a restaurant.

The property adjoined to the west is also in use as an A1 shop at ground floor level with flat above.

An access road to the properties to the north and east runs up past the east of the building.

The site is within the Hathersage Conservation Area.

Proposal

To change the use of the ground floor of the building from an A1 shop use (most recently a Post Office) to an A5 takeaway. Externally this would require a kitchen extraction/ventilation system, which would be affixed to the rear of the building with the flue running up the rear elevation and venting above the eaves.

RECOMMENDATION:

That the application be REFUSED for the following reasons:

The proposed extraction system would be situated in close proximity to two neighbouring properties. No noise assessment has been submitted to allow a detailed consideration of noise impacts to be undertaken. In the absence of this it is considered that noise from this system is likely to have a significant adverse impact on the amenity of these neighbours due to the nature of the equipment and proximity to neighbours.

Key Issues

- The principle of the loss of the A1 shop use
- The principle of use of the building as an A5 takeaway
- Amenity impacts resulting from the change of use

History

There is no relevant planning history.

Consultations

Derbyshire County Council - Highways

No objections

Derbyshire Dales District Council – Environmental Health

In terms of the design, the specification is per the DEFRA guidance 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems' published in 2005. It is recommended that the ventilation system is maintained as a minimum in accordance with this standard (or any subsequent updates to this guidance), both for the ductwork and the odour control equipment. Recommend specifying that the kitchen can only be used when this equipment is fully operational.

It is advised that comment cannot be offered on noise impacts because a noise assessment has not been submitted, but recommend some conditions to impose in this regard if the Authority is minded to approve the application.

Full responses are available on the Authority's website.

Hathersage Parish Council

The Council object to the proposal on the following grounds:

- Impact of the appearance of the development on the heritage assets of the area (conservation area, listed buildings);
- No space for refuse storage or collection;
- No space for customer parking or deliveries;
- Littering arising from the proposed use;
- Noise and disturbance to neighbours due to the proposed use;
- Noise and odours associated with the proposed flue would adversely affect the immediate neighbour;
- Odours from the business more generally would have an adverse impact on the surrounding area;
- Fire risk associated with the proposed use;
- The development would increase congestion and block access to nearby properties;
- There are already other food outlets within the village.

The full response is available on the Authority's website.

Representations

At time of writing 30 letters of representation have been received. 22 object to the proposal, 6 support, and 2 make general observations.

The grounds for objection are summarised as follows:

- Impact of development on the character and appearance of the area;
- No space for refuse storage or collection, leading to problems with vermin;
- No space for customer parking or deliveries;

- Smells and littering detrimental to other local businesses;
- Littering arising from the proposed use;
- The development would detract from the proposed redevelopment of part of the village centre proposed as part of the Heart of Hathersage project;
- Noise and disturbance to neighbours due to the proposed use;
- Noise and odours associated with the proposed flue would adversely affect the immediate neighbour;
- Odours from the business more generally would have an adverse impact on the surrounding area;
- Impact on road safety due to proximity to pelican crossing;
- Fire risk associated with the proposed use;
- The development would increase congestion and block access to nearby properties;
- There is no requirement for the proposed use as there are already other food outlets within the village serving fish and chips, as well as a visiting fish and chip van and other cuisines.

The grounds for support are summarise as follows:

- The village lacks a good fish and chip shop, and that this would meet the needs of both local people and visitors
- The proposal would benefit the village and local businesses, by generating footfall and attracting more people to the village centre
- Other similar businesses in the village adequately manage smells and waste
- Chip shops in other villages such as Castleton and Bradwell do not have a litter problem, and the situation would be no different here

The general comments request that if permission is granted that a condition is imposed to prevent parking in the Bank House customer car park, and another makes general observations regarding recent increase odours and noises from businesses operating in the area.

Main Policies

Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L3, HC4, HC5.

Relevant Local Plan policies: LC4, LC5, LC6, LC8, LC10, LS1.

Core Strategy policy GSP1 reiterates that the Authority has a statutory duty to foster the social and economic welfare of local communities in the National Park whilst GSP2 states opportunities to enhance the National Park should be acted upon.

Core Strategy policies DS1 details the development strategy for the National Park. It identifies Baslow as a named settlement.

Core Strategy Policy HC4 sets out the criteria for considering the change of use of a community facility stating that proposals to change the use of buildings or sites which provide community services and facilities including shops and financial and professional services to non-community uses must demonstrate that the service or facility is:

1. No longer needed; or
2. Available elsewhere in the settlement; or
3. Can no longer be viable.

It goes on to say state that wherever possible the new use must either meet another community need or offer alternative community benefit such as social housing, and that evidence of reasonable attempts to secure such a use must be provided before any other use is permitted.

Policy HC5 of the Core Strategy requires that any new shops and related activities are of an appropriate scale to serve the needs of the local community and the settlements visitor capacity. It also states that premises for the sale and consumption of food and drink will be permitted in villages provided there is no harm to living conditions or to the role or character of the area, including its vitality and viability.

Local Plan policy LS1 reiterates some of these points, adding that there must be adequate facilities for the storage and disposal of goods, waste, and delivery of stock.

It also states that proposals for the sale and consumption of food or drink will be permitted provided that it does not erode the primary retail role of the area or harm its character, viability and vitality. It notes that where the development of a take-away foodshop is proposed, particular care must be taken to protect the amenity of nearby property (for example by restricting opening times) and to ensure local traffic safety.

Core Strategy policy GSP3 and policy LC4 of the Local Plan seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Policy LC4 also notes, amongst other things, the particular attention will be paid to the impact of developments on the amenity, privacy and security of nearby properties.

Local Plan policy LC5 states that development in conservation areas should assess and clearly demonstrate how the existing appearance of the conservation area will be preserved and, where possible, enhanced.

Core Strategy policy L3 requires development to conserve historic assets. Local Plan policy LC6, which states that any applications for development affecting listed buildings must clearly demonstrate how the building will be preserved and enhanced and why the development is desirable or necessary.

Local Plan Policy LC10 addresses shop fronts, requiring a design and appearance that conserves the character and appearance of a building and its locality.

Paragraph 17 of the Framework sets out the core planning principles that should underpin decision-taking. These include always seeking to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;

Overall the Development Plan is considered to be in accordance with the policies in the National Planning Policy Framework when taken as a whole because both documents seek to support the prosperity of rural communities, and promote the retention and development of local service provision, including local shops. Both documents also seek to secure high quality design that would conserve the valued characteristics of the National Park, and to protect the amenity of residents.

The Hathersage Conservation Area Appraisal was adopted in 2011 and is a further material consideration.

Assessment

Principle of loss of Post Office / A1 shop use

In this case the existing Post Office ceased trading from the premises some time ago and they currently stand vacant.

The applicant has provided correspondence from both the former manager of the Post Office branch, and from a representative of the estate agency marketing the property. They confirm that the Post Office use ceased as it became unviable, principally due to cutbacks in the commission

rates offered by the Post Office to those running the business, and due to changing shopping habits (for example, road tax being purchased online and parcel deliveries being similarly arranged). Whilst the loss of a local Post Office is regrettable, based on the evidence provided it is accepted that this use of the building is no longer viable.

Details have also been submitted regarding how the property has been marketed as an A1 unit since August 2016. These include advertising through appropriate commercial estate agency channels. A record of interest in the unit has also been provided. This interest has been low, with nobody other than the applicant pursuing anything beyond an initial enquiry. It is the view of the estate agency that there is severely limited demand for commercial units of this size, other than for food, drink or leisure related uses – particularly for a unit as small as this one.

On this basis it is accepted that the shop has been adequately advertised and Officers accept there is currently no need for the premises as an A1 shop.

For these reasons the development is in accordance with policy HC4, in so far as it relates to the change of use of a community facility to another use.

Principle of change of use to a takeaway

Policy HC4 also requires the change of use of a community facility such as an A1 shop to consider other community uses, including the provision of affordable housing. Only if it is found that such alternative use is not viable or required should other non-community uses be considered.

In terms of the Authority's policies, a takeaway business, as proposed, would not be considered to represent a community facility – although it is acknowledged that it would be likely to be frequented by people living within the village.

Given the property's character and size the most obvious alternative community use would be as a modest affordable dwelling.

Officers have contacted the Rural Housing Enabler at Derbyshire Dales District Council to discuss housing need in Hathersage. The most recent survey they undertook in the village was in May 2016. This found a relatively large unmet housing need in the village. However, that survey concluded that there are already sufficient one and two bedroomed affordable flats within the village. On that basis – and because the premises are not large enough for conversion to anything other than a one bed flat – conversion of the premises to an affordable dwelling would not meet a community need.

It is also difficult to envisage what other community use the building might serve, given its size and the existing community provisions within the village. Officers accept that the building cannot viably provide an alternative community facility, and consider the conversion to a takeaway use to be acceptable under the terms of the policies HC4.

The premises are modest in size and on this basis it is considered that the development would be of a scale to serve the needs of the local community and the settlements visitor capacity as required by HC5.

Policies HC5 and LS1 also requires that living conditions and amenity are conserved by development, and that the role or character of the area is not harmed by development, including its vitality and viability.

Impacts on living conditions and amenity are addressed later in this report. In terms of vitality and viability, Officers consider that the proposed use would not harm the vitality or viability of the village centre; the use would maintain an active frontage to the building, would contribute to the

range of dining options available to local people, and would not lead to the loss of a commercial premises. Further, there are numerous other shops in the vicinity ensuring a good range of local service provision would be maintained. The proposal is therefore considered to comply with HC5 and LS1 in this regard.

Matters of design and appearance

No changes are proposed to the building frontage. It is anticipated that new signage would be required, but this is controlled under the advertisement regulation regime and would be subject to a separate application.

To the rear, a proposed extraction flue is proposed to project through the wall at ground floor level and run up the back of the building, terminating just above the ridge of the building. The flue is large diameter, and in most circumstances it would be necessary to route the pipework internally so as to reduce its prominence and impact on the built environment. However, in this case the ground floor of the building is cut out into a rising bank, which means that the flue is not visible until it reaches first floor level. In addition, the rear wall of the building is staggered, and therefore much of the flue would be screened from view by the projecting wall to the immediate east. The only part which would remain open to wider public view is the top metre or so that would project above the roof slopes. The flue would not be visible when viewing the property from the front.

On this basis, and subject to the flue being painted matt black at time of installation, it is not considered that it would have a significant impact on the character or appearance of the building or the conservation area.

A row of listed cottages lies to the east, approximately 12m from the flue. The flue would not be seen in the context of these cottages in many views. Where it was, it is considered that its distance from them and its discreet positioning would not affect the character, appearance, or significance of the buildings or their setting to any significant degree.

The proposal is therefore considered to conserve the character and appearance of each of the built environment, the conservation area, and the nearby listed buildings as required by policies L3, LC4, LC5, LC6, and LC10.

Noise and odour impacts on living conditions and amenity – use of site

It has been suggested in the parish consultation response and representations that the premises could become a gathering place, leading to noise that would detract from the tranquillity of the village and adversely affect the amenity of local residents. However, the site is in the centre of the village and on the main road, amongst other commercial uses.

In that context it is not considered that the activity and noise generated by the development would have a discernible impact above that of the existing uses. Officers also note the comments made by the Inspector when issuing the Appeal Decision at Bank House – the property next door to the application site – in June 2017. In allowing conversion of the former bank to a restaurant the Inspector noted that, in a mixed use area, residential occupiers would typically expect some degree of noise and disturbance from neighbouring uses.

There is also no evidence to suggest that the premises would become a meeting place that would result in adverse impacts.

If the application was to be approved then hours of operation should be controlled to ensure that noise was not generated by the development at unsociably early or late hours, which would be likely to adversely affect the amenity of nearby residents given that noise from most other uses would have ceased at those times.

If the ground floor did not already have lawful use as a retail unit then Officers may have had concerns regarding the impact of noise from activity associated with the proposed use on the amenity of the occupiers of the flat above. However, the comings and goings and deliveries associated with the use are unlikely to be any more harmful than those of a shop use; indeed there would be an improvement in so far as the associated activity would be more likely to be restricted to specific parts of the day.

Noise and odour impacts on living conditions and amenity – physical works

It is not considered that the physical changes to the building would be overbearing or oppressive to any neighbour, although the flue would be clearly visible to the neighbour to the north, and from a window of the first floor flat above the development.

The flue would be positioned immediately adjacent to the boundary of the property to the north, Thornfield, which is set at a higher level than the application building – the ground level at the neighbouring property is at a similar height to the first floor of the application building, with the ground held back from it by a tall retaining wall. A 2m tall timber fence has been erected above this wall, forming the boundary between the two properties.

The neighbour's garden is 2m from the proposed position of the extraction system, on the other side of the timber fence. The flue would vent approximately 5m above the level of the garden (so approximately 3m above the head height of people standing in it).

There are two small patio areas immediately behind the boundary fence; one of which is adjacent to where the flue would be located, and the other is only a short distance to the west. In such close proximity – and given the likely frequency and timing of the use of the extract – odours from the extract have the potential to impact on the amenity of the neighbour as there is little separation between it and the neighbour's garden in which any odour could disperse.

The flue would also vent 3m above a window of the first floor flat over the premises at a distance of only 1m away from it. This is an opening window and so odour from the flue would be likely to percolate in to the flat when the window was open if the odour was not sufficiently mitigated within the extraction system.

A technical specification has been provided for the odour control equipment proposed, although this does not make an assessment of, or draw any conclusions on, the impacts to this neighbour or any other property.

In commenting on the application the Environmental Health Officer advises that in terms of the specification for the proposed odour control system this is in accordance with the DEFRA guidance 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems'.

They still urge caution in approving the proposal however, and recommend that if the Authority approves the development, conditions should be imposed to ensure that the system is maintained and fully functional at all times.

Given the information submitted, the position of the Environmental Health Officer, and the lack of any evidence to demonstrate that the odour control system would not sufficiently purify the air Officers consider that refusal of the application on grounds of harm to amenity due to odour impacts could not be sustained.

There are however concerns in relation to noise impacts arising from the operation of the extraction system.

The flue and extraction equipment would be entirely external, and at this distance from the boundary of Thornfield could create noise for sustained periods that could prevent this neighbour from enjoying their garden, and the patio areas in particular, if it was at a significant volume.

Further, due to the close proximity of the first floor window of the flat noise from the flue also has the potential to significantly disturb them inside their property.

A noise assessment has not been submitted with the application and the applicant has indicated that they are reluctant to go to the expense of commissioning one without some certainty that the proposal will be supported. Such an assessment is considered fundamental to establishing whether the development is acceptable however, and in the absence of this Officers consider that there is a significant risk of adverse noise impacts to these two neighbouring properties.

For these reasons the application fails to comply with policies LC4, LS1, and HC5.

Highway safety

The premises and those adjacent to it are served by six parking spaces in front of them. No additional parking is proposed as part of the proposal.

It is not considered that the use of the premises as a takeaway would lead to any significant increase in parking demand than the former post office use, or that which could be generated by a new A1 shop use.

Objection has been made on the grounds that the business would increase deliveries to the site. However, the site already has an extant A1 use and it is not considered that the proposed use would lead to a significant intensification in this regard.

The Highway Authority have also raised no objections to the proposals.

The proposal is therefore considered to have no adverse highway impacts.

Other matters

Some representations have stated that the village does not need a fish and chip shop, with such provision being available elsewhere. Whilst the current applicant is proposing a fish and chip shop, the application is for a change of use to a takeaway, which would not be restricted to a fish and chip shop. Given the size of Hathersage it is not considered that such provision would exceed a scale to serve the needs of the local community and the settlements visitor capacity.

No details have been provided as to how waste from the site would be stored. There is a narrow yard area to the rear (where the extract would be positioned) however that could be used for this purpose should external storage be required. There are also two rooms within the building that could be utilised. Refuse collections would need to be accommodated outside of the building, but this applies similarly to the current A1 shop use.

Concerns have been raised that the proposed development would lead to littering. The possibility of the takeaway use generating litter is a material consideration, even though it is also controllable by other legislation. Given the scale of the proposed development, and in the absence of a known littering problem in the area that would be exacerbated by the development, Officers do not consider this to be sufficient reason for refusal of planning permission.

The development would have to comply with building regulations and other legislative regimes which would ensure the safe operation of the business.

No environmental management measures have been proposed, although the development would

be required to comply with building regulations. Given the scale of extension proposed, this is considered sufficient for the development to comply with the Authority's climate change policies.

Conclusion

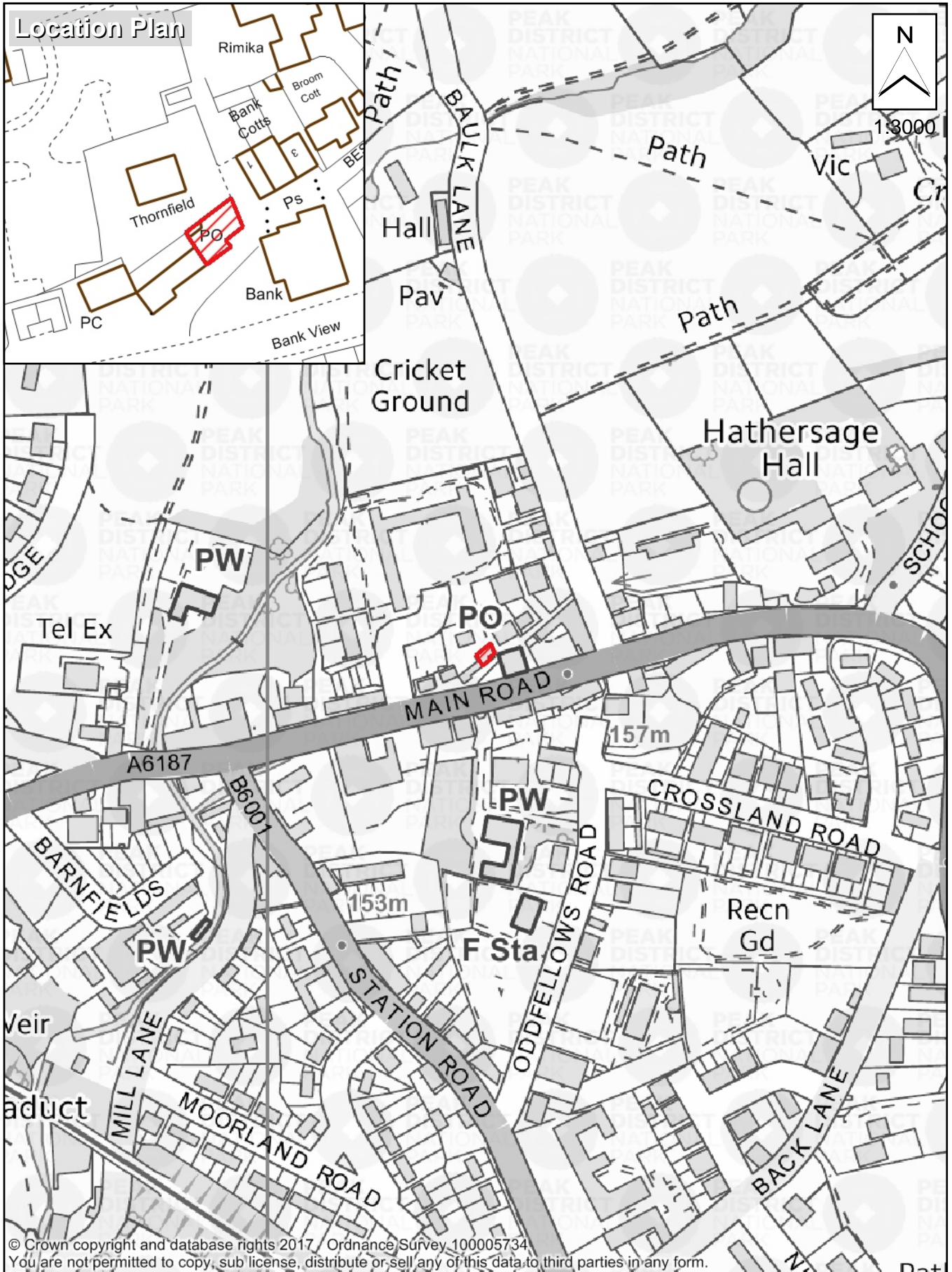
Officers have assessed the application against all relevant planning policy and other material considerations.

Whilst the proposal is considered acceptable in most regards, the applicant has not demonstrated that noise generated by the development would conserve the amenity of local residents.


In the absence of an adequate assessment of noise and given the close proximity to neighbouring properties Officers consider that the development would result in significant adverse noise impacts. As a result the application fails to comply with policy LC4 of the Development Plan and Paragraph 109 of the Framework.

The application is therefore recommended for refusal.

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Committee Date:	8th December 2017	Title: Brook House, Hathersage	 PEAK DISTRICT NATIONAL PARK
Item Number:	Item 10		
Application No:	NP/DDD/0417/0351		
Grid Reference:	423115, 381560		

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11. FULL APPLICATION – EXTENSION AND ALTERATIONS, RE-ORGANISATION OF DRIVE AND GARDEN AREA, NEW DOUBLE GARAGE AND ANCILLARY ACCOMMODATION AT GATEHOUSE FARM COTTAGE, GATEHOUSE LANE, HATHERSAGE (NP/DDD/0817/0892, P.9810, 422385 / 383340, 29/08/2017/AM)

APPLICANT: MR JOHN MORFFIT

Site and Surroundings

Gatehouse Farm Cottage (the cottage) is located in open countryside, approximately 2km to the north of Hathersage. The property is located on Gatehouse lane and forms part of a cluster of four dwellings.

The existing building is a detached two bedroom dwelling constructed from natural gritstone under a pitched roof clad with concrete tiles. Windows and doors are white and a mixture of timber and uPVC. There is a projecting bay window at first floor on the west facing elevation.

The property was formerly a barn or outbuilding and part of Gatehouse Farm, historically altered and converted to form a dwelling which is now in separate ownership to the farmhouse. Access to the property is via driveway shared with the farm house.

The existing building backs directly onto the boundary of Gatehouse Farm with the domestic garden extending to the front and side of the property. An existing outbuilding to the front of the property is also in the applicants ownership.

The nearest neighbouring property is Gatehouse Farm which is adjacent to the north of the rear wall of the cottage. Little Gate House is located on lower ground to the south and Gatehouse is located further south east beyond.

Proposal

Extensions and alterations to the existing dwelling, re-organisation of drive and garden, erection of double garage and ancillary accommodation.

The submitted plans show a two storey side extension which would continue to the rear resulting in a 'L' shape plan form following the boundary with Gatehouse Farm. The side extension would match the eaves and ridge height of the existing building and have a width of 5.3m. The rear projecting element would be two storey but with eaves and ridge height reduced by 0.5m. The extension would be built from natural gritstone with concrete tile roof.

As part of the extension the fenestration of the existing building would be altered. New timber windows and doors would be installed along with roof lights on the front and rear elevation. The existing windows to the rear elevation would be blocked with matching stonework. The fenestration to the front of the extension would be a large cart type opening, with glazed doors on the west side and rear elevation and a single glazed door with juliette balcony on the west elevation.

The existing outbuilding would be demolished and a new double garage erected. The garage would be built from gritstone with concrete tile roof. Two timber garage doors would be positioned in the west elevation with roof lights in the east elevation.

A new building is also proposed to the rear of the dwelling to provide ancillary accommodation. The building would have a flat roof with a parapet formed by its walls which would have half round gritstone toppers. The outbuilding would be in the corner of the garden and its rear walls would be formed by the boundary wall which would be raised up to the height of the parapet.

The plans also show that a sliding door would be provided into the drive, the existing curved drystone wall within the garden is proposed to be removed and the boundary of the curtilage defined with a new drystone wall. The submitted plans do not include the whole of the curtilage and it is not clear how the rest of the area is to be landscaped.

RECOMMENDATION:

That the application be REFUSED for the following reasons:

- 1. By virtue of its form and detailing it is considered that the proposed extension would harm the character and appearance of the existing building and its setting contrary to Core Strategy policy GSP3, saved Local Plan policy LC4 and LH4, the Authority's adopted design guide and detailed design guide and the National Planning Policy Framework.**
- 2. By virtue of its position and proximity to the neighbouring property known as Gatehouse Farm, it is considered that the proposed extension would be overbearing and oppressive and create additional over-shadowing which cumulatively would harm the residential amenity of occupants of that property contrary to Core Strategy policy GSP3, saved Local Plan policy LC4 and LH4, the Authority's adopted design guide and detailed design guide and the National Planning Policy Framework.**
- 3. The proposed ancillary accommodation would be positioned in close proximity to an existing mature sycamore tree on site. No tree survey has been submitted and therefore insufficient information has been submitted to enable the impact of the development to be properly considered contrary to saved Local Plan policy LC20.**

Key Issues

- Impact of the proposed development upon the character, appearance and amenity of the existing building, its setting and that of neighbouring properties.

Relevant Planning History

2017 – Pre-application enquiry in regard to proposed extensions. Officers gave the following advice.

The property is a modest two bedroom dwelling. It appears that there have been a number of unfortunate alterations to the property over the years and I agree that the bay window and unresolved fenestration generally does not reflect the local vernacular. I do think there is scope in principle for extensions / alterations geared around providing additional living space and enhancing the character and appearance of the building.

The proposed two storey side extension would not be read as subordinate instead the proposal is essentially to change the fenestration of the building so that it reads as a cottage with shippon. Normally my view would be that this extension is too large and that this was falsifying the history of the building and harming character (as it was formerly a barn) - however it appears that there is little left of the original character of the building which neither reads as a vernacular barn or cottage at the moment.

In this circumstance I do think that a two storey side extension along the lines you are proposing would be acceptable in principle, however the key would be that the development results in enhancement.

However I do have concerns about the single storey rear element and the detailing proposed in the extension. My view is that the rear element should be reduced to a single storey 'cat-slide' element reflecting the shippon design. I also feel that the balcony and large glazed opening on the west facing gable are inappropriate and act to counter the overall aim of enhancement. Note, Officers provided a sketch plan to the agent with suggested amendments.

No details of garage or ancillary accommodation provided and therefore not possible to give detailed comments on these at the pre-application stage.

Consultations

Highway Authority – No objections subject to ancillary use.

District Council – No response to date.

Parish Council – Support the application for the following reasons.

The Councillors fully support this application on the grounds that: the building is currently not very attractive due to the changes in recent years; windows that are currently uPVC will be replaced with wooden ones; a window that is currently overlooking the neighbour will be removed; the design is in keeping with others in the vicinity; the overall appearance of the building will be greatly improved.

Representations

Three representations have been received to date, all three letters support the application. The reasons given are summarised below.

- The proposed development will be a visual improvement and improve the environment of the area.
- The development is sensitive to neighbours.

Main Policies

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

Relevant Local Plan policies: LC4, LC20, LH4, LT11 and LT18

National Planning Policy Framework

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

Paragraph 60 of the Framework says Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.

Paragraphs 63 and 64 of the Framework say In determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Development Plan

GSP3 and LC4 together say that all development must respect, conserve and enhance all valued characteristics of the site and buildings subject to the development proposal. Particular attention will be paid to impact on the character and setting of buildings, scale of development, design in accordance with the design guide and the impact upon living conditions of communities.

L1 says that all development must conserve the landscape character of the National Park. LH4 allows for extensions and alterations to dwellings in principle provided that the development does not detract from the character, appearance and amenity of the existing building, its setting or that of neighboring properties. LC20 requires planning applications to provide sufficient information to enable their impact upon trees, woodlands and other landscape features to be properly considered.

LT11 and LT18 require development to be served by a safe access and have adequate parking and turning space.

The Authority's adopted design guide and alterations and extensions detailed design guide are material considerations in the determination of this application.

Assessment

Design

The application building is a former barn previously associated with Gatehouse Farm but now in separate ownership. The building has some time ago been converted to a dwelling and a number of unfortunate alterations have taken place including the introduction of a projecting bay window at first floor, unresolved window fenestration and a prominent flue. Officers have therefore advised at the pre-application stage that there is an opportunity for a development to enhance the character of the building (see planning history section).

The proposed two storey side element would match the eaves and ridge height of the existing building and be fenestrated with a cart opening to the front elevation. The existing window openings would be altered and provided with more traditional openings. The resultant building would appear as a result superficially as a traditional cottage with attached shippon. This would fundamentally change the character of the building, but in principle this approach is considered to have merit given that any character that the former barn possessed has been lost through alterations.

Officers do however have concerns about the scale of extension with the rear projecting element and some of the proposed fenestration. The rear projecting element would further change the character of the building by changing the form to a 'L' shape plan. The rear projecting would be a gable which would introduce a domestic element to the rear of what is detailed as a shippon.

The side (west) elevations of the extensions would also include a large amount of glazing with double and triple pane glazed doors provided at ground floor and a glazed door and juliette balcony provided at first floor. These openings would also introduce further overtly domestic elements and a weak solid to void ratio in the gable contrary to the Authority's adopted design guidance.

Given the removal of the existing bay window and poor fenestration the proposed development

may appear to be an improvement and Officers do note the views raised by the Parish Council and in representations to this effect. However, Officers do not consider this to be the case as the proposed changes in form and fenestration detailing are contrary to the Authority's adopted design guide. It is therefore concluded that the incongruity of the existing fenestration would in effect be replaced by an unacceptable form of extension and fenestration of a different type.

It could be argued that the effect of the proposals would therefore be neutral, but in this case Officers consider that the improvements to fenestration by removing the existing windows would be outweighed by the combination of the form and fenestration of the proposal. In any case the Authority's policies and design guide seek enhancements to re-inforce local distinctiveness and paragraph 64 of the Framework states clearly that permission should be refused for poor design that fails to take the opportunities available for improving the character and quality of an area.

The design of the proposed garage reflects a traditional building with the openings beneath the eaves in accordance with adopted design guidance. There are also no objections in principle to the approach to the proposed ancillary accommodation which is to the rear and not prominent subject to a reduction in the amount of glazing and detailing the walls to appear as a continuation of the boundary walls.

It is considered that taken as a whole the development would detract from the character and appearance of the property and its setting contrary to Core Strategy policy GSP2, GSP3 and Local Plan policy LC4 and LH4.

Amenity

Officers do also have concerns in regard to the impact of the proposed development upon the amenity of occupants of Gatehouse Farm which is closely related to the application site to the north.

The rear wall of the cottage effectively forms part of the southern boundary to Gatehouse Farm and the curtilage of the cottage follows northwards along the western boundary which is currently planted with coniferous trees within the boundary of Gatehouse Farm. There is an existing conservatory extension on the west side of Gatehouse Farm located approximately 4m from the rear wall of the cottage. The close relationship between the properties is unusual and potentially reflective of the fact that until recently the properties were within a single ownership.

Due to the close distance of the two buildings and the orientation of the cottage which is on the southern boundary, the cottage will currently result in over-shadowing to the conservatory and does have an overbearing and oppressive impact. The conservatory is also currently overlooked by the two existing windows to the rear of the cottage which serve the staircase and bathroom. The existing windows currently represent a clear overlooking issue and potential loss of privacy to occupants of both properties.

The application proposes to block the rear windows of the cottage which would resolve the existing overlooking situation and this is welcomed. However, Officers do have significant concerns in regard to the impact of the proposed extensions upon what is already an over-bearing relationship.

The proposed extension would effectively wrap around the south western corner of the boundary to Gatehouse Farm. This would increase the length of two storey walling along the boundary which in the opinion of Officers would exacerbate the existing overshadowing and overbearing impact to the detriment of the amenity of occupants of Gatehouse Farm.

It is recognised that there is existing tree planting along the boundary on the Gatehouse Farm side and that these trees do currently result in overshadowing. However given the close proximity of the trees to the position of the proposed extension it is considered inevitable that these trees

would need to be removed and the existing impact of the trees which is under the control of the occupants of Gatehouse Farm would be replaced with the permanent impact of the proposed extension.

It is therefore considered that the proposed extension would result in over-shadowing and an oppressive and overbearing impact to the occupants of Gatehouse Farm which would harm their residential amenity contrary to Core Strategy policy DS1, Local Plan policy LC4 and the Authority's adopted detailed design guide.

Given the distance from the proposed ancillary accommodation to Gatehouse Farm and the relative positions it is considered that on its own merits this part of the development would not have a harmful impact upon amenity. The proposed garage would be positioned close to the southern boundary of the site which is shared with Little Gate House to the south. Little Gate House sits at a lower level to the site of the garage but has a predominately blank facing elevation with a pathway between the boundary and therefore it is concluded that the proposed garage would not be overbearing or result any significant loss of light to that property.

Other Issues

The submitted application form states that there are no trees that are in falling distance of the development or that will need to be removed or pruned. However following the Officers site visit it became apparent that there are the coniferous trees along the neighbouring boundary mentioned earlier but also a mature sycamore within the curtilage of the garden. An approximate position of this tree is included on the plans but it became clear having visited the site that the position of the tree is incorrect on the plan and diameter of overhanging branches greater than indicated.

The proposed ancillary accommodation would appear to be positioned within the root protection area of the sycamore and it is considered that the construction of footings and the building would have the potential to negatively impact upon the tree. In accordance with Local Plan policy LC20 Officers therefore requested a Tree Survey from the agent, however the agent declined to submit a survey and requested that the Authority determine the application as submitted.

Local Plan policy LC20 is clear that sufficient information should be provided to enable potential impact on trees to be properly considered. No information has been provided and therefore the application is contrary to LC20.

The proposed development would not impact upon existing access arrangements and would retain sufficient parking for the proposed four bedroom dwelling. Therefore Officers agree with the Highway Authority that in principle there is no objection to the proposals on highway safety grounds.

Conclusion

It is therefore concluded that the proposed development would detract from the character and appearance of the property and its setting and would harm the residential amenity of occupants of Gatehouse Farm. Furthermore no information has been submitted in regard to the potential impact upon the mature sycamore tree within the site or proposed mitigation.

Officers have discussed these issues with the agent and advised that consideration is given to an amended scheme for a smaller extension and revised fenestration supported by a tree survey. The agent however has requested that the Authority determine the application as submitted.

It is therefore considered that the proposed development is contrary to the development plan and the National Planning Policy Framework. In the absence of any further material considerations the application is therefore recommended for refusal.

Human Rights

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


List of Background Papers (not previously published)

Nil

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Committee Date:	8th December 2017	Title:	Gatehouse Farm Cottage, Hathersage	 PEAK DISTRICT NATIONAL PARK
Item Number:	Item 11			
Application No:	NP/DDD/0817/0892			
Grid Reference:	422385, 383340			

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12. FULL APPLICATION – ERECTION OF AGRICULTURAL WORKERS DWELLING AT VALLEY VIEW FARM, HAYFIELD ROAD, CHINLEY. (NP/HPK/0817/0854 404927 / 384076 P610 AM 16/08/2017)

APPLICANT: MR D RODGERS

Site and Surroundings

Valley View Farm is located in open countryside approximately 3km south of Hayfield on the west side of the A624 Hayfield Road.

The applicants run an agricultural business on the agricultural unit which extends to 95 acres (38.4 ha) and currently keeps 46 sucker cows (plus calves) 140 breeding ewes and hens. The agricultural business is based on the production of store cattle and lambs.

There is an existing modern portal framed agricultural building on the site which is used for livestock accommodation and for the storage of fodder. The application site is to the south of this existing building. The land here rises up from the valley bottom gradually; the level of the site is below the A624 where there is a steep drop down.

Access to the site is via an existing track which west from the A624 before turning south and crossing the field up to the existing building. The track also serves Monks Meadow Farm and The Nook at the valley bottom. The nearest neighbouring properties are Bradshaw House to the south and Ashen House Farm to the north and on the far side of the A624.

Proposal

The erection of an agricultural workers dwelling on the site to the south of the existing agricultural building is proposed.

The submitted plans show a two storey, two bedroom detached dwelling on the site, constructed from natural gritstone under a pitched roof clad with blue slate, windows and doors would be timber.

Access to the proposed dwelling would be along the existing track with two parking spaces are proposed to the north of the dwelling.

RECOMMENDATION:

That the application be REFUSED for the following reason:

- 1. Hayfield Road is a classified road subject to a 50mph speed limit at this location. The location is remote from local services and there is no continuous linking pedestrian route and therefore it is considered that future occupiers will be reliant on the private car. The existing private track access from the classified road is geometrically substandard to current layout recommendations in terms of exit visibility and gradient.**

There have been three recorded injury accidents since 2014 and a further three recorded injury accidents in the previous three year period. It is considered that this indicates a pattern of accidents on this section of road in the recent past.

This application proposes a permanent dwelling, suitable for a family which would be very likely to result in an increase in vehicular activity over and above the existing situation. The proposal would also be likely to attract service / delivery vehicles and due to the length, surfacing and gradient of the access track it is likely that movements of such vehicles would cause obstructions and hazards for users of the highway.

Therefore it is considered that the proposed development would not be provided with safe access contrary to Core Strategy policy GSP3 and Local Plan policy LT18 and that the development would be likely to harm highway safety.

Key Issues

- Whether there is a justification for a dwelling at Valley View Farm in accordance with policies HC2 and LC12.
- Whether the proposal would conserve the valued characteristics of the National Park including the scenic beauty of its landscape.
- Whether the development would be served by a safe access.

Relevant Planning History

2008: Planning application for agricultural building to house livestock and to store fodder and implements withdrawn prior to determination.

2010: Planning application for agricultural building to house livestock and to store fodder and implements withdrawn prior to determination.

2011: Planning application for agricultural building to house livestock and to store fodder and implements approved conditionally.

2014: Planning application for temporary agricultural workers accommodation in the form of a mobile home withdrawn prior to determination.

2014: Planning application for temporary agricultural workers accommodation in the form of a static caravan withdrawn prior to determination.

2015: Planning application for fodder store extension to existing agricultural building granted conditionally.

2016: Pre-application enquiry in regard to agricultural workers dwelling. Officers gave general policy and design advice in regards to what would be required to support an application.

Consultations

Highway Authority – Object to the proposal and make the following comment:

Hayfield Road is a classified road and it is subject to a 50mph speed limit at this location. The location is somewhat remote from local services, amenities and facilities. There is no continuous linking pedestrian route and it is considered that future occupiers will be reliant on the private car.

The existing private track access from the adjacent classified road (A624) is geometrically substandard to current layout recommendations in terms of exit visibility, gradient etc.

Any occupancy likely to increase traffic activity would be considered against the best interests of

safe and efficient flow on the adjacent classified road where (at the time of the previous application for a static caravan in 2014) there had been 3 recorded injury accidents in the previous 3 year recorded period. Unfortunately, I can confirm that there have been 3 recorded injury accidents in the interim period which indicates a pattern on this section of road.

The current submission is for a permanent dwelling suitable for a family which would seem to clearly indicate an increase in vehicular activity over and above existing. A permanent residence would additionally attract service / delivery vehicles and the access track is unsuitable for such vehicles. Whilst the dwelling is sited near the public highway the track is long and dog-legs across the land to overcome level differences.

Given this distance from the publicly maintainable highway and the classified nature of Hayfield Road turning of suitable dimensions for service / delivery vehicles will be required. Whilst refuse collection can generally be resolved, drivers of other service / delivery vehicles may be forced to carry goods / tools / equipment over a long distance or attempt to reverse their vehicles on or off the highway and along the private drive access to premises which this Authority would not condone. Alternatively if the driver of such a vehicle does not gain access to the site, for whatsoever reason, they would be forced to wait on the adjacent classified road for over long periods of time causing an obstruction to other highway users.

Unless the applicant can reasonably address the above issues the proposals are open to highway objections on the grounds that the proposals would result in the intensification in use of a substandard access against the best interests of safe and efficient flow on the adjacent classified road where there have been 3 recorded injury accidents within the last 3 year recorded period.

District Council – No response to date.

Parish Council – Support the application subject to the normal agricultural occupancy conditions. We consider the agricultural need is genuine and the proposed dwelling is suitable modest in size and appropriately sited.

Representations

A total of nine representation letters have been received to date. Five letters write in support of the proposed development while four letters object. The reasons for support or objection are summarised below. The letters can be read in full on the website.

Support

- Local profitable business must be supported and having a family living and working on the farm can only benefit the village and the surroundings.
- The proposed dwelling close to the farm buildings can have only a positive impact on the landscape.
- The proposed dwelling is essential for the farming business.
- The use of commercial bovine embryo flushing depends on crucial timing and vigilant overseeing for success and this necessitates living on site.
- Moving to the site would, albeit to a minor effect, reduce the numbers of car journeys in the area.
- The weather in the local area can be quite severe in winter when livestock require most attention. There is potential for off-site living to make this impossible.

Object

- Consider the development an encroachment upon Green Belt Land. *Officer note – the application site is not within designated Green Belt, no land within the National Park is Green Belt.*
- Query why the original farmhouse was sold when there was a need for a dwelling.
- Dispute the accuracy of supporting information submitted with the application.
- Existing access to the land is very poor.
- Additional waste and bin storage will be unsightly in this area of natural beauty.
- Raise concerns in regard to noise from an existing generator on site.
- Raising general concerns in regard to the visual impact of the existing track and areas of land used for storage of redundant machinery, vehicles and scrap and farm related debris.
- Operations at the farm have resulted in defunct machinery left on the land and a spoil mound from the creation of the access track which has been left unmanaged and allowed to colonise with weeds.
- Proposed development would contribute to intensification of development at the site.
- The architectural design of this building is in conflict with Paragraph 55 of the NPPF and Policy GSP2 as it does not demonstrate high architectural quality, innovation or design.
- The building proposed appears to have limited sustainability credentials in terms of low carbon design and use of materials.
- This building will not enhance the immediate setting of the national park or enhance the defining characteristics of the local area which was previously an unspoilt valley with scattered farmsteads
- If this application is granted the use of the track will increase as the dwelling is proposed for the Applicant and his family. The proposed intensification of use of the access track conflicts with Local Plan policy LC13 which states that the development should not require obtrusive access tracks.
- The intensity of farming practices on the site has precluded sufficient grass to grow for any hay to be made in 2017. In 2016 the hay yield was insufficient to support the livestock currently being kept on the site as large bales needed to be purchased. The increase in stock described in the proposals, triggering the need for a new development will only compound the degradation of soils and pasture meadows as well as increasing demand for importing feed to the Site.
- The proposal for a dwelling house to service a family rather than an individual will increase the numbers of vehicles accessing and egressing from the private track to the A624. In addition, the farming practices outlined and stocking densities will compound the issue of large goods vehicles delivering increased quantities of hay and other feed. This will have an impact of increasing the volumes of slowly moving vehicles interrupting the flow of traffic on an 'A' road which has a relatively high number of accidents.

- It is unclear why there was a requirement for an onsite presence for animal welfare 3 years ago yet the applicant has not applied for a shepherd's hut and proposes intensification beyond that which is sustainable to drive the need for a permanent home.
- The need for farmers to maintain an overnight presence during lambing and calving is widely recognised, however this is only a seasonal need. The proposal for a dwelling house is not commensurate with either the existing or proposed farming practices.
- The funding sources identified in the application for the proposed dwelling house would be available for the alternative purchase of a house nearby. Consideration should be given to the Planning Inspector's appeal decision in Appeal Reference APP/M9496/W/15/3134661, Land at Highgate Road, Hayfield, whereby the Inspector determined that the funding sources for the erection of an agricultural dwelling house 'would not also be available for the alternative purchase of a house nearby' (Appeal Decision, 2016 page 4, point 17).
- The proposed size of the dwelling house is 96 square metres. This size of the dwelling house appears disproportionate to the use by an individual farm worker and his spouse to which the application refers. In accordance with the Technical Housing Standards – nationally described space standard (Department for Communities and Local Government (DCLG), 2015) a dwelling house of 93 square metres would be suitable for a two-storey dwelling with three bedrooms to sleep five persons (Table 1 – Minimum Gross Internal Floor Areas and Storage (m²), page 5). A dwelling house of 97 square metres would be sufficient for a two-storey dwelling with four bedrooms to sleep five persons.

Officer note – measuring off the submitted plans the gross internal area of the proposed dwelling is 82.5 square metres.

- Should the dwelling house be seen as an acceptable use of this land, a single storey dwelling house of only 50 square metres with a single bedroom, in accordance with the Technical Housing Standards, would be commensurate with the Applicant's proposed use for two persons.
- The Applicant states that 100 chickens will be kept on the land however, no details in regard to a proposed building or enclosure is included within the application. This would compound the impact of agricultural clutter in the valley.
- There are four definitive footpaths which run adjacent to, and across, the Site meaning that both the proposed dwelling house and agricultural clutter will be visible to users of the footpaths as well as being visible in long distance views from Cracken Edge and South Head.
- The proposed stocking levels which underpin the need case for the proposed dwelling are significantly above the maximum stocking densities within the Good Farming Practice Code and will cause long term harm to the landscape and environment.
- The level of parking proposed is in conflict with policy T7 and LC4 because the parking is not the minimum required for operational purposes and will not respect the valued characteristics of the area.
- Use of surveillance cameras with zoom, sound and day / night vision would be a suitable alternative to a dwelling house.
- The rented land, unless it has a full agricultural tenancy agreement, cannot secure the future viability of the proposed business.

- Core Strategy Policy HC2 requires new housing for key workers in agriculture to be tied to the land holding or rural enterprise for which it is declared to be needed. If the property was sold, any agricultural occupancy condition on the house would be appealed on the lack of viability of the holding.
- The applicant carries out dry stone walling and land drainage for other farmers which supplements farm income. This undermines the case for a new dwelling as it is predicated on the need for a full-time worker employed solely by the enterprise.

Main Policies

Relevant Core Strategy policies: GSP1, GSP2, GSP3, GSP4, HC1, HC2, L1, CC1 and T7

Relevant Local Plan policies: LC3, LC4, LC12, LT11 and LT18

National Planning Policy Framework

The National Planning Policy Framework (the Framework) is a material consideration and carries particular weight where a development plan is absent, silent or relevant policies are out of date. In the National Park the development plan comprises the Authority's Core Strategy 2011 and saved policies in the Peak District National Park Local Plan 2001.

Paragraph 55 of the Framework makes clear that Local Planning Authority's should avoid new isolated homes in the countryside unless there are special circumstances. One of the circumstances in which isolated residential development may be justified is when there is an essential need for a rural worker to live permanently at or near their place of work in the countryside.

Paragraph 115 of the Framework says that great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks.

Development Plan Policies

Core Strategy policy HC1 reflects Government guidance and allows for new residential development in the National Park, exceptionally, where it provide for key workers in agriculture, forestry or other rural enterprises in accordance with policy HC2 of the Core Strategy. Policy HC2 deals with housing for key workers in agriculture, forestry or other rural enterprises and says:

- A. New housing for key workers in agriculture, forestry or other rural enterprises must be justified by functional and financial tests.
- B. Wherever possible it must be provided by re-using traditional buildings that are no longer required for their previous use.
- C. It will be tied to the land holding or rural enterprise for which it is declared to be needed.

Local Plan policy LC12 adds the detailed criteria that allow an assessment to be made of the acceptability of a proposal for housing for a key worker. LC12 permits agricultural dwellings on the basis that they are considered in relation to the needs of the enterprise and not the personal preferences of the individuals involved, and provided that certain specified criteria can be met. Amongst these criteria, the policy states that development will be permitted provided that the stated intentions to engage in or further develop farming are genuine, reasonably likely to happen and capable of being sustained for a reasonable period of time. Where there is uncertainty about the sustainability of an otherwise acceptable proposal, permission may be granted for an appropriate temporary accommodation.

The Authority's housing policies are supported by a wider range of design and conservation policies including Core Strategy policy L1 which requires all development to conserve and enhance valued landscape character as identified in the Landscape Strategy and Action Plan. Other than in exceptional circumstances, development which will have a harmful impact will not be permitted.

Policy GSP3 of the Core Strategy and saved Local Plan policy LC4 are also directly relevant to the current application because they set out the design principles for development in the National Park, and also seek to safeguard the amenities of properties affected by development proposals, and set out criteria to assess design, siting and landscaping. The Authority's Supplementary Planning Documents (SPD) the Design Guide and the Building Design Guidance offer further advice on design issues.

Policy T7 requires development to be provided with the minimum amount of parking required for operational purposes. Policies LT11 and LT18 of the Local Plan require new development to be provided with adequate access and parking provision but also say that access and parking provision should not impact negatively on the environmental quality of the National Park.

Assessment

Whether the proposed house is justified by functional and financial tests

The applicants currently run a majority Aberdeen Angus suckler herd producing store cattle for sale. There are currently 46 cows with a total of 27 weaned calves. The herd is now gradually being converted into a pedigree Lowline herd with the intention to produce breeding stock for sale. Lowline cattle originated in this country but are currently classed as a rare breed. Interest in the modern Lowline breed is increasing due to their efficient utilisation of grass and high yielding carcasses.

The applicant invested in two in-calf Lowline heifers in 2014 and the process to produce breeding stock involves donating embryos from the donor Lowline cattle to the recipient Aberdeen Angus cattle. This is a year round process consisting of administering injections, watching the onset of heat on both donor and recipient cattle, artificial insemination, flushing of fertilised eggs and transfer to recipient cattle and subsequent surveillance for possible side effects.

In addition to the above process cows are calved year round with the consequent management and welfare requirements. In addition to the cattle herd the applicant also has flock of 140 breeding ewes which produce around 240 lambs which are sold or kept as replacements. The sheep are lambed indoors starting in April for 6 weeks and are closely monitored before and after birth in the interests of welfare.

A detailed agricultural appraisal of the business has been submitted which has been carried out by a suitably qualified surveyor. The appraisal includes a detailed description of the stock kept on the holding and the nature of the agricultural business along with calculations for the current and projected labour requirements of the business.

The current labour requirement for the business is calculated as 0.96 full-time workers. The applicant has stated an intention to increase stock numbers as part of the on-going breeding and the labour requirement for the proposed increased operation is calculated as 1.29 full-time workers. Officers agree with the basis of the calculations and therefore it appears that currently the business generates a labour requirement for a full-time worker especially when taking into account additional time requirements related to administering and monitoring embryo production and implantation.

The applicant states that the essential need for a worker to be available at short notice is related to animals giving birth all year round. Officers recognise the need to be on site at short notice and during the night to monitor and attend to animals, although it is noted that the need in relation to lambing relates to only a short time of year and in itself is not sufficient to justify a permanent dwelling on the site.

It is also accepted that the nature of the process involved in producing Lowline breeding stock for sale is labour intensive and will often require the applicant to be on site at short notice to administer and monitor the process and the welfare of cattle. Each animal is valuable and therefore potential loss of stock if the process is not properly managed could be significant and affect the viability of the farm business.

Trading accounts have been submitted in support of the application for the three years to April 2017. Officers have viewed the accounts which show that the business was in profit in all three years and that the farm business made a significant profit in 2017. The agent advises that the profitability was more limited as the applicant has invested in converting the herd but has substantially increased last year following this investment. Having viewed the trading accounts, Officers are satisfied that the agricultural business has been profitable over the past 3 financial years and that the proposed dwelling is commensurate to the need and profitability of the business.

It is therefore considered that the evidence submitted in support of the application demonstrates that the existing agricultural business passes both the functional and financial test set out by Core Strategy policy HC2 and saved Local Plan policy LC12.

There are no existing houses available for sale in the immediate vicinity of the farm that could meet the identified need. Officers note that in a recent appeal case the Inspector concluded that there were existing properties available in the surrounding settlements that could have met the need in that case. However in the case of the appeal the Inspector concluded that there was no essential functional need for that worker to reside on site, and in those circumstances residing in a nearby settlement and travelling to the site was considered to be a viable alternative. In this case Officers have concluded that there is an essential functional need for one full time worker to live on the site and it is clear that there are no existing dwellings that could meet that need.

Officers note that the original farm house was severed from the landholding following the death of the applicant's grandfather; however there is no evidence to suggest that the farm house was under the control of the applicant's agricultural business. It is also clear that the original farm house is not currently available to be purchased by the applicant and therefore in these circumstances the historic sale of the farm house is not considered to be a reason to refuse the current application.

There is a small traditional field barn on the holding located to the south west of the proposed site. The field barn would potentially be available for conversion; however this option was quickly discounted by Officers at the pre-application stage due to the likely harmful impact upon the building and the wider landscape due to the remote location of the field barn.

Finally, the agent has confirmed that the applicants are willing to enter into a planning obligation to tie the dwelling to the land holding and building to which it has been declared to be needed.

Such an obligation is considered to be required to make the development acceptable in planning terms to comply with policies HC2, LC12 and GSP4, directly related to the development and fairly and reasonably related in scale and kind. If the Authority resolves to grant planning permission then Officers would recommend that this would be subject to prior entry into a legal agreement.

An agricultural occupancy condition would also be necessary because the proposed house is only considered to be acceptable because it has been demonstrated to be required for an agricultural worker in accordance with HC2 and LC12.

Design, siting and landscape impact

The proposed dwelling would be sited on part of the existing yard to the south of the existing modern buildings. The land here is below the level of the road but relatively flat before dropping off gradually towards the valley bottom. The site of the proposed dwelling is considered to be logical as it would be adjacent to the existing farm buildings and reflect the position of traditional dwellings up and down the Hayfield Road which typically are positioned close to the road on either side, either fronting or gable on to the road.

In this location the proposed dwelling would be visible from the road and from nearby footpaths, however it would be read with the existing building and close to the road rather than in an isolated and intrusive position. Therefore while it is accepted that the proposed dwelling would have a visual impact it is not considered that this would be harmful or harm the scenic beauty of the landscape. Officers do consider that the precise position of the dwelling could be improved if it were turned slightly parallel to the road to more closely reflect existing dwellings, this has been discussed with the agent and could be resolved if the Authority is minded to grant planning permission.

The proposed dwelling would have a form and mass which reflects traditional buildings and would be built from traditional materials with timber windows. Therefore the design of the dwelling is considered to be appropriate and in accordance with adopted design guidance. Concerns in regards to the size of the dwelling are noted, however it is considered that the dwelling is of a modest size and commensurate to the needs of the holding.

The nearest neighbouring property is Bradshaw House, the access to this property runs behind the application site before dropping down to outbuildings and the house which is located approximately 24m to the south (at the closest point). The rear windows of the proposed dwelling would overlook part of the driveway and stables (which have recently been granted planning permission to be re-built) but would be a sufficient distance away from the dwelling and private garden areas to avoid any significant loss of privacy. There are no concerns given the distance and relative ground levels that the proposal would result in any loss of light or be overbearing to the neighbouring properties.

It is therefore considered that there would be no adverse impact upon the amenity of Bradshaw House and that the development would be in accordance with the Authority's detailed design guidance in these respects. There are no concerns in relation to other nearby dwellings given the intervening distances.

If planning permission is granted, conditions are recommended to agree material samples and to ensure that architectural and design specifications are of a satisfactorily high standard. A condition to remove permitted development rights for various types of domestic development would also be recommended as necessary to ensure that the Authority retains control over development which could have an adverse impact upon the visual appearance of the dwelling in this prominent rural position.

Little information is provided within the application in regard to landscaping or proposed finished

ground and floor levels. This detail is considered to be critical to ensure that the building integrates well into the landscape. Therefore if permission was granted conditions would be recommended to secure a detailed scheme of landscaping and finished floor levels before any development commences.

Subject to the imposition of the above conditions it is considered that the proposed dwelling would be sited in the best location on the holding where it would not have a harmful impact upon the landscape of the National Park and that the dwelling would be appropriately designed in accordance with Core Strategy policies GSP3 and L1 and saved Local Plan policy LC4.

Access and highway safety

Access to the site is via the existing farm track which runs across the fields to the north, joins a track which is shared with neighbouring properties which runs east and up to Hayfield Road the A624. The access track rises upwards to the level of the highway and at an angle such that the Highway Authority advise that it is geometrically substandard to current layout recommendations in terms of exit visibility and gradient.

The Highway Authority say that any development likely to increase traffic activity would be considered against the best interests of safe and efficient flow on the adjacent classified road. There have been three recorded injury accidents within the previous three years and a further three injury accidents in the previous three year period. The applicant has submitted summary documents of these accidents and having viewed these Officers do agree with the Highway Authority that these do indicate a pattern of accidents on this section of the road.

The Highway Authority considers that the current proposal for a permanent dwelling suitable for a family which would seem to clearly indicate an increase in vehicular activity over and above the existing situation. This is because a permanent dwelling would additionally attract service / delivery vehicles that currently do not visit the site and other social or domestic trips that currently do not take place.

Given the access is considered to be geometrically substandard and the recorded injury accident record the Highway Authority therefore object to the development on the grounds that the development would not be served by safe access and likely to harm highway safety.

The agent has provided evidence in the form of current trip movements carried out by the applicant and his partner to the site along with other service / delivery movements along with projected trip movements after the development has been carried out. The agent concludes that due to the applicant and his partner living on site that the total number of movements to and from the site would actually be less and that there would be no increase in other service / delivery movements.

Officers have requested further comment from the Highway Authority who have maintained their objection and disagree that the development would not result in an increase in vehicle movements. Therefore on the basis of the advice received Officers consider that the proposed development would be served by a substandard access and that as the development would materially increase the use of this access onto a section of the highway with a pattern of recent injury accidents that the development would be likely to harm highway safety contrary to Local Plan policy LC18 which requires safe access as a pre-requisite for any development in the National Park.

Officers have discussed the possibility of providing alternative or improved access arrangements with the agent and understand that there are on-going discussions between the applicant and the Highway Authority. Officers will update the meeting verbally if there are any changes in the position.

Officers note the concerns raised in representations in regards to parking, however the application proposes two parking spaces and this is considered to be sufficient to meet the functional requirements of the dwelling without harming the landscape in accordance with policies T7 and LT11.

Environmental management

No detailed information in regard to environmental management considerations has been submitted with the application. Given the orientation of the proposed dwelling it may not be feasible to install solar panels onto the building but there may be the opportunity to install ground or air source heat pumps and water conservation measures such as grey water harvesting as part of the development.

If the Authority resolves to approve planning permission then the submission and implementation of a scheme of appropriate environmental management measures could be secured by planning permission.

Other Issues

The application proposes to install a septic tank but the agent has since indicated that a package treatment plant could be installed to deal with foul sewerage. This is considered to be acceptable because it would not be viable to connect the dwelling to the mains sewer. If permission is granted a condition would be recommended to require full details of the package treatment plant to be submitted and approved in the interests of preventing pollution to the water environment.

Concerns have been raised in representations in regard to the existing condition of the land and in regard to noise from a generator on site. Officers noted on site there are implements and machinery on the land, some of which appear to be redundant. This was discussed with the applicant who states he is in the process of removing the items. There is an existing mobile generator on site which is used ancillary to the agricultural operations and therefore in itself does not require planning permission. There is no evidence to suggest that these issues are related to the proposed dwelling or would be made worse by approving the proposed development and therefore it is considered to be unreasonable to refuse planning permission for these reasons.

If it became necessary then the Authority could consider taking enforcement action against the condition of the land but this would be a separate issue to the current application. Similarly although the generator does not require planning permission, if it is causing noise nuisance then a complaint could be made to the Environmental Health Service.

Concerns raised in regard to the appropriate stocking levels for the size of the holding are noted but these are disputed by the applicant and agent. There is no evidence on site that the stock kept on the land are causing any damage to the holding or the wider landscape. Therefore it is not considered that these concerns are sufficient to justify a reason to refuse planning permission especially bearing in mind the agricultural business is an existing enterprise and that the planning system cannot in this case control the exact type and density of stock kept.

Concerns have also been raised in regard to the possible need for additional agricultural buildings and the lack of information about these in the current application. As with any farm business it is possible that additional buildings may be required, however any application for a new farm building would be determined on its own merits.

Officers note that the applicant does carry out other work such as repairing dry stone walling as identified by the agent and in representations. The conclusions on the functional need for a dwelling has been solely based upon the agricultural business and not any unrelated work.

Conclusion

The application satisfies the financial and functional tests in policy HC2 of the Core Strategy and Local Plan policy LC12. There is also an offer of a legal agreement to secure the appropriate future development of the holding to allow the current application to fully meet the requirements of Development Plan policies.

The site is considered to be the best available on the holding where the new dwelling would not have a harmful visual or landscape impact that would also meet the needs of the farm business and an appropriate design coupled with the safeguards of a legal agreement mean the current application meets the requirements of guidance within the Framework and the requirements of Core Strategy policy L1 and Local Plan policies LC4 and LC12 in terms of landscape conservation.

There are however significant concerns in regard to the safety of access to the proposed development and the Highway Authority has objected on the grounds that the access is geometrically substandard, there is a pattern of recent injury accidents on the section of the A624 and that the development would intensify the use of this access. On that basis therefore it is concluded that the development would not be served by safe access contrary to Local Plan policy LT18.

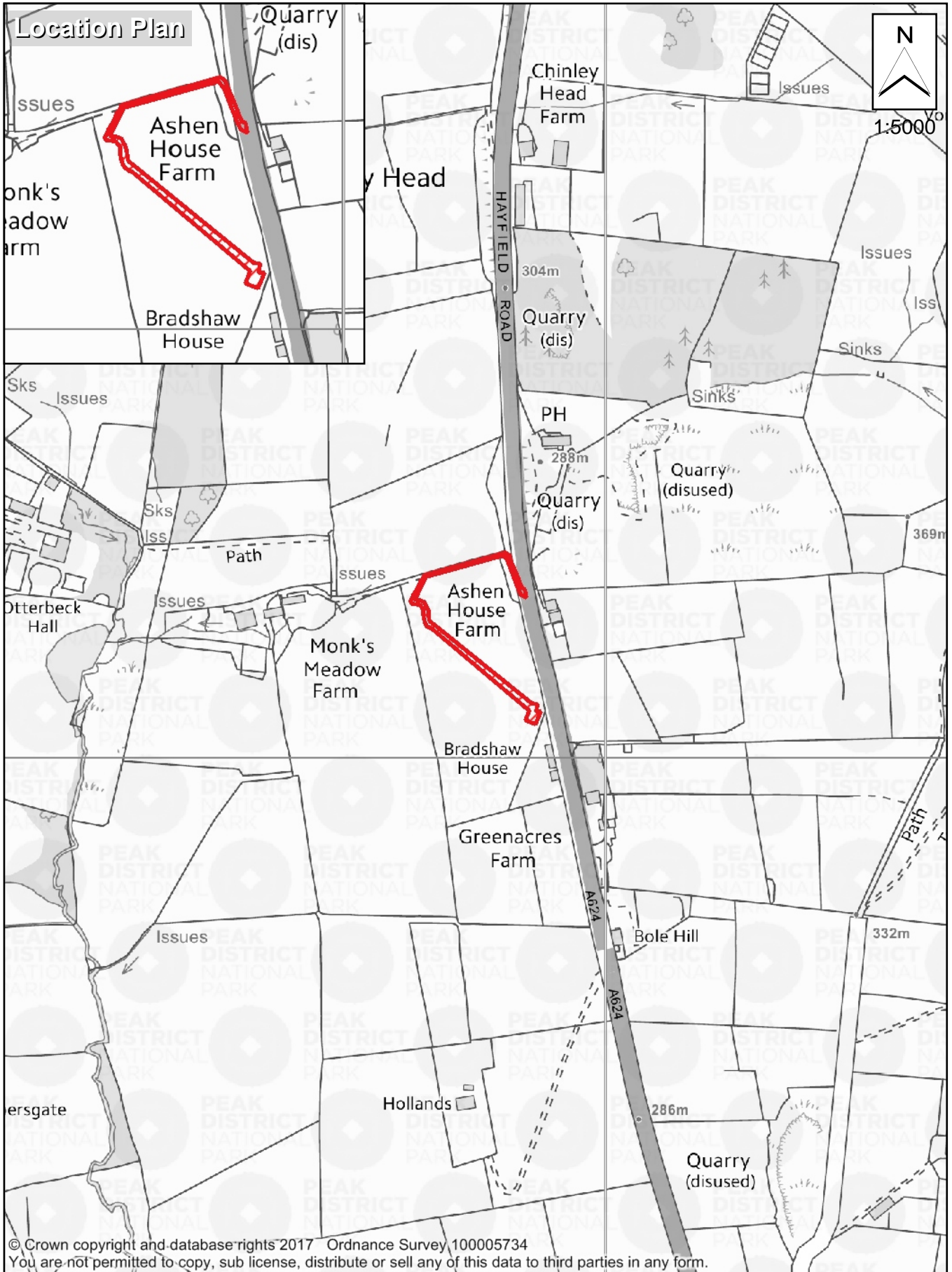
The provision of a safe access is a pre-requisite of any development within the National Park and this cannot be over-ridden by the conclusions that the development is otherwise acceptable in principle and could be accommodated without harm to the valued characteristics of the National Park.


Human Rights

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

List of Background Papers (not previously published)

Nil



Committee Date:	8th December 2017	Title: Valley View Farm, Chinley	 PEAK DISTRICT NATIONAL PARK
Item Number:	Item 12		
Application No:	NP/HPK/0817/0854		
Grid Reference:	404927, 384076		

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13. FULL APPLICATION – ERECTION OF RE-LOCATABLE TIMBER FRAMED GARDEN ROOM FOR ADDITIONAL LEARNING SPACE DESIGNED AROUND THE NEEDS OF A DISABLED PUPIL AT COMBS INFANT SCHOOL, COMBS COUNTY SCHOOL, LESSER LANE, COMBS. (NP/HPK/0817/0843 404120 / 378383 P5524 AM 15/08/2017)

APPLICANT: Ms Rosemary Cook

Site and Surroundings

Combs County School is located on Lesser Lane in Combs, within the designated Conservation Area. The building is a shared space providing the school and village hall.

The oldest part of the school fronts onto the highway and is an attractive building of vernacular merit. The windows of this part have arched openings. There is a modern extension behind the original building which has been designed in sympathy with the original and appears subordinate to it and has less ornate detailing. The school is constructed of natural gritstone with natural blue slate roof.

There are open fields to the east and south site, on the opposite side of the road there are dwellings. There is a hedgerow forming the boundary with some mature trees within it.

The land immediately behind (to the east) of the school is designated in the Chapel-en-le-Frith Neighbourhood Plan as Local Green Space.

Proposal

The erection of an outbuilding to the north of the existing school building.

The proposed building would have a central classroom with a circular plan form 8m in diameter. There would be two wings, one on each side projecting a further 2.45m and providing office, cloakroom, toilet and study area. The central circular element would have a conical roof with shallower pitched roofs to each of the wings.

The walls of the building would be clad with untreated larch which would be left to weather naturally. The roof would be clad with either a green roof (Sedum and wild-flower) or recycled composite slates. Windows and doors would also be timber.

RECOMMENDATION:

That the application be REFUSED for the following reason:

It is considered that the design of the proposed building would be unacceptable by virtue of its form and materials and that the development would consequently harm the setting of the existing building and the Conservation Area contrary to Core Strategy policies GSP1, GSP2, GSP3 and L3, Local Plan policies LC4 and LC5, the Authority's adopted design guide and the National Planning Policy Framework.

Key Issues

- Design and impact upon the setting of the existing building and the designated Design, amenity, impact on the designated Combs Conservation Area.

History

NP/HPK/0616/0549 – Planning application for new build modular classroom and associated servicing. This was withdrawn following officers' concerns about its design and impact on the setting of the building and designated Conservation Area.

NP/HPK/0217/0193 – Planning permission granted for classroom extension at the June Planning Committee. The approved extension would be located to the west of the existing building and would be built to a design using traditional materials that the Authority concluded would conserve the existing building and be in accordance with adopted design guidance.

Consultations

Highway Authority – No objections.

High Peak Borough Council – No response to date.

Parish Council – Raise no objection and say that the proposed garden room will be an asset to the school at a time when the number of pupils is at maximum. It should not become a permanent fixture.

Sport England – Make no comment but refer the Authority to general guidance and the National Planning Policy Framework.

PDNPA Cultural Heritage – Object to the development for the following reasons:

This proposal is for a modular building, the walls would be of timber, and the roof either a green roof or of recycled, reformed slate. As a building type in itself, I can understand how the proposal would create a pleasant and conducive educational space, but unfortunately I consider that the context is wrong for it.

The former chapel owes its visual impact to its strong geometry and attractive windows, and also to its stand-alone location. It is not uncommon to find small nonconformist chapels standing alone like this in rural locations. The conservation area appraisal makes few recommendations for future management, but one that is expressed quite emphatically is as follows:

“Area B – Open land between hamlets. The historic separation between the two hamlets still survives south of the Peak Park boundary and should be maintained as part of the Conservation Area. The only historic incursion into this area was the mid-19th century Methodist Church (which now also serves as the local school and village hall), at its extreme western corner. A limited amount of recent development in the northern corner of the field should not be allowed to set a precedent for further development in this important open space.”

The impact of the proposed new modular structure would be played down to some extent by standing in the curtilage of the school that is already visually distinct from the open field adjacent, but would nevertheless impinge upon it and would also detract from the character and setting of the former church as a non-designated heritage asset.

The needs of the school to continue functioning are recognised, but it would be more appropriate to pursue the alternative of adding to the main building in a suitable style, and that the current proposal will neither preserve nor enhance the special qualities of the Conservation Area. Although semi-permanent in character, this would be a permanent building and it is unlikely that the site would become an open space again. Development here would be harmful to the Conservation Area and should therefore be refused.

Representations

One representation letter has been received objecting to the proposed development. The reasons for objection are summarised below, the letter can be read in full on the website.

- Plans have recently been passed for an additional classroom.

- The development would take away from the other children's playing area.
- Development would increase pupil numbers and the single track road is unsuitable and gets blocked with traffic currently.

Main Policies

Relevant Core Strategy policies: GSP1, GSP2, GSP3, GSP4, HC4, L1, L3, T7.

Relevant Local Plan policies: LC3, LC4, LC5, LC20, LT10, LT18.

Chapel En-le-Frith Neighbourhood Plan: TM3, C1.

SPDs 'The Design Guide'

Core Strategy DS1 explains that in settlements and in the countryside outside the Natural Zone extensions to existing buildings are acceptable in principle. Policy HC4 and TM3 set out that proposals to provide community facilities and services involving a change of use of traditional buildings or a replacement building which achieves enhancement, will be encouraged.

HC4 D says that the redevelopment of a community recreation site or sports facility for other uses will not be permitted until a satisfactory replacement site or facility has been provided or it can be demonstrated that the facility is no longer required.

The site is within the designated Conservation Area and therefore policies L3 and LC5 are relevant. These policies are clear that where development affects heritage assets that it must conserve or enhance the significance of the heritage asset. Development that has a harmful impact will not be permitted unless there are exceptional circumstances. The Combs Conservation Area Appraisal is a material consideration when determining applications within the Conservation Area.

GSP3 and LC4 require that where development is acceptable in principle its detailed treatments are of a high standard that respects, conserves and where possible enhances the landscape, built environment and other valued characteristics of the area. Particular attention is paid to amongst other things: design details, materials and finishes that reflect or compliment the style and traditions of local buildings; the amenity, privacy and security of the development of nearby properties.

C1 Identifies Local Green Spaces within the Neighbourhood Plan, one of which is the field behind the school and says that development of these sites will not be allowed, except in very special circumstances.

Local Plan Policy LC20 deals with protecting trees put at risk by development, it requires sufficient information is included to enable the impact on trees to be properly considered. Where risk of damage to trees is acceptable, room must be left on site for their replacement with an appropriate species.

Relevant policies are considered to be in accordance with the National Planning Policy Framework and therefore should be afforded full weight in the determination of the application.

Assessment

Principle

Relevant Development Plan policies encourage community facilities and development to extend or improve them in principle. The school requires an extension to cater for those with special

education needs. The Authority acknowledged the need for an extension in approving the recent application in June and there have been no material changes since then. It should however be noted that there is no policy requirement to demonstrate a need for community facilities outside of named settlements such as in Combs which are not listed in policy DS1.

This is an alternative proposal to the recent extension which was approved in June rather than a proposal for additional development. There is little reference in the submitted information to explain why the previously approved extension is not being pursued other than to state that the proposed development is considered by the applicant to be the most appropriate, least disruptive and has a minimum impact.

There is a presumption against development on Local Green Space as designated by the Neighbourhood Plan. The proposal will not affect the Local Green Space as this lies behind the site. The principle of the development is therefore considered to remain acceptable.

Design and impact upon Conservation Area

The key issues in the determination of the current application is therefore considered to be design and impact upon the existing building and the Conservation Area. Relevant policies are clear that development must be of a high design standard, in accordance with the adopted design guidance and that development must conserve or where possible enhance the significance of heritage assets such as the existing school building and the designated Combs Conservation Area.

The design of the proposed building would be significantly different to that approved planning permission at the June Planning Committee. The proposal is now for a detached building located within the curtilage of the infant school in the north east corner of the site.

The proposed building would have a circular floor plan with conical roof with two ‘wings’ on each side of the building and a covered decking area to the front. The walls of the building would be clad with treated larch timber which would not be finished and be left to weather naturally. The roof would be either be a green (Sedum and wild-flower) or recycled composite slates. Windows and doors would also be timber.

The proposed design and materials proposed do not reflect that of the existing building or nearby buildings within the village. The proposed design takes a clearly different design approach to local buildings and would be read as such where seen on site and from public vantage points.

The design guide describes the local built tradition within the National Park and generally advocates designing in harmony with existing buildings by reflecting traditional form and materials in the design of new buildings. Occasionally high quality materials can be used as substitutes where appropriate to the design provided that they harmonise well. There is no tradition of external timber boarding in the Peak District and therefore there is only a limited place for external timber particularly where the development is seen in the context of a traditional building.

The design of the proposed building therefore would be contrary to the Authority’s design guidance because the form and materials of the building would not harmonise with the existing buildings on site or in the local area. The development in these respects therefore is contrary to policies GSP3 D and LC4.

The application site is located within the designated Combs Conservation Area where the Authority is obliged to pay special regard to the preservation of the area when making planning decisions. The existing building is important within the Conservation Area and relevant policies say that all development must conserve or enhance the Conservation Area unless there are exceptional circumstances.

In this context it is considered that the proposed building would be a prominent and incongruous addition which would detract from the setting of the existing building and the Conservation Area. Officers also note the adopted Conservation Area appraisal which identifies the proposed site as part of important open space which historically separated the two hamlets and goes on to say that more recent development in the open space should not set a precedent for further development.

The Conservation Area appraisal is a material consideration and having regard to it and comments from the Authority's Conservation Officer it is concluded that the proposed development would detract from the Conservation Area contrary to policies L3 and LC5.

Officers acknowledge that in principle an extension to the school is acceptable, however this does not provide exceptional or overriding justification for an unacceptable design contrary to adopted design guidance or harm to the Conservation Area. It is also acknowledged that the proposed design is the preference of the school, however no reasoning has been put forward why the existing approved extension could not provide the required accommodation.

Finally, the applicant has stated the intention that the building would only be erected for a period of 10 years and considers therefore that any building should be considered temporary and acceptable on that basis. Officers are concerned that there is no clear reasoning for a ten year temporary period (for example to provide for a trial run or a need for which there is a definite end date) and that there would be pressure to retain the building especially given the stated 30 to 40 year life. But in any case it is considered that the impact of the building would not be acceptable even on a temporary basis.

Other Issues

During discussions between the agent and Officers an alternative smaller building of a similar design has been put forward by the agent. Officers have considered this alternative against the General Permitted Development Order (GPDO) and have advised that provided that the building is erected by a Local Authority and is in accordance with the restrictions of the GPDO then planning permission would not be required.

This alternative scheme represents a fall-back position which could be available to the applicant if planning permission is refused and therefore is a material consideration in the determination of this planning application. Officers note the fall-back position for a smaller building, however it is not considered that this provides substantive justification for a larger structure which would have a greater impact than the potential fall-back position and has on its own merits been found to be contrary to the development plan. It should also be noted that any Local Authority carrying out development under the GPDO would be obliged to have regard to National Park purposes.

The proposed building would be located on part of the play area used by the school and therefore the Authority has consulted Sport England on the application. Sport England has advised that the proposal does not fall within their remit and therefore Officers are satisfied that the proposal would not result in the loss of any sports facility. Further information from the school in this regard is expected in time for the meeting.

The proposed building would be constructed from locally sourced timber products and would be heavily insulated with high performance in energy conservation. The use of efficient and local materials is welcomed, however this is not considered to be an issue which would override the design issues raised above.

The proposed building would be sited close to mature trees on site and within their respective root protection areas. The applicant has provided further information stating that the building would effectively stand on the ground with minimal ground preparation and with no foundations

dug or base erected. On the basis of the information provided Officers are satisfied that the development could be carried out without harm or loss to the affected trees.

Officers note the concerns raised in regards to potential impact upon Highway Safety and the amenity of road users. In determining the previous application for an extension the Authority concluded that there would be no adverse impact in terms of Highway Safety and Officers consider there is no reason to come to a different conclusion in this case. No changes to existing access arrangements are proposed and while existing off-street parking is limited, given the size of the school it is considered that additional disruption as children are dropped off / picked up would be low and would not materially harm highway safety or amenity.

Given the location of the building in relation to neighbouring properties and intervening planting Officers are satisfied that the development would not harm the amenity, security or privacy of any neighbouring property.

Conclusion

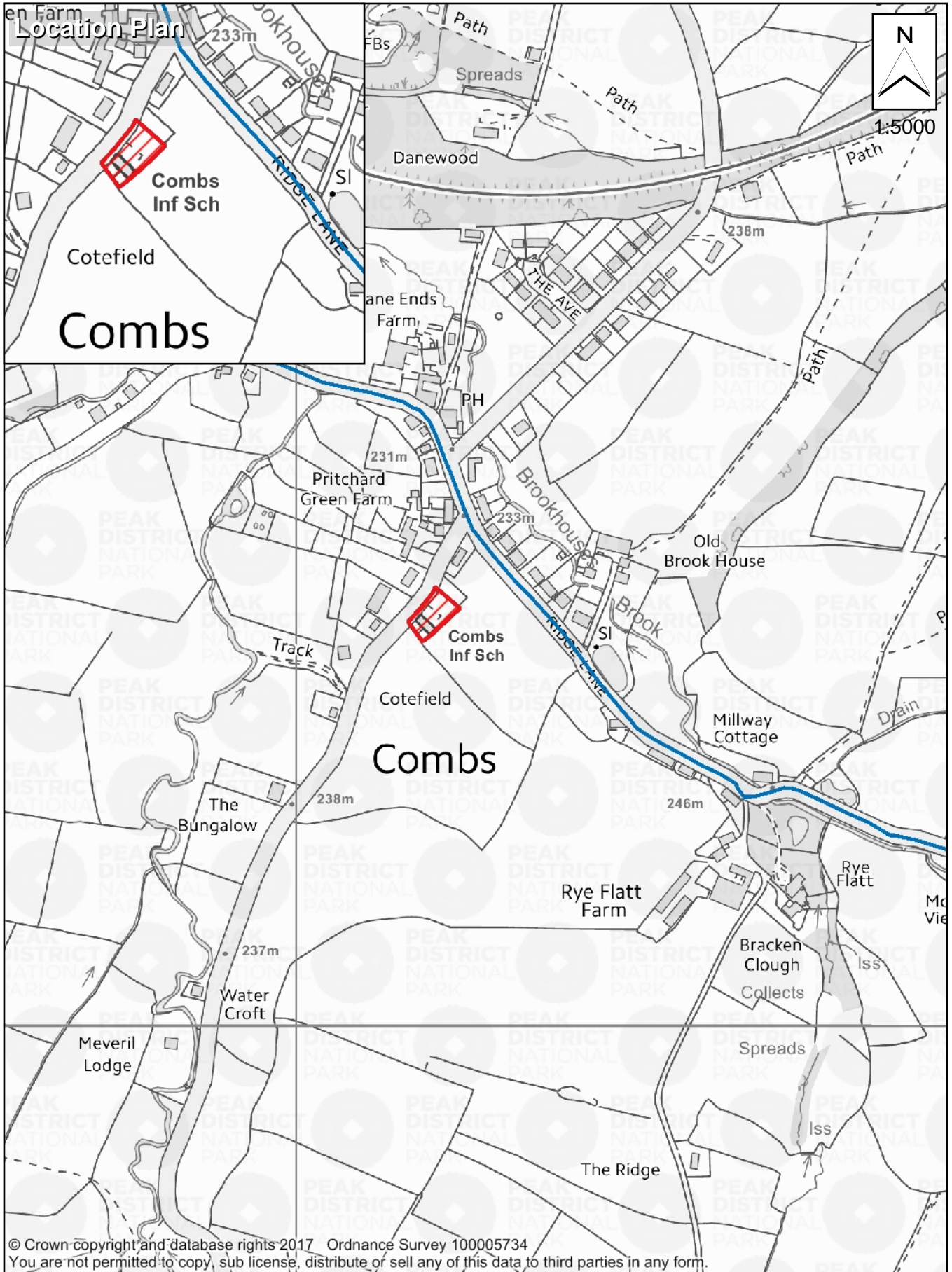
For the reasons given above it is concluded that the proposed design would be unacceptable by virtue of its form and materials and that the development would consequently harm the setting of the existing building and the Conservation Area contrary to relevant policies in the Development Plan. The need for additional space can be met by the already permitted extension, this would not have an unacceptable impact on the conservation area. In the absence of further material considerations the application is therefore recommended for refusal.

Human Rights

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

List of Background Papers (not previously published)

Nil



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Committee Date: 8th December 2017
 Item Number: Item 13
 Application No: NP/HPK/0817/0843
 Grid Reference: 404120, 378383

Title: Combs Infant School



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14. FULL APPLICATION – ERECTION OF ADDITIONAL LIVESTOCK BUILDING AND EXTENSION TO EXISTING AGRICULTURAL BUILDING ON LAND OFF DAM LANE, PARWICH (NP/DDD/0817/0911, P5642 + P5522, 31/08/2017, 418070/354106/ALN)

APPLICANT: MR B CHADFIELD

Site and Surroundings

The application site is located on the northern side of Dam Lane, a classified road that runs between Parwich and Alsop en le Dale. The site is in open countryside, being located some 180m to the west of the edge of the settlement of Parwich.

The application site edged red comprises the three field parcels that are within the applicants ownership and extends to some 2.5 acres.

At present there is a single portal framed agricultural building located on the land, in a position close to the road and just to the east of a vehicular access into the site. This building was constructed following the grant of planning permission in 2013. The building is currently being used for cattle housing, and for the storage of feed, machinery and farming equipment. To the west of the building is a levelled yard area.

A public right of way crosses the site in an east-west direction to the north of the existing building.

Proposal

Planning consent is sought for an extension off the south facing gable of the existing agricultural building, between the building and the road. The building would measure 9.2m wide (with a further 2.1m canopy) by 12.1m long (two and half bays). The height of the building would match the existing at 3.8m to the eaves and 4.9m to the ridge. The building would be open fronted on the west facing elevation in the same manner as the existing building. Two bays of the extension would be used to provide additional cattle housing and the smaller end bay as a covered much store area.

It is also proposed to erect a separate 5 bay agricultural building at right angles to the existing and abutting its northern gable end, such that an L shaped building block would be created. At present the land rises steeply upwards to the north of the existing shed so engineering works would be required to excavate the bank and make space for the new building. The building would measure 22.8m long by 9.1m wide and would be higher than the existing with an eaves height of 4.9m and a ridge height of 6.1m. This building would be used for the storage of straw and for sheep housing.

Both buildings would be constructed in materials to match the existing – a mixture of vertical timber boarding and green coloured sheeting to the sides above a concrete base plinth and green coloured sheeting to the roof.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions:

- 1. 3 year time limit**
- 2. Adopt amended plans.**

- 3. Remove when no longer required for agriculture.**
- 4. Landscaping scheme to be implemented.**
- 5. All spoil to be disposed of off-site at a licenced waste disposal facility.**
- 6. Existing trees to be protected during development works.**
- 7. Minor design details.**

Key Issues

1. Whether the proposed buildings are agriculturally justified.
2. Whether the proposed building would be harmful to the landscape character of the area.
3. Impact on Archaeology
4. Impact on residential amenity.

History

July 2012 – planning consent granted for the erection of agricultural building.

Consultations

Highway Authority - No objections subject to all use remaining ancillary to current authorised use of the land.

District Council – no response

Parish Council - The Council noted the concerns of a resident about the size of the proposed building neighbouring residential property and the potential for future expansion. Council chose not to support this application due to the over bearing presence of the proposed building.

Authority's Archaeologist – raises objections. The proposed development is within an area of ancient enclosure, fossilised medieval strip fields; these are fields that relate to the medieval open field system of Parwich. The present day field shape and field boundaries, characterised by the enclosed narrow strips with a characteristic s-shaped curve, and with extensive areas of lynchets and ridge and furrow earthworks. Fields that reflect these very early enclosure patterns survive extensively to the west, south and east of the village. To extend the area of the yard and insert a new building will result in an escalation of harm. Additional development on the site would result in cumulatively greater harm with little opportunity for mitigation or enhancement to offset the harm. However, out of the two options put forward a new building in the proposed location would require a much smaller amount of new excavation than a new building to the west of the yard. Should the application be positively determined it is crucial that further development does not take place on this sensitive site for the integrity of the fossilised open field system

Another archaeological consideration is the disposal of spoil, and a large amount of digging out will be required for the proposed new building. Two areas for spoil disposal are proposed in the amended landscaping plans. One of these is in the field to the east and marks the location of existing mounds (marked as *Area One* on the plan). This field is also part of the fossilised medieval field system and the earthworks in this field represent ridge and furrow earthworks and headland strips, resulting from how this field was worked and ploughed as part of the open field system. To spread spoil in this area would result in these features being backfilled and their legibility in the landscape being lost. These are important archaeological features and an

important aspect of the local historic landscape, they are precious and they should be preserved. Under no circumstances should the Authority allow these features to be backfilled.

Representations

Four letters of support have been received raising the following points:

- The site is well screened and the proposals would not encroach on the quiet enjoyment of the area.
- Access to the site is good.
- The site is not within proximity of any other residential dwellings.
- Investment in agriculture in a rural community is important.
- The building would not cause harm in views from the road or the public right of way.

One letter of 'general comment' had been received which raises the following points:

- The buildings are large in scale and in relation to the field in which they sit. Consequently hope that the Authority fully considers the impact both on residential properties and the public right of way.
- Little information has been provided to show that the applicant has secured sufficient local farmland in the long term to enable the planned growth and to warrant such a large building. Expect that the Authority will request further information with regard to tenancy agreements prior to granting consent

Main Policies

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

Relevant Local Plan policies: LC13, LC4

Assessment

Saved Local Plan Policy LC13 allows for development necessary for the purposes of agriculture provided that they are close to the main group of buildings wherever possible and in all cases relates well to existing buildings and landscape features, respects the design of existing buildings and building traditions, makes use of the least obtrusive location and does not require obtrusive access tracks, roads or services. Further advice is provided in the Authority's Adopted Supplementary Planning Guidance on Agricultural Developments. This states that if insufficient information is provided to justify proposals, applications may be refused.

Issue 1 – Whether the proposed buildings are agriculturally justified.

A justification statement submitted with the application explains that the applicant owns the 2.5 acres that make up the application site. Further to that, a further 71.5 acres of land is rented. 31.5 acres of that is within the immediate vicinity of the application site and the other 40 acres is at Hulland Ward. Additional information has been provided during the course of the application with regard to the rented land. This takes the form of letters from the landowners and copies of agreements. The information shows that the rental agreements are either informal or short term agreements of between 1 and 3 years. Whilst more secure long term agreements would provide more certainty about the future of the business, the letters provided do indicate that the various landowners are willing to continue to rent their land to the applicant for the foreseeable future. On that basis officers are satisfied on balance that there is sufficient security in the land holding to justify the proposed development.

The applicant currently runs a herd of 13 Whitepark beef cattle and a flock of 80 breeding ewes. It is stated that by the end of 2019 the applicant aims to expand the business by increasing cattle numbers to 26 and the sheep flock to 100. Submitted building space requirement figures suggest that the proposed extension/new building would provide sufficient space for the needs of the business at the 2019 projected levels.

On the basis of this information officers are satisfied that the buildings as proposed are reasonably necessary for the purposes of agriculture in accordance with the Adopted Supplementary Guidance.

Issue 2 – Whether the proposed buildings would be harmful to the landscape character of the area.

Core Strategy policy L1 states that development must conserve and enhance valued landscape character, as identified in the Landscape Strategy and Action Plan and other valued characteristics. Within the Landscape Strategy the site is within the ‘village farmlands on shale ridges’ landscape character type within the Derbyshire Peak Fringe. This is a small scale, settled pastoral landscape associated with gently rolling shale uplands, where views are typically filtered through scattered mature trees in field boundaries. Identified priorities include the protection of historic patterns of development.

The existing building and the proposed buildings would be largely screened in views from the road to the south by a 2m high close boarded fence that has been erected along the roadside boundary and around an access pull in area that has been created at the access point to the property and consequently the building would have little impact upon the landscape character of the area when viewed from the highway.

A material consideration is whether the fence itself is acceptable in visual terms. The fence has been erected by the applicant without the benefit of planning permission. Where the fence abuts the boundary with the highway, planning permission is likely to have been required because the fence would be classed as over 1m high adjacent to the highway. However here the fence has been erected to the rear (north) of an existing mature hedgerow which largely screens it from view. The fence does not interfere with visibility sightlines from the access because it is set back some 5m from the edge of the carriageway. The fence is more prominent where it surrounds the access pull in area. Here the fence has been erected on a semi-circular line and is open in views from the road. However in this location the fence is set well back from the boundary with the highway and therefore is likely to have been ‘permitted development’. At the request of officers an amended plan has been submitted to show supplementary planting in front of the fence in this area, to the side of the gate. It is considered that this would mitigate the appearance of the fence and adequately screen the whole site in views from the highway.

A public right of way runs in an east-west orientation on higher ground to the north of the proposed buildings. The buildings would be visible from the path, albeit at a lower level. The applicant has agreed to plant a native hedgerow to the south of the footpath between it and the proposed buildings. The hedgerow would run the length of the field and would link up the existing hedgerow running north to south on each site of the field. It is considered in this case that a hedgerow would be sufficient to screen the buildings due to the differences in levels and the fact the building would be dug into the banking.

Subject to the additional planting it is considered that the proposals would conserve the valued landscape character of the area and would not compromise the priorities identified in the Landscape Strategy in accordance with policies GSP3, L1 and LC13.

In conclusion the buildings would be located in the least obtrusive location on the land in ownership, would match the design of the existing building and would not require any obtrusive tracks, roads or services. The proposals therefore comply with the requirements of LC13.

Issue 3: Impact on Archaeology

Core Strategy policy L3 requires that development must conserve and where appropriate enhance or reveal the significance of archaeological, artistic or historic asset and their setting, including statutory designation and other heritage assets of international, national, regional or local importance or special interest.

The Authority's senior archaeologist has identified that the application site forms part of a rare, intact block of former strip fields that exist to the west, south and east of the village of Parwich. Whilst she does not raise objections to the extension between the existing building and the road, she considers that the digging out and extension of the yard to accommodate the new building would cause significant harm to the earthworks.

Following the raising of these concerns officers have visited the site again to identify whether an alternative site could be found that is less harmful to archaeological interest. The only feasible site would be on the opposite (north western) side of the yard. However in order to provide the necessary manoeuvring space for large farm vehicles, the yard area would need to be extended and the whole footprint of a new building would be within a largely undisturbed area of ridge and furrow (although there is evidence that there may have been some raising of ground levels by tipping in this area). In contrast over half of the area of the footprint of the building currently proposed would be on previously disturbed land – i.e. a levelled hardstanding next to the existing building and a graded back banking. Amended plans show that rather than cutting the land back from the base of the new building it proposed that the rear wall of the building would act as a retaining wall thus minimising land disturbance. Consequently a strip of only approximately 3m wide by 25m long of previously undisturbed 'ridge and furrow' would be affected.

Whilst officers accept the view of the archaeologist that the fossilised medieval fields are an important and rare landscape feature and that the proposals will result in harm, it is not considered that the harm would be significant in this case in view of the fact that the affected area is a very small part of a much more extensive area of ridge and furrow that surrounds the village and it appear that the features are less well preserved here than elsewhere in the immediate vicinity. Alternative sites are not feasible and another consideration is the fact that the principle of agricultural development has already been accepted on the site. On balance it is considered that the public benefits of facilitating the management of the surrounding farmland in the interest of National Park purposes outweighs the less than substantial harm that has been identified.

The plans as submitted showed that excavated material from the engineering works associated with the proposals would be disposed of by spreading in two areas within fields to the east and south of the application site. As these areas have also been identified as part of the medieval field system it is considered that the resulting changes in ground levels would be inappropriate and the applicant has agreed to dispose of any spoil off-site at a licenced disposal facility. A condition to secure this is considered to be necessary and reasonable.

Issue 4: Impact on residential amenity.

Core Strategy policy GSP3 and Saved Local Plan policy LC4 require that the amenity, privacy and security of the development and of nearby properties be given due consideration.

The nearest residential property to the application site is a detached dwelling known as 'Marbyn', which is located some 120m to the south east of the site. Due to the separation distances and the presence of intervening mature hedgerows and trees it is considered unlikely that there would be any significant impact upon the occupiers of the dwelling in question as a result of noise and smells and there would be no impact with regard to overshadowing.

The proposals therefore comply with the requirements of policies GSP3 and LC4.

Conclusion

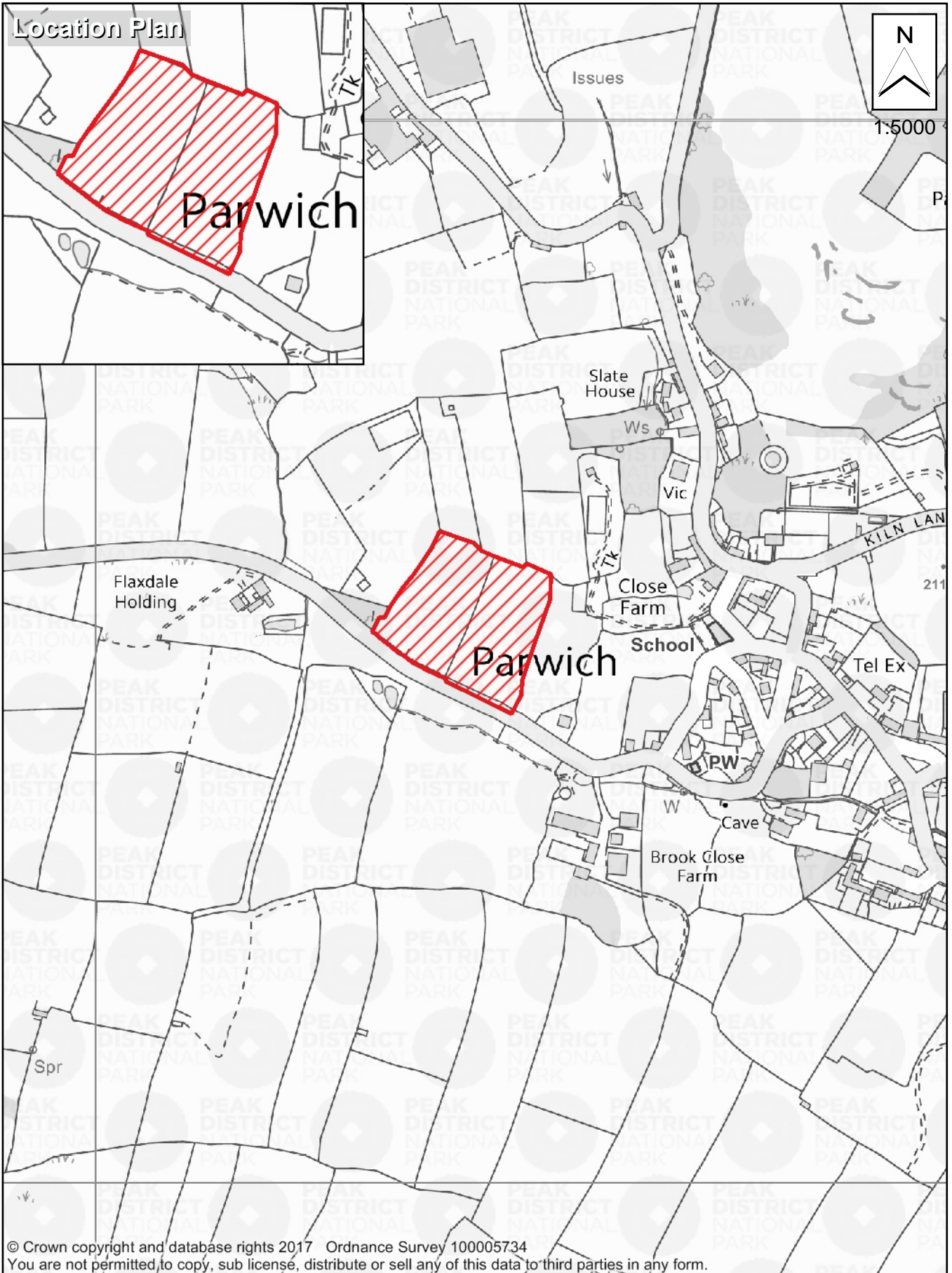
In conclusion it is considered that the proposed development is agriculturally justified and would conserve the landscape character of the area as identified in the Landscape Strategy. The less than substantial harm to archaeological interest at the site is outweighed by the public benefits. It is unlikely that there would be any significant impact on residential amenity as a result of the development. The application is therefore recommended for conditional approval


Human Rights

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

List of Background Papers (not previously published)

Nil



Committee Date:	8th December 2017	Title: Land Off Dam Lane, Parwich	 PEAK DISTRICT NATIONAL PARK
Item Number:	Item 14		
Application No:	NP/DDD/0817/0911		
Grid Reference:	418070, 354106		

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15. DEMOLITION OF EXISTING AGRICULTURAL BUILDING AND REPLACEMENT WITH A MODERN STORAGE BUILDING, AND THE CHANGE OF USE OF THE EXISTING TRADITIONAL BUILDING TO PROVIDE STORAGE AND OFFICE FACILITIES FOR THE ESTATE RANGER SERVICE OF THE NATIONAL PARK AT PUMP FARM, SCHOOL LANE, WARSLOW, (NP/SM/1017/1043/ P6601, 408763/358552, 11/10/2017/ALN

APPLICANT: PEAK DISTRICT NATIONAL PARK AUTHORITY

Site and Surroundings

Pump Farm is located on the south eastern edge of the village of Warslow. Access is gained from School Lane to the north. The property consists of a farmhouse, a range of traditional farm buildings to the east of the house (the subject of this application) and a range of modern farm buildings to the south. The property is within the Warslow Conservation Area and is considered to within (on the edge of) the named settlement of Warslow for planning policy purposes.

The traditional barns in question are two-storey and are L-shaped in plan form. They are constructed in natural gritstone under blue clay tiled roofs. The application site edged red relates to the south projecting wing of the barn only plus a single storey modern extension constructed in concrete blocks under a sheeted roof.

Pump Farm is owned by the National Park Authority as part of the Warslow Moors Estate. The farm is tenanted but the tenant farmer no longer uses the traditional range of buildings or the adjacent modern brick/concrete building as the farming activities are now concentrated within the remaining modern portal framed buildings.

Proposals

Planning permission is sought for the change of use of the part of the buildings in question from agriculture to a mixed B1 (office) and B8 (storage) use in association with the provision of a new Estate base.

The traditional part of the building would be converted within its shell and would provide an office, meeting room and disabled toilet at ground floor and a further office, mess room and store at first floor. The adjacent blockwork shed would be demolished and replaced by a new building (as an extension to the barn) to provide a workshop and three machinery storage bays.

The new building would occupy largely the same footprint of the building to be demolished although it would be slightly (3m) longer and an existing south westwards projecting wing would be omitted. Overall the new building would measure 19m long by 6.1m wide. The ground levels drop away to the south east such that the eaves height of the new extension would be 2.8m where it meets the gable end of the original barn, and 4.2m high at its south-easternmost point.

The extension would be constructed with stone walls on the rear (north east) facing elevation, timber boarding over a stone plinth on the gable end and the yard facing elevation would have four large openings, three with double timber doors and one remaining open. The roof would be clad with Staffordshire blue clay tiles.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions:

- 1. 3 year time limit**
- 2. Adopt submitted plans**

3. **Office/storage accommodation hereby approved to remain in the same ownership at Pump farmhouse.**
4. **New extension to be completed in accordance with approved plans before accommodation is first brought into use.**
5. **Parking and manoeuvring space to be provided and maintained.**
6. **Photograph survey including photographic scale of the internal fabric of the building to be undertaken and submitted prior to commencement.**
7. **Submission and agreement of a Written Scheme of Investigation for archaeological monitoring.**
8. **Minor Design Details**

Key Issues

1. The principle of the change of use from agricultural to B1 (office)/B8 (storage) use.
2. Impact on heritage assets.
3. Impact on ecology.
4. Residential amenity.

History

August 2008 – consent granted for proposed roofed building to existing agricultural feed areas.

September 1990 – consent granted for erection of slurry store and timber building.

Consultations

Highway Authority – no objections

District Council – no response

Parish Council – no response

Natural England – no objections with regard to impact on statutory mature conservation sites. Refer to standing advice with regard to protected species. Advise that the Authority should consider securing measures to enhance the biodiversity of the site.

Authority's Conservation Officer – The proposed re-use and sympathetic restoration and alteration of the traditional barn is welcomed as this will help secure the longevity of the historic structure. The replacement modern building is more in keeping with the vernacular of the area and will enhance the farmstead. The proposed works would therefore improve the character and appearance of the Warslow Conservation Area in accordance with adopted policies.

Authority's Ecologist – no objections subject to conditions.

Authority's Archaeologist. The site is of archaeological and historic interest. The scheme is for a sensitively designed conversion in line with advice from Conservation Officers and the conversion will lead to minimum loss of historic fabric. However the change of use will inevitably alter the character of the buildings and loss of internal historic features. Therefore recommends the submission of a Written Scheme of Investigation for a programme of Historic building

recording, the equivalent of a level 2 building survey. Also potential for exposure of archaeological remains through the demolition of the modern agricultural building, rebuilding on the footprint of this structure and any works to the floor of the barn. Recommends that these works are archaeologically monitored and recommends a condition for a Written Scheme of Investigation to cover this.

Main Policies

Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L3, E1, RT1

Relevant Local Plan policies: LC4, LC5

National Planning Policy Framework

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

Paragraph 115 of the Framework says that great weight should be given to conserving landscape and scenic beauty in National Parks and that the conservation of wildlife and cultural heritage are important considerations and should also be given great weight.

Paragraph 28 supports the sustainable growth and expansion of business and enterprises in rural areas through conversion of existing buildings and well-designed new buildings.

Assessment

Issue 1: The principle of the change of use from agricultural to B1 (office)/B8 (storage) use.

The proposals are to convert and extend the building in question to provide office and storage space in association with the continued management of the Warslow Moors Estate. Core Strategy policy supports proposals for business development within named settlements provided the development is of a scale that is consistent with the needs of the local population and where possible proposals must re-use existing traditional buildings of historic or vernacular merit and take up opportunities for enhancement. Clearly also the provision of facilities to secure the long term management of the Authority's Estate would contribute towards securing National Park purposes in accordance with policy GSP1.

Information provided with the application explains that since the acquisition of the Warslow Moors Estate in 1986 the estate base has been located at Hayeshead, Newtown, Longnor. The Estate Ranger then lived at the dwelling at Hayes Head and a small building provided a workshop, store and mess room. However there were constraints with the property including that there was no undercover parking for machinery; there was no w.c. or meeting rooms for visiting staff; the base was disconnected from the core of tenanted area of the Estate around Warslow and therefore staff were not very visible to residents and visitors to the village; and finally security issues. The Warslow Moors Estate Business Plan (2011-2016) agreed a strategy whereby when the full-time Estate Ranger retired, the post would become non-resident and part time. It was agreed that Hayeshead would be let on a commercial basis and new base would be found.

An evaluation of possible sites on the Estate for a new base was carried out and Pump Farm was identified as the 'best fit' and the tenant is willing to surrender the required building and land from his tenancy. It is considered that the base would provide sufficient space for the needs of the Estate and potential wider Authority needs; can be suitably secure; and improves the 'visibility' of staff on the Estate.

In principle the conversion and extension of the barn would accord with adopted policies provided that the impact upon the character of the buildings and wider conservation area is acceptable and that opportunities for enhancement are acted upon; and subject to residential amenity, ecology, highways and parking and any other material considerations being adequately addressed.

Issue 2: Impact on heritage assets

Core Strategy policy GSP3 states that development must respect, conserve and enhance all valued characteristics of the site and building that are subject to the development proposals. Core Strategy policy L3 requires that development must conserve and where appropriate enhance or reveal significance of archaeological, artistic or historic asset and their setting, including statutory designation and other heritage assets of international, national, regional or local importance or special interest. Policy LC5 seeks to protect the character and appearance of Conservation Areas and policy LC4 seeks high standards of design.

Saved Local Plan Policy LC8 states that the conversion of buildings of historic or vernacular merit to a use other than that for which it was designed will be permitted provided that it can accommodate the new use without changes that would adversely affect its character (such changes include significant enlargement, or other alteration to form and mass, inappropriate new window spacings or doorways, major rebuilding).

Pump Farm is not listed but the farmstead and associated barn have some architectural and historic significance. The farmhouse and barns are laid out in a courtyard arrangement and the rear elevation of the barn in particular is prominent from the B5053 Cheadle Road on the approach into the village from the north east. As such the building pays a positive contribution to the character of the Conservation Area. However the modern blockwork and sheeted extension is also prominent from the road and this currently detracts from the character of the host building and its setting.

The proposals seek to convert the southern wing of the L-shaped barn within its shell. Existing openings would be utilised and on the front (yard facing) elevation a former doorway (now a window) would be re-opened. Window frames would be in timber and would either be fixed or traditional inward opening hoppers. Two conservation rooflights would be provided on the roof slope facing the farmyard. Overall the scheme represents a sensitive conversion of the traditional building in accordance with policies GSP3, L3, LC4 and LC8.

The new extension would be subservient to the host building in that its roof would be lower. It would have simple detailing that would be reflective of the agricultural character of the site. The use of stone on the rear (north east) facing elevation in particular and the proposals to remove the existing sheeted roof and replace it with clay tiles would significantly enhance the appearance of the range of buildings when viewed from Cheadle Road. The omission of the existing forward facing lean-to is also welcomed.

In conclusion the proposals would conserve and enhance the character of the traditional range of buildings and their setting in the Conservation Area in accordance with adopted policies.

Issue 3: Impact upon ecology

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

A protected species survey was submitted with the application. A single brown long eared bat and two pipistrelle bats have been confirmed as using the affected building. The report considers the roosts to be used on an infrequent basis. Active swallows' nests were also found

in the buildings. The report puts forward mitigation and compensation for bats and swallows. The Authority's ecologist also recommends conditions but most of their requirements are included within the report's recommendations so a condition to require section 5 (Recommendations) of the report to be fully implemented will cover the recommendations of the ecologist subject to the addition of a condition to required details of the number and position of bat and swallow nesting boxes or structures to be submitted and agreed.

Issue 4: Residential Amenity

The buildings in question are approximately 23m away from the farmhouse at Pump Farm. However the main habitable rooms of the dwelling face northwards and southwards. There are some secondary windows facing towards the barn however due to the intervening distance and the fact that the farmhouse and the application buildings would remain in the same overall ownership and control it is not considered likely that there would be an unacceptable impact on residential amenity as a result of overlooking or through noise and disturbance. However a condition that requires the accommodation hereby approved and the main farmhouse to remain in the same ownership is considered to be necessary because if the office/storage use was sold off separately then there could be a detrimental impact on residential amenity. Other than Pump Farm farmhouse the nearest residential dwelling in third party ownership is School House, some 70m to the north west, but due to the separation distances and the presence of an intervening public highway it is not considered that there would be a detrimental impact on the amenity of the occupants of this property. The proposals therefor accord with policies GSP3 and LC4 in these respects.

Other Matters

Archaeology

The Authority's archaeologist has commented that the site is of archaeological and historic interest and that whilst the scheme is for a sensitively designed conversion in line with advice from Conservation Officers and the conversion will lead to minimum loss of historic fabric, the change of use will inevitably alter the character of the buildings and loss of internal historic features. She therefore recommends the submission of a Written Scheme of Investigation (WSI) for a programme of historic building recording, the equivalent of a level 2 building survey.

Officers consider that whilst such a detailed requirement would be useful it is not necessary to make the development acceptable and that a condition to require an internal photographic survey to be undertaken and submitted prior to commencement is sufficient.

There is also a recommendation for a WSI to secure archaeological monitoring of any remains that might be uncovered during the demolition of the modern farm building, the rebuilding of the new extension and any works to the floor of the barn. The archaeologist response identifies that the site is identified as a 19th century farmstead in the Historic Farmsteads and Landscape Character in Staffordshire assessment of 2008 and the farm is depicted on the 1st edition O.S. map of 1879. On that basis she considers that the building is a non-designated heritage asset and the proposed WSI is required to record and advance the understanding of the heritage asset.

Officers view is that the NPPF (para 135) makes it clear that the significance of a non-designated heritage asset should be taken into account in determining applications. In weighing such applications a *'balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset'*. It is considered that Pump Farm is not dissimilar to most other traditional farmsteads in the National Park. Whilst it is in the Conservation Area it is not listed or within close proximity of a Scheduled Monument. There does not appear to be any other archaeological interest recorded close the application site. It is not clear why this building is of greater than usual interest. It is not considered that the condition is reasonable.

Access and Parking

Saved Local Plan policy LT18 states that the provision of safe access arrangements will be a prerequisite of any development.

The application form suggests that parking space for 6 vehicles can be provided within the yard area adjacent to the buildings and in an area to the south east of the extension, enclosed by a new drystone wall. Officers are satisfied that this level of parking can be achieved and will adequately serve the needs of the development. Visibility at the access onto the public highway is within acceptable limits. The proposals therefore accord with policy LT18.

Conclusion

In conclusion the proposals to convert and extend the building to provide office and storage space in association with the continued management of the Warslow Moors Estate complies with adopted policies. The proposals would conserve and enhance the traditional buildings and the wider conservation area. All other material considerations have been addressed and the proposals are recommended for approval.

Human Rights

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

List of Background Papers (not previously published)

Nil

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16. CONSTRUCTION OF MANEGE AT MIDDLETON HALL, RAKES LANE, MIDDLETON BY YOULGREAVE (NP/DDD/0917/0952, P1462, 419462/363034, 29/09/2017/ALN)

APPLICANT: MR AND MRS ALEX BALL

Site and Surroundings

Middleton Hall is located on the southern edge of the village of Middleton by Youlgreave. It is a grade II listed building and the house and its associated gardens and parkland are within the Middleton by Youlgreave Conservation Area. The parkland extends to approximately 0.5 hectares in area and is located to the south, west and east of the Hall.

The application site edged red is rectangular in shape and is located in the north western corner of the parkland directly to the east of a perimeter belt of trees and approximately 150m to the west of the Hall. Levels fall gently across the application site from west to east. To the north east of the application site there are two modern portal framed buildings that appear to be in use as stabling.

Vehicular access to the site is via a private track from an unclassified road known as Whitefield Lane that runs to the west of the parkland.

Proposal

Planning consent is sought for the construction of a horse riding arena in the north west corner of the parkland and directly to the east of a perimeter belt of trees. The submitted plans indicate that the structure would measure 60m long by 30m wide. It would be roughly rectangular in shape, with each corner 'rounded off'. No information has been provided with regard to the proposed surfacing materials.

RECOMMENDATION:

That the application be REFUSED for the following reasons:

- 1. The development would cause harm to the significance of the Middleton by Youlgreave Conservation Area, the park as a non-designated asset and the setting of the grade II listed building, with no public benefit, contrary to Core Strategy policies GSP3, L1 and L3; Saved Local Plan policies LC4, LC5, LC6, LC16 and LR7 and paras 128 and 132-134 of the National Planning Policy Framework.**
- 2. Insufficient information has been provided to enable the Authority to assess the impact of the groundworks on the significance of any archaeological interest at the site contrary to Core Strategy policy L3; Saved Local Plan policy LC15 and 128 and 132-134 of the National Planning Policy Framework.**

Key Issues

1. Impact on the significance of heritage assets.
2. Impact on archaeological interest and significance.

History

There is no planning history held on file for the application site or for the two buildings to the north east of the site.

Consultations

Highway Authority – no objection subject to all use remaining private and ancillary

District Council – no response

Parish Council - supports this application on the basis of it being virtually hidden from view and not for commercial use.

Authority's Conservation Officer – recommends refusal. It is recognised that the visual impact of the manege from the east might be low or minimal, depending what equipment is needed with it. However the application site is an integral part of the historic parkland and views from it looking eastwards are as much part of the experience of it as those looking west towards it. On plan, the manege would make a significant intrusion into the parkland. While it is appreciated that the visual impact would be mitigated by limited visibility and the lie of the land, it would nonetheless intrude on the tranquil, pastoral, undisturbed and timeless character that the creators of such parklands aimed to create. The proposal would cause less than substantial harm to the significance of the conservation area, the park as a non-designated asset and the setting of the listed building, with no public benefit.

Authority's Archaeologist – The application site is a site of archaeological and historic interest, and is a non-designated heritage asset. It is located within the Conservation Area, the site is within the historic parkland and the Hall and is in an area recorded in the Derbyshire Historic Environment Record as the site of a medieval grange. It is apparent that earthworks do survive on the application site and the origin of these earthworks is unknown. Should earthwork or below ground remains of a medieval grange survive in the grounds of Middleton Hall, they have the potential to be of national significance; earthwork remains of granges elsewhere in the Peak District are Scheduled Monuments. However, it is not clear what, if any remains of a medieval grange survive at the site of the proposed ménage or more widely within parkland surrounding Middleton Hall.

At present there is insufficient information available to understand the nature and significance of the archaeological interest of the site. The proposed ménage will require a large amount of cut and fill. The groundworks associated with the proposed development have the potential to result in harm to archaeological interest and significance of the site, which isn't yet understood, and the insertion of the ménage will result in harm to the significance of the historic parkland. It also has the potential to harm the character and significance of the Conservation Area and the setting of a listed building. However, the planning application does not address these issues.

Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation to provide the appropriate level of information on the significance of the heritage asset and the potential impact of the proposed development on the asset's significance (National Planning Policy Framework, Section 12, Para. 128 and 135). A desk based assessment and walk over survey would be required. However even based on the information provided the proposals would result in harm to the significance of the historic parkland which is not outweighed by public benefit.

Main Policies

Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L1, L3

Relevant Local Plan policies: LR7, LC4, LC5, LC15, LC16

National Planning Policy Framework

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

Paragraph 115 of the Framework says that great weight should be given to conserving landscape and scenic beauty in National Parks and that the conservation of wildlife and cultural heritage are important considerations and should also be given great weight.

Paragraph 132 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Para 128 states that in determining applications LPAs should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting.

Para 134 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Assessment

Saved Local Plan policy LR7 states that facilities for keeping and riding horse will be permitted provided that the development does not detract for the landscape or valued character of the area; is located adjacent to existing buildings to groups of building; is not likely to cause road safety problems; and does not constitute a nuisance to local residents, landowners or farmers by noise, smell or other adverse impact.

The submitted Design and Access Statement explains that the applicants have recently purchased Middleton Hall and which to use the proposed manege to exclusively train their own horses to national competition standards. The site of the manege is determined by the training requirements and is the standard size for competition. No commercial use is proposed.

In terms of compliance with policy LR7 it is clear that the manege would be for personal use only (and this could be required by condition). As such it is unlikely that the proposals would cause road safety problems (particular as buildings used for stables are close by). The nearest neighbouring properties are some 90 – 100m away to the north and separated from the site by steeply sloping land, woodland and an intervening road. As such it is unlikely that the proposals would constitute a nuisance to local residents or landowners. The main issue with the current proposals is whether the manege would detract from the valued character of the area in terms of impact on heritage assets and archaeology.

Issue 1: Impact on the significance of heritage assets.

Core Strategy policy GSP3 sates that development must respect, conserve and enhance all valued characteristics of the site and building that are subject to the development proposals. Core Strategy policy L3 requires that development must conserve and where appropriate enhance or reveal significance of archaeological, artistic or historic asset and their setting, including statutory designation and other heritage assets of international, national, regional or local importance or special interest. Policy LC5 seeks to protect the character and appearance of Conservation Areas and policy LC4 seeks high standards of design.

Middleton Hall is a grade II listed building. The current Hall dates from the early 19th century although it is likely to originate from an older building. The formal parkland lies to the south, west and east of the Hall. The parkland is of heritage value as it forms part of the setting of the Grade II listed Hall and is a significant element in the Conservation Area (it is Area D in the adopted

Conservation Area Appraisal, characterised by occasional clumps of individual trees in parkland, with partial permeated belts on all four sides, but with a ha-ha and gaps still allowing extensive views out to the south). It is a non-designated heritage asset in its own right and forms part of the attractive local landscape of this part of the National Park. There have been some modern incursions into the parkland including steel framed sheds on the north boundary. However, generally, the whole parkland is well preserved. The main features include:

- Several good examples of early 19th century “mound planting”, retaining mature trees which are a key visual feature of the landscape.
- Late 19th century kitchen garden on north perimeter.
- Lengths of shelter belt on parts of the perimeter.
- A ha-ha south of the house.
- The house itself as a focal point, along with its outbuildings.
- Terraced lawns and gardens to the east and south of the house.

No pre-application advice was sought on the proposals and no Heritage Statement has been submitted. The design and access statement simply states that ‘the siting is such that the proposals will not adversely affect any heritage asset.’

Simple ‘existing’ and ‘proposed’ contour maps have been provided which indicate that a ‘cut and fill’ operation would be required to create a level platform but as no sections have been provided it is difficult to fully assess the landscape impact of the proposed manege. However it appears that it may not be easily detectable from the lower (eastern) end of the parkland, especially as no lighting is proposed and no perimeter fencing is shown on the submitted plans. However the proposed site itself is an integral part of the historic parkland and the view from it looking eastwards are as much part of the experience of it as those looking westwards towards it and the manege would make a significant intrusion into the tranquil, pastoral character that the creators of such parklands aimed to create.

Whilst views of the manege would not be possible from outside of the parkland from the roads to the north and west due to land levels and intervening trees, glimpses would be available from Weadow Lane to the south, through the perimeter trees.

In conclusion the proposals would cause substantial harm to the significance of the conservation area, the park as a non-designated asset and the setting of the listed building, with no public benefit. Although the surface and presence of the manege might not be visible from the Hall, the site is nevertheless an important part of the surroundings in which the Hall is experienced, and the proposal would further undermine its integrity as a heritage asset. The proposals would therefore be contrary to policies GSP3, L1 and L3 and Local Plan policies LC4, LC5, LC6, LC15 and LR7.

Issue 2: Impact on Archaeology

As well as being within the Conservation Area and the historic parkland the Authority’s Archaeologist has noted that the site is within an area recorded in the Derbyshire Historic Environment Record as the site of a medieval grange. The archaeological remains of granges can include earthwork and belowground remains of buildings related to settlement and those associated with agricultural activity, building platforms, domestic enclosures, agricultural fields and enclosures, lynchets and ridge and furrow, ponds, wells, boundary banks etc. Sites that show a good degree of archaeological survival are identified as nationally important.

Following a site visit the archaeologist has stated that it is apparent that earthworks do survive within the footprint of the proposed manege (these can be seen on the ground as a series of linear terraces aligned north-south across the application site). No archaeological assessment has been provided with the application and therefore there is insufficient information available to understand any archaeological interest of the site and the groundworks associated with the

proposed development have the potential to result in harm. It is considered that an archaeological desk based assessment and walk over survey (to identify and provide any appropriate record of surviving earthworks) would be required.

In conclusion the proposed works have the potential to result in harm to archaeological interest and significance of the site, which isn't yet understood, and the proposal is therefore contrary to Core Strategy policy L3 and Local Plan policy LC15.

Alternative Sites

As no pre-application advice was sought, a detailed appraisal of alternative sites has not taken place. Officers have looked with the agent at an alternative site outside of the parkland directly to the west of the perimeter trees adjacent to Whitefield Lane. However the land here is more steeply sloping and cramped leaving little leeway for grading it gently or screening it. It is considered that a manege in this location would be harmful to the landscape character of the area.

Conclusion

In conclusion the proposals would cause harm to the significance of the conservation area, the park as a non-designated asset (including any below ground archaeology) and the setting of the listed building, with no public benefit, contrary to adopted policies and paras 115, 132 and 134 of the NPPF. The proposals are therefore recommended for refusal.

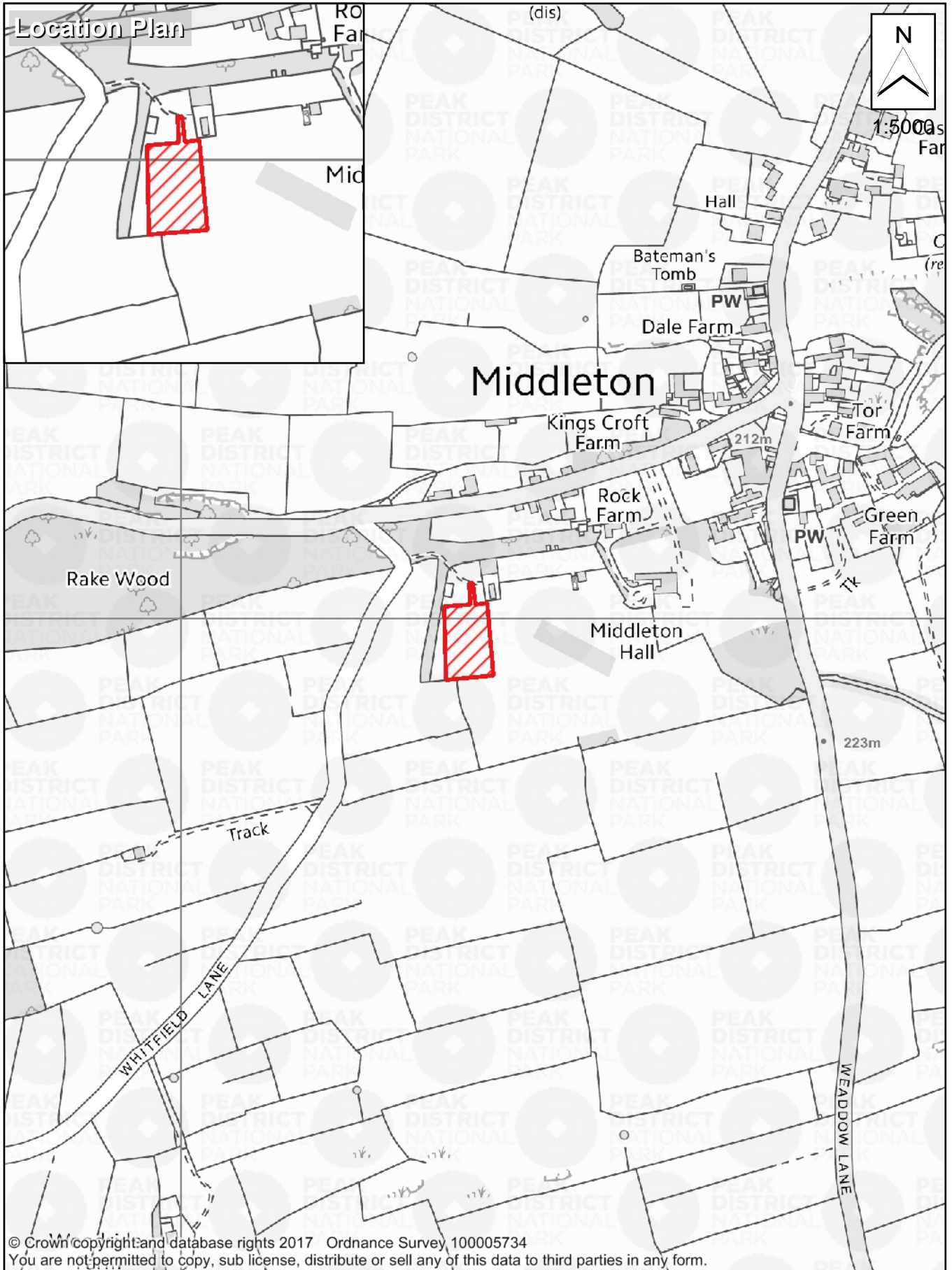
Human Rights

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

List of Background Papers (not previously published)

Nil

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Committee Date: 8th December 2017
 Item Number: Item 16
 Application No: NP/DDD/0917/0952
 Grid Reference: 419462, 363034

Title: Middleton Hall,
 Middleton-By-Youlgrave



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17. BROWNFIELD LAND REGISTER AND PERMISSION IN PRINCIPLE (SW)

1. Purpose of the report

To inform Members of the Regulations and Order relating to the Brownfield Land Register and Permission in Principle and their contents.

Key issues

- Permission in Principle
- Brownfield Land Register

1. Recommendation:

That Members note the contents of this report and the list of sites in Section 5 of this report to be included on Part 1 only of the Authority's Brownfield Land Register on or prior to 31 December 2017.

2. How does this contribute to our policies and legal obligations?

Core Strategy Policy DS1: Development Strategy directs new development towards Bakewell and named settlements. Policy HC1: New housing, states that provision will not be made for housing solely to meet open market need and that housing land will not be allocated in the development plan.

As an exception to the strategic position set out above Policy HC1 part c provides for additional housing where:

- i. It is required in order to achieve conservation and/or enhancement of a valued vernacular or listed building; or
- ii. It is required in order to achieve conservation or enhancement in settlements listed in core policy DS1.

The PDNPA is required to make their Brownfield Land Register publicly available to view and to update it on an annual basis in accordance with The Town and Country Planning (Brownfield Land Register) Regulations 2017.

3. Background

The Housing and Planning Act 2016 introduced new planning legislation for Permission In Principle and Brownfield Land Registers. This was followed with The Town and Country Planning (Permission in Principle) Order 2017 and The Town and Country Planning (Brownfield Land Register) Regulations 2017.

Permission in Principle is a new route to gain planning consent. Its purpose is to speed up the planning process for known brownfield sites that are suitable for housing development in accordance with the NPPF and the Local Development Framework. This supports the government's aim of delivering 90% of all new housing on brownfield land.

Permission in Principle has 2 stages. The first stage, 'Permission in Principle' is a process in which the Local Planning Authority (LPA) establishes the suitability of a site for residential development, and includes details on the amount of development expressed as a range, indicating the minimum and maximum net number of dwellings which are, in principle, permitted. The second stage, 'technical details consent' is when the applicant submits detailed development proposals to be assessed by the LPA.

For a site to be granted Permission In Principle it has to be entered by the Local Planning Authority onto Part 2 of the Brownfield Land Register.

The Brownfield Land Register (BLR)

To facilitate this new route, Local Planning Authorities are required to maintain, and regularly update, a Brownfield Land Register of all known brownfield land sites suitable for housing within the Authority. The purpose of the Brownfield Land Register is to provide up-to-date, publicly available information on brownfield land that is suitable for housing. The register will help housebuilders identify suitable sites quickly, speeding up the construction of new homes. The register is also a means of enabling communities to draw attention to local sites for listing, including in some cases derelict buildings and eyesores that are primed for conversion or redevelopment and that could attract investment to the area.

The register is aimed at improving the quality and consistency of data held by Local Planning Authorities and providing certainty for developers and communities. The register is maintained and controlled by the LPA who have the final say on which sites are listed on the register.

For the purposes of the register, brownfield land has the same definition as previously developed land, which in the NPPF is defined as:

'Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure.'

This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.'

The format for the register is set out in Schedule 2 of the Town and Country Planning (Brownfield Land Register) Regulations 2017. The register is to be kept in two parts.

Part 1 is a list of all known brownfield land sites that accord with criteria set out below;

- (a) The land has an area of at least 0.25ha or is capable of supporting at least 5 dwellings;
- (b) The land is suitable for residential development;
- (c) The land is available for residential development; and
- (d) Residential development of the land is achievable.

For the purposes of this new legislation the following definitions have been provided;

- Suitable – This means that it is allocated in a development plan document (e.g. a local plan); it already benefits from planning permission or PIP for residential development; or the Local Planning Authority considers it suitable for residential development having considered any adverse impact on the natural environment, the local built environment (including heritage assets), local amenity and any 'relevant'

- representations (i.e. from third parties).
- Achievable – This means that in the Authority’s opinion that the site will be developed in the next 15 years having regard to any information publically available and any relevant representations received.
- Available – This means that either all the owners of the site, or the developer in control of the land have expressed an intention to develop (or sell, in the case of an owner the site within the 21 days before the entry date on the register, or the Local Planning Authority considers that there are no ownership or other legal matters that might prevent residential development (again, based on publically available information and any relevant representations).

Part 1 of the BLR is solely a list of all know brownfield land sites that have the potential to be developed for housing. Putting a site on Part 1 of a register does not mean it will automatically be granted permission in principle.

If the authority considers that ‘Permission in principle’ (PIP) should be granted for a site the LPA is required to enter that site on Part 2 of the register. Part 2 is therefore a subset of Part 1 and should include only those sites for which Permission In Principle has been granted.

The regulations set out the requirements for publicity and consultation where an authority proposes to enter sites on Part 2 of the register.

Sites which cannot be included in Part 2 are:

Sites within Schedule 1 of the EIA regulations;
Sites that have been screened as EIA development; and
Sites which would be prohibited under the Habitat Regulations.

‘Permission In Principle’ will set out the fundamental principles of development (use, location, amount of development) for the brownfield site giving developers/applicants more certainty. However, a developer cannot proceed with development until they have also obtained ‘Technical Details Consent’ (TDC). No fee is payable for PIP although a fee will be payable for TDC. Following PIP the developer has 5 years to seek TDC to obtain full approval. PIP can only be granted for housing led development, but could include ancillary commercial, office and community uses.

4. **Key Issues**

The Brownfield Land Register

The purpose of the Brownfield Land Register is to focus development towards brownfield sites to meet the Government’s aim of delivering 90% of all new housing on brownfield land.

Whilst it is the Government’s aim to promote brownfield land development for housing, these sites still have to accord with the NPPF, Local Development Framework and the National Park purposes as set out in the Environment Act, 1995.

In the Peak District National Park many of the brownfield land sites, like former mills and factories have already been converted/developed for housing. As such, there are only a few known large scale opportunities for brownfield land development for housing, which comply with the criteria set out in section 3.

The Regulations in relation to Part 1 for preparing, maintaining and publishing a register are a legal requirement and must therefore be complied with by 31st December 2017. Officers have focused on sites of 0.25ha/ 5 dwellings or more within/adjacent to the named settlements of the Core Strategy in accordance with the Local Development Framework. These sites are listed in section 5 of the report.

Permission In Principle

With regards to Part 2 of the Brownfield Land Register there is no statutory requirement to consider whether or not to move a site from Part One to Part Two and grant 'Permission In Principle'. This process is akin to allocating housing sites in the Local Plan and this is contrary to Core Strategy Policy HC1: New Housing, which states that the housing land will not be allocated in the development plan. As such it is considered to be inappropriate to grant 'Permission In Principle' for sites within the National Park as this would be contrary to the development plan. Consequently, there will be no entries onto Part 2 of the Brownfield Land Register for the National Park at present.

5. Sites to be entered on Part 1 of the Brownfield Land Register

The following sites are proposed for entry on to **Part 1** of the register. Maps of the sites are included in Appendix One.

NP/BLR/S/001 – Former Treatment Works at Mill Lee Road, Low Bradfield (planning consent pending for residential development, 21 dwellings)

NP/BLR/DDD/002 – Newburgh Engineering Co Ltd, Newburgh Works, Netherside, Bradwell (planning consent for residential development, 55 dwellings)

NP/BLR/DDD/003 – Markovitz Ltd, Richard Lane, Tideswell (planning consent pending for residential development, 25 dwellings)

NP/BLR/DDD/004 – Dove Dairy, Stonewell Lane, Hartington (planning consent granted for residential development, 26 dwellings)

(Note: the site boundary indicates the area in which residential development on brownfield land would be acceptable. It cannot include greenfield land and therefore the boundary may differ from the planning consent)

6. Conclusions

There are currently 4 sites to be listed on Part 1 of the Brownfield Land Register.

The register will be updated annually to include new brownfield sites considered to be suitable for housing development, having regard to the criteria set out in section 3 of this report and the Local Development Framework, and to remove brownfield land sites that have since been developed for housing.

7. Are there any corporate implications members should be concerned about?

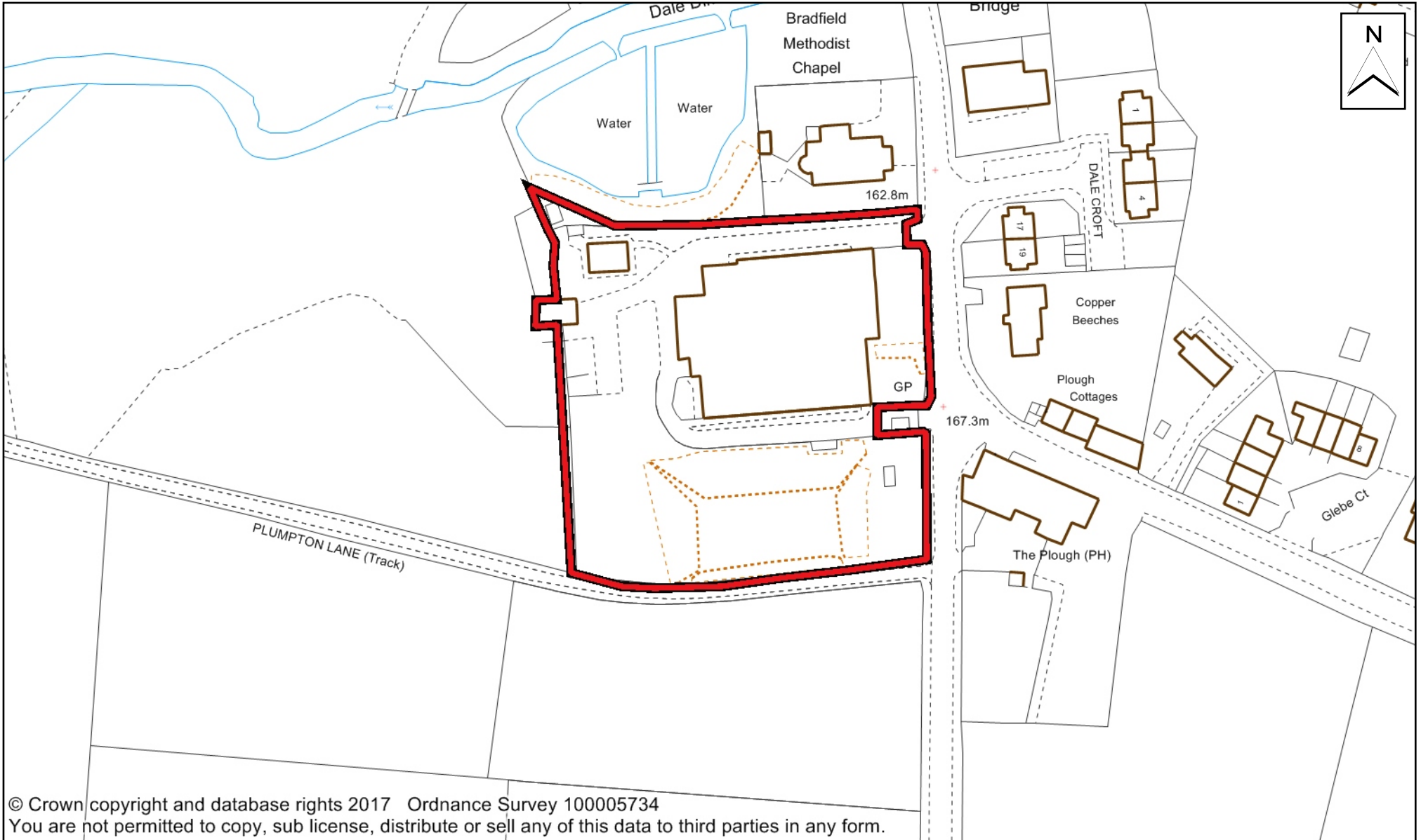
8. Human Rights: Any human rights issues have been considered and addressed in the preparation of this report.

9. **Financial:** The Brownfield Land Register is funded through the New Burdens grant funding.
10. **Risk Management:** N/A
11. **Sustainability:** The publication of the Brownfield Land Register will support the purposes of the Peak District National Park, the NPPF and PDNPA Core Strategy to direct new housing development on brownfield land located within or on the edge of named settlements as set out in Policy DS1 of the Core Strategy.
12. **Background papers:** None
14. **Appendices:**

Brownfield Land Register Site Plans

Sarah Welsh, Brownfield Land Officer, 29 November 2017

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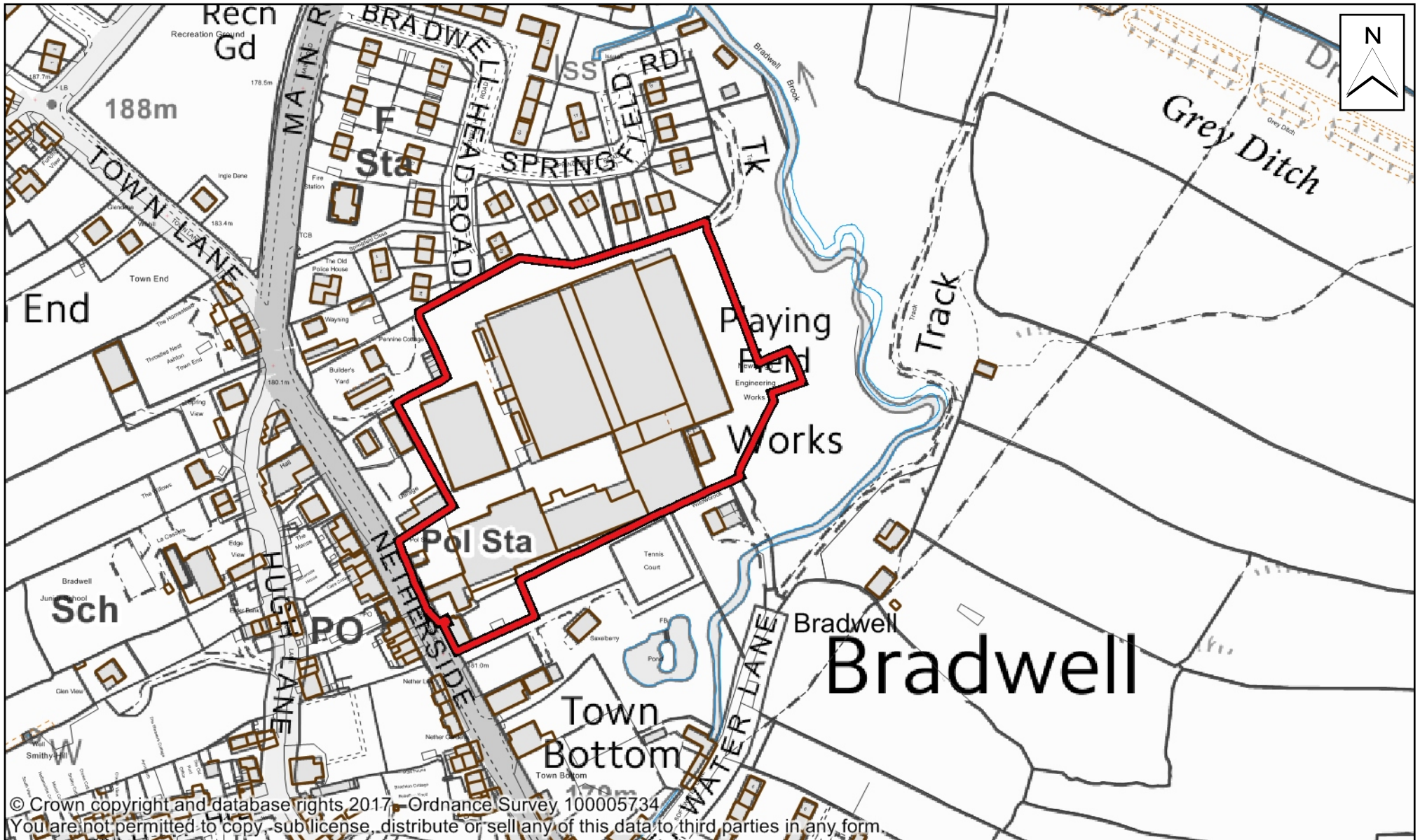
 PDNPA Brownfield Register

Scale: 1:1250 at A4

Title: Former Treatment Works at Mill Lee Road, Low Bradfield
 Brownfield Land Register Part 1: NP/BLR/S/001



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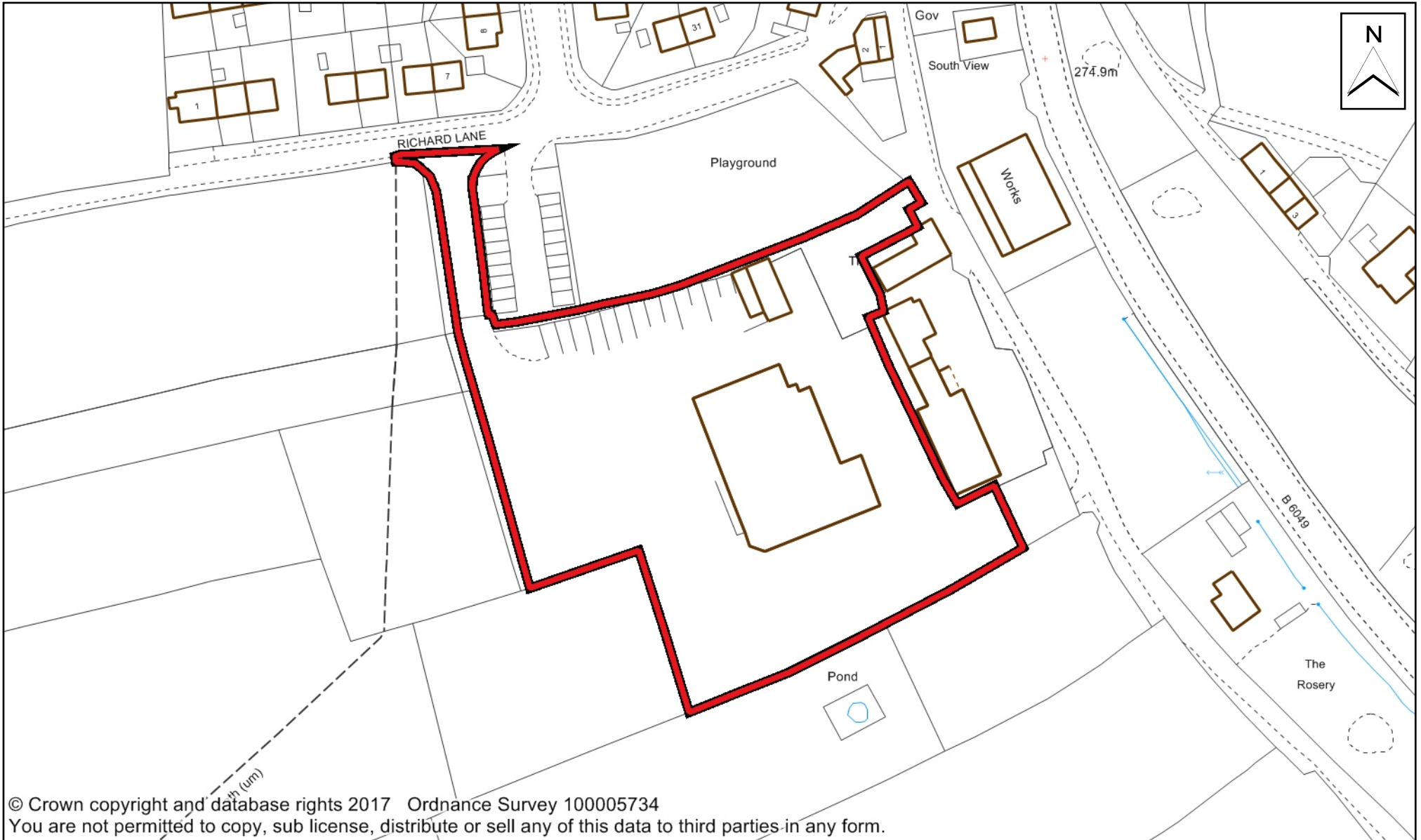
PDNPA Brownfield Register

Scale: 1:2500 at A4

Title: Newburgh Engineering Co Ltd, Newburgh Works, Netherside, Bradwell
 Brownfield Land Register Part 1: NP/BLR/DDD/002



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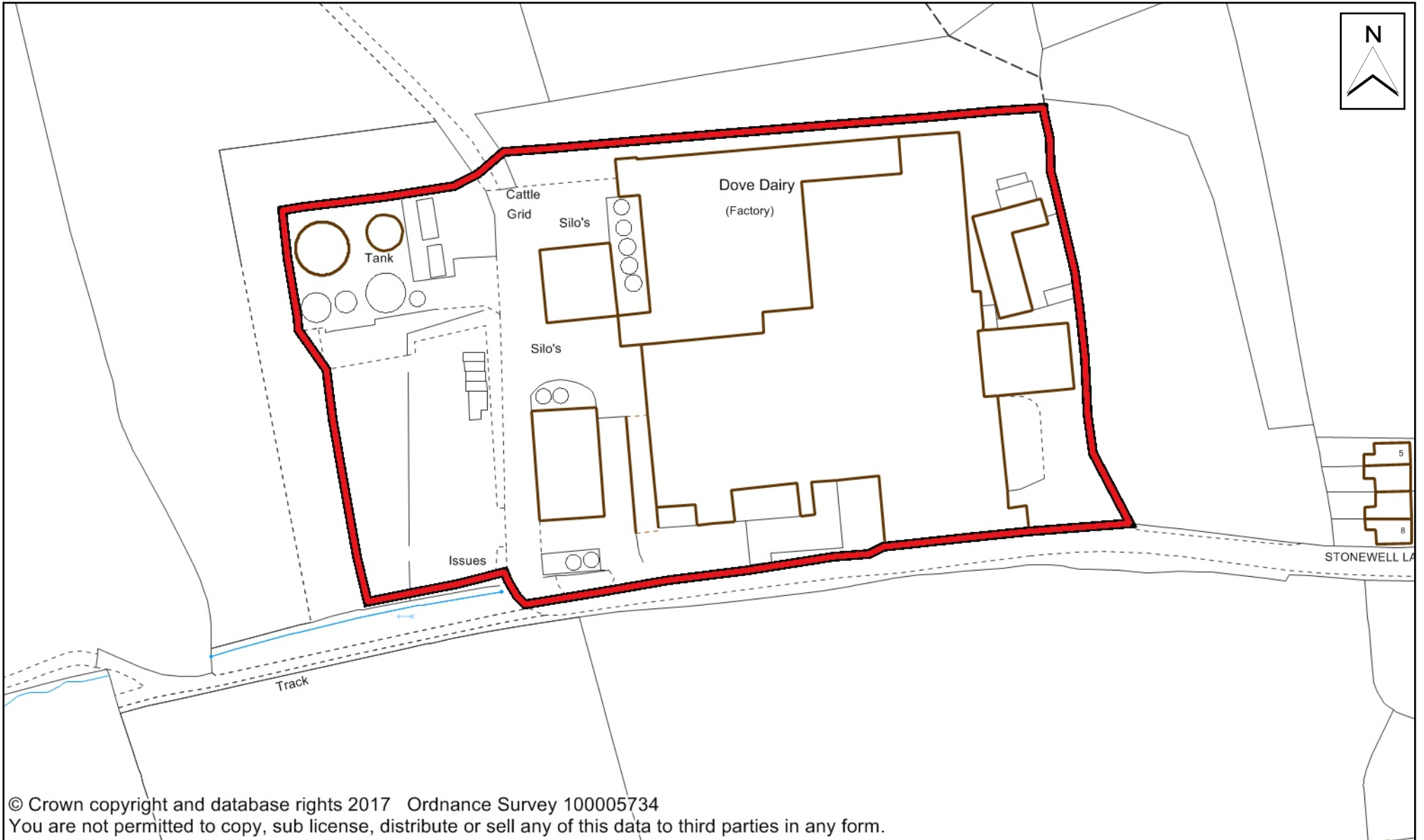
PDNPA Brownfield Register

Scale: 1:1250 at A4

Title: Markovitz Ltd, Richard Lane, Tideswell
 Brownfield Land Register Part 1: NP/BLR/DDD/003



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 PDNPA Brownfield Register

Scale: 1:1250 at A4

Title: Dove Dairy, Stonewell Lane, Hartington
 Brownfield Land Register Part 1: NP/BLR/DDD/004



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

1. APPEALS LODGED

The following appeals have been lodged during this month.

<u>Reference</u>	<u>Details</u>	<u>Method of Appeal</u>	<u>Committee/ Delegated</u>
NP/DDD/0517/0517 3184842	Erection of replacement lean-to conservatory at rear of dwelling at South Croft, Church Lane, Monyash	Written Representations	Delegated
NP/DDD/0417/0440 3183270	Erection of conservatory at Burrs Farm, Caxterway Lane, Chelmorton	Householder	Delegated
NP/DDD/0417/0424 3285405	Extension to approved balcony and screening wall at Oak Cottage, Hay Lane, Froggatt, Calver	Householder	Delegated

2. APPEALS WITHDRAWN

There have been no appeals withdrawn during this month.

3. APPEALS DECIDED

The following appeals have been decided during this month.

<u>Reference</u>	<u>Details</u>	<u>Method of Appeal</u>	<u>Decision</u>	<u>Committee/ Delegated</u>
NP/HPK/0517/0475 3182026	Drop shared western boundary wall and a footway/dropped kerb to allow vehicular access to the property at 24 Hernstone Lane, Peak Forest	Householder	Part Allowed/ Part Dismissed	Delegated
NP/DDD/0117/0080 3179328	Alterations & extensions to create bedsit and ground floor shower	Householder	Allowed	Delegated

The Inspector considered that the proposed dropped kerb could lead to vehicle movements that would prejudice highway safety, and would be contrary to Policy LT18 of the Local Plan and paragraph 32 of the NPPF, which both require development to provide safe access arrangements; therefore this part of the appeal was dismissed. As to the proposed reduction in the height of the boundary wall, the Inspector considered that the proposal would have limited visual impact on the street scene and as such would accord with LC4 of the Local Plan and GSP3 of the Core Strategy, which both aim to protect the character of the area, therefore this part of the appeal was allowed.

room for disabled
resident at Aston
Grange, Oker Road,
Oker, Matlock

The Inspector felt that the extension would not be seen as a dominant addition to the dwelling, and that it would not have a harmful effect on the National Park's valued characteristic, particularly in terms of the impact on the quality of the wider landscape, the rural and agricultural setting of the dwelling or any aspect of its cultural heritage. There would also be no conflict with DS1, GSP1, GSP2 & GSP3 of the Core Strategy or LC4 and LH4 of the Local Plan, which seek, amongst other things to ensure extensions, respect and conserve the character and appearance of the original building and its setting, and that the development would not affect the purposes and duties of the National Park. For these reasons the Inspector considered the appeal should be allowed.

NP/HPK/0217/0115 3178705	Demolition and replacement of existing extension to rear of property at 16 Hernstone Lane, Peak Forest	Householder	Dismissed	Delegated
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The Inspector considered that the proposed replacement rear extension would be conspicuous within the open character of the settlement, notably from the adjacent recreation ground and more particularly to the east of the appeal site, where the slope of the land affords a good view of the roof of the existing extension. The proposal would also fail to preserve or enhance the character of the Peak Forest Conservation Area as well as the appearance of the host building. The appeal was therefore dismissed.

.4 **RECOMMENDATION:**

That the report be received.