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



Our Ref: A.1142/1776

Date: 5 July 2018



NOTICE OF MEETING

Meeting: **Planning Committee**Date: **Friday 13 July 2018**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 15/06/2018 (Pages 5 - 22)**
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 - Change of Use of former station building from office and workshop to visitor information point and cafe. Extension to car park. Station Car Park Unnamed Road from Glebe Farm to B6049, Millers Dale (NP/HPK/0518/0407) (Pages 23 - 42)**
Site Plan
7. **Full Application - Addition of a cycle hire operation to the currently disused office room of the visitor centre building. Manifold Visitor Centre, Hulme End NP/SM/0518/0448 (Pages 43 - 50)**
Site Plan

8. **Full Application - Demolition of existing buildings on site and erection of a new open market dwelling and associated works. Land at Litton Dale, Tideswell NP/DDD/0418/0361** (Pages 51 - 58)
Site Plan
9. **Full Application - Conversion of barn to a local need dwelling at Leach Barn, Leadmill, Hathersage - ITEM WITHDRAWN NP/DDD/0518/0415** (Pages 59 - 72)
Site Plan
10. **Section 73 Application - Variation of Condition 2 of planning approval NP/DDD/0317/0251 relating to the provision of car parking at Rock View Cottage, East Bank, Winster NP/DDD/0318/0265 (p.5817 & p1225) 424044/360366 27/04/18/ALN** (Pages 73 - 80)
Site Plan
11. **Section 73 Application - Variation of Condition 2 of planning approval NP/DDD/0317/0250 relating to the provision of car parking at Rock View Cottage, East Bank, Winster NP/DDD/0318/0264, P5817 + P1225, 424044/360366, 27 April 2018/ALN** (Pages 81 - 88)
Site Plan
12. **Full Application - Proposed extension and alterations to dwelling at 6 Aldern Way, Bakewell (NP/DDD/0418/0314, P1354B 12/04/18 TM)** (Pages 89 - 98)
Site Plan
13. **Monitoring & Enforcement Quarterly Review - July 2018 (A.1533/AJC)** (Pages 99 - 104)
14. **Designation of Brampton Neighbourhood Area (AM)** (Pages 105 - 108)
Appendix 1
15. **Head of Law Report - Planning Appeals (A.1536/AMC)** (Pages 109 - 110)

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 362/352. E-mail address: democraticservices@peakdistrict.gov.uk.

Public Participation and Other Representations from third parties

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

Written Representations

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

Recording of Meetings

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

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

General Information for Members of the Public Attending Meetings

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

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

To: Members of Planning Committee:

Mr P Ancell
Cllr D Birkinshaw
Cllr C Carr
Cllr D Chapman
Mr R Helliwell
Cllr H Laws
Cllr A McCloy
Cllr Mrs L C Roberts

Cllr J Atkin
Cllr P Brady
Cllr Mike Chaplin
Cllr A Hart
Cllr Mrs C Howe
Cllr J Macrae
Cllr Mrs K Potter

Other invited Members: (May speak but not vote)

Mr J W Berresford

Mr Z Hamid

Constituent Authorities

Secretary of State for the Environment
Natural England

Peak District National Park Authority

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



MINUTES

Meeting: **Planning Committee**

Date: Friday 15 June 2018 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 Mike Chaplin,
Cllr D Chapman, Mr R Helliwell, Cllr Mrs C Howe, 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.

62/18 CHAIRS ANNOUNCEMENTS

The Chair welcomed Cllr Mike Chaplin to Planning Committee as a new Member of the Authority.

63/18 MINUTES OF PREVIOUS MEETING HELD ON

The minutes of the last meeting of the Planning Committee held on the 11 May 2018 were approved as a correct record subject to the following amendments to:

Minute 55/18 Although Members were happy to look at alternative options, they were still prepared to look at the particular site in question.

Minute 56/18 the word Pilhough was included twice in the heading and was spelt incorrectly.

64/18 URGENT BUSINESS

There were no items of urgent business to consider.

65/18 MEMBERS DECLARATIONS OF INTEREST

Item 10

Cllr David Chapman declared a personal interest as he knew the applicant.

Item 11

Cllr Chris Carr declared a personal interest as he knew the applicant

Item 12

Paul Ancell had received an email from the adjacent property owner.

Cllr Kath Potter declared that she attended Bakewell Town Council Meeting, but left before any planning issues were discussed.

It was noted that all Members knew Cllr Judith Twigg as a former Member of the Authority.

Item 14

Cllr David Chapman declared a personal interest as he knew the applicant.

Robert Helliwell declared a personal interest as he knew the applicant.

66/18 PUBLIC PARTICIPATION

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

67/18 HABITAT REGULATIONS ASSESSMENT IN RELATION TO RETROSPECTIVE PLANNING CONSENT ON MIDHOPE MOOR TO RESTORE AND REPAIR PREVIOUSLY DAMAGED ACCESS ROUTE TO INCLUDE THE LAYING OF PLASTIC ACCESS MESH TO FACILITATE VEHICULAR ACCESS. OPEN MOORLAND SITE, SPLIT BY THE CUT GATE PATH AND CROSSING MICKLEDEN BECK ON MIDHOPE MOOR

The Officer informed Members of an amendment to the conclusion and recommendations 2 & 3 of the recommendation in the report.

The conclusion should include the addition of the work 'temporary' on line 2. The following wording should be inserted at the end: 'In the event of a grant of permission for the development in the manner proposed on a permanent basis, there is a likelihood of harm to the SPA and SAC which cannot be mitigated and therefore a Habitat Regulations Assessment would be required prior to the grant of permission.'

Point 2 should now read after the words European designated site " but can be controlled by condition, including that it be for a limited time".

Point 3 should read after the words LC17 "on this basis the application is recommended for refusal. If this Authority is minded to grant permission on a permanent basis, this is likely to have a significant impact on the SPA and SAC and the special qualities for

which they are designated. In this event, the application would need to be subject to an HRA assessment”

The officer then went on to introduce the report and explain to Members that the Habitat Regulation Assessment was a piece of legislation which required the Authority, to make an assessment, about whether the proposal would have the potential to have a significant impact on a European Designation Site in this case a SPA and SAC.

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

RESOLVED:

1. **That this report be adopted as the Authority’s Habitat Regulations Assessment in relation to the proposed development in relation to application NP/S/1217/1304.**
2. **It is determined that restoration and repair of previously damaged access route including the laying of plastic access mesh to facilitate vehicular access to the open moorland site, Midhope Moor has potential to have a significant effect on the integrity of a European designated site but can be controlled by condition including that it be for a limited time period. Thus, approval of application NP/S/1217/1304, the subject of a separate report to Planning Committee, would not be contrary to the provisions of Regulation 61 of the Conservation of Habitats and Species Regulations 2010(as amended) (the ‘Habitats Regulations’) and the EU Habitats Directive and an Appropriate Assessment is not considered necessary.**
3. **Harm to the moorland ecology and habitat along the length of the application site from the initial installation of the matting and associated groundworks coupled with the damage caused subsequently from the increased vehicle use of the route contrary to policies L2 and LC17, on this basis the application is recommended for refusal. If this Authority is minded to grant permission on a permanent basis, this is likely to have a significant impact on the SPA and SAC and the special qualities for which they are designated. In this event, the application would need to be subject to an HRA assessment.**

68/18 FULL APPLICATION - RETROSPECTIVE PLANNING CONSENT ON MIDHOPE MOOR TO RESTORE AND REPAIR PREVIOUSLY DAMAGED ACCESS ROUTE TO INCLUDE LAYING OF PLASTIC ACCESS MESH TO FACILITATE VEHICULAR ACCESS. OPEN MOORLAND SITE, SPLIT BY THE CUT GATE PATH AND CROSSING MICKLEDEN BECK ON MIDHOPE MOOR

The Officer introduced the report and informed Members that this was a retrospective planning application. The original track was laid in 2014 and recently overlaid with a green plastic reinforcement matting, secured with metal pins. The purpose of the track was to allow vehicular access for moorland restoration.

The following spoke under the Public Participation at Meetings Scheme:

- Mr Milo Milinkovic, Objector
- Mr Richard Howson, Agent

Members were unclear as to why the track was needed as there were other methods of access which could be used without causing visual harm to the landscape.

The Officer recommendation to refuse the application, was moved, seconded, put to the vote and carried.

RESOLVED:

To REFUSE the application for the following reasons:

- 1. The justification for the access matting advanced in the applicants supporting statement does not amount to exceptional circumstances to warrant development in the Natural Zone. The proposal is therefore unacceptable in principle and contrary to policies L1, LC1, GSP1-3 and paragraph 115 and 118 of the NPPF.**
- 2. The adverse visual impact of the matting itself and the consequent changes to the vegetation along its length arising from its installation significantly harms the valued character and appearance of the moorland landscape contrary to policies L1, LC4, GSP1-3 and NPPF paragraphs 115 and 118.**
- 3. Harm to the moorland ecology and habitat along the length of the application site from the initial installation of the matting and associated groundworks coupled with the damage caused subsequently from the increased vehicle use of the route contrary to policies L2 and LC17.**

69/18 HABITAT REGULATIONS ASSESSMENT IN RELATION TO A PLANNING APPLICATION CODE NO: NP/DDD/0815/0780 WHICH SEEKS TO AMEND OR REMOVE PLANNING CONDITIONS 2 (DURATION), 3 (OPERATING PROGRAMME), 5 (AREAS OF WORKING), 15 - 16 (UNDERGROUND WORKING), 19 (MINERAL EXTRACTION AREAS), 39 - 41 (SOIL REMOVAL AND STORAGE), 45 - 46 (PROCESSING), 69 (ARCHAEOLOGY), 74 - 75 (ECOLOGY AND WILDLIFE), 77 (RESTORATION OF DEEP RAKE AND THE BEECHES), 78 (RESTORATION SCHEME FOR BOW RAKE/HIGH RAKE), 80 (DATE FOR SCHEME FOR REINSTATEMENT OF WATERSAW MINE COMPOUND) AND 85 (DATE FOR REMOVAL OF ALL PLANT AND STRUCTURES FROM SITE) OF PLANNING PERMISSION NP/DDD/0804/0947: EXTEND THE PERIOD OF RESTORATION OF THE REMAINING OPENCAST WORKINGS BY 20 YEARS TO NOVEMBER 2035, AMEND THE FINAL RESTORATION LEVELS OF BOW RAKE/HIGH RAKE AND ALLOW THE CONTINUATION OF UNDERGROUND MINING AT WATERSAW MINE OVER THE SAME PERIOD, LONGSTONE EDGE WEST

The Officer confirmed that Members had received 2 slightly amended reports, with minor alterations including an additional appendix on the Habitat Regulations Report. The Officer then went on to introduce the report and explained that the development had a potential to have an impact on and SAC at Combs Dale, but because of the nature of the development, the Authority is able to screen out the development whether or not permission is granted, so the proposal is then unlikely to have an impact on the SAC.

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

RESOLVED:

1. **That this report, and its appendices, be adopted as the Authority's Habitat Regulations Assessment in relation to the proposed development at Longstone Edge West, as defined in planning application NP/DDD/0815/0780.**
2. **It is determined that continued restoration of Bow Rake-High Rake and resumption of underground working at Watersaw Mine in accordance with the proposed scheme of working is unlikely to have a significant effect on the integrity of a European designated site. Thus, approval of application NP/DDD/0815/0780, the subject of a separate report to Planning Committee, would not be contrary to the provisions of Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended) (the 'Habitats Regulations') and the EU Habitats Directive and an Appropriate Assessment is not considered necessary.**

70/18 SECTION 73 APPLICATION WITH ENVIRONMENTAL STATEMENT TO AMEND OR REMOVE PLANNING CONDITIONS 2 (DURATION), 3 (OPERATING PROGRAMME), 5 (AREAS OF WORKING), 15 - 16 (UNDERGROUND WORKING), 19 (MINERAL EXTRACTION AREAS), 39 - 41 (SOIL REMOVAL AND STORAGE), 45 - 46 (PROCESSING), 69 (ARCHAEOLOGY), 74 - 75 (ECOLOGICAL AND WILDLIFE), 77 (RESTORATION OF DEEP RAKE AND THE BEECHES), 78 (RESTORATION SCHEME FOR BOW RAKE/HIGH RAKE), 80 (DATE FOR SCHEME FOR REINSTATEMENT OF WATERSAW MINE COMPOUND) AND 85 (DATE FOR REMOVAL OF ALL PLANT AND STRUCTURES FROM SITE) OF PLANNING PERMISSION NP/DDD/0804/0947: EXTEND THE PERIOD OF RESTORATION OF THE REMAINING OPENCAST WORKINGS BY 20 YEARS TO NOVEMBER 2035, AMEND THE FINAL RESTORATION LEVELS OF BOWRAKE/HIGH RAKE AND ALLOW THE CONTINUATION OF UNDERGROUND MINING AT WATERSAW MINE OVER THE SAME PERIOD, LONGSTONE EDGE WEST.

The Officer introduced the report.

Restoration works were due to be completed by 2015 but for various reasons this did not happen, so the applicant was asking to extend the period of restoration for a further 20 years to November 2035, to restore the Bow Rake/High Rake areas of Longstone Moor to limestone heath, and to allow the continuation of underground mining at Watersaw Mine for the same period.

Members raised concern over the 20 years asked for, and the effect it would have on the local communities, but were satisfied that there was no other option because of the rate at which infill material is produced by Cavendish Mill.

The Officer recommendation to approve the application was moved, seconded, put to the vote and carried.

RESOLVED:

That the application Code No: NP/DDD/0815/0780 be APPROVED subject to:

- 1. The prior completion of a Section 106 legal agreement whereby the applicant and all those with an interest in the application site formally agree to:**
 - (i) to procure, provide and maintain a restoration bond: retention and continuation of a restoration bond to the value of £400,000 (index linked);**
 - (ii) the restoration bond to be set out in accordance with a specified schedule included in the agreement;**
 - (iii) the development to be carried out only in accordance with this new planning permission;**
 - (iv) in the event of default of any party in carrying out restoration/aftercare works, to permit the MPA or its appointed contractors to enter the land and the tailings structures to complete the works and access material to do this if necessary;**
 - (v) to set up a programme of water sampling from Sallet Hole Mine adit and nearby springs north of the application site within the Coombs Dale SSSI, for the duration of the restoration to formally assess flow rates and turbidity; and to undertake additional water quality monitoring should an increase in turbidity be identified;**
 - (vi) the provision of a series of interim restoration schemes (plans) for years 2, 4, 8, 10, 12, 14 and 16 the interim schemes to include a number of different profiles to account for the possible range in void space to be restored, dependent upon when the clause might have been triggered during the course of the planning permission, ;(with provision to submit for approval at a later date amendments to the plans to have regard to the progress in the restoration at that time) in the event of financial issues preventing completion of the approved restoration works;**
 - (vii) if either there is (a) early cessation of working or (b) if the company fail to procure or maintain in force a restoration bond, then to undertake the Restoration and Aftercare works in accordance with a predetermined set of interim restoration schemes;**
 - (viii) the relinquishment / revocation of the old planning permissions as follows:**
 - a) the revocation of planning permission Code No: NP/DDD/0804/0947 [for non-compliance with condition 3 of permission NP/DDD/1100/0473 (Consolidating application for the opencast and underground extraction of vein mineralisation, including crushing and sale of limestone, import of processed mineral waste tailings for restoration, surrender of consented area, variation of conditions and small extension area) to read: Unless otherwise agreed in writing by the Mineral Planning Authority (MPA) or subsequently amended by the requirements of the conditions of this consent, the working, stockpiling, tipping, restoration and**

aftercare of the site shall be carried out only in accordance with the working and phasing plans and the accompanying details submitted in application NP/DDD/1100/473, except as subsequently amended by the working and phasing plans and accompanying details submitted in application NP/DDD/0804/0947, and by the conditions attached to permission NP/DDD/0804/0947 for the extension of Arthurton West. In order to facilitate restoration of the extension with stone overburden from Bow Rake/High Rake and to secure the early restoration of Arthurton West with limestone overburden exported from the extension site, Longstone Edge] without compensation;

b) the revocation of planning permission Code No: NP/DDD/0805/0818 for surface facilities for Watersaw Mine and maintenance depot for Longstone Edge opencut operations, Sallet Hole No 2 Mine, Watersaw Compound, Longstone Moor without compensation;

c) no compensation to be sought for deemed revocation of the existing planning permissions.

2. Conditions covering the following matters:

- **Commencement – development to commence within three years from the date of permission.**
- **Duration – restoration of Bow Rake/High Rake, complete cessation of underground mineral extraction in Watersaw Mine and restoration of the mine compound and Longstone Moor by 30 Nov 2035.**
- **Operating programme – in accordance with submitted details.**
- **No opencast extraction, strictly limited to underground extraction only.**
- **Submission of annual surveys, volumetric analyses and annual statements summarising works undertaken in last 12 months and detailed programme of works for following 12 months.**
- **Underground programme of working / timetable and phasing, of underground extraction; details to be submitted in advance of any resumption of underground working.**
- **Advance notice of commencement of phases of underground working.**
- **Mine surface subsidence – methodology for pre-determination and detailed measures to minimise surface collapse, proposals to remediate any collapses including infilling and restoration of any collapse features that occur, and habitat re-establishment and aftercare on the restored ground - details to be submitted in advance of any resumption of underground works.**
- **Protection of Longstone Moor SSSI from surface subsidence, and in the event of surface subsidence in the offshoot veins of Watersaw Rake within the SSSI, underground operations to cease pending approval (in consultation with Natural England) and implementation of a scheme for remedial work (per the above bullet point) and variation to the mining method / working scheme to avoid further subsidence.**

- **Archaeology – imposition of existing conditions modified as appropriate, and submission for prior approval of a full appraisal of the effects of the development on cultural heritage and archaeological interests, to include: detailed plans of the mineral veins to be worked; the fenced buffer zone to be applied at surface; the location of the adjoining SSSI and features of designated and non-designated archaeological interest; detailed methodology of underground extraction including underground backfilling and identification of buffer zones to be applied around features of archaeological/ landscape/ botanical importance; re-appraisal of the stand-off to be applied to the Bowl Barrow Scheduled Monument (in consultation with Historic England); and Implementation of the approved Programme of Archaeological work in accordance with a Written Scheme of Investigation – all prior to any resumption of underground working.**
- **Output and assay analyses of underground mineral (in the event that Watersaw Mine recommences).**
- **Geological and geotechnical reporting, including regular reporting of condition of RUPP adjacent to Bow Rake/High Rake and annual submissions of geotechnical reports for Watersaw should underground operations re-commence.**
- **Site access, visibility splays and lorry routing as per submitted details.**
- **Watersaw Mine: no mining activity to take place until a Transport Management Plan or method statement has been submitted and approved in consultation with the Local Highway Authority. The approved plan/statement shall be adhered to throughout the mining period and shall include a programme of pre-commencement and regular surveys of affected public highways, including Rights of Way, and any necessary remedial works that may be required as a direct result of the mining activity traffic, routes for mining activity traffic, method of prevention of debris being carried onto the highway, pedestrian/ cyclist/ equestrian protection, proposed temporary traffic restrictions and arrangements for turning vehicles.**
- **Surfacing and parking areas.**
- **No equipment, plant or vehicles to be stored/parked in the Watersaw Mine compound other than those used in carrying out the approved development.**
- **No vehicles, plant or equipment with a height exceeding 6.5m to be stored within the Watersaw Mine compound.**
- **Drainage control / control of the rate of surface water from the site.**
- **No discharge of foul or contaminated surface water or trade effluent.**
- **Vehicle maintenance only on impermeable areas.**
- **Control of storage of oils, fuels, chemicals.**
- **Vehicle cleaning.**

- **Numbers and timing of vehicles limitation – maintain existing limits of 154 (77 in / 77 Out).**
- **Limitation on vehicle numbers carrying secondary limestone arising from Watersaw Mine (should underground mining recommence).**
- **Maintenance in good condition of traffic warning signs for users of the PROW network and haulage operatives for the duration of the development.**
- **Lorry sheeting (control of dust) in the event of any limestone being removed from within Watersaw mine.**
- **Restriction of permitted development rights.**
- **Interim restoration scheme for the Watersaw mine compound providing for the implementation of works at an early stage of the development, to include identification of redundant buildings / plant to be removed (clarifying those which need to remain) and interim measures to reduce visual impact.**
- **Scheme for control and maintenance of external appearance of buildings/plant, including within the Watersaw Mine compound, maintenance of Goosewing Grey colour on external surfaces of retained mine buildings, and replacement cladding/sheeting as necessary .Hours of working – maintain as per existing permission.**
- **Soil management – identify any existing soil resources across site.**
- **Waste for restoration limited to tailings arising from Cavendish Mill processing plant or host limestone rock from Bow Rake/High Rake.**
- **No mineral processing on site.**
- **No retailing.**
- **No floodlighting.**
- **Fencing.**
- **Implementation of an approved dust emissions monitoring scheme to include the number and location of dust monitoring gauge points, frequency of monitoring and presentation of results, and dust deposit threshold monitoring .Dust management / mitigation measures to reduce dust generation, including provision and use of water bowsers, the EHO requirements to dampen down internal site roads and storage heaps, and response measures if dust deposition exceeds defined trigger levels including if necessary temporary cessation of operations.**
- **Noise levels per existing consent except that a lower limit of 42 dB be imposed between the hours of 22:00 and 06:00 hours and an appropriate night time limit in connection with Watersaw operations should they resume.**
- **Noise minimisation measures to include (inter-alia)use of silencers, restriction of reversing beepers, regular maintenance of plant and**

machinery (including bearings lubrication and integrity of silencers), operatives to avoid misuse of equipment and tools and be sensitive to the proximity of dwellings, avoidance where practicable of two or more noisy operations undertaken simultaneously in close proximity to the same sensitive receptor(s), adherence to working hours, avoid revving of engines, engines not to be left idle, switching off plant when not in use.

- **Blasting – limited to underground operations only, or restoration blasting. Blast monitoring scheme for underground extraction and restoration blasting including blast monitoring locations, frequency of monitoring, equipment to be used and procedures to be adopted if vibration exceeds the limits imposed.**
- **Existing controls on blasting times and audible warnings.**
- **Protection of surface and ground water, safe storage fuels, oils etc.**
- **Visual impact – limitations on mobile plant parking.**
- **Safeguarding of Scheduled Monument No. NHLE No. 1,010,801 with buffer zone.**
- **Notification of geological/speleological interest.**
- **No underground working beneath Longstone Moor SSSI without prior notification to, and approval in advance from, the MPA in conjunction with Natural England.**
- **A Wildlife Mitigation Scheme for measures to protect from harm and minimise or avoid disturbance to species and habitats, incorporating a Precautionary Working Method Statement (PWMS) with Reasonable Avoidance Measures for protected species, to include strategies to reduce impacts upon breeding / nesting birds and mitigation methodologies to protect Great Crested Newts and reptiles (including bird and newt refuge and reptile survey(s) immediately prior to commencement / resumption of each working period with provision to delay work when present for protection procedures), detailed bat swarming surveys and impact assessment on breeding/hibernating bats at the mine to inform mitigation prior to recommencement of operations at the mine, to be submitted for approval and brought into effect prior to the recommencing the infilling and re-profiling of Bow Rake / High Rake.**
- **Landscaping – protection of existing trees, hedgerows etc. Submission for approval and implementation of a Landscape and Ecological Management Plan (LEMP) / Habitat Management Plan (to include evaluation of features to be managed, ecological trends and constraints, management objectives, and a detailed work schedule of management actions) covering the 20 year infill period and statutory five year aftercare period thereafter.**
- **Implementation of the approved aftercare programmes for Deep Rake and Arthurton West.**
- **Implementation of the approved restoration schemes for Longstone Moor/ Watersaw Rake, Coombes Dale and Sallet Hole, Strawberry Vein haul road.**

- **Submission of detailed restoration and aftercare schemes for Bow Rake/High Rake, based upon the revised scheme / Restoration and Aftercare Management Plan submitted with this application within 6 months of approval date.**
- **Implementation of approved restoration and 10 year period aftercare schemes on Bow Rake/High Rake and Strawberry Vein haul road. All plant, machinery, hardstandings, buildings, foundations to be removed from site, removal of the Watersaw Mine compound, and restoration of the compound to approved levels, on or before 30 Nov 2035, whichever is sooner.**
- 2. **That authority be delegated to the Head of Development Management and the Head of Law jointly to determine the details of the section 106 legal agreement.**
- 3. **That authority be delegated to the Head of Development Management to approve the final details of the conditions.**
- 4. **That authority be delegated to the Head of Law to issue a revocation order(s) in relation to the previous planning permission(s) NP/DDD/0804/0947, NP/DDD/0804/0946, and NP/DDD/0805/0818 described at above.**

The meeting was adjourned at 11.20am for a short break and reconvened at 11.30am

71/18 FULL APPLICATION - ERECTION OF LOCAL NEEDS AFFORDABLE DWELLING - LAND SOUTH WEST OF PARK FARM, LONGSTONE LANE, ASHFORD-IN-THE-WATER

Members had visited the site on the previous day.

The Officer introduced the report.

The following spoke under the Public Participation at Meetings Scheme:

- Hannah Owen, Supporter
- Valerie Brown, Objector
- Joe Oldfield, Agent and Mr Furness, Applicant shared the 3 minute speaking allocation

Members considered that the site formed part of Ashford settlement and infill, that the development would not have an adverse impact on the landscape and that there was a need for an affordable dwelling as the applicant met the criteria. Members considered whether to defer the application to look again at the precise location and design, but decided that the basic standard design was the cheapest option for those trying to get on the property ladder.

A motion for an amendment for deferral was moved but not seconded.

A motion to approve the application, contrary to the Officer recommendation was moved, seconded, put to the vote and carried.

RESOLVED:

To APPROVE the application subject to the following conditions:

- 1. S106 Agreement in order to secure the local need and long term affordability**
- 2. 3 year time limit to implement the development**
- 3. Approval of plans submitted**
- 4. Agree details of landscaping**
- 5. Agree materials and design detailing**
- 6. Landscaping, car parking areas and boundaries**
- 7. Confirmation of drainage arrangements**
- 8. Remove permitted development rights**
- 9. Relocation of window on western elevation**

72/18 FULL APPLICATION - ERECTION OF TWO LOCAL NEEDS AFFORDABLE DWELLINGS. LAND AT HEATHCOTE, BIGGIN

The Officer introduced the report, and informed Members of an amendment to the report at para 9.28 which read "There were therefore no objections to the development on Highway grounds" which was not consistent with what was in the report and was an error, and should have read "That because the necessary highway and visibility alterations cannot be achieved without adverse landscape impacts, development is also open to objection on grounds of highway safety".

The following spoke under the Public Participation at Meetings Scheme:

- Ms Susan Baker, Objector
- Mr John Inver, Agent

Members felt that although there was clearly a local housing need, this development was in the wrong place as it would be a building in the open countryside, and that a more suitable site could be sought.

A motion to refuse the application in accordance with the Officer recommendation was moved, seconded, put to the vote and carried.

RESOLVED:

To REFUSE the application for the following reasons:

- 1. The provision of new build affordable housing outside of a named settlement and in the open countryside is contrary to Development Plan policy LH1.**
- 2. A housing need has not been evidenced in support of the proposal, contrary Development Plan policy LH1.**
- 3. It has not been demonstrated that the identified housing need cannot be met within the existing housing stock, contrary to Development Plan policy LH1.**

4. It has not been demonstrated that the proposed housing would remain affordable to those on low to moderate incomes in perpetuity, contrary to Development Plan policy LH1.
5. The isolated location of the dwellings would suburbanise the appearance of the landscape in this location, harming its character, contrary to Development Plan policies L1, and LC4.
6. The design of the single storey dwelling does not follow the tradition of two storey dwellings in the locality, is therefore contrary to adopted design guidance and would detract from the character and appearance of the built environment, contrary to Development Plan policy LC4.
7. The alterations required to the site access to meet highway requirements, including alteration to the drystone boundary walling and removal of mature trees, would detract from the character and appearance of the area, contrary to Development Plan policy LC4.

Cllr Lesley Roberts left the meeting at 12.30pm and returned at 12.45pm

73/18 FULL APPLICATION - SITING OF FOUR CAMPING PODS AND ASSOCIATED CHANGE OF USE OF LAND - GARDENERS COTTAGE, HADDON DRIVE, BAKEWELL

Members had visited the site on the previous day.

The Officer introduced the report.

The following spoke under the Public Participation at Meetings Scheme:

- Cllr Judith Twigg, County Councillor, Objector
- Mr John Rodgers, Objector
- Mrs Janette Rodgers, Objector
- Mr Robert Schofield, Objector
- Mr Stewart Armitage, Objector
- Mr Ivan Pick, Applicant

In accordance with the Authority's Standing Orders, the meeting voted to continue its business beyond 3 hours.

Members felt that the pods were too large for the area and although they were not against pods in principle, if in the right place, this was not a suitable place as it was a residential area and would impact on the neighbours. Nor was the access to the site acceptable.

A motion for refusal contrary to Officer Recommendation was moved and seconded.

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

RESOLVED:

To REFUSE the application for the following reasons:

1. Development was contrary to Policy LC4 because it failed to protect the amenity of the local residents regarding access arrangements.
2. The development was contrary to Policy RT3 which does not permit cabins or structures, and contrary to emerging Policy DMR1 because the pods proposed didn't represent small, simple wooden pod structures .

The meeting was adjourned at 1.30pm for a lunch break and reconvened at 1.50pm.

74/18 FULL APPLICATION - PROVISION OF EDUCATION SUITE AND ANCILLARY ACCOMMODATION TO FACILITATE DIVERSIFICATION OF FARM ACTIVITIES AT HIGH LEES FARM, NEW ROAD, BAMFORD

Members had visited the site on the previous day.

The Officer introduced the report and reported an amendment to Condition 6 to include details of paving and surfacing materials.

The following spoke under the Public Participation at Meetings Scheme:

- Ms Kate May, Applicant

Members were impressed with the ambitious nature of the project and that the applicant had engaged with the Authority from the very beginning, and were pleased that the farm was being brought back into use.

The Officer recommendation to approve the application, subject to an amendment to Condition 6 was moved, seconded, put to the vote and carried.

RESOLVED:

To APPROVE the application subject to prior entry into a S106 legal agreement to tie the education suite and ancillary accommodation to the land and buildings at High Lees Farm, and subject to the following conditions.

1. Statutory time limit for implementation
2. No development shall commence until development phasing plan has been submitted and approved. Development to be carried out in accordance with approved details.
3. No development shall commence until construction management plan has been submitted and approved. Development to be carried out in accordance with approved details.
4. Travel plan to be submitted and approved prior to be first occupation of the education suite and ancillary accommodation.
5. Landscape scheme to be submitted, approved and implemented prior to the first occupation of the development.
6. Submit and agree sample of roof material and sample panel of stonework for education suite and ancillary accommodation together with details of paving and surfacing materials.

7. The package treatment plant shall be installed prior to the first occupation of education suite and ancillary accommodation.
8. The parking and manoeuvring areas shall be laid out, constructed and available for use prior to the first occupation of the education suite and ancillary accommodation and shall be permanently so maintained.
9. Development shall not be carried out other than in accordance with recommendations of submitted protected species survey report.
10. Restrict use specifically to education suite and accommodation all ancillary to High Lees Farm and to be retained within a single planning unit.
11. Restrict residential accommodation to holiday accommodation only.
12. Restrict the maximum number of guests to no more than 16 at any time.
13. Restrict the use of agricultural buildings for the purposes of agriculture only.
14. Remove agricultural buildings when no longer required for the purposes of agriculture.
15. Remove permitted development rights for alterations and extensions from residential accommodation.
16. Specification of colour finish for sheeting and doors to agricultural buildings.

75/18 FULL APPLICATION - CHANGE OF USE OF BARN TO REHABILITATION CENTRE. THE SMITHY, MAIN ROAD, EYAM

As there were no speakers registered for Item 14, the Chair brought forward Item 15 for consideration, as the speaker had arrived for that item.

Members had visited the site on the previous day.

The Officer introduced the report and informed Members that since the report had been written 2 more letters of support had been received, and a bat survey had been carried out during which no bats had been found. The Authority's Ecologist had recommended a precautionary approach as recommended in the report, and asked for this to be added as a footnote to inform potential builders. The Ecologist also asked for a Condition to be added to enhance potential bat use with ridge tile access points. Further conditions were suggested by the Officer covering a revised design for the gable door opening, the omission of the plastic roof tile vents in favour of hidden ridge vents and the submission for written agreement of details (including noise output) of any external vents for the endless swimming pool room facility.

The following spoke under the Public Participation at Meetings Scheme:

- Ms Joanne Barnett, Applicant

The Officer recommendation to approve the application subject to the additional Conditions and Footnote was moved, seconded, put to the vote and carried.

RESOLVED:

To approve the application subject to the following conditions:

1. **Standard time limit**

2. Development in complete accordance with the submitted '1:1250 site plan' and the amended plans 'PL-01' and specifications, subject to the following conditions or modifications.
3. Roof clad with natural gritstone slates
4. With the exception of the rear window (elevation D) and the large opening on the gable end (elevation A) all windows and doors shall be made of timber.
5. Agree finish for windows and doors
6. Rooflights fitted flush with the roof.
7. Cast metal rain water goods, painted black, on rise and fall brackets.
8. All glazing in the west facing elevation shall be obscure glazed and permanently so maintained. The upper floor window shall be top hung and open a maximum of 100mm.
9. The rooflights shall be no less than 1.7m higher than the floor level of the room in which they are located, and this shall be permanently so maintained.
10. Windows and doors to be recessed from the external face of the stonework no less than 100mm.
11. The rehabilitation centre hereby approved shall be ancillary to the existing Osteopathy Centre.
12. No door or window on the front or side facing elevations shall open outwards at ground floor level.
13. Any permanent disabled ramping to aid pedestrian access via any doorway at ground level shall be wholly contained within the building(s) i.e. there shall be no works within the public highway. For information the highway boundary is the front face of the walls of the buildings facing Main Road and Little Edge.
14. Proposed roof tile vents to be omitted and replaced by ridge vents with alternative hidden venting
15. Details of plant and extraction for the pool.
16. Amended door detail for gable end

Footnote

1. Prudent working in the event bats are found and mitigation in the form of bat access points in the roof.

Cllrs Chris Carr and Cllr Harold Laws left the meeting at 2.50pm following consideration of this item.

76/18 FULL APPLICATION - REPLACEMENT AGRICULTURAL BUILDING TO HOUSE AND FEED YOUNG LIVESTOCK. LAND OFF NEW ROAD, CASTLETON

Members had visited the site on the previous day.

The Officer introduced the report.

Members felt that the need for a building on this site was unnecessary.

The motion for refusal, contrary to officer recommendation was moved and seconded. The motion was voted upon and carried.

RESOLVED:

To REFUSE the application for the following reasons:

- 1. No agricultural justification in that location**
- 2. Landscape harm**
- 3. Insufficient Information**

Cllr Jamie Macrae left the meeting at 15.00.

77/18 FULL APPLICATION - DEMOLITION OF EXISTING OUTBUILDING AND CONSTRUCTION OF DOMESTIC EXTENSION AND GARAGE. LOMAS COTTAGE, LITTON DALE, LITTON, DERBYSHIRE.

The Officer introduced the report.

The Officer recommendation to approve the application was moved, seconded, put to the vote and carried.

RESOLVED:

To APPROVE the application subject to the following conditions:

- 1. Statutory time limit.**
- 2. In accordance with amended plans.**
- 3. Walls to be of a rendered construction to match existing dwelling.**
- 4. Slate roofs to match existing dwelling.**
- 5. Natural stone lintels and sills to match existing dwelling.**
- 6. Timber windows, doors and vertically boarded garage doors.**
- 7. Windows and doors recessed to match existing dwelling.**
- 8. Removal of permitted development rights.**
- 9. The replacement of the glazed bi-fold doors with a ground floor window, details to be submitted.**

78/18 FULL APPLICATION - INSTALLATION OF STUDIO IN THE FRONT GARDEN AT CRIEFF, ASHOPTON ROAD, BAMFORD

The Planning Officer introduced the report.

Members requested a change to Condition 3 regarding the colour of the paint and asked that this be changed to natural wood. Officers agreed to this change.

The Officer recommendation to approve the application subject to an amendment to Condition 3 was moved and seconded, put to the vote and carried.

RESOLVED:

To APPROVE the application subject to the following conditions:

1. **Statutory time limit for implementation.**
2. **In accordance with submitted plans.**
3. **Timber walls to be natural wood and window and door frames to be finished anthracite grey.**

79/18 HEAD OF LAW REPORT - PLANNING APPEALS

A motion to receive the report was moved, seconded, put to the vote and carried.

RESOLVED:

That the report be received.

The meeting ended at 3.20 pm

6. FULL APPLICATION - CHANGE OF USE OF FORMER STATION BUILDING FROM OFFICE AND WORKSHOP TO VISITOR INFORMATION POINT AND CAFÉ. EXTENSION TO CAR PARK. STATION CAR PARK UNNAMED ROAD FROM GLEBE FARM TO B6049, MILLERS DALE (NP/HPK/0518/0407)

APPLICANT: PEAK DISTRICT NATIONAL PARK AUTHORITY

1. Site and Surroundings

- 1.1. The former Millers Dale Station site is located in open countryside on the Wormhill Road which rises up from the valley bottom beneath the viaduct. The site sits on a level area of land and includes the car park and surviving station buildings and platforms. The Monsal Trail crosses the site along the route of the former railway.
- 1.2. The site is located within the designated Millers Dale Conservation Area. The viaducts are located to the east of the station, North Viaduct is Grade II listed and South Viaduct is Grade II* listed. The former station is not listed but does form part of the Historic Buildings, Sites and Monuments Records.
- 1.3. The site is located outside of but adjacent to the Peak District Dales Special Area of Conservation (SAC) and the Wye Valley Site of Special Scientific Interest (SSSI). The site is located within the Limestone Dales Landscape Character Area for the purposes of the Authority's Landscape Character Assessment.
- 1.4. Much of the former station infrastructure has been demolished and only the booking office remains fully intact currently and is utilised by the National Park Authority as offices, workshop with public toilets. The goods shed walls are also still standing but are in a state of dereliction and the structure has no roof.
- 1.5. The nearest neighbouring property is Station House which is located to the north of the site in an elevated position and shares access with the car park. Station house is a private dwelling which also operates a tea garden which is open to the public. A separate public footpath runs up and around Station House and runs westwards above the application site.

2. Proposal

- 2.1. It is proposed to change the use of the former station building from office and workshop to a visitor information point and café together with an extension to the car park.
- 2.2. The plans show that the existing public toilets would be unchanged and that the café would provide up to 44 covers within the building, along with associated kitchen and counter and storage and a toilet for staff. Four benches would be provided on the platform adjacent to the café to provide additional outside seating.
- 2.3. To facilitate the proposed change of use, various other elements are proposed. New doors are proposed on the platform side to facilitate access and escape. New windows are proposed to replace existing infill boards with slim-profile double glazing. A vent is proposed on the car park facing elevation.
- 2.4. Outside of the former station building a biomass heating system is proposed within the tool shed. The fuel store for the biomass heating system would be sited underground with a metal hopper above ground. The flue would run up the inside wall of the engine shed and terminate 0.9m above it.

- 2.5. An underground grease separator is proposed in the position of the existing sewage treatment plant which is to be removed and replaced with a new underground plant connected to a new soakaway by existing drainage pipework which runs beneath the platforms. An area for bins is shown designated adjacent to the station building.
- 2.6. The car park is proposed to be extended beyond the walls and gate which currently form the western edge of the existing car park. The amended plans show that a total of 15 spaces would be provided in this extended area and that the spaces would be surfaced to match the surface of the trail.
- 2.7. The existing gate would be removed and the northern part of the boundary wall shortened to provide access into the enlarged car park. The end of the extended car park would be defined with fencing and a gate.
- 2.8. The amended plans show that the existing car park would be re-configured to provide a total of 107 spaces (including the proposed extension), four of which would be designated for use by disabled persons. The existing car park for comparison has a total of 83 spaces, four of which are designated for use by disabled persons. Therefore an increase of 24 spaces is proposed.

3. RECOMMENDATION

That the application be APPROVED subject to the following conditions:

- 1. Statutory time limit for implementation.**
- 2. Development to be carried out in accordance with specified approved plans.**
- 3. Extended car park to be surfaced, laid out and available for use prior to the first use of the café hereby approved.**
- 4. Provision of space within site 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 to be submitted and approved and thereafter maintained throughout duration of construction works.**
- 5. Submission of revised detailed design drawings for new window and door frames.**
- 6. Submission of scheme for secure cycle parking to be installed prior to the first use of the café hereby approved.**
- 7. Submission of scheme for bat and bird boxes to be installed prior to the first use of the café hereby approved.**
- 8. Submission of full details of extraction vent prior to installation.**
- 9. No external lighting other than in accordance with approved scheme.**
- 10. Fuel hopper to be finished dark green to match submitted specification and permanently maintained.**
- 11. Flue to be finished matt black at the time of erection and permanently maintained.**
- 12. Extended car park to be surfaced with material to match the adjacent trail and shall be permanently so maintained.**

13. No outside seating shall be provided other than in accordance with approved plans.

14. Restrict use of café to Use Class A3 only.

15. Restrict hours of opening of café to 09:00 – 17:00 on any day.

16. Package treatment plant and soakaway to be installed prior to the first use of the café hereby approved.

17. Development shall be carried out in complete accordance with the ‘Potential impacts and recommendations’ section of the submitted ‘Brief ecology survey report’ dated 26th April 2018.

4. Key Issues

- Whether the proposed development is acceptable in principle.
- Impact of the proposed development upon the historic, archaeological and architectural significance of the former station, the designated Millers Dale Conservation Area and the setting of the nearby viaducts.
- Impact of the proposed development upon the landscape, ecological interest on the site and the adjacent designated sites.
- Impact of the proposed development upon highway safety and the amenity of neighbouring properties and road users.

5. Relevant Planning History

- 5.1. 2004: Planning permission granted on a temporary basis for siting of mobile refreshment vehicle.
- 5.2. 1992: Planning permission granted unconditionally for car park extension.
- 5.3. 1982: Planning permission granted conditionally for public toilets, ranger base, car park and septic tank.
- 5.4. 2018: Pre-application discussions were held between Development Management, and Visitor Experience Development and Property, which included input from colleagues in Ecology, Built Environment, and Landscape to ensure that the scheme properly addressed the interests on site and the wider planning policy aspirations of the National Park.

6. Consultations

- 6.1. Parish Council: Object to the proposed development.
- 6.2. Pleased to see recognition that this is a neglected building that forms an important and significant heritage asset situated in a Conservation Area. However, Parish Council do not agree with the proposed change of use into a cafe.
- 6.3. The location has reached vehicle saturation point to the extent that local communities are blighted throughout the summer months with visitors searching for places to park. Millers Dale cannot absorb any more vehicles. The proposal to increase car parking is totally inadequate and will not cater for an increase in visitor numbers by the proposal. This will not accommodate visitors to the café who will not use the trail or additional users who choose to start their trip at the site because of the café being located on site.

- 6.4. Cars parked on the highway create an obstruction due to the width of the highway and lack of pedestrian path. Local farmers using tractors and trailers are often obstructed. Photographs have been submitted by the Parish Council taken at the Bank Holiday Weekend (27th May 2018) which show a number of cars and vans parked on the east side of the highway outside of the site down to the B6049.
- 6.5. District Council: No response to date.
- 6.6. Highway Authority: Raises no objection to the development subject to conditions and makes the following comment:
- 6.7. *"The former railway station is a well-used public car park providing access to a multi-user trail and surrounding countryside. The former railway buildings have toilets and a number of uses. The proposals are to create a café in the buildings and extend the car park. The applicant will need to consult with the relevant refuse collection department to ascertain details of what will be acceptable to them in terms of number and location of bins. Bin storage should not obstruct the private access, parking or turning provision. Additionally a bin dwell area should be provided clear of the public highway, private access, parking and turning for use on refuse collection days. The Highway Authority does not consider that the impact of the development would be such that would justify refusal. Therefore, subject to the inclusion of conditions in any consent given there are no objections from a highway point of view."*
- 6.8. Following the above response Officers queried the proposed number of spaces within the extension to the car park with the Highway Authority and received the following additional response.
- 6.9. *"Having visited the site on numerous occasions throughout the year and at different times of the day have always found it to be at or close to capacity.... The former office/workshop area is 86m² and based on the proposed conversion to visitor information point and café this Authority's former standards would suggest 22 spaces as being appropriate for the proposed café use. There seems to be no information available regarding the visitor information point which may attract vehicle trips in its own right."*
- 6.10. *This Authority would not wish to see any parking on the adjacent highways and therefore the layout submitted including remodelling of existing car park to increase provision and the provision of... new spaces seems appropriate from a highway point of view."*
- 6.11. Natural England: No response to date.
- 6.12. PDNPA Archaeology: Raises no objection and makes the following comments:
- 6.13. *"The site of the proposed development is a site of historic and archaeological interest, and is a non-designated heritage asset. It is recorded with the Peak District National Park's Historic Building Sites and Monuments Record (MPD3633) and the Derbyshire Historic Environment Record (MDR2012) as the remains of an elegant Midland Railway Station with purpose built post-office."*
- 6.14. *Miller's Dale station was constructed in 1862, opened in 1863, built on a wide ledge terraced from the hillside. It originally comprised two platforms, a main station building and an adjacent good shed. The station developed over time with the addition of a loading dock, cattle shed, coal offices, weigh office, additional sidings, waiting rooms, a subway etc. Due to congestion problems with freight and passenger services, parliamentary approval was granted for the construction of Miller's Dale loop (which created fast and slow lines through the station in both directions). This involved the construction of a second viaduct, the*

demolition of the main buildings and goods shed and cutting back the hillside for the new tracks, buildings and goods yard. These improvements took place between 1902 and 1906, and the completed station had five platforms. The station closed to goods traffic in August 1966 and to passengers in March 1967. Today the site is currently an important access point on to the Monsal Trail comprising a pay and display car park, former railway booking office building, derelict goods shed, façade wall believed to have supported a platform canopy and station platforms.

- 6.15. *The remodelling of the site since the 1960s has resulted in a significant number of the station buildings being demolished, but despite this the site retains legibility as a former railway station and sidings. The plan-form, design and style of the surviving station buildings are clearly part of the design aesthetic common to buildings of the period across the Midland Railway network, and are clearly legible in their function and purpose. The platforms that remain extant are a clear reminder of the historical function, and although now forming part of the car park, the position of the former sidings are still apparent. It is this legibility, along with the association with the nearby listed viaducts, which forms the core significance of the site.*
- 6.16. *The site has archaeological interest due to the chance for surviving buried remains of the arrangement of the early 20th century station layout and the earlier station layout (position of sidings, platforms, buildings etc.). However, it must be acknowledged that all the infrastructure of the sidings are likely to have been removed as part of the re-commissioning of the station, that the remodelling of the site since the 1960s will have affect the potential for undisturbed remains of the former line to survive, and the remodelling in the early 1900s affect the likelihood that traces of the former station layout survive.*
- 6.17. *The proposed development involves the change of use of the former station buildings to a café, which necessitates the removal of part of an original wall; a small extension to the car park into the area of one of the former sidings; underground drainage, feed to the biomass boiler, sewage treatment plant and grease separator.*
- 6.18. *The removal of a small section of original wall will result in minor harm to significance of the former station building with the removal of part of its original fabric. However, the core significance of the site in its design, materials and legibility of the former plan will be retained. The creation of the car park extension will require only minimal groundworks and no additional drainage, and due to previous surfacing and use of the area, are unlikely to cause harm to archaeological remains. The groundworks for the installation of the sewage treatment plant, the grease separator and the new underground drainage and feed to the biomass boiler are all located close to the station and former good shed buildings, and in the built up area of the former platform, and therefore unlikely to encounter remains of archaeological significance.*
- 6.19. *None of these impacts will affect the core significance and legibility of the affected heritage assets. Furthermore, the proposed development offers considerable scope for enhancement of the historic interest of the site, with increased scope for interpretation to enhance peoples' enjoyment, appreciation and understanding of the site."*
- 6.20. PDNPA Conservation Officer: No objections subject to details, makes the following comments.
- 6.21. *"The building proposed for use as a visitor café is the former railway booking office, one of the few structures remaining from the Midlands Railways Station at Millers Dale. Constructed between 1902 and 1906, the building is unlisted, but is a non-designated heritage asset.*
- 6.22. *The proposed works will take place within the shell of the original building, with no new external openings proposed. Existing windows and doors will be refurbished, with glazing to*

windows reinstated; glazing to the upper sections of the principal entrance doors is the main alteration. Internally, a section of one of the partition walls is to be removed, in order to create a larger area for the café and ease circulation, an existing WC within the east bay will be enlarged slightly and new partition walls will be added to the central bay in order to create a kitchen.

- 6.23. *Although some minor harm to the historic significance of the former station building will result from these alterations, the 3-bay plan form of the interior will remain largely intact, and the general refurbishment of windows and doors should result in an enhancement, subject to the details outlined below (which could be conditioned).*
- 6.24. *We need clarification that slim profile (rather than standard) double-glazing is to be installed in the windows, and whether this is to be installed to all windows (i.e. replacing existing glazing as well as where new frames are required). The existing, traditionally profiled glazing bars are slender, and standard double-glazing would not be appropriate.*
- 6.25. *We should see details, to scale, of any new/replacement windows or sections of windows, as the profile of the existing frames and glazing bars must be retained (these details could be conditioned).*
- 6.26. *The existing external doors are not plain boarded.... They have the proportions of a 4-panelled door, with vertical boards infilling the panels (3 narrow boards to each panel). These original doors should be retained as they are, repaired (like-for-like) as necessary. If any of the doors are beyond repair (which did not appear to be the case when I visited site), then any new doors must match the existing exactly.*
- 6.27. *The proposed glazing to the pair of doors at the main entrance needs to be amended. Each door has the same 4-panelled form described above, which must be retained. Removing the vertical timber boards to the upper 2 panels and glazing these will retain the original proportions of the door; the bottom of the glazing will then align with the bottom of the glazing to the windows on this elevation, which will retain the balance of the elevation...*
- 6.28. *We should condition details to show the external appearance of extract vents (from the cooker and the WC).*
- 6.29. *Original stone setts remain to the former station platform. These should be retained. We should see details to show how the proposed ramp to allow disabled access to the café will be implemented (the stone threshold to the entrance doorway should be retained).*
- 6.30. *Lighting should also be controlled by condition."*

PDNPA Ecology: Is happy with the recommendations put forward to safeguard protected species and habitats and non-designated features. Suggests inclusion of the following conditions:

- The measures put forward in the Ecology Survey Report (dated 26th April 2018) must be followed.
- Prior to the start of the development, a scheme providing details of additional nesting and roosting habitat for bats and birds on the application site must be submitted to and approved in writing by the PDNPA Ecologist. Thereafter, the development shall be carried out in complete accordance with the approved scheme.

6.31. PDNPA Tree Officer: No response to date.

7. Representations

- 7.1. A total of six letters from individuals have been received to date including a letter from the Friends of the Peak District. One letter is in support of the application, one of the letters does not object to the development but make general comments and four of the letters object to

the development or raise concerns. The comments and material planning reasons for support and objection are summarised below. The letters can be read in full on the Authority's website.

7.2. Support

7.3. The proposal will stimulate the tourist industry in the area in a manner wholly sympathetic to the local environment and will also serve to heighten the interest in the heritage of the site.

7.4. General comments

7.5. Recommend that additional measures are taken to ensure that the ecological interests of the surrounding area are not damaged including tool box talks for contractors, involve an ecologist in the works involved in the restoration of the soakaway, ensure that the roof space remains suitable for bats, look at the potential for remote cameras in the roof space for use in interpretation.

7.6. The existing female toilets should be expanded as there are frequently queues.

7.7. Objection

7.8. Concern the proposal will lead to additional pressure on the natural environment particularly wild flowers that grow around the station and the nearby Sites of Special Scientific Interest.

7.9. Concern that the proposal will cause increased disturbance of wildlife particularly the colony of house martins that nest in the station building every year and the potential disturbance of bat roosts by the building works.

7.10. Concern that the proposals will cause increased parking on the road at busy times and that this already happens.

7.11. Concern that the proposals will increase traffic using the access from the station which is between blind corners on a very narrow road.

7.12. Proposed car parking is totally inadequate. There is more space available on the site for parking and this should be utilised.

7.13. This application forms the first of two phases of a major project and the application should have been presented in that context. A masterplan for the whole site should be presented and consulted on with all relevant information.

7.14. Without visitor and travel surveys are unable to assess the impact and sustainability of the application or the whole project.

7.15. Lack of engagement by the applicant, local communities and stakeholders in pre-application discussions.

7.16. Inadequate and / or conflicting information within the submitted application.

7.17. The development would result in increased visitors to the site. There is no capacity in this locality to absorb an increase in visitors.

7.18. No assessment of existing visitor numbers or projected future visitor numbers have been carried out.

7.19. The proposed development would fail to meet the following Core Strategy policies RT1 B, E2, T1, T6 or T7.

- 7.20. Additional parking in front / round the side of the former booking office would have an adverse impact upon the setting of the building.
- 7.21. On the basis of the dining area of the café and the Development Management Policies Parking Standards the maximum car parking allowance for customers and staff should be 16 spaces or less.
- 7.22. The assessment by the Highway Authority of parking needs is not adequate.
- 7.23. Proposed white lines on the adjacent highway will not deter the majority of drivers. Double yellow lines and enforcement is required and would have less impact on the listed viaducts than parked cars.
- 7.24. No information in regard to signage has been submitted, this should come forward as an application submitted simultaneously with the planning application.
- 7.25. There should be no outside seating on the station platform for heritage reasons and because the platform is a thoroughfare in both directions for users of the trail.
- 7.26. No takeaway service should be permitted. The total number of covers should be restricted and restricted to within the building only.
- 7.27. The opening hours of the café are not acceptable because longer hours would make the café a destination in itself and explicitly increase traffic and visitor numbers adding to general intensification of the site and the trail.
- 7.28. There should be no lighting at the site from dusk to respect the dark skies initiative.
- 7.29. Full details of the extraction system including a noise survey should be agreed prior to determination, it is not acceptable to leave this matter to be agreed with Officers post determination.
- 7.30. No information in regard to public access during construction is provided.
- 7.31. No information in regard to storage for plant and materials during construction is provided.
- 7.32. No dedicated cycle parking is proposed in the application.
- 7.33. A larger car park would inevitably lead to intensification of use through traffic generation. If the proposed café provides a justification for a larger car park then the application should be refused.
- 7.34. The existing car park is sufficient to support the café and there is no data to justify the car park extension.
- 7.35. Additional car parking would have an adverse impact upon the site and the setting of the station buildings and lime kilns.
- 7.36. Tarmac is not an appropriate surface area for the extended car park.
- 7.37. Insufficient parking for disabled persons is provided in the scheme.
- 7.38. There is no provision for motorcycle parking or coach / minibus parking.
- 7.39. No staff parking is proposed.

- 7.40. Plans do not show designated safe areas for deliveries and no information about waste collection or how the lorry would access and manoeuvre on site has been provided.
- 7.41. No information has been provided in the application to demonstrate how visitors to the site would be encouraged to use public transport.
- 7.42. The car park extension would prejudice the integrity of this heritage asset and take away easy public understanding of the complex as a whole.

8. Policies

- 8.1. National Park designation is the highest level of landscape designation in the UK. The Environment Act 1995 sets out two statutory purposes for national parks in England and Wales:

- Conserve and enhance the natural beauty, wildlife and cultural heritage
- Promote opportunities for the understanding and enjoyment of the special qualities of national parks by the public

When national parks carry out these purposes they also have the duty to seek to foster the economic and social well-being of local communities within the national parks.

National Planning Policy Framework

- 8.2. The National Planning Policy Framework (NPPF) was published on 27 March 2012 and replaced a significant proportion of central government planning policy with immediate effect. The Government's intention is that the document should be considered as a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. In the National Park the development plan comprises the Authority's Core Strategy 2011 and saved policies in the Peak District National Park Local Plan 2001. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and more recent Government guidance in the NPPF.
- 8.3. Para 115 of the NPPF states 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 and the Broads.'*
- 8.4. Para 28 of the NPPF states that policies should support economic growth in rural areas by taking a positive approach to sustainable new development. Plans should support sustainable growth and expansion of all types of business and enterprise in rural areas both through conversion and well designed new buildings. Plans should support sustainable rural tourism that respect the character of the countryside.
- 8.5. Para 32 of the NPPF states that development that generate significant amounts of movements should be supported by a Transport Statement or Transport Assessment. Decisions should take account of the opportunities for sustainable transport modes have been taken up depending upon the nature and location of the site, safe and suitable access can be achieved for all people and whether improvements can be undertaken within the transport network that cost effectively limit the impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

- 8.6. Para 118 of the NPPF states that when determining planning applications biodiversity should be conserved and enhanced by applying the following principles. Refusing planning permission if significant harm cannot be avoided and by not permitting development on land within or outside of a Site of Special Scientific Interest likely to have an adverse effect.
- 8.7. Para 129 of the NPPF states that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.
- 8.8. Para 132 of the NPPF 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. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.
- 8.9. Para 134 of the NPPF 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.

Development Plan policies

- 8.10. Policy GSP1 sets out the broad strategy for achieving the National Park's objectives having regard to the Sandford Principle, (that is, where there are conflicting desired outcomes in achieving national park purposes, greater priority must be given to the conservation of the natural beauty, wildlife and cultural heritage of the area, even at the cost of socio-economic benefits). GPS1 also sets out the need for sustainable development and to avoid major development unless it is essential, and the need to mitigate localised harm where essential major development is allowed.
- 8.11. Policy GSP3 and policy LC4 set out development management principles and states that all development must respect, conserve and enhance all valued characteristics of the site and buildings, paying particular attention to, amongst other elements, impact on the character and setting of buildings, scale of the development appropriate to the character and appearance of the National Park, design in accordance with the National Park Authority Design Guide and impact on living conditions of communities.
- 8.12. Policy DS1 sets out the development strategy for the National Park. DS1 C says that in the countryside (outside of the Natural Zone) recreation and tourism development is acceptable in principle as is the conversion or change of use of buildings for business uses.
- 8.13. Policy L1 identifies that development must conserve and enhance valued landscape character and valued characteristics, and other than in exceptional circumstances, proposals in the Natural Zone will not be permitted.

- 8.14. Policy L2 states that 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 it is likely to have an adverse impact on any sites, features or species of biodiversity importance or their setting that have statutory designation or are of international or national importance for their biodiversity.
- 8.15. Policy LC17 provides more detailed criteria to assess development that may affect protected sites, species or habitats. LC20 is relevant for development that would impact upon trees.
- 8.16. Policy L3 states that 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. 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.
- 8.17. Policies LC5, LC6 and LC8 provide more detailed criteria to assess development proposed within Conservation Areas, development that affects listed buildings and development proposing to convert existing buildings to new uses respectively. Policies LC15 and LC16 provide detailed criteria to assess development that affects archaeological and historic sites.
- 8.18. Policy RT1 states that proposals for recreation, environmental education and interpretation must conform to the following principles.
- A. The National Park Authority will support facilities which enable recreation, environmental education and interpretation, which encourage understanding and enjoyment of the National Park, and are appropriate to the National Park's valued characteristics. Opportunities for access by sustainable means will be encouraged.
- B. New provision must justify its location in relation to environmental capacity, scale and intensity of use or activity, and be informed by the Landscape Strategy. Where appropriate, development should be focused in or on the edge of settlements. In the open countryside, clear demonstration of need for such a location will be necessary.
- C. Wherever possible, development must reuse existing traditional buildings of historic or vernacular merit, and should enhance any appropriate existing facilities. Where this is not possible, the construction of new buildings may be acceptable.
- D. Development must not on its own, or cumulatively with other development and uses, prejudice or disadvantage peoples' enjoyment of other existing and appropriate recreation, environmental education or interpretation activities, including the informal quiet enjoyment of the National Park.
- 8.19. Policy CC1 states that development must make the most efficient and sustainable use of land, buildings and natural resources, taking into account the energy hierarchy and achieving the highest possible standards of carbon reductions and water efficiency.
- 8.20. Policy E2 states that proposals for business development in the countryside must take account of the following principles.
- 8.21. A. Businesses should be located in existing traditional buildings of historic or vernacular merit in smaller settlements, on farmsteads, and in groups of buildings in sustainable locations. However where no suitable traditional building exists, the reuse of modern buildings may be acceptable provided that there is no scope for further enhancement through a more appropriate replacement building.

- 8.22. B. On farmsteads, or groups of estate buildings, small scale business development will be permitted provided that it supports an existing agricultural or other primary business responsible for estate or land management. The primary business must retain ownership and control of the site and building, to ensure that income will be returned to appropriate management of the landscape.
- 8.23. C. Business use in an isolated existing or new building in the open countryside will not be permitted.
- 8.24. D. Proposals to accommodate growth and intensification of existing businesses will be considered carefully in terms of their impact on the appearance and character of landscapes.
- 8.25. Policy T6 A. and policy LT20 state that the Rights of Way network will be safeguarded from development, and wherever appropriate enhanced to improve connectivity, accessibility and access to transport interchanges. This may include facilitating attractive safe pedestrian and cycle routes between new residential or industrial developments and the centre of settlements. Where a development proposal affects a Right of Way, every effort will be made to accommodate the definitive route or provide an equally good or better alternative.
- 8.26. Policy T7 is relevant for minimising the adverse impact of motor vehicles and managing the demand for car and coach parks and states. T7 C. says that non-residential parking will be restricted in order to discourage car use, and will be managed to ensure that the location and nature of car and coach parking does not exceed environmental capacity. New non-operational parking will normally be matched by a reduction of related parking spaces elsewhere and wherever possible will be made available for public use.
- 8.27. Policy LT10 states that in new development parking must be of a very limited nature or accompanied by on-street waiting restrictions, especially in areas served by good public transport.
- 8.28. Policy LT14 states that enlarged car parks will not be permitted unless essential to the management of the area and so designed and integrated with other traffic management measures to enhance the valued characteristics of the area. New off street car parks should be accompanied by equivalent on street parking restraint. Car parks with a capacity of up to 100 spaces may be permitted and car parks with a capacity of between 100 and 500 spaces will only be considered in exceptional circumstances. In Conservation Areas an assessment of alternative sites capable of being linked to the original visitor destination by a park and ride system or footpath will be expected. Additional off street parking will not be permitted unless it replaced on-street parking spaces with exceptions provided under policy LT10.
- 8.29. Emerging Development Management Policy DMT5 is also relevant for business parking and says that new or enlarged car parks will not be permitted unless a clear demonstrable need can be shown. Parking provision should be of a limited nature whilst being appropriate to the size of the development and taking account of its location and the visual impact of parking. The relevant parking standard for the proposed café use is 1 space for 4m² dining area plus 1 space for disabled users per 25 spaces.
- 8.30. Policy LT17 states that the provision of secure cycle parking will be encouraged at recreational attractions. New development will be required to provide secure cycle parking.
- 8.31. Policy LT18 says that the provision of safe access is a prerequisite of any development in the National Park.

- 8.32. The Authority's adopted Conservation Area Appraisal for Millers Dale is a relevant material consideration.

Relevant Core Strategy (CS) policies: GSP1, GSP3, DS1, L1, L2, L3, RT1, CC1, E2, T6 and T7.

Relevant Local Plan (LP) policies: LC4, LC5, LC6, LC8, LC15, LC16, LC17, LC20, LT10, LT14, LT17, LT18, LT20.

9. Assessment

Principle of proposed development

- 9.1. This application consists of two related main elements:
- 9.2. The first element is the conversion of part of the former ticket office and change of use from office and workshop to café with associated biomass boiler and replacement package treatment plant.
- 9.3. The application site is located in open countryside adjacent to the Monsal Trail which is well used by members of the public. There is an existing public car park on the site run by the Authority along with public toilets within part of the former ticket office. The rest of the building being utilised for offices, workshop and mess room for staff. The Authority acknowledges that there are parking issues within the vicinity of the site during peak times which is reflected in concerns raised by the Parish Council and in a number of representations.
- 9.4. The proposed café is intended to provide an additional offer for visitors and users of the trail and extend the season outside of the typical current busy period of May to October.
- 9.5. Policy RT1 and E2 are considered to be relevant in assessing the principle of the proposed development as the proposal is for a new business in the countryside which would be operated in association with well-established recreation activities associated with the site and the established network of trails.
- 9.6. These policies support business facilities for recreation in principle as in this case there is a clear justification for the location of the proposed development within the former ticket office which is positioned in an appropriate location adjacent to the trail.
- 9.7. The second element is the extension of the existing car park to the east to provide an additional 16 parking spaces and the re-configuration of the existing car park to provide a further additional 8 spaces. In total the capacity of the car park would therefore be increased from 83 spaces (including 3 spaces for disabled people) to 107 spaces (including 4 spaces for disabled people).
- 9.8. Policies T7, T10 and T14 generally discourage new or additional non-operational parking (such as public car parks) unless they are essential to the management of the area and are matched with an equal reduction in existing on-street parking. Policy LT10 and emerging development management policy DMT5 provide an exception where new or additional operational parking (such as for staff, customers and deliveries to a business) is acceptable in principle provided that there is a clear need. In all cases new parking must be able to be accommodated without harm to the valued characteristics of the National Park.
- 9.9. Additional parking is acceptable in principle if it is demonstrated either as essential non-operational parking matched by an equivalent reduction in off-street parking or if it is demonstrated as required operational parking to serve the proposed development. Further consideration of this matter is made below.

- 9.10. It is noted that a representation raises the matter of 'phase 2' of the development of the site. Nothing beyond the scope of the application is currently under consideration and no details have been provided to Development Management of any other works. The development proposed under this application is free-standing and capable of implementation without any further development. Any future proposals, should they come forward, will be considered on their merits at that time.

Visual and landscape impact of development

- 9.11. The proposed café would be located within the existing former ticket office and external alterations to the building would be limited. There are no objections to the proposed alterations to the doors and the replacement windows provided that appropriate design details are secured in accordance with advice from the Authority's Conservation Officer. The proposed extraction vent on the car park facing elevation would be limited in size and subject to an appropriate detail and finish there is no objection to this element in principle.
- 9.12. Additional information has been provided in regard to external seating which would be limited to a total of four benches on the platform adjacent to the café. There are no objections to this in terms of visual and landscape impact as the benches and related activity would be well contained and adjacent to the building.
- 9.13. The proposed development would be served by a new biomass boiler, the majority of which would be sited either underground within the service yard area to the west of the café or within existing buildings with the exception of a fuel hopper within the yard and a flue which would terminate on the inside wall of the engine shed.
- 9.14. The fuel hopper would be visible from the car park and to a limited extent through the openings in the service yard wall from the platform. The hopper would be of a modest size and is of a functional design which is appropriate given the former function of the site as a station. The impact of the flue would also be limited and overall the proposed design solution is considered to be an appropriate way to incorporate a more sustainable source of heating for the café in accordance with policy CC1. If permission is granted conditions would be recommended to specify an appropriate dark green finish for the fuel hopper and a matt black finish for the flue.
- 9.15. The proposed replacement package treatment plant would be positioned underground and would utilise existing pipework under the former platforms and therefore would not result in any adverse visual or landscape impact.
- 9.16. The proposed extension to the car park would be to the west of the existing car park within the sidings on the north side of the trail. The proposal would result in up to 16 additional parked cars in this location which would create additional visual impact, however due to topography and existing planting the impact would be localised and in principle the provision of additional parking in this location would be acceptable.
- 9.17. Amendments to the scheme have been made to further reduce the impact including surfacing the additional car parking to reflect the trail rather than in macadam to provide a more informal appearance as the site transitions into the trail and the retention of the majority of the existing walling.
- 9.18. Subject to conditions to secure appropriate design details, the amended plans and appropriate surfacing materials for the car park it is considered that the proposed development can be accommodated without any adverse visual or landscape impact.

Impact upon heritage assets

- 9.19. The former ticket office and the remains of the former station are heritage assets and possess historical and architectural interest because of the age and type of surviving structures, association with Midland Railway and connection with the local community and industries and with the wider landscape, which the railway shaped.
- 9.20. This value is recognised by the inclusion of the site in the Millers Dale Conservation Area and the listing of the nearby north and south viaducts. The site is therefore a non-designated heritage asset in its own right and also forms part of the wider interest with those nearby designated heritage assets.
- 9.21. A heritage statement has been prepared in support of the application which has been assessed by the Authority's Conservation Officer and Senior Archaeologist.
- 9.22. The introduction of an appropriate and viable use for the former ticket office is welcomed as an appropriate way to secure the long term conservation of the historic building. The proposed vent and internal works would result in the removal of a small section of original wall, however the core significance of the site in its design, materials and legibility of the former plan will be retained.
- 9.23. The proposed alterations to the building are considered to be acceptable subject to detailed design issues and Officers are satisfied that the proposed conversion and proposed café use can be accommodated without harm to the significance of the former ticket office, the wider station or the setting of the viaducts.
- 9.24. Similarly there are no objections to the proposed biomass boiler, or replacement package treatment plant subject to appropriate colour finishes for the fuel hopper and flue.
- 9.25. The proposed car park extension would be sited in a former sidings associated with the station. The creation of the additional car parking spaces would not physically impact upon any features of the former station. Part of the existing wall between the car park and the trail would be demolished to facilitate access however this is a modern wall of no historic significance. As discussed earlier, additional parked cars in this location would have a very limited impact due to the location and the former station would remain clearly legible.
- 9.26. The proposed groundworks for the car park extension are minimal with no additional drainage and they are unlikely to cause harm to archaeological remains. The proposed groundworks for the sewage treatment plant, grease separator and the new underground drainage and feed to the biomass boiler are all located close to the station and former good shed buildings, and in the built up area of the former platform, and the archaeologist is satisfied that these works are unlikely to encounter remains of archaeological significance.
- 9.27. It is therefore concluded that the proposed development offers considerable scope for enhancement of the historic interest of the site, with increased scope for interpretation to promote appreciation and understanding of the site. The appropriate and sustainable re-use of the building would enhance the significance of the site and its setting.

Impact upon biodiversity

- 9.28. An ecological assessment has been carried out by the Authority's ecologist and submitted with the application. The assessment states that bats are present and roost within the roof of the former ticket office. There is a brown long eared bat roost and a Daubenton's bat roost within the roof. The northern elevation of the building supports a number of regularly used house martin nests and the southern elevation supports a single nest site. The near-by post house building also supports nest cups. Finally, there are records for slow worm within 1km of the site alongside the trail to the west of the station.

- 9.29. The location of the proposed works lies adjacent to the Wye Valley Site of Special Scientific Interest (SSSI) and Peak District Dales Special Area of Conservation (SAC).
- 9.30. The proposed car park extension is backed by a wall. There are patches of vegetation with species characteristic of disturbed ground conditions. This vegetation is of recent origin and is of low conservation value, therefore the proposed surfacing to create the car park would not result in adverse impacts.
- 9.31. The location of the proposed underground sewage treatment plant is mown species poor grassland which is of low conservation value. The upgraded soakaway is located in approximately the same position as the existing system sited within a part of the verge running parallel to the trail. The verge species in the ditch is rich unimproved grassland. The proposed soakaway would avoid the majority of vegetation of conservation value and therefore subject to appropriate management during construction and aftercare the soakaway would not affect the valued vegetation which would recover and no detrimental medium or long term impacts would arise.
- 9.32. The submitted ecological assessment makes detailed proposals for the timing and management of works to avoid adverse impacts upon the bat species and house martins identified on the site along with proposals for new bat boxes and bird boxes for other species placed away from the house martin sites. A precautionary approach in regard to slow worm is also proposed for works to excavate the soakaway.
- 9.33. Subject to appropriate planning conditions to secure the proposed recommendations for implementation of the development and mitigation it is considered that the development can be carried out without harming the favourable conservation status of bats or birds on the site.
- 9.34. The location of the proposed works lies close to, but outside of the SSSI and SAC. The works are restricted to the station building, and specified areas within the site. Any storage of materials, works or access associated with the works will use existing areas of hard surfacing, there will be no storage of material on SSSI or SAC habitats. The new water treatment unit will meet current standards and will more efficiently produce clean waste water and this will provide a modest benefit in terms of the adjacent designated sites.
- 9.35. Any visitors to the site of the proposed development would be likely to be visiting the station, the trails and local area. Therefore the majority of any additional activity and disturbance created by visitors would be focused on site and along the trails and therefore would not result in any harm to the SSSI and SAC. It is therefore concluded that there would be no adverse impact created by the development upon designated sites.
- 9.36. Highway safety and amenity
- 9.37. The former ticket office where the café would be located is some distance from Station House on the far side of the car park and therefore there are no concerns that any additional noise and disturbance from cooking or visitors within and around the proposed café would harm the amenity or privacy of neighbouring properties. Similarly due to the distance to the proposed extended car park there are no concerns that noise from vehicles parking in that area would be harmful to amenity.
- 9.38. Concerns have been raised in regard to the numbers of visitors to the site currently at peak times and the potential for the development to increase visitor pressure. In particular concern has been raised about visitors parking vehicles on the far side of the highway adjacent to the site and the impact of that upon the amenity of road users trying to pass the site.

- 9.39. The intention is to provide additional facilities for visitors already using the trail. It is likely that existing visitors to the site would make use of the facilities but it is also likely that the presence of the café on site would attract additional visitors to the trail or indeed visitors to the café itself. It is therefore considered likely that the proposed development would result in additional trips to the site by visitors and additional use of the trails.
- 9.40. The concerns raised in representations and by the Parish Council in regard to visitors parking on the highway are recognised by the Authority and by the Highway Authority in their consultation response. The application therefore proposes the extension of the car park along with re-organisation of the existing layout to provide additional spaces to alleviate the issue with on-street parking. In addition the applicant states that Derbyshire County Council has agreed to mark a single white line along the edge of the highway to deter parking.
- 9.41. The Authority's transport policy generally discourages new or additional non-operational parking (such as public car parks) unless they are essential to the management of the area and are matched with an equal reduction in existing on-street parking. New or additional operational parking (such as for staff, customers and deliveries to a business) is acceptable in principle provided that there is a clear need. In all cases new parking must be able to be accommodated without harm to the valued characteristics of the National Park.
- 9.42. The site currently includes a 83 space non-operational car park. One aspect of the proposal is to re-configure the existing car park which in itself would provide an additional 8 spaces. This re-configuration could be carried out without the benefit of planning permission and Officers have no objection in principle to making the most efficient use of the existing space especially given the concerns raised about on-street parking.
- 9.43. The proposal would introduce a café onto the site which based on the number of covers has a requirement for 16 parking spaces (excluding the outside benches) or 20 parking spaces (including the benches).
- 9.44. Ordinarily the Authority would expect the proposed café to make use of the existing car park without an extension. However very clear concerns have been raised by the Parish Council and in representations about an existing issue with on-street parking and these concerns are recognised by the Authority and the Highway Authority.
- 9.45. The proposed car park extension would provide for an additional 16 parking spaces which combined with the re-configuration of the existing car park closely matches the operational parking requirements of the proposed café based upon the Authority's parking standards within the emerging development management policies. A total of four spaces for disabled persons is proposed which is also in accordance with the parking standards.
- 9.46. Given the issues raised in regard to on-street parking and the fact that the extended car park could be accommodated without harm to the valued characteristics of the National Park it is considered that the proposed car park extension would strike the right balance between ensuring that the development does not contribute to the existing on-street parking issue and that the development does not harm the valued characteristics of the National Park.
- 9.47. Therefore Officers consider that provided the car park extension was carried out and the existing car park re-configured before the first use of the café then the proposed development would not harm highway safety or the amenity of neighbouring properties or highway users through additional visitor pressure or additional on-street parking.
- 9.48. A concern has been raised in regard to the lack of secure cycle parking proposed in the application. There is adequate cycle parking alongside the trail in front of the station. However there is no existing secure cycle parking and as discussed above, the proposed development is likely to result in additional visitors including cyclists stopping along the trail.

9.49. Policy LT17 clearly requires new development to provide secure cycle parking and therefore if permission is granted a condition to require details of this to be submitted and agreed is considered necessary.

9.50. Concerns have been raised about deliveries and manoeuvring of bin wagons on the site. There is ample space on the site for such vehicles to turn on site and therefore there no concerns in this regard.

10. Conclusion

10.1. The proposed conversion of the former station office to a café is acceptable in principle as it would provide a beneficial use of this heritage asset which is closely related to the existing recreational use of the trail.

10.2. The proposed development taken as a whole would enhance the historical significance of the site and enhance opportunities for members of the public to experience and interpret the history of the site and utilise the trail network. The development can be accommodated in a manner which conserves valued landscape character, biodiversity on site and the adjacent designated sites.

10.3. The proposed car park extension is considered to strike the right balance between ensuring that there is sufficient operational parking for the café that the development does not contribute to an existing on-street parking issue during peak times and ensuring that the development conserves the site and the valued characteristics of the National Park.

10.4. Having had regard to all other issues raised it is therefore concluded that the proposed development is in accordance with the development plan and in the absence of any further material considerations the application is recommended for approval subject to conditions outlined in this report.

11. Human Rights

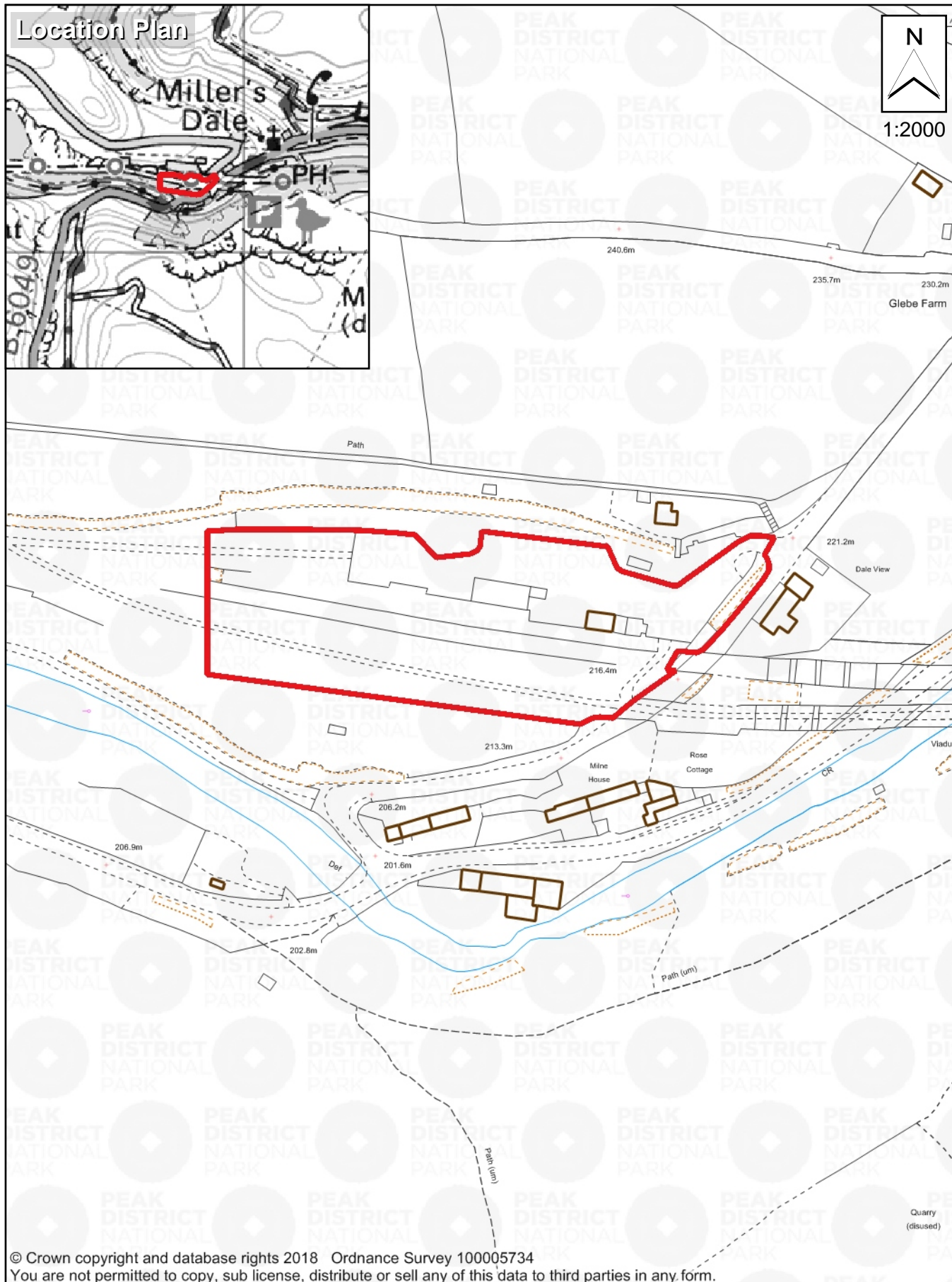
11.1. All human rights issues have been identified and considered in the preparation of this report.

12. List of Background Papers (not previously published)


None

Report Author and Job Title

Adam Maxwell, North Area Senior Planner



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Committee Date:	13th July 2018	Title: Millers Dale Station	 PEAK DISTRICT NATIONAL PARK
Item Number:	6		
Application No:	NP/HPK/0518/0407		
Grid Reference:	413724, 373262		

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7. FULL APPLICATION – ADDITION OF A CYCLE HIRE OPERATION TO THE CURRENTLY DISUSED OFFICE ROOM OF THE VISITOR CENTRE BUILDING. MANIFOLD VISITOR CENTRE, HULME END (NP/SM/0518/0448 410299 / 359321 P8736 MN 08/06/2018)

APPLICANT: HELEN BOWER ON BEHALF OF THE PEAK DISTRICT NATIONAL PARK AUTHORITY

1. Site and Surroundings

- 1.1. Manifold Visitor Centre is located at Hulme End, approximately 1.6 miles from Hartington village, on the southern side of the B5054.
- 1.2. The visitor centre is operated by Staffordshire Moorlands District Council and occupies a former railway station building, part of which is used to provide un-manned visitor information whilst the other part is vacant, having previously been used as an office room. A further building is located 5 metres to the south east and is occupied by a cafe business.
- 1.3. The visitor centre is adjacent to a public picnic area that serves as one of the two main access points to the Manifold track, which follows the old route of the Leek and Manifold Light railway.
- 1.4. There is an onsite car park comprising 60 parking spaces, located approximately 75m to the west of the visitor centre, and an adjacent car park that is dedicated for café customers.
- 1.5. The site is outside of any designated conservation area.

2. Proposal

- 2.1. The application seeks full planning permission for a change of use to establish a cycle hire operation on the site. The cycle hire would be operated by the Peak District National Park Authority, with 40 cycles available for hire. Cycles would be stored within the former office, and the business would operate from it. There would be no physical changes to the building, and no external works or cycle storage is proposed.

3. RECOMMENDATION

That the application be APPROVED subject to the following conditions:

- 1. 3 year time limit**
- 2. In accordance with submitted plans**
- 3. No outdoor storage of cycles**

4. Key Issues

- The principle of the development and landscape, highway and amenity impacts

5. Relevant Planning History

- 5.1. 1983 – Planning permission granted for construction of new access to B5054 and closure of existing access
- 5.2. 1985 – Planning permission granted for construction of car park
- 5.3. 1994 – Planning permission granted for change of use of county council depot premises to an interpretation/information centre and provision of public toilets

6. Consultations

- 6.1. **Staffordshire Moorlands District Council** – No response at time of writing

6.2. **Fawfieldhead Parish Council** – No response at time of writing

7. **Representations**

- 7.1. One letter of representation has been received at time of writing. This does not object to the proposal, but advises that the site already has issues with litter due to insufficient bin provision and with poorly maintained public toilets within the visitor centre. They also query how the use of the public car park for cycle hire users will be policed, as the other car park on the site is for café customers only.

8. **Policies**

- 8.1. National Park designation is the highest level of landscape designation in the UK. The Environment Act 1995 sets out two statutory purposes for national parks in England and Wales:

- Conserve and enhance the natural beauty, wildlife and cultural heritage
- Promote opportunities for the understanding and enjoyment of the special qualities of national parks by the public

When national parks carry out these purposes they also have the duty to seek to foster the economic and social well-being of local communities within the national parks.

National Planning Policy Framework and National Planning Practice Guidance (NPPG)

- 8.2. The National Planning Policy Framework (NPPF) was published on 27 March 2012 and replaced a significant proportion of central government planning policy with immediate effect. The Government's intention is that the document should be considered as a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. In the National Park the development plan comprises the Authority's Core Strategy 2011 and saved policies in the Peak District National Park Local Plan 2001. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and more recent Government guidance in the NPPF.
- 8.3. Paragraph 115 of the NPPF states 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 and the Broads.'*

Development Plan policies

- 8.4. Policy GSP1 sets out the broad strategy for achieving the National Park's objectives having regard to the Sandford Principle, (that is, where there are conflicting desired outcomes in achieving national park purposes, greater priority must be given to the conservation of the natural beauty, wildlife and cultural heritage of the area, even at the cost of socio-economic benefits). GPS1 also sets out the need for sustainable development and to avoid major development unless it is essential, and the need to mitigate localised harm where essential major development is allowed.
- 8.5. Policy GSP2 addresses enhancement within the National Park and states, amongst other things, that opportunities will be taken to enhance the Park by the treatment or removal of undesirable features or buildings.

- 8.6. Policy GSP3 sets out development management principles and states that all development must respect, conserve and enhance all valued characteristics of the site and buildings, paying particular attention to, amongst other elements, impact on the character and setting of buildings, scale of the development appropriate to the character and appearance of the National Park, design in accordance with the National Park Authority Design Guide and impact on living conditions of communities.
- 8.7. Policy DS1 provides an overview of the development strategy for the Park.
- 8.8. Policy L1 identifies that development must conserve and enhance valued landscape character and valued characteristics, and other than in exceptional circumstances, proposals in the Natural Zone will not be permitted.
- 8.9. Policy RT1 states that the Authority will support facilities which enable recreation, environmental education and interpretation, which encourage understanding and enjoyment of the National Park, and are appropriate to the National Park's valued characteristics. It goes on to advise that new provision must justify its location in relation to environmental capacity, scale and intensity of use or activity, and be informed by the Landscape Strategy. It notes that where appropriate, development should be focused in or on the edge of settlements. In the open countryside, clear demonstration of need for such a location will be necessary. It also states that wherever possible, development must reuse existing traditional buildings of historic or vernacular merit, and should enhance any appropriate existing facilities.
- 8.10. Policy LC4 states, amongst other things, that any development must, at least, respect and conserve the landscape of the area.
- 8.11. Policy LT18 states that the provision of safe access arrangements will be a prerequisite of any development, and that where the provision of safe access would damage the valued characteristics of the area, the National Park Authority will consider refusing planning consent.

Relevant Core Strategy (CS) policies: GSP1, GSP2, GSP3, DS1, L1, RT1

Relevant Local Plan (LP) policies: LC4, LT18

9. Assessment

Principle of the development

- 9.1. The proposed development would enable outdoor recreation which encourages enjoyment of the National Park. Further, its utilisation of existing recreational infrastructure – the visitor centre and the Manifold Trail – would minimise any landscape impacts and the proposed use is a quiet recreational activity that is appropriate to conserve and enhance the National Park's valued characteristics.
- 9.2. The use does justify the proposed countryside location, being within easy access of the Manifold Trail, whilst also having access to existing parking facilities.
- 9.3. The use would utilise part of the original station building, which is of historic merit, dating from the early twentieth century and being representative of rail development of that time.
- 9.4. For these reasons the proposal complies with the Authority's recreation and tourism policies and is acceptable in principle.

Landscape impacts

- 9.5. The landscape impacts of the development would be minimal, limited to any additional parking associated with the development and cycle movements along the trail. In the context of the existing car park and because the trail is already well used by cyclists these impacts would be acceptable.
- 9.6. This is subject to there being no outdoor storage of cycles, which could have further impacts on the appearance of the area depending on the position and number of them. It is recommended that if permission is granted a condition is imposed to restrict such storage.

Amenity impacts

- 9.7. Given the location within an existing visitor centre building and the nature of the new use, the development would not lead to any significant increase in noise or other disturbance, or reduce the privacy of any nearby properties.
- 9.8. It is therefore concluded that the development could be accommodated on the site whilst conserving the amenity of all nearby residential properties and other neighbouring uses.
- 9.9. Representation has advised that a lack of bin provision currently results in littering at the site. This is an ongoing issue however rather than specific to the proposed use; it is not considered that the addition of a cycle hire business to the site would significantly increase litter at the site as the majority of visitors will simply be collecting or returning cycles to the premises. The use itself would not generate litter.

Highway Considerations

- 9.10. The site would be accessed from the highway using the existing site access, and parking would be provided by the existing pay and display car park. The applicant advises that usage figures for the car park show that the average number of spaces used each day varies between 5 and 14 depending on the time of year. Given that the maximum capacity of the car park is 60, this would provide sufficient space for parking associated with the cycle hire use. As such, whilst it is acknowledged that the proposed cycle hire may well intensify the demand for parking, it is considered that there is sufficient capacity to accommodate this.
- 9.11. One letter of representation has queried how it can be ensured that cycle hire customers use the pay and display car park rather than the café car park. The same currently applies to those accessing the trail from the site or using the visitor centre, and so is not unique to the cycle hire operation. This is a matter to be resolved by the car park owners and is not relevant to the planning application under consideration.
- 9.12. It is concluded that given the existing site use, car parking arrangements, site access, and exit visibility there would be no substantive reason to refuse the application on grounds of highway safety or amenity.

10. Conclusion

- 10.1. The development would introduce a recreational use that is consistent with both the Authority's statutory purposes and planning policy.
- 10.2. There is otherwise no conflict between the intent of policies in the Development Plan and Government guidance in the National Planning Policy Framework and there are no other relevant considerations that would otherwise indicate planning permission should be refused.

10.3. Accordingly, the application is recommended for approval.

11. Human Rights

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

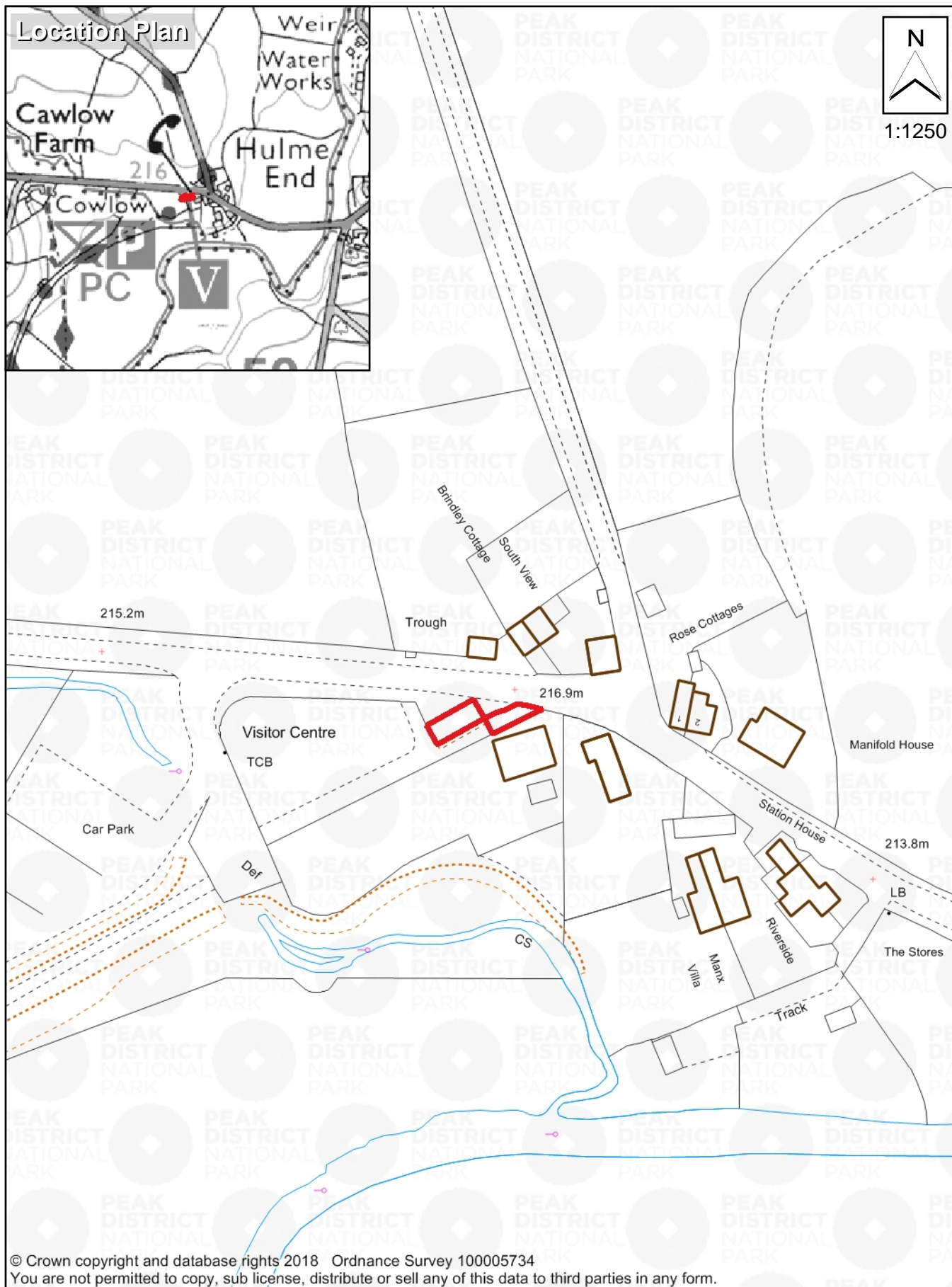
12. List of Background Papers (not previously published)

None

13. Report Author and Job Title

Mark Nuttall – Senior Planner

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Committee Date: 13th July 2018
 Item Number: 7
 Application No: NP/SM/0518/0448
 Grid Reference: 140299, 359321

Title: Manifold Valley Visitor Centre



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8. FULL APPLICATION - DEMOLITION OF EXISTING BUILDINGS ON SITE AND ERECTION OF A NEW OPEN MARKET DWELLING AND ASSOCIATED WORKS, LAND AT LITTON DALE, TIDSWELL (NP/DDD/0418/0361)

APPLICANT: MR & MRS HOBAN

1. Site and Surroundings

- 1.1. The application site is located in Litton Dale, approximately 360m to the south west of the centre of Litton and outside of the designated Conservation Area.
- 1.2. The application site is an area of land to the north of the highway bounded by drystone walling. There are two existing pre-fabricated garages on the site which are in a poor state of repair.
- 1.3. Access to the site is from the adjacent highway. The nearest neighbouring properties include the two recently constructed affordable houses to the north east, the property known as Barndale Croft to the south west and Dale Cottages to the south on the far side of the Highway.

2. Proposal

- 2.1. The erection of a three bedroom market dwelling on the application site.
- 2.2. The plans show that the dwelling would be constructed from limestone walling under a pitched roof clad with natural blue slate. Window openings would be formed with gritstone surrounds, jambs and mullions. Windows and door frames would be timber with a painted finish.
- 2.3. The dwelling would be positioned in the north east side of the site with the access onto the highway providing parking and turning space for two cars.

3. RECOMMENDATION

That the application be REFUSED for the following reasons:

1. **The proposed development is not required to achieve conservation or enhancement within the settlement therefore approval of the application would be contrary to Core Strategy policies GSP1, GSP2 and HC1 and the National Planning Policy Framework.**

4. Key Issues

- Whether the proposed development is required to achieve conservation and enhancement in accordance with policies GSP2 and HC1.

5. Relevant Planning History

- 5.1. 2017: ENQ 31191: Pre-application enquiry in regard to erection of open market dwelling.
- 5.2. Officers advised the applicant and agent that while there is a pre-fabricated garage on the site that it would be disproportionate to replace this with a market dwelling which would have an impact in its own right. Therefore the erection of a market dwelling would not be required to achieve enhancement and the proposal would therefore be contrary to policy HC1 and GSP2. In principle an affordable dwelling to meet eligible local need could be an appropriate way forward.

- 5.3. 2001: NP/DDD/0101/047: Planning permission granted for erection of double garage on part of the site.

6. Consultations

- 6.1. Tideswell Parish Council: No objections and support the application.
- 6.2. Litton Parish Council: Support the application and consider it will improve the look of the site and first impressions of the village.
- 6.3. Litton Parish Council do query why the proposed dwelling needs to be of an open market nature. Whilst the Parish Council understands that the open market may add more value to the property, in the long run there is a concern, not only in Litton parish but many small parishes in the area that more and more residents are becoming priced out of the villages by wealthy property owners from outside the area who buy up properties for second homes. #
- 6.4. District Council: No response to date.
- 6.5. Highway Authority: No objections subject to conditions.

7. Representations

- 7.1. A total of nine representation letters have been received to date. All the letters are in support of the application and give the following material planning reasons. The letters can be read in full on the website.
- The proposed house will be an enhancement to the site and to the outlook of neighbouring properties.
 - The plot has no current use and has the potential to become an eyesore at the entrance of the village.
 - The design of the proposed house is appropriate and in-keeping with the recently built houses on the adjacent site.

8. Policies

- 8.1. National Park designation is the highest level of landscape designation in the UK. The Environment Act 1995 sets out two statutory purposes for national parks in England and Wales:
- Conserve and enhance the natural beauty, wildlife and cultural heritage
 - Promote opportunities for the understanding and enjoyment of the special qualities of national parks by the public

When national parks carry out these purposes they also have the duty to seek to foster the economic and social well-being of local communities within the national parks.

National Planning Policy Framework

- 8.2. The National Planning Policy Framework (NPPF) was published on 27 March 2012 and replaced a significant proportion of central government planning policy with immediate effect. The Government's intention is that the document should be considered as a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. In the National Park the development plan comprises the Authority's Core Strategy 2011 and saved policies in the Peak District National Park Local Plan 2001. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and more recent Government guidance in the NPPF.
- 8.3. Para 115 of the NPPF states 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 and the Broads.'*
- 8.4. The NPPF directly refers to the National Parks Circular which makes clear that the Government considers it inappropriate to set housing targets within the National Parks and instead that policies should seek to delivery affordable housing to meet the needs of local communities.
- 8.5. Paragraph 54 and 55 of the NPPF re-inforce this approach together saying that planning authorities should seek to promote sustainable affordable housing in rural areas and that permission for isolated new housing in the countryside should only be granted where there are special circumstances.

Development Plan policies

- 8.6. Policy GSP1 sets out the broad strategy for achieving the National Park's objectives having regard to the Sandford Principle, (that is, where there are conflicting desired outcomes in achieving national park purposes, greater priority must be given to the conservation of the natural beauty, wildlife and cultural heritage of the area, even at the cost of socio-economic benefits). GPS1 also sets out the need for sustainable development and to avoid major development unless it is essential, and the need to mitigate localised harm where essential major development is allowed.
- 8.7. Policy GSP3 and LC4 set out development management principles and state that all development must respect, conserve and enhance all valued characteristics of the site and buildings, paying particular attention to, amongst other elements, impact on the character and setting of buildings, scale of the development appropriate to the character and appearance of the National Park, design in accordance with the National Park Authority Design Guide and impact on living conditions of communities.
- 8.8. Policy L1 identifies that development must conserve and enhance valued landscape character and valued characteristics, and other than in exceptional circumstances, proposals in the Natural Zone will not be permitted.
- 8.9. The approach to housing and conservation in the NPPF is consistent with the Authority's development strategy (Policy DS1) which says new residential development within the National Park should normally be sited within named settlements, and Policy HC1. C which sets out very similar criteria to the NPPF in terms of the exceptional circumstances in which a new house can be granted planning permission in the National Park.

- 8.10. Policy HC1. C I and II states that exceptionally new housing will be permitted in accordance with core policies GSP1 and GSP2 if it is required in order to achieve conservation and/or enhancement of valued vernacular or listed buildings or where it is required in order to achieve conservation or enhancement within designated settlements.
- 8.11. Policy CC1 requires development to make the most efficient and sustainable use of land and buildings taking into account the energy hierarchy and achieving the highest possible standards of carbon reductions and water efficiency in all development.
- 8.12. Policies LT11 and LT18 require development to be provided with appropriate access and parking provision which conserves the environmental quality of the National Park.
- 8.13. Further detailed policy on appropriate design for new housing is provided in the Authority's supplementary planning documents: the Design Guide and its appendix, the Building Design Guide.
- 8.14. It is considered the Authority's adopted design guidance and the wider range of design and conservation policies in the Development Plan are consistent with national policies in the NPPF, which emphasise the great weight that should be attached to the conservation and enhancement of the National Park landscape, its wildlife and cultural heritage in any planning decision, and also promote high standards of design that would be sensitive to the valued characteristics of the National Park.

Relevant Core Strategy (CS) policies: GSP1, GSP2, GSP3, DS1, L1, CC1, HC1

Relevant Local Plan (LP) policies: LC4, LH1, LH2, LT11 and LT18

9. Assessment

Principle

- 9.1. The relevant policy in regard to the principle of the proposed development is Core Strategy policy HC1. This policy continues the Authority's long standing policy position that housing will not be permitted solely to meet open market demand. This approach is consistent with the National Park Circular and the NPPF.
- 9.2. Policy HC1 therefore sets out the exceptional circumstances in which new housing will be permitted within the National Park. The approach of allowing affordable housing and workers housing where there is an established need, and, of allowing market housing where it is required to achieve significant conservation and enhancement in accordance with policies GSP1 and GSP2, is considered to be a sustainable approach for providing housing within the National Park, without undermining the landscape and valued characteristics.
- 9.3. This application is for a market house and not for an affordable house to meet established local need. The application provides some information on the personal circumstances of the applicants and their need for the dwelling, however as the proposal is for a market house there would be no control over who would carry out the development or occupy the house (either in the first instance or the long term) and therefore no weight can be attached to these personal circumstances.
- 9.4. Policy HC1 C. states clearly that in accordance with policies GSP1 and GSP2 new housing can be accepted where it is required in order to achieve conservation or enhancement of valued vernacular or listed building or enhancement in designated settlements. The development would not conserve or enhance a valued vernacular or listed building and therefore the proposed development would only be acceptable if the development is required to achieve enhancement in the settlement.

- 9.5. In determining the recent application for the pair of affordable houses on land adjacent and north east of the site the Authority determined that site was either within or on the edge of Litton which is a designated settlement. The application site in this case is immediately adjacent to that site and therefore having had regard to the Authority's recent decision it is considered that this site is also within the settlement.
- 9.6. There are two existing pre-fabricated garages on the site constructed from rendered panels, corrugated sheeting and timber and both buildings are in a poor state of repair. The design and materials of the building do not reflect local building traditions and the existing buildings do visually detract from the site and the immediate local area. There would therefore be some visual benefit from the removal of the existing garages and the clearance of the site.
- 9.7. Policy HC1 states clearly that market housing must be required in order to achieve conservation and enhancement. While it is accepted that the removal of the garages would have some benefits it is strongly considered that the erection of the proposed market dwelling is not required in principle to achieve these benefits. The cost and practical implications of demolishing the existing garages and clearing the site would be minimal and therefore the re-development of the site for garages of an appropriate design or for affordable housing would be viable alternatives.
- 9.8. Furthermore while the removal of the garages would have some visual benefit, their replacement with the proposed dwelling would also have a visual impact. The proposed dwelling would in itself be of an appropriate design and materials but would have a substantially greater mass and volume than the garages that would be replaced. The proposed development would not result in significant overall benefit to the natural beauty, wildlife and cultural heritage of the area which is a requirement of policy GSP2.
- 9.9. It is therefore considered that the proposed market house is not required to achieve conservation and enhancement in accordance with policies GSP1 or GSP2 and therefore that the proposed development would be contrary to Core Strategy policy HC1.
- 9.10. Officers note the comment made by Litton Parish Council in regard to the need for the market dwelling. Officers consider that this site would in principle be suitable for affordable housing if an appropriate need was established. If the proposed development was accepted on enhancement grounds it would set the bar very low and potentially undermine opportunities to provide affordable housing on similar sites in the National Park.
- 9.11. The submitted application refers to emerging Development Management policy DMH6 which states that housing will be acceptable in principle on previously developed land. Officers accept that this policy should be given weight given the advanced stage of the plan, however it is clear from the accompanying text in the Development Management Policy document that DMH6 must be read in conjunction with core policies HC1 and GSP2 and therefore housing must be demonstrably required to achieve conservation or enhancement of previously developed sites.

Impact of development

- 9.12. There are no objections to the proposed development in terms of landscape as it would continue the pattern of development established by the recently approved pair of affordable houses. There are also no objections to the design which reflects the Authority's adopted design guidance and utilises appropriate details and materials and would incorporate energy and water saving measures provided that these are secured by appropriate planning conditions.
- 9.13. The submitted plans show that there is sufficient space on the site for garden, parking and turning area and subject to conditions Officers agree with the Highway Authority that the development would not result in any highway safety issues. Given the relationship to

neighbouring properties there are no concerns that the development would be overbearing or lead to any significant loss of light or privacy.

10. Conclusion

- 10.1. The proposed development is not required to achieve conservation or enhancement of the site in accordance with policies GSP1 and GSP2. Therefore the proposed development is considered to be contrary to Core Strategy policy HC1 and the National Planning Policy Framework.
- 10.2. In the absence of any further material considerations the application is recommended for refusal.

11. Human Rights

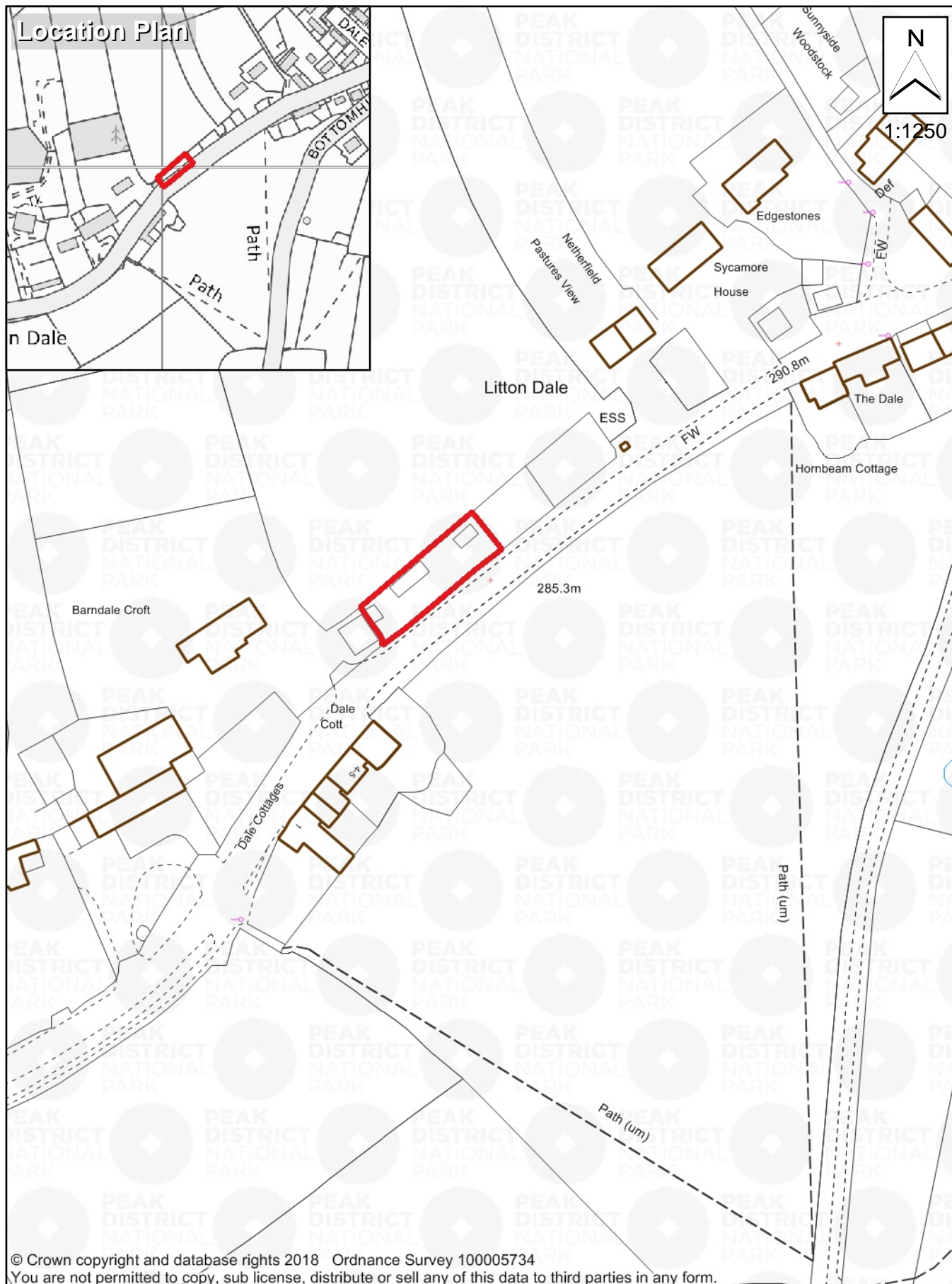
- 11.1. All human rights issues have been identified in the preparation of this report.

12. List of Background Papers (not previously published)

None

Report Author and Job Title

Adam Maxwell, North Area Senior Planner



Committee Date: 13th July 2018
 Item Number: 8
 Application No: NP/DDD/0418/0361
 Grid Reference: 416024, 375007

Title: Land at Litton Dale



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9. APPLICATION - CONVERSION OF BARN TO A LOCAL NEED DWELLING AT LEACH BARN, LEADMILL, HATHERSAGE (NP/DDD/0518/0415, AM)

APPLICANT: MR T SMITH

1. Site and Surroundings

- 1.1. The application site is located in open countryside approximately 850m to the south east of the centre of Hathersage. The site is located part way down a track off the B6001 adjacent to the Leadmill Bridge and the River Derwent.
- 1.2. The site comprises a barn constructed from natural gritstone under a stone slate roof. There is a single large central doorway and smaller blocked doorway in the eastern elevation and a single smaller door in the rear elevation. The building is a typical small Peak District combination barn formerly used to house livestock and to store threshed straw or hay. It sits in the corner of a large field used for grazing horses and although previously in common ownership with the field, the barn was sold separately in 2016.
- 1.3. The barn is currently disused, a previous planning permission for use of the building as a workshop was granted on a personal basis only to a former occupier but understood not to have been implemented and therefore the planning use of the building appears to be a 'nil' use or the former agricultural use.
- 1.4. Access to the site is via the track from the B6001 which is also the route of the public footpath which follows the route of the River Derwent towards Grindleford. The application site is located within Flood Zones 2 and 3.

2. Proposal

- 2.1. The conversion and extension of the barn to one affordable dwelling to meet local need.
- 2.2. The submitted plans show that the proposed dwelling would have one bedroom. Internally the floor level of the proposed bedroom and kitchen would be raised 1.36m above the existing floor level of the barn on either side of the large central doorway with each floor accessed by a separate staircase.
- 2.3. An extension to the north of the barn would be erected to provide a living / dining room accessed through a new opening created through the northern gable wall of the barn. The extension would have natural gritstone walls and a stone slate roof with the east elevation of the extension predominately with glazed walls and a glazed roof. A new window opening would be inserted on the west elevation of the extension and this existing wall would be re-built to form the extension.
- 2.4. Two banks of three roof lights would be inserted on the east elevation of the main roof a single roof light would be inserted on the rear elevation.
- 2.5. The existing large central doorway would be glazed with timber frames and the existing smaller doorway would be opened and provided with a new partially timber and partially glazed frame. The doorway on the rear elevation would also be provided with a new door frame.
- 2.6. The land to the east of the barn would be utilised as domestic curtilage with the land to the east of the barn set aside for two parking spaces.

3. RECOMMENDATION

That the application be REFUSED for the following reasons:

- 1. The application site is located within Flood Zone 3b which is the functional flood plain associated with the River Derwent. The creation of a dwelling within the functional flood plain is contrary to Core Strategy policy CC1, the National Planning Policy Framework and National Planning Policy Guidance.**
- 2. The proposed development would seriously harm the significance of the barn and its setting within the wider landscape contrary to Core Strategy policies GSP1, GSP2, GSP3, L1, L3 and HC1, saved Local Plan policies LC4 and LC8 and the National Planning Policy Framework.**

4. Key Issues

- Whether the proposed development is acceptable in principle in terms of flood risk.
- Impact of the proposed development upon the character and appearance of the existing barn and its setting within the landscape.
- Whether the proposed dwelling would meet established local need for affordable dwellings.

5. Relevant Planning History

- 5.1. 1984: NP/WED/0584/225: Planning permission granted conditionally and on a personal basis for change of use of barn to workshop.
- 5.2. 2013 – 2017: Various pre-application enquiries received in regard to potential development to convert the barn.
- 5.3. 2017: ENQ 30759: Pre-application advice in relation to the current proposals. The following advice was given:
- 5.4. *“I have outlined below the current policy position and my views as to how an application for conversion to a dwelling would be likely to be viewed. As you will see, regrettably there are a number of planning policy issues which mean that a change of use of the building to a dwelling would not be supported in principle.*
- 5.5. *The National Planning Policy Framework states, amongst other things, that in determining planning applications local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation, and that Authorities should avoid new isolated homes in the countryside apart from where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting.*
- 5.6. *Whilst not of such character or other significance to represent a valued vernacular building, the barn is still a heritage asset by virtue of its age and traditional design. The conversion would result in an isolated dwelling in the countryside however, and the proposed use and conversion works would not result in an enhancement of the immediate setting of the building in this context. Therefore, the development is not considered to comply with the Framework in this regard.*
- 5.7. *As noted, the site is in the open countryside - clearly separated from the settlement of Hathersage, where the Authority’s local planning policies are also more restrictive. The Authority’s Development Plan policy DS1 - which sets out the general development strategy for the National Park supports the principle of conversion of traditional buildings for*

housing, community facilities, and business uses including visitor accommodation. In terms of housing conversion though, policy HC1 of the Development Plan further restricts conversion of buildings in the countryside to those cases where the conversion is required to conserve a valued vernacular building.

- 5.8. *In this case the building, whilst traditional, is of modest size and simple form and character, and would not be considered to be of valued vernacular. It would not therefore be suitable for conversion to a dwelling under the Authority's adopted planning policies and for this reason my view is that conversion to a dwelling would not comply with policy HC1.*
- 5.9. *In terms of detail, Policies L1, L3, LC4 and LC8 address matters of landscape impact, design, protection of heritage assets, and conversion of traditional buildings. The primary matters addressed by these policies are the need for any development to conserve the buildings character and appearance, and for it to have an acceptable relationship with the wider landscape. The proposed extension, by virtue of its massing and detailing would be overly dominant and would not reflect the character of the existing building, detracting from its appearance.*
- 5.10. *Additionally the site is within Flood Zones 2 and 3, as designated by the Environment Agency and as you have determined in the submitted FRA. As also noted in the FRA, the use you are proposing falls in to the 'more vulnerable' classification. More vulnerable development would only be permitted in Flood Zone 3 if other less vulnerable sites are ruled out (in this case the building is pre-existing, so obviously it could not be sited elsewhere) and where the development provides wider sustainability benefits to the community that outweigh flood risk; and where a site-specific flood risk assessment is undertaken and demonstrates that the development will be safe for its lifetime without increasing flood risk elsewhere.*
- 5.11. *Both elements of the test have to be passed for development to be permitted. I do not consider that conversion to a market dwelling would offer wider sustainability benefits to the community that would outweigh flood risk, and so an application would raise objections on these grounds."*

6. Consultations

- 6.1. Parish Council: Make the following comments.
- 6.2. This is known to be a very wet area of ground due to the proximity of the leat.
- 6.3. The building is a substantial store barn in an historic setting. The building appears to be structurally sound at this time and this proposal will ensure that the building is maintained and be of heritage interest. Therefore there are no objections if this proposal helps maintain the barn and the heritage of the area and if the dwelling is to be for local need.
- 6.4. District Council: No response to date.
- 6.5. Highway Authority: No objections subject to conditions.
- 6.6. Lead Local Flood Authority: Refers Authority to standing advice.
- 6.7. Environment Agency: Makes the following comments:
- 6.8. Derbyshire Dales latest Strategic Flood Risk Assessment (SFRA) from 2016, includes this area of the National Park and shows this site to be within the SFRA defined 3b flood zone. This definition is taken as a precautionary approach and for the River Derwent at this location has used the 1 in 50 event to define 3b flood zone.

- 6.9. Given that this application is situated within Peak District's planning boundary then we feel that the decision whether to use this information should be decided by the Planning Authority. If your authority decides that the site should be defined as 3b, then this development would not be acceptable within the floodplain as per the guidance within the PPG.
- 6.10. Natural England: Raise no objection in regard to statutorily protected sites and refers the Authority to standing advice in regard to protected species and natural environment.
- 6.11. PDNPA Conservation Officer: Objects to the development and makes the following comment.
- 6.12. *"The authority's previous stance has been that this building is not "valued vernacular", but is nevertheless a "non-designated heritage asset". I see no reason to depart from that previous conclusion, and see little merit in the potential argument that the building is listed as "curtilage" to Grade II Leach House, which might justify a more pro-active response to its retention. Historically, as now, it was detached from the farmhouse and attached buildings, and both barn and house had their own clearly-defined curtilages. Therefore the barn does not appear to meet the qualifying criteria in Historic England Advice Note 10 "Listed Buildings and Curtilage" (2018) that could make it rank as curtilage listed.*
- 6.13. *The requirement that re-use of redundant traditional buildings should conserve and enhance them is clearly not met in this application. Listed or not (and I conclude that the building is not listed, as reasoned above), the scheme would destroy such modest merit as the building has: The aesthetic appeal rests on its plain simplicity and bold, symmetrical form, with minimal openings. The proposed raising of the main floor level is very awkward and militates against good design; it increases the pressure for inserting roof lights, and the differing levels mean that the centre of the barn is virtually unusable. The main living space is therefore in an extension, which I consider unacceptable both in principle and detail.*
- 6.14. *It appears that former pigsties and runs attached to the northern end of the barn were replaced with a greenhouse, which was adjoined by a further greenhouse to the west. The freestanding wall running north of the barn appears to have been raised in height to provide an abutment for these vanished greenhouses; the junction between the original and raised sections can still be discerned in the photographs.*
- 6.15. *While the barn is a traditional building, this wall was not part of the traditional character, as the upper part related to the relatively modern greenhouses. The original northern extension would have been of much smaller scale, and the raised ground level required to form living accommodation there means that any replacement structure would be much too large and high to be acceptable. Moreover, the domestic "conservatory" form is incongruous with the character of the existing building; the fact that there was a formerly a greenhouse there does not alter that assessment.*
- 6.16. *In conclusion, therefore, I can see no merit whatever in favour of this proposal from an historic environment point of view. On the contrary, I believe these proposals would deface the building and turn it from a positive landscape feature to a negative one. I suggest that this application should be refused."*
- 6.17. PDNPA Archaeology: Objects to the development, describes the interest and makes the following comment.
- 6.18. *"Leach Barn is a non-designated heritage asset and is of local historic, archaeological and architectural interest. Leach Farm is identified in the Peak District National Park Authority's Historic Buildings, Sites and Monuments Record and the Derbyshire Historic Environment Record, as a partially extant 19th century farmstead, L-shape in plan with an attached farmhouse and agricultural buildings forming one side of the yard, with detached elements*

to the main plan. Leach Barn forms one of these detached elements.

- 6.19. *It is a typical of a small Peak District combination barn, the typical kind of barn on Peak District Farmsteads, used to house livestock and used to store threshed straw or hay.*
- 6.20. *The proposed conversion will result in harm to the significance of this non-designated heritage asset. Changes to the historic fabric, including the insertion of a new opening in the north gable through to the proposed extension, in an area where the function of the barn meant there would not traditionally have been an opening; will affect the historic interest of the building and the impact of the three proposed roof lights of the historic roof structure. Such changes will result in permanent changes to the visible fabric and structure of the building, which will affect the legibility of its function and historical development, and the roof changes affect an area of the building's core significance.*
- 6.21. *Also of concern is that the proposed changes will result in harm to the traditional historic agricultural character of the building, again a core aspect of its significance. The proposed glazing, roof light and door treatments are too domestic in character for former agricultural building and the large glazed element to the proposed extension are untypical of a combination barn and out of character with the traditional form, materials and function of this building and is incongruous in a building of this type.*
- 6.22. *The conservation through finding a viable use of this non-designated heritage asset is a desirable outcome, but the new use must sustain its heritage values and significance. The proposed development would not conserve the buildings character, appearance or historic interest, and does not conform with national or local planning policy (NPPF Section 12, LDF L3, and Local Plan saved policies LC15, LC8). Consequently, from an archaeological perspective, I wouldn't support the positive determination of this application."*

7. Representations

- 7.1. No representations have been received to date.

8. Policies

- 8.1. National Park designation is the highest level of landscape designation in the UK. The Environment Act 1995 sets out two statutory purposes for national parks in England and Wales:
- Conserve and enhance the natural beauty, wildlife and cultural heritage
 - Promote opportunities for the understanding and enjoyment of the special qualities of national parks by the public

When national parks carry out these purposes they also have the duty to seek to foster the economic and social well-being of local communities within the national parks.

National Planning Policy Framework

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

- 8.3. Para 115 of the NPPF states 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 and the Broads.'*
- 8.4. The NPPF directly refers to the National Parks Circular which makes clear that the Government considers it inappropriate to set housing targets within the National Parks and instead that policies should seek to delivery affordable housing to meet the needs of local communities.
- 8.5. Paragraph 54 and 55 of the NPPF re-inforce this approach together saying that planning authorities should seek to promote sustainable affordable housing in rural areas and that permission for isolated new housing in the countryside should only be granted where there are special circumstances.
- 8.6. Para 129 of the NPPF states that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.
- 8.7. Para 135 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly 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.

Development Plan policies

- 8.8. Policy GSP1 sets out the broad strategy for achieving the National Park's objectives having regard to the Sandford Principle, (that is, where there are conflicting desired outcomes in achieving national park purposes, greater priority must be given to the conservation of the natural beauty, wildlife and cultural heritage of the area, even at the cost of socio-economic benefits). GPS1 also sets out the need for sustainable development and to avoid major development unless it is essential, and the need to mitigate localised harm where essential major development is allowed.
- 8.9. Policies GSP3 and LC4 set out development management principles and state that all development must respect, conserve and enhance all valued characteristics of the site and buildings, paying particular attention to, amongst other elements, impact on the character and setting of buildings, scale of the development appropriate to the character and appearance of the National Park, design in accordance with the National Park Authority Design Guide and impact on living conditions of communities.
- 8.10. Policy L1 identifies that development must conserve and enhance valued landscape character and valued characteristics, and other than in exceptional circumstances, proposals in the Natural Zone will not be permitted.
- 8.11. The approach to housing and conservation in the NPPF is consistent with the Authority's development strategy (Policy DS1) which says new residential development within the National Park should normally be sited within named settlements, and Policy HC1. C which sets out very similar criteria to the NPPF in terms of the exceptional circumstances in which a new house can be granted planning permission in the National Park.

- 8.12. Policy HC1. C I and II states that exceptionally new housing will be permitted in accordance with core policies GSP1 and GSP2 if it is required in order to achieve conservation and/or enhancement of valued vernacular or listed buildings or where it is required in order to achieve conservation or enhancement within designated settlements.
- 8.13. Policy L2 states that 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 it is likely to have an adverse impact on any sites, features or species of biodiversity importance or their setting that have statutory designation or are of international or national importance for their biodiversity.
- 8.14. Policy LC17 provides more detailed criteria to assess development that may affect protected sites, species or habitats.
- 8.15. Policy L3 states that 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. 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.
- 8.16. Policy LC8 provides more detailed criteria to assess development proposing to convert existing buildings to new uses respectively. Policies LC15 and LC16 provide detailed criteria to assess development that affects archaeological and historic sites.
- 8.17. Policy CC1 states that development must make the most efficient and sustainable use of land, buildings and natural resources, taking into account the energy hierarchy and achieving the highest possible standards of carbon reductions and water efficiency. CC1. B says that development must be directed away from flood risk areas, and seek to reduce overall risk from flooding within the National Park and areas outside it, upstream and downstream.
- 8.18. Policies LT11 and LT18 require development to be provided with appropriate access and parking provision which conserves the environmental quality of the National Park.
- 8.19. Further detailed policy on appropriate design for new housing is provided in the Authority's supplementary planning documents: the Design Guide and its appendix, the Building Design Guide.
- 8.20. It is considered the Authority's adopted design guidance and the wider range of design and conservation policies in the Development Plan are consistent with national policies in the NPPF, which emphasise the great weight that should be attached to the conservation and enhancement of the National Park landscape, its wildlife and cultural heritage in any planning decision, and also promote high standards of design that would be sensitive to the valued characteristics of the National Park.

Relevant Core Strategy (CS) policies: GSP1, GSP2, GSP3, DS1, L1, L2, L3, CC1, CC5 and HC1

Relevant Local Plan (LP) policies: LC4, LC8, LC15, LC16, LC17, LC22, LH1, LH2, LT11 and LT18

9. Assessment

Flood Risk

- 9.1. Policies CC1 and CC5 in accordance with the NPPF and national planning policy guidance seek to direct development away from areas of flood risk. The Strategic Flood Risk Assessment (2008 SFRA) which has been carried out and underpins the Authority's Core Strategy identifies the application site as being within Flood Zone 3b. Flood Zone 3b is the functional flood plain which is defined as land where water has to flow or be stored in times of flood.
- 9.2. This application proposes the conversion of the barn to create a dwelling house which for the purposes of national planning policy guidance is a 'more vulnerable' use in relation to flood risk. National planning policy guidance is clear that any use which is vulnerable to flooding is not appropriate within Flood Zone 3b and therefore the proposed development is not acceptable in principle on the grounds of flood risk.
- 9.3. The Environment Agency has drawn the Authority's attention to the more recent SFRA carried out for Derbyshire Dales in 2016. This SFRA also identifies the application site as being within Flood Zone 3b.
- 9.4. The application is supported by a Flood Risk Assessment (FRA) which acknowledges that the site is identified as being within Flood Zone 3b by the 2008 SFRA. However the FRA goes on to refer to data from the Environment Agency based on a survey from 2005 which indicates that the building is sited adjacent to but outside of Flood Zone 3b.
- 9.5. The Environment Agency has given clear advice that the proposed development is not acceptable in principle if it is within Flood Zone 3b. Given that the data used in the submitted FRA pre-dates the 2008 SFRA and the more recent data from Derbyshire Dales it is considered clear that taking a pre-cautionary approach that the site should be considered to be within Flood Zone 3b and therefore that the development is not acceptable in principle.
- 9.6. Officers have queried the appropriateness use of the earlier survey data within the application with the Environment Agency. No further response has been received to date, Officers will update the meeting if there is any change in position on this point.
- 9.7. Notwithstanding the substantial issue of the creation of a dwelling house within the Flood Zone 3b – the functional flood plain it is necessary to address other planning issues raised.

Justification for proposed dwelling house

- 9.8. The relevant housing policy is Core Strategy policy HC1. This policy continues the Authority's long standing policy position that housing will not be permitted solely to meet open market demand. This approach is consistent with the National Park Circular and the NPPF.
- 9.9. Policy HC1 therefore sets out the exceptional circumstances in which new housing will be permitted within the National Park. The approach of allowing affordable housing and workers housing where there is an established need, and, of allowing market housing where it is required to achieve significant conservation and enhancement in accordance with policies GSP1 and GSP2 is considered to be a sustainable approach for providing housing within the National Park without undermining the landscape and valued characteristics.

- 9.10. This application is for an affordable house to meet established local need. The application has provided some information in regard to the applicant's circumstances. From the information provided it is clear that the applicant would not meet any of the Authority's definition of a person with local qualification set out by saved Policy LH2 or emerging Development Management policies.
- 9.11. The Authority is aware of a significant need within the parish of Hathersage for affordable housing and Officers note that the Parish Council are supporting of the application provided that it would provide affordable housing. The agent has indicated that if the applicant would not be considered to have a local qualification then the dwelling would be required to meet the wider need within the parish.
- 9.12. There is an up-to-date Parish Need Survey for Hathersage which clearly establishes that there is an un-met need for affordable housing within the parish. The identified need is for two bedroom four person houses and bungalows and three bedroom houses. The survey states that there are sufficient existing one and two bedroom affordable flats within the parish to meet need.
- 9.13. Therefore while there is a clear established need for affordable housing within the parish the current need survey indicates that there is no requirement for additional one bedroom properties which this development would deliver. It is therefore considered that there is no clear case for the provision of an affordable house.
- 9.14. Policy HC1 does make provision for the creation of market housing if it is demonstrated to be required to achieve conservation or enhancement of a valued vernacular or listed building. It is clear from the submitted application and from consultation responses received from the Authority's Conservation Officer and Archaeologist that the application building should be considered to be a non-designated heritage asset.
- 9.15. Therefore irrespective of whether the proposed dwelling was to be affordable to meet local need or a market dwelling a key issue would be whether the development is required to achieve conservation or enhancement of the building.

Impact of development

- 9.16. Leach Barn is a non-designated heritage asset and is of local historic, archaeological and architectural interest. Leach Farm is identified in the Peak District National Park Authority's Historic Buildings, Sites and Monuments Record and the Derbyshire Historic Environment Record, as a partially extant 19th century farmstead, L-shape in plan with an attached farmhouse and agricultural buildings forming one side of the yard, with detached elements to the main plan. Leach Barn forms one of these detached elements.
- 9.17. The building is typical of a small Peak District combination barn, the typical kind of barn on Peak District Farmsteads, used to house livestock and used to store threshed straw or hay. Leach Barn has a typical arrangement with a large opening marking to position of the threshing bay in its east elevation, with a typical cambered arch opening, and a smaller winnowing door in the west elevation to provide a through draft for threshing.
- 9.18. The core significance of the building as a non-designated heritage asset is considered to be its traditional agricultural character and its relationship to the wider landscape which demonstrates its agricultural origins and function, the use of traditional materials, surviving historic fabric, in particular the roof structure which appears to be original and the location, form and size of historic openings.

- 9.19. Significant concerns have been raised by the Authority's Conservation Officer and Senior Archaeologist about the impact of the proposed development upon the significance of the barn.
- 9.20. Internally the proposed raising of the main floor to mitigate for potential flood events creates differing levels internally which would contrast with the plain, simple and bold symmetrical form of the building reflecting its former function. Raising the floor level also necessitates roof lights which would significantly disrupt the existing stone roof which is a key aspect of the significance of the barn and add domestic elements unrelated to the character of the existing building.
- 9.21. The application also proposes an extension to the northern gable which would further disrupt the simple symmetrical form of the building and introduce a very domestic glazed conservatory form which would be seriously incongruous with the character of the existing building. The proposed extension would also necessitate the removal of substantial historic fabric to create an opening into the extension in a position where historically there would not have been an extension and also the removal and re-building of the existing wall which projects from the northern gable.
- 9.22. The proposed glazing to the large central opening and glazing to the smaller doors would also add further domestic elements. Parking of domestic vehicles and the use of the area of land adjacent to the building as domestic garden with all the activity that entails would further domesticate the setting of the building to its detriment.
- 9.23. The combined impact of the proposed alterations and extension to facilitate the change of use of the building to a dwelling would seriously compromise the core characteristics of the building which form its significance and for which the building is valued.
- 9.24. The conservation through finding a viable use of this non-designated heritage asset is a desirable outcome, but any new use must sustain its heritage values and significance. The proposed development would not conserve the buildings character, appearance or historic interest, and does therefore is contrary to Core Strategy policies GSP1, GSP2, GSP3, L1, L3 and HC1, saved Local Plan policies LC4 and LC8 and the National Planning Policy Framework.

Other considerations

- 9.25. Given the distance of the barn to the nearest neighbouring property Leach House and the orientation of proposed openings and location of the curtilage there are no concerns that the development would harm the amenity, privacy or security of any neighbouring property.
- 9.26. Access to the property is good with ample visibility onto the highway. There is also room within the site for adequate parking and turning space onto the track to avoid conflict with users of the footpath. Therefore Officers agree with the Highway Authority that subject to conditions that the development would not harm Highway Safety.
- 9.27. A protected species survey has been carried out and submitted with the application. The survey report concludes that no evidence of bats, birds or any other protected species were identified on site. Therefore subject to the implementation of reasonable avoidance measures and suitable enhancements Officers conclude that the development would not harm the favourable conservation status of any protected species or habitat.

10. Conclusion

- 10.1. The application site is located within Flood Zone 3b which is the functional flood plain associated with the River Derwent. The creation of a dwelling in the functional flood plain is contrary to Core Strategy policy CC1, the National Planning Policy Framework and National Planning Policy Guidance.
- 10.2. The proposed development would seriously harm the significance of the barn and its setting within the wider landscape contrary to Core Strategy policies GSP1, GSP2, GSP3, L1, L3 and HC1, saved Local Plan policies LC4 and LC8 and the National Planning Policy Framework.

11. Human Rights

- 11.1. All human rights issues have been identified in the preparation of this report.

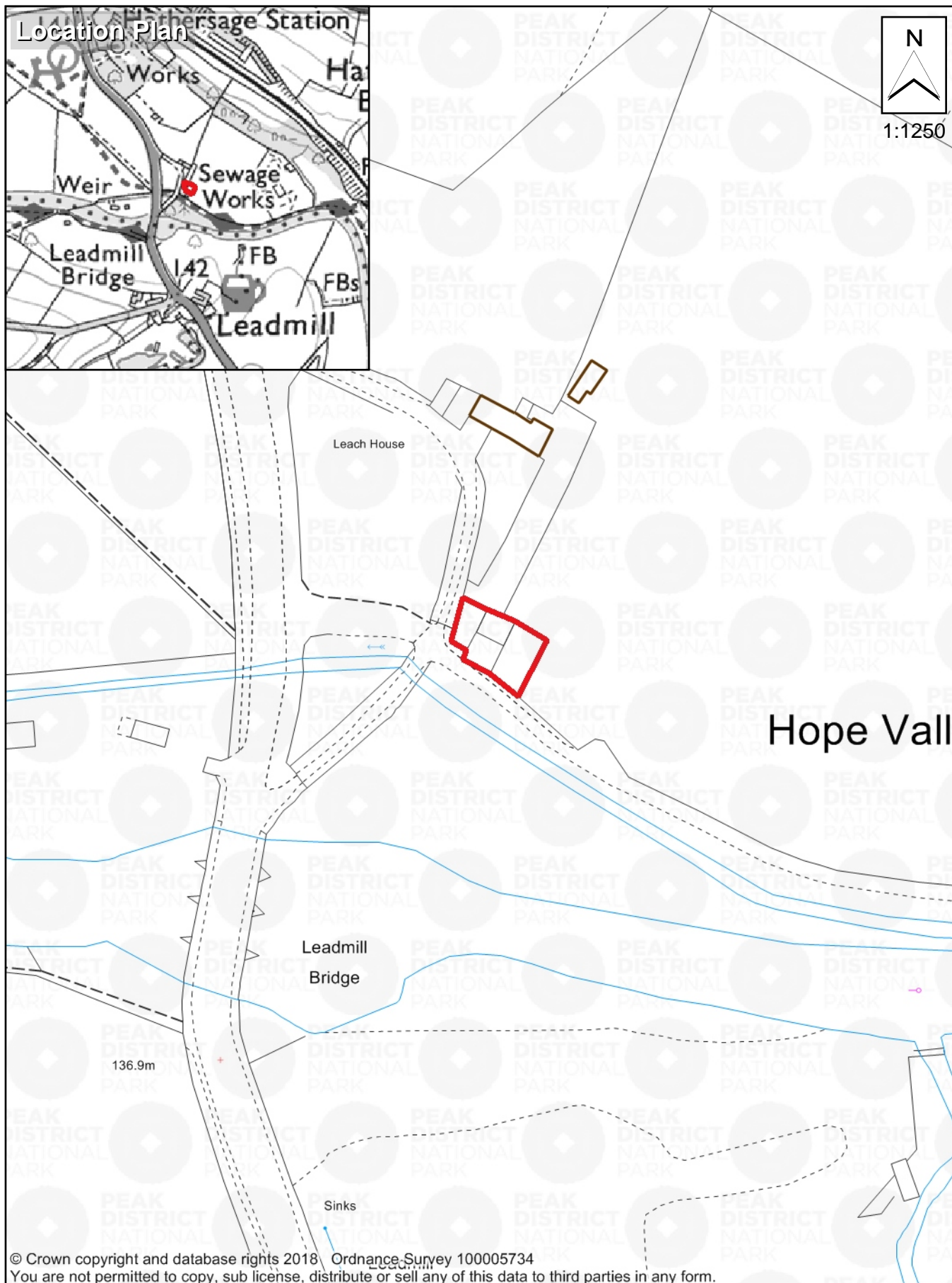
12. List of Background Papers (not previously published)


None

Report Author and Job Title

Adam Maxwell, North Area Senior Planner

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Committee Date:	13th July 2018	Title:	Leach Barn, Leadmill, Hathersage	 PEAK DISTRICT NATIONAL PARK
Item Number:	9			
Application No:	NP/DDD/0518/0415			
Grid Reference:	423404, 380667			

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10. SECTION 73 APPLICATION - VARIATION OF CONDITION 2 OF PLANNING APPROVAL NP/DDD/0317/0251 RELATING TO THE PROVISION OF CAR PARKING AT ROCK VIEW COTTAGE, EAST BANK, WINSTER (NP/DDD/0318/0265, P5817 + P1225, 424044/360366, 27 APRIL 2018/ALN)

APPLICANT: MR CHRIS HIGGS AND MRS SUE HARRISON

1. Site and Surroundings

- 1.1 Rock View Cottage is a domestic property located on the south-western edge of Winster village. To the north and east of the property are other residential dwellings and to the south and west is a roughly triangular shaped piece of 'common land' which sits between East Bank and West Bank. The property is within the Winster Conservation Area.
- 1.2 The house itself is detached and has a private garden adjacent to it. In addition, there is a detached piece of land just to the south of the house that is also used as domestic curtilage in association with the Rock View Cottage and which contains a further formal garden, a parking area and a large garage.
- 1.3 To the north of the house, and separated from it by a public footpath is an outbuilding which was converted to ancillary accommodation in 2004. (NP/DDD/0804/0908). In April 2017 planning permission was granted to convert the building to a separate holiday let, to be used independently from Rock View Cottage (NP/DDD/0317/0251). That permission has not yet been implemented.
- 1.4 Vehicular access to Rock View Cottage and the ancillary building is currently gained across the common land from the public highway (East Bank) to the south. Whilst the applicant does not own this land, it is understood that there is a right of access over it.

2. Proposal

- 1.1 This is a section 73 application that seeks permission to vary condition no.2 of planning approval ref NP/DDD/0317/0251. Condition no.2 reads '*The development hereby permitted shall not be carried out otherwise than in completed in accordance with the submitted plans and plan no. 847.01 subject to the following conditions or modifications.*'
- 1.2 Plan no. 847.01 is a block plan that shows the proposed parking allocation for Rock View Cottage and for the new holiday unit. It shows two spaces within the existing garage for the holiday unit and two spaces within the garden area to the east. Following a discussion with the Highway Authority it had been concluded that the garage is suitable for the parking of one car only but that one parking space for the holiday unit was still sufficient to meet parking standards. Therefore condition no.3 required one space to be provided for the holiday unit and two for Rock Cottage.
- 1.3 The current proposals are to provide one parking space within the garage and three parking spaces within the garden area. The additional space within the garden area would be provided by excavating out a modest area of the garden to provide a level surface. This would result in the removal of five garden trees.

3. RECOMMENDATION

That the application be APPROVED subject to the following conditions:

- 1. Time limit for implementation**

2. Adopt submitted plans

3. Premises not to be taken into use until the approved car parking has been laid out and maintained for use throughout the life of the development.

4. Holiday Occupancy Condition

5. Household waste storage in association with the holiday let shall be in accordance with the submitted details.

6. Before the removal of any of the trees on the approved plan details of a native hedgerow to be planted along the eastern boundary of the site shall be submitted and agreed. Thereafter the hedgerow shall be planted in the first planting season following the parking spaces first being brought into use.

4. Key Issues

- Whether the additional parking space would cause harm to the amenity of the neighbouring property.
- Whether the proposals result in adequate parking space to meet the needs of the development.

5. Relevant Planning History

June 2017 – application for change of use of ancillary accommodation to separate holiday let approved.

June 2017 – application for change of use of ancillary accommodation to a separate B1 office use approved.

July 2016 – application for change of use of ancillary accommodation (to Rock View Cottage) to a separate B1 office use withdrawn.

July 2016 – application for change of use from ancillary accommodation (The Lodge) to a separate holiday let withdrawn

December 2005 – permission granted for conversion of former cowshed to ancillary accommodation.

October 2004 – permission granted for replacement porch and dining room extension (to Rock Cottage)

July 1998 – permission refused for single storey extension off front elevation of Rock View Cottage.

January 1998 – permission refused for two storey extension off front elevation of Rock View Cottage

1987 – permission granted for alterations to roof structure at Rock View Cottage.

1983 – permission granted for two storey side extension to Rock View Cottage.

6. Consultations

Highway Authority – the manoeuvring space to the rear of the spaces is less than the 6m recommended – the width of the parking exceeds that required for three spaces so the width of the individual spaces would be increased to enable manoeuvring. Subject to the above, no highway

comments.

District Council – no response.

Parish Council - the site plans submitted appear to be incorrect as they show the land to be common land, when in fact this area is in the ownership of Heathcotes Barn. It is noted that from the submitted plans that it is proposed to remove a total number of five trees to enable the development to take place. It is acknowledged that the trees in question are not of native species, however they do contribute to the appearance of the Winster Conservation Area, provide a habitat for wildlife (including bats) and offer privacy to neighbouring properties. No alternative planting scheme is proposed in mitigation. Substandard manoeuvring space within site will lead in vehicles reversing into/out of site causing potential conflict with pedestrians on the common. Previous points raised in objections to original application have not been addressed.

7. Representations

7.1 One letter of objection has been received from the owner of an adjacent property Heathcotes Barn on the grounds of :

- Loss of trees – this would be devastating to wildlife in the area. The trees also provide a baffle for noise and nuisance and absorb emissions created by current parking.
- Impact on Nature Conservation – loss of trees would impact on bird habitats and possibly bats.
- Smells/fumes/noise – all noise, nuisance and emissions would be directed towards Heathcotes barn and the patio area over the adjoining wall. Noise from car engines, unloading, car doors slamming and people talking loudly will cause extra noise and nuisance.
- Light pollution.
- Design and Appearance and impact on landscape.
- Access – there is only one access point for the parking – this would lead to constant manoeuvring of vehicles to access the parking causing extra emissions along with noise and nuisance to neighbours.
- Overbearing presence near common boundary. Works to create parking area could undermine stability of the boundary wall.

8. Policies

8.1. National Park designation is the highest level of landscape designation in the UK. The Environment Act 1995 sets out two statutory purposes for national parks in England and Wales:

- Conserve and enhance the natural beauty, wildlife and cultural heritage
- Promote opportunities for the understanding and enjoyment of the special qualities of national parks by the public

When national parks carry out these purposes they also have the duty to seek to foster the economic and social well-being of local communities within the national parks.

National Planning Policy Framework

- 8.2. The National Planning Policy Framework (NPPF) was published on 27 March 2012 and replaced a significant proportion of central government planning policy with immediate effect. The Government's intention is that the document should be considered as a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. In the National Park the development plan comprises the Authority's Core Strategy 2011 and saved policies in the Peak District National Park Local Plan 2001. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and more recent Government guidance in the NPPF.
- 8.3. Para 115 of the NPPF states 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 and the Broads.'*

Development Plan policies

- 8.4. Policy GSP1 sets out the broad strategy for achieving the National Park's objectives having regard to the Sandford Principle, (that is, where there are conflicting desired outcomes in achieving national park purposes, greater priority must be given to the conservation of the natural beauty, wildlife and cultural heritage of the area, even at the cost of socio-economic benefits). GSP1 also sets out the need for sustainable development and to avoid major development unless it is essential, and the need to mitigate localised harm where essential major development is allowed.
- 8.5. Policy GSP3 sets out development management principles and states that all development must respect, conserve and enhance all valued characteristics of the site and buildings, paying particular attention to, amongst other elements, impact on the character and setting of buildings, scale of the development appropriate to the character and appearance of the National Park, design in accordance with the National Park Authority Design Guide and impact on living conditions of communities. Saved Local Plan policy LC4 also seeks to protect residential amenity.
- 8.6. Core Strategy policy RT2 supports proposals for the change of use of a traditional building of historic or vernacular merit to serviced or self-catering holiday accommodation except where it would create an unacceptable landscape impact in open countryside. Policy LT11 states that residential parking must respect the valued character of the area and LT18 states that the highest standards of design for transport infrastructure must be used.

Relevant Core Strategy (CS) policies: GSP1, GSP2, GSP3, DS1, L3, RT2

Relevant Local Plan (LP) policies: LC4, LT11, LT18

9. Assessment

Issue 1: Whether the additional parking space would cause harm to the amenity of the neighbouring property.

- 9.1. Heathcotes Barn is a detached barn conversion that was approved in November 2005 (NP/DDD/0804/0920). The barn conversion itself is located approximately 18m to the south of the garden area associated with Rock Cottage. The area to the north of the barn is laid out and used as domestic curtilage in association with this property. The western boundary of this area used as garden abuts the eastern boundary of the area to be used for car parking.
- 9.2. For the reasons listed above the occupier of Heathcotes Barn considers that the proposals would cause harm to their residential amenity due to the proximity to the boundary with their garden and patio area. The first point to make is that when planning permission was granted for the conversion of Heathcotes Barn to a dwellinghouse in 2005, condition no 12 of the approval required the residential curtilage to be confined to a limited area close to the house. The 'garden' area that abuts the boundary with the application site was a paddock at the time of the application and this was required to be excluded from the garden. As this area is currently being used as garden this appears to be a breach of the condition (unless it has become immune through the passage of time). If the condition is being breached then any impact on 'residential amenity' as a result of this area being used as garden unlawfully cannot be given any significant weight. This issue has been registered as an enforcement enquiry.
- 9.3. Notwithstanding whether the use of the area of land at Heathcotes barn as garden is lawful, officers consider that the creation of one additional off street parking space within the curtilage of a dwellinghouse in a village setting is inherently unlikely to result in any significant loss of amenity, even if it is adjacent to another garden. The close proximity of parked cars (and the associated manoeuvring and activity) with other residential property is unavoidable and accepted within residential areas. In fact if the approved development was not implemented then the applicant, as a householder, could create additional hardstanding within their garden as 'permitted development'. Planning permission is required in this case due to the limitations of conditions on the planning approval for the change of use of the outbuilding.
- 9.4. It is proposed to remove a number of non-native garden trees (five in total) on the eastern boundary of the site to provide space for the proposed car parking space. These consist of three Ileylandii trees, a goat willow and a Norwegian pine. A tree survey has not been submitted but it is considered that these trees have low value in terms of their individual qualities. They do provide a buffer between the two properties but it is not considered that their loss would cause an unacceptable impact on amenity because although the boundary would be more open, there would still be a drystone boundary wall in place. The applicants have offered to plant a native hedgerow along the boundary next to the wall to mitigate the loss of the trees. It is considered that this would potentially offer an improved habitat for nesting birds and would provide an acceptable boundary and buffer between the properties. This can be required by condition. Subject to a condition requiring the replacement native hedge, it is considered that the development would not be harmful to biodiversity or to protected species.
- 9.5. In conclusion it is considered that the proposals would not cause harm to residential amenity and therefore accord with policies GSP3 and LC4 in these respects.

Issue 2: Whether the proposals result in adequate parking space to meet the needs of the development.

- 9.6. Although the approved parking plan showed the provision of two parking spaces within the garage and two within the garden it was acknowledged by the Highway Authority that space within the garage building is restricted and therefore it would be difficult to fit two standard sized vehicles within it. They advised that one parking space for the holiday unit would be adequate and therefore condition no.3 required the provision of one parking space for the holiday cottage and two for Rock Cottage. Under the current proposals an additional off street parking space would be provided that could serve either of the two properties.
- 9.7. Given the issues with parking on the common land to the west of the application site the provision of an additional off street parking space is welcomed in principle and would

improve parking provision for the property. The Highway Authority have confirmed that with some slight adjustment to the layout there would be sufficient space for manoeuvring to allow vehicles to exit the site in a forward gear. This is an improvement on the approved scheme where vehicles would have had to reverse out onto the common land. The proposals therefore accord with policies LT11 and LT18.

- 9.8. It is not considered that the provision of an additional space would cause harm to the character and appearance of the Conservation Area as the area in question is not visible from the common land being screened by the existing garage and due to prevailing land levels.

10. Conclusion

- 10.1. In conclusion the proposed amendments would result in an additional off street parking space to serve the needs of the development, which would help to alleviate pressure for parking on street or on the adjacent common land. The proposals would not cause harm to the character of the Conservation Area or to residential amenity subject to a condition for the provision of a native hedgerow along the eastern boundary of the site. It is therefore recommended that condition no.2 is amended to reflect the revised plans.

- 10.2. As this is a section 73 application it would effectively grant a wholly fresh planning consent. Therefore the remaining conditions on application ref NP/DDD/0804/0920 have been examined to ascertain whether they still meet the tests for conditions. Condition no.3 should be amended to take account of the revised layout. The remaining conditions (which relate to the implementation time period, a holiday occupancy condition and a condition requiring household waste to be disposed of in accordance with submitted details) are still necessary and reasonable and should be repeated. An additional condition to require a native hedgerow to be planted along the eastern boundary is also necessary and reasonable in the interests of biodiversity enhancements and the character and appearance of the area.

11. Human Rights

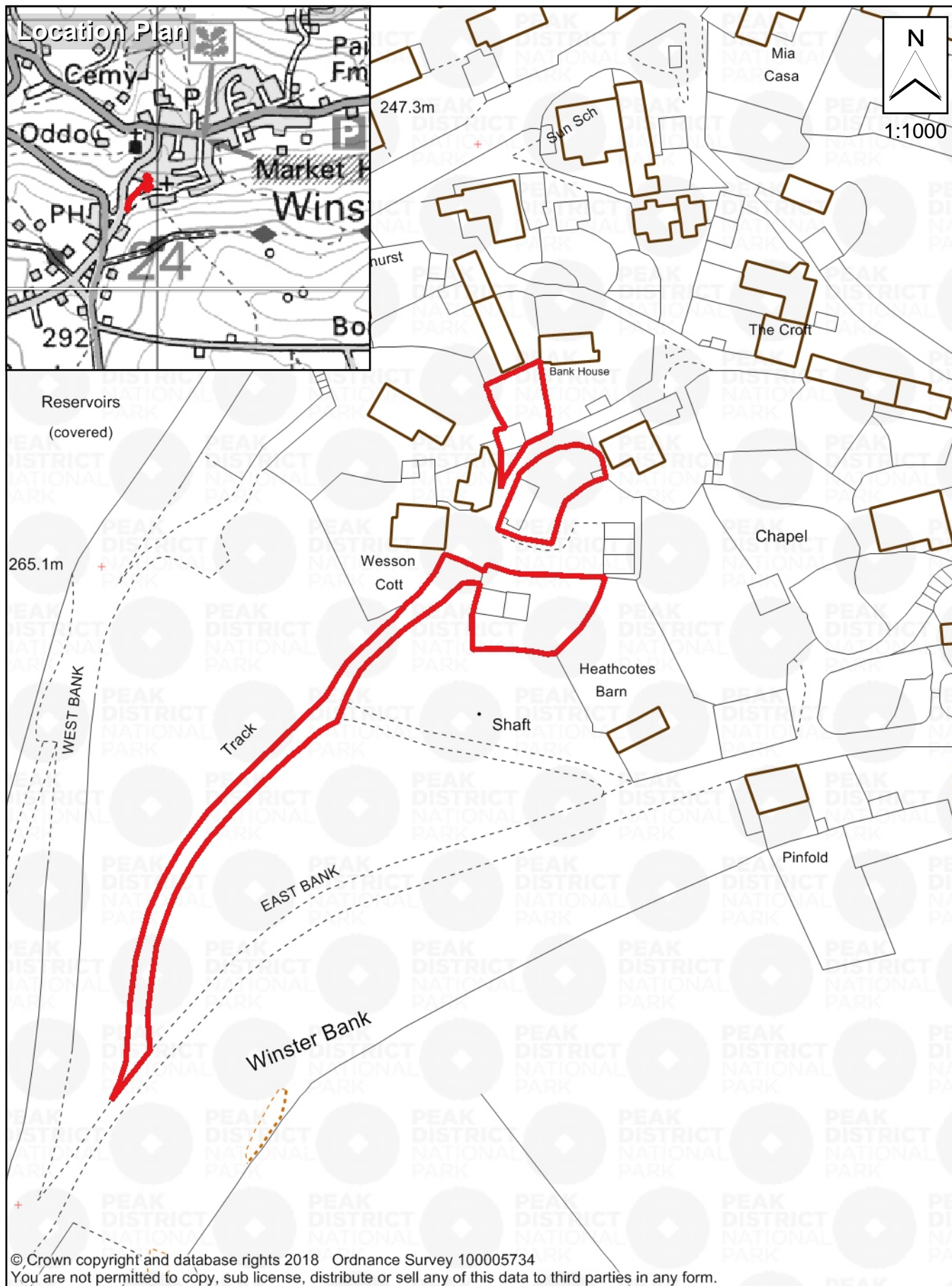
- 11.1. All human rights issues have been identified in the preparation of this report.

12. List of Background Papers (not previously published)

None

Report Author and Job Title

Andrea Needham, Senior Planner



Committee Date: 13th July 2018
Item Number: Item 10
Application No: NP/DDD/0318/0265
Grid Reference: 424044, 360366

Title: Rock View Cottage, Winster



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PARK**

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11. SECTION 73 APPLICATION - VARIATION OF CONDITION 2 OF PLANNING APPROVAL NP/DDD/0317/0250 RELATING TO THE PROVISION OF CAR PARKING AT ROCK VIEW COTTAGE, EAST BANK, WINSTER (NP/DDD/0318/0264, P5817 + P1225, 424044/360366, 27 APRIL 2018/ALN)

APPLICANT: MR CHRIS HIGGS AND MRS SUE HARRISON

1. Site and Surroundings

- 1.1 Rock View Cottage is a domestic property located on the south-western edge of Winster village. To the north and east of the property are other residential dwellings and to the south and west is a roughly triangular shaped piece of 'common land' which sits between East Bank and West Bank. The property is within the Winster Conservation Area.
- 1.2 The house itself is detached and has a private garden adjacent to it. In addition, there is a detached piece of land just to the south of the house that is also used as domestic curtilage in association with the Rock View Cottage and which contains a further formal garden, a parking area and a large garage.
- 1.3 To the north of the house, and separated from it by a public footpath is an outbuilding which was converted to ancillary accommodation in 2004. (NP/DDD/0804/0908). In April 2017 planning permission was granted to convert the building to a separate B1 office use, to be used independently from Rock View Cottage (NP/DDD/0317/0250). That permission has not yet been implemented.
- 1.4 Vehicular access to Rock View Cottage and the ancillary building is currently gained across the common land from the public highway (East Bank) to the south. Whilst the applicant does not own this land, it is understood that there is a right of access over it.

2. Proposal

- 1.1 This is a section 73 application that seeks permission to vary condition no.2 of planning approval ref NP/DDD/0317/0250. Condition no.2 reads '*The development hereby permitted shall not be carried out otherwise than in completed in accordance with the submitted plans and plan no. 847.01 subject to the following conditions or modifications.*'
- 1.2 Plan no. 847.01 is a block plan that shows the proposed parking allocation for Rock View Cottage and for the new office unit. It shows two spaces within the existing garage for the office unit and two spaces within the garden area to the east. Following a discussion with the Highway Authority it had been concluded that the garage is suitable for the parking of one car only but that one parking space for the office unit was sufficient to meet parking standards. Therefore condition no.3 required one space to be provided for the office and two for Rock Cottage.
- 1.3 The current proposals are to provide one parking space within the garage and three parking spaces within the garden area. The additional space within the garden area would be provided by excavating out a modest area of the garden to provide a level surface. This would result in the removal of five garden trees.

3. RECOMMENDATION

That the application be APPROVED subject to the following conditions:

- 1. Time limit for implementation**

2. Adopt submitted plans

- 3. Premises not to be taken into use until the approved car parking has been laid out and parking to be thereafter maintained for use throughout the life of the development**
- 4. Use of the building shall be as an office and for no other purpose whatsoever without express planning consent from the National Park Authority (including any other purpose in Class B1 of the schedule to the Town and Country Planning (Use Classes) Order 1987 or in any order revoking and re-enacting that order.)**
- 5. Before any of the trees on the approved plan are removed details of a native hedgerow to be planted along the eastern boundary of the site shall be submitted and agreed. Thereafter the planting shall be completed in the first planting season following the parking spaces being first brought into use.**

4. Key Issues

- Whether the additional parking space would cause harm to the amenity of the neighbouring property.
- Whether the proposals result in adequate parking space to meet the needs of the development.

5. Relevant Planning History

June 2017 – application for change of use of ancillary accommodation to separate holiday let approved.

June 2017 – application for change of use of ancillary accommodation to a separate B1 office use approved.

July 2016 – application for change of use of ancillary accommodation (to Rock View Cottage) to a separate B1 office use withdrawn.

July 2016 – application for change of use from ancillary accommodation (The Lodge) to a separate holiday let withdrawn

December 2005 – permission granted for conversion of former cowshed to ancillary accommodation.

October 2004 – permission granted for replacement porch and dining room extension (to Rock Cottage)

July 1998 – permission refused for single storey extension off front elevation of Rock View Cottage.

January 1998 – permission refused for two storey extension off front elevation of Rock View Cottage

1987 – permission granted for alterations to roof structure at Rock View Cottage.

1983 – permission granted for two storey side extension to Rock View Cottage.

6. Consultations

Highway Authority – the manoeuvring space to the rear of the spaces is less than the 6m recommended – the width of the parking exceeds that required for three spaces so the width of

the individual spaces would be increased to enable manoeuvring. Subject to the above, no highway comments.

District Council – no response.

Parish Council - the site plans submitted appear to be incorrect as they show the land to be common land, when in fact this area is in the ownership of Heathcotes Barn. It is noted that from the submitted plans that it is proposed to remove a total number of five trees to enable the development to take place. It is acknowledged that the trees in question are not of native species, however they do contribute to the appearance of the Winsters Conservation Area, provide a habitat for wildlife (including bats) and offer privacy to neighbouring properties. No alternative planting scheme is proposed in mitigation. Substandard manoeuvring space within site will lead in vehicles reversing into/out of site causing potential conflict with pedestrians on the common. Previous points raised in objections to original application have not been addressed.

7. Representations

7.1 One letter of objection has been received from the owner of an adjacent property Heathcotes Barn on the grounds of :

- Loss of trees – this would be devastating to wildlife in the area. The trees also provide a baffle for noise and nuisance and absorb emissions created by current parking.
- Impact on Nature Conservation – loss of trees would impact on bird habitats and possibly bats.
- Smells/fumes/noise – all noise, nuisance and emissions would be directed towards Heathcotes barn and the patio area over the adjoining wall. Noise from car engines, unloading, car doors slamming and people talking loudly will cause extra noise and nuisance.
- Light pollution.
- Design and Appearance and impact on landscape.
- Access – there is only one access point for the parking – this would lead to constant manoeuvring of vehicles to access the parking causing extra emissions along with noise and nuisance to neighbours.
- Overbearing presence near common boundary. Works to create parking area could undermine stability of the boundary wall.

8. Policies

8.1. National Park designation is the highest level of landscape designation in the UK. The Environment Act 1995 sets out two statutory purposes for national parks in England and Wales:

- Conserve and enhance the natural beauty, wildlife and cultural heritage
- Promote opportunities for the understanding and enjoyment of the special qualities of national parks by the public

When national parks carry out these purposes they also have the duty to seek to foster the economic and social well-being of local communities within the national parks.

National Planning Policy Framework

- 8.2. The National Planning Policy Framework (NPPF) was published on 27 March 2012 and replaced a significant proportion of central government planning policy with immediate effect. The Government's intention is that the document should be considered as a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. In the National Park the development plan comprises the Authority's Core Strategy 2011 and saved policies in the Peak District National Park Local Plan 2001. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and more recent Government guidance in the NPPF.
- 8.3. Para 115 of the NPPF states 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 and the Broads.'*

Development Plan policies

- 8.4. Policy GSP1 sets out the broad strategy for achieving the National Park's objectives having regard to the Sandford Principle, (that is, where there are conflicting desired outcomes in achieving national park purposes, greater priority must be given to the conservation of the natural beauty, wildlife and cultural heritage of the area, even at the cost of socio-economic benefits). GSP1 also sets out the need for sustainable development and to avoid major development unless it is essential, and the need to mitigate localised harm where essential major development is allowed.
- 8.5. Policy GSP3 sets out development management principles and states that all development must respect, conserve and enhance all valued characteristics of the site and buildings, paying particular attention to, amongst other elements, impact on the character and setting of buildings, scale of the development appropriate to the character and appearance of the National Park, design in accordance with the National Park Authority Design Guide and impact on living conditions of communities. Saved Local Plan policy LC4 also seeks to protect residential amenity.
- 8.6. Policy E1 supports proposals for business development within or on the edge of settlements named in policy DS1 provided that the proposals are of a scale that is consistent within the needs of the local population and wherever possible should involve the re-use of traditional buildings of historic or vernacular merit. Policy LT11 states that residential parking must respect the valued character of the area and LT18 states that the highest standards of design for transport infrastructure must be used.

Relevant Core Strategy (CS) policies: GSP1, GSP2, GSP3, DS1, L3, E1

Relevant Local Plan (LP) policies: LC4, LT11, LT18

9. Assessment

Issue 1: Whether the additional parking space would cause harm to the amenity of the neighbouring property.

- 9.1. Heathcotes Barn is a detached barn conversion that was approved in November 2005 (NP/DDD/0804/0920). The barn conversion itself is located approximately 18m to the south of the garden area associated with Rock Cottage. The area to the north of the barn is laid out and used as domestic curtilage in association with this property. The western boundary of this area used as garden abuts the eastern boundary of the area to be used for car parking.
- 9.2. For the reasons listed above, the occupier of Heathcotes Barn considers that the proposals would cause harm to their residential amenity due to the proximity to the boundary with their garden and patio area. When planning permission was granted for the conversion of Heathcotes Barn to a dwellinghouse in 2005, condition no 12 of the approval required the residential curtilage to be confined to a limited area close to the house. The 'garden' area that abuts the boundary with the application site was a paddock at the time of the application and this was required to be excluded from the garden. As this area is currently being used as garden this appears to be a breach of the condition (which may have become immune through the passage of time – further investigation would be required in this respect and an enquiry has been registered on the Authority's systems which the Enforcement Team will investigate). If the condition is being breached then any impact on 'residential amenity' as a result of this area being used as garden unlawfully cannot be given any significant weight.
- 9.3. Notwithstanding whether the use of the area of land at Heathcotes barn as garden is lawful, officers consider that the creation of one additional off street parking space within the curtilage of a dwellinghouse in a village setting is inherently unlikely to result in any significant loss of amenity, even if it is adjacent to another garden. The close proximity of parked cars (and the associated manoeuvring and activity) with other residential property is unavoidable and accepted within residential areas. In fact, if the approved development was not implemented then the applicant, as a householder, could create additional hardstanding within their garden as 'permitted development'. Planning permission is required in this case due to the limitations of conditions on the planning approval for the change of use of the outbuilding.
- 9.4. It is proposed to remove a number of non-native garden trees (five in total) on the eastern boundary of the site to provide space for the proposed car parking space. These consist of three *Ilex* trees, a goat willow and a Norwegian pine. A tree survey has not been submitted but it is considered that these trees have low value in terms of their individual qualities. They do provide a buffer between the two properties but it is not considered that their loss would cause an unacceptable impact on amenity because, although the boundary would be more open, there would still be a drystone boundary wall in place. The applicants have offered to plant a native hedgerow along the boundary next to the wall to mitigate the loss of the trees. It is considered that this would potentially offer an improved habitat for nesting birds and would provide an acceptable boundary and buffer between the properties. This can be required by condition. It is considered that subject to a condition to secure the native hedge planting, the development would not be harmful to biodiversity or to any protected species.
- 9.5. In conclusion it is considered that the proposals would not cause harm to residential amenity and therefore accord with policies GSP3 and LC4 in these respects.

Issue 2: Whether the proposals result in adequate parking space to meet the needs of the development.

- 9.6. Although the approved parking plan showed the provision of two parking spaces within the garage and two within the garden it was acknowledged by the Highway Authority that space within the garage building is restricted and therefore it would be difficult to fit two standard sized vehicles within it. It was advised by the Highway Authority that one parking

space for the office unit would be adequate and therefore condition no.3 required the provision of one parking space for the office unit and two for Rock Cottage. Under the current proposals an additional off street parking space would be provided that could serve either of the two properties.

- 9.7. Given the issues with parking on the common land to the west of the application site the provision of an additional off street parking space is welcomed in principle and would improve parking provision for the property. The Highway Authority have confirmed that with some minor adjustment to the layout there would be sufficient space for manoeuvring to allow vehicles to exit the site in a forward gear. This is an improvement on the approved scheme where vehicles would have had to reverse out onto the common land. The proposals therefore accord with policies LT11 and LT18.
- 9.8. It is not considered that the provision of an additional space would cause harm to the character and appearance of the Conservation Area as the area in question is not visible from the common land, being screened by the existing garage and due to prevailing land levels.

10. Conclusion

- 10.1. In conclusion the proposed amendments would result in an additional off street parking space to serve the needs of the development, which would help to alleviate pressure for parking on street or on the adjacent common land. The proposals would not cause harm to the character of the Conservation Area or to residential amenity subject to a condition for the provision of a native hedgerow along the eastern boundary of the site. It is therefore recommended that condition no.2 is amended to reflect the revised plans.
- 10.2. As this is a section 73 application it would effectively grant a wholly fresh planning consent. Therefore the remaining conditions on application ref NP/DDD/0804/0920 have been examined to ascertain whether they still meet the tests for conditions. Condition no.3 should be amended to take account of the revised layout. The remaining conditions (which relate to the implementation time period and removal of permitted development rights) are still necessary and reasonable and should be repeated. An additional condition to require a native hedgerow to be planted along the eastern boundary is also necessary and reasonable in the interests of biodiversity enhancements and the character and appearance of the area.

11. Human Rights

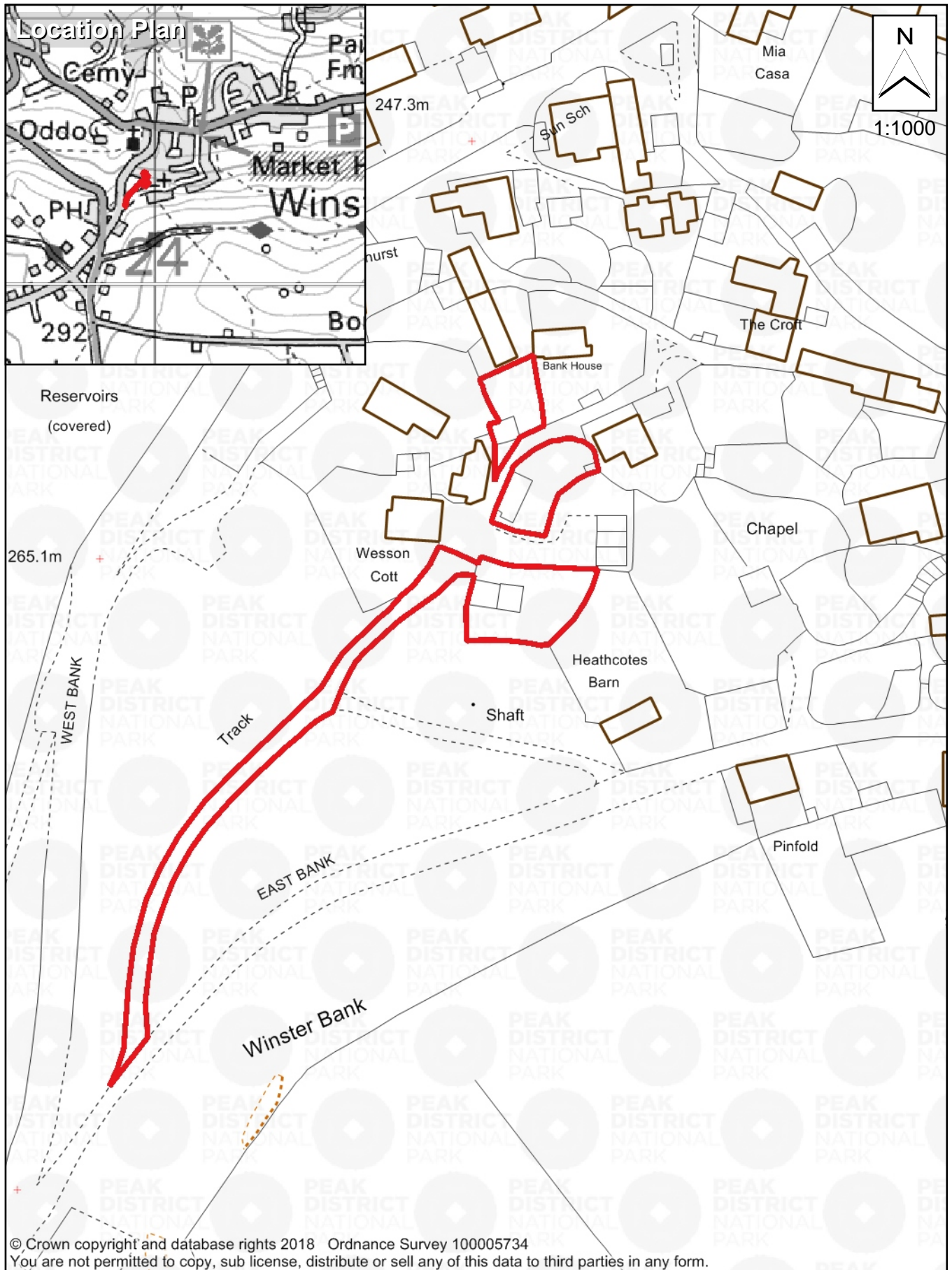
- 11.1. All human rights issues have been identified in the preparation of this report.

12. List of Background Papers (not previously published)

None

Report Author and Job Title

Andrea Needham, Senior Planner



Committee Date: 13th July 2018
Item Number: Item 11
Application No: NP/DDD/0318/0264
Grid Reference: 424044, 360366

Title: Rock View Cottage, Winster



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12. FULL APPLICATION - PROPOSED EXTENSION AND ALTERATIONS TO DWELLING AT 6 ALDERN WAY, BAKEWELL (NP/DDD/0418/0314, P1354B 12/04/18 TM)

APPLICANT: FIONA NEWBOULD

1. Site and Surroundings

- 1.1. 6 Aldern Way is a detached modern two storey, 2 bedroomed property that is constructed from limestone Davy blocks, the roof is clad with Hardrow concrete tiles and Upvc windows/doors.
- 1.2. The applicant has purchased extra scrubland to the rear of the property with the intention of extending the garden.
- 1.3. The site is on Aldern Way which is situated off Baslow Road and is a residential area of Bakewell which consists of modern style houses/bungalows of similar age but varying scale and appearance. The site is not within the designated Conservation Area.
- 1.4. The nearest neighbouring properties are Greystones (4 Aldern Way) approximately 5.5m to the west, Highfields (8 Aldern Way) is 2.15m to the east, 7 Aldern Way 25m to the north and 5 Aldern Way 25m to the north west.

2. Proposal

- 2.1. The application seeks full planning permission to extend and alter the existing dwelling.
- 2.2. The proposal is to extend over the existing garage to provide two additional bedrooms, to extend the single storey lean-to extension to the front elevation and extend the roof-line the full length of the front elevation. Also, to extend the rear of the property with a part two storey and part single storey in line with the existing garage.
- 2.3. The applicant submitted an application (NP/DDD/0416/0298) in 2016 for a ground floor extension to front porch, garage, rear window bay and dining room. First floor gable extension over existing garage to form two bedrooms and single bathroom. Plus rear window bay extension of ground floor window bay.
- 2.4. The design to the rear of the dwelling was very complicated and looked cluttered. The glazing was very mixed with several different designs, folding doors, Juliet style balcony and French doors. This has been simplified so that the glazing to the single storey extension matches the two storey extension. There are two sets of folding patio doors which match and all the windows are of a similar style and size. The extensions to the rear of the property have been moved in line with the rear of the garage which makes the design less complicated.
- 2.5. It was also considered that the previous scheme would have had an unacceptable impact on the amenity of the neighbouring properties at Greystones (4 Aldern Way). The design of the extension over the garage has been reduced in height and now has a hipped roof design in order to address the amenity issues.

3. RECOMMENDATION

That the application be REFUSED for the following reasons:

1. The proposed size, form and massing of the extensions and alterations, particularly in relation to the form of the roofline and windows on the northern elevation, would be

unacceptable and would have a detrimental effect on the character and appearance of the property and its setting contrary to policies GSP3, LC4, LH4 and guidance in the SPD.

4. Key Issues

- The principle of development
- The impact on the appearance of the property
- The impact on residential amenity of neighbouring properties

5. Relevant Planning History

- 5.1. NP/DDD/0416/0298: Ground floor extension to front porch, garage, rear window bay and dining room. First floor gable extension over existing garage to form 2 bedrooms and single bathroom. Plus rear window bay extension of ground floor window bay. This design was considered to be unacceptable and was considered to cause amenity/light issues to number 4 Aldern Way.
- 5.2. After consultation with the applicant and their agents, the application was withdrawn. Pre-application was given to address the issues of amenity and design issues and current proposal submitted.
- 5.3. NP/DDD/1000/408: A simple single storey lean-to extension to the front of the dwelling. Granted Conditionally in December 2000.
- 5.4. A simple single storey lean-to extension to the rear of the dwelling has been constructed through permitted development.
- 5.5. Garage extended to rear prior to 1992 has been constructed through permitted development.

6. Consultations

- 6.1. Derbyshire County Council (Highways): No objection subject to applicant demonstrating 1 additional off street parking space.
- 6.2. Derbyshire Dales District Council: No response to date.
- 6.3. Bakewell Town Council object to the application for the following reasons:
 - The proposal does not appear to be in compliance with national and local policies; in particular the large increase in the size of the property gives concerns about overdevelopment of the site.
 - Design and appearance of the development.
 - Layout and density of buildings.
 - It is felt that the development would result in overshadowing and an overbearing presence near a common boundary that is to the detriment of neighbours
 - Overlooking/loss of privacy; the topography of the site should be taken into consideration.
 - Loss of light to neighbouring properties.
 - Car parking provision. The existing garage is believed to be used only as a store. Currently overflow parking from the property uses the road. It is felt that if the application were to be approved the problem is likely to be exacerbated.

7. Representations

- 7.1. There have been 3 letters of objections and 2 general comments to this proposal. The letters of objections raise the following concerns:

- House being used as a holiday let
- Lack of provision for off road parking
- Distance between neighbouring properties
- Disproportionate massing, overbearing effect
- Overdevelopment
- Loss of light, amenity and privacy
- Structural issues

8. Policies

8.1. National Park designation is the highest level of landscape designation in the UK. The Environment Act 1995 sets out two statutory purposes for national parks in England and Wales:

- Conserve and enhance the natural beauty, wildlife and cultural heritage
- Promote opportunities for the understanding and enjoyment of the special qualities of national parks by the public

When national parks carry out these purposes they also have the duty to seek to foster the economic and social well-being of local communities within the national parks.

National Planning Policy Framework

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

8.3. Para 115 of the NPPF states 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 and the Broads.'*

Development Plan policies

8.4. Policy GSP1 sets out the broad strategy for achieving the National Park's objectives having regard to the Sandford Principle, (that is, where there are conflicting desired outcomes in achieving national park purposes, greater priority must be given to the conservation of the natural beauty, wildlife and cultural heritage of the area, even at the cost of socio-economic benefits). GPS1 also sets out the need for sustainable development and to avoid major development unless it is essential, and the need to mitigate localised harm where essential major development is allowed.

8.5. Policy GSP3 sets out development management principles and states that all development must respect, conserve and enhance all valued characteristics of the site and buildings, paying particular attention to, amongst other elements, impact on the character and setting of buildings, scale of the development appropriate to the character and appearance of the

National Park, design in accordance with the National Park Authority Design Guide and impact on living conditions of communities.

- 8.6. Policy L1 identifies that development must conserve and enhance valued landscape character and valued characteristics, and other than in exceptional circumstances, proposals in the Natural Zone will not be permitted.
- 8.7. DS1 supports extensions to existing buildings in principle, subject to satisfactory scale, design.

Local Plan

- 8.8. Local Plan policy LC4 states that where development is acceptable in principle it will be permitted provided it is of a high standard of design that respects and conserves the landscape, built environment and characteristics of the area.
- 8.9. Local Plan policy LH4 states that extensions and alterations to dwellings will be permitted provided that they do not detract from the appearance or amenity of the original building, its setting or neighbouring buildings.

Relevant Core Strategy (CS) policies: GSP1, GSP2, GSP3, DS1

Relevant Local Plan (LP) policies: LC4, LH4

9. Assessment

Design/Use of the Buildings

- 9.1. Saved Local Plan policy LH4 states that extensions and alterations to dwellings will be permitted provided that the proposal does not detract from the character, appearance or amenity of the original building, its setting or neighbours buildings, does not dominate the original dwelling where it is of architectural historic or vernacular merit and does not amount to the creation of a separate dwelling or annexe.
- 9.2. LC4 sets out criteria to ensure that detailed design is to a high standard. Amongst other things it refers to scale, form mass and orientation in relation to existing buildings and the degree to which design details, material and finishes reflect or complement the style and tradition of local buildings.
- 9.3. The 1960s property is typical of properties of that time and is not of any particular vernacular style. It is set within other properties on Aldern Way that share similar design characteristics but with variety in terms of size and form of the dwellings.
- 9.4. The dwelling has previously been extended to front with a small single storey lean-to extension NP/DDD/1000/408 and there is a small single storey lean-to extension and garage extension to the rear of the building which were carried out using permitted development rights.
- 9.5. The proposed extensions would be constructed from reclaimed Davy blocks, Hardrow concrete tiles and Upvc windows, the front Upvc door and steel framed garage door would be re-used. New patio doors to the rear would be either steel or aluminium framed and powder coated. The rear of the dwelling will be rendered and outlined with Davy stone quoins. The dimensions of the proposed extension are as follows:
- Porch extension size 1.5m x 3.3m
 - Rear single storey extension size 2.7m x 3.7m (existing single storey 1.5m x 3.2m)

- Rear two storey extension size 2.7m x 4.2m
- Extension over garage size 9.7m x 3.5m

- 9.6. It is acknowledged that the design of the rear extension with the double gables with single storey link in between are not typical of the local vernacular. However, the extensions to the rear would not be very visible from outside of the application site and the estate is made up of relatively modern houses with a mix of appearances. As such, it is considered that the appearance of the rear extension would not result in any harm to the character of the locality or be detrimental to visual amenity in this instance.
- 9.7. The proposed extension to the side would have a hipped roof. The hipped roof design has been chosen to address the impact of amenity to the neighbouring property to the west side of the dwelling as discussed further below. However, the majority of the dwellings in the locality have traditional pitched roofs. Hipped roof elements appear on rear extensions and smaller front additions (such as porches) on the road, but there are no examples of hipped roofs on the primary roof. In this case it is proposed that the extended roof would extend contiguously from the existing roof, and that the extension part of the roof would be hipped, while the original part of the roof would retain an end wall gable and a dual pitch roof arrangement. This creates a roofline which lacks symmetry and is an dominant and unbalanced appearance. As such, it is considered that the proposed hipped roof, and the unbalanced roofline created be an alien feature into the street scene in this instance.
- 9.8. The proposed eastern gable would be 10.1m wide and the western gable would be 9.6m wide. Both of these are wider than design guidance. The eastern gable would not be prominent as this would only be visible from the rear. However the western gable is prominent from the front elevation and the width of the gable creates another unbalanced roofline on the primary elevation. The use of the hipped gable at the west means that the internal space upstairs would be lower than the existing upstairs, and the windows in the gable are lower in height on the primary elevation to accommodate the ceiling height. This means that the windows on the gable and the existing building are unbalanced on the primary elevation and appear incongruous. Overall, it is considered that the extensions and alternations to the front would result in a dwelling that would appear incongruous or discordant in the street scene.
- 9.9. Bakewell Town Council and Neighbours are concerned that the proposal does not appear to be in compliance with national and local policies; in particular the large increase in the size of the property gives concerns about overdevelopment of the site.
- 9.10. The design guide states that extensions of up to 25% are more likely to be acceptable, but this is not an absolute limit and each case must be assessed on its own merits. In this case the extensions amount to almost a 75% increase and the desire to increase the volume to such an extent, results in the unacceptable design details. It is considered that the proposed extensions of this volume cannot be achieved without causing visual harm.
- 9.11. There are other properties within this location that are constructed with a mixture of Davy blocks and rendering and the proposed materials would therefore be in keeping in this regard.
- 9.12. Overall, it is considered that the proposed size, form and massing of the extensions and alterations would be unacceptable and would have detrimental effect on the character and appearance of the property and its setting contrary to policies GSP3, LC4, LH4 and guidance in the SPD.

Landscape

- 9.13. 6 Aldern Way is located within a built-up area of Bakewell which is outside the Conservation Area. The property is a non-traditional dwelling set within the context of other non-traditional dwelling. The gardens have no major trees, but do have hedging, bushes and fencing that enclose the rear garden. There is fencing to each side of the property and a stone wall to the front.
- 9.14. The extension and alterations would be visible to the road (Aldern Way). However, the site is in a built-up residential area which is made up of dwelling of various forms and sizes that are of a similar character. As such, it is considered that the proposed development would not have a significant impact on the wider landscape character. Therefore it is considered that the proposal complies with the requirements of GSP3, L1, LC4 and LH4.

Amenity

- 9.15. Core Strategy Policy GSP2 and Saved Local Plan policies LC4 require that the amenity, privacy and security of the development and of nearby properties be given due consideration. The nearest neighbouring properties are Greystones (4 Aldern Way) approximately 5.5m to the west, Highfields (8 Aldern Way) is 2.15m to the east, 7 Aldern Way 25m to the north and 5 Aldern Way 25m to the north west.
- 9.16. The occupiers of Greystones (4 Aldern Way) approximately 5.5m to the west of 6 Aldern Way have raised concern about the loss of light, amenity and privacy. Bakewell Town Council are also concerned *“that this development would result in overshadowing and an overbearing presence near a common boundary that is to the detriment of neighbours.”*
- 9.17. In the initial application (NP/DDD/0416/0298) the pitched roof height was within a 45 degree angle take from the study window to the east elevation of Greystones. The scale and position of the previously proposed extension would potentially have resulted in unacceptable overshadowing and oppressive impacts to this neighbouring dwelling.
- 9.18. In respect of the loss of light and view the Authority has now adopted a Supplementary Planning Document (SPD) on alterations and extensions. This SPD includes a section on Neighbourliness/Privacy and Daylight (pages 26-28) and gives advice on the parameters in which extension over the garage would be acceptable and where the provision of a rear extension would have an adverse impact on a neighbouring property.
- 9.19. These parameters and guidelines have been applied to the proposed extension over the garage, the height of the roof has been reduced from the first design so that it will not encroach within the 45° zones of light protection given in the SPD guidance, particularly within the vertical encroachment in the westerly direction. Given that the sole window affected is a study window and the light to this window will remain unaffected for the majority of the day until the evening, it is now considered that the resultant loss of light would be much reduced from the previous scheme and would not result in any significant harm to amenity. Whilst there will be some loss of view, this does not amount to a sufficient planning justification for the rejection of the proposal, and views from this window will be improved through the significant reduction in the height of the extension as now proposed. The design of the extension with a roof that hips away from the neighbouring property would now not be oppressive or overbearing.
- 9.20. The scheme proposes a new first floor window on the western elevation serving a new bathroom which would have obscure glazing. This window would overlook the garage to east elevation of Greystones. Part of the casement window opens, however it is felt this will not cause any loss of privacy to the neighbouring property. The position of the other windows

within the proposed extensions and the separation distances to neighbouring dwellings would prevent unacceptable overlooking to any neighbouring dwelling.

- 9.21. The distance between Highfields (8 Aldern Way) is 2.6m to the east. The extensions to the rear would not be situated any closer to Highfields, it would protrude 2.7m which is in line with the neighbouring property, so should not cause any loss of light or privacy issues. The garden is screened with mature hedges, bushes and fencing.
- 9.22. The proposed works would increase the scale and massing of the host dwelling. However, it is considered that the position of the dwelling in relation to neighbouring properties can accommodate the proposed enlargement without resulting in any significantly harmful overshadowing or overbearing impact to any neighbouring dwelling.
- 9.23. Overall it is considered that the scale of the works proposed and the separation distances between the site and neighbouring properties would not result in any harm to the amenity of occupiers and users of any nearby property. The proposals therefore accord within policies GSP3 and LC4 in these respects.

Highway Considerations

- 9.24. Derbyshire County Council (Highways) have raised no objection subject to applicant demonstrating 1 additional off street parking space. An amended ground floor plan was submitted on 15/5/18 for an additional off road parking space (size is 2.4m x 5.5m). This option has minimal loss of stone walling to front of the property. The provision of the additional parking space can be secured by condition.
- 9.25. Bakewell Town Council are concerned about the lack of provision for off road parking. The existing garage is believed to be used only as a store. Currently overflow parking from the property uses the road. It is felt that if the application were to be approved the problem is likely to be exacerbated.
- 9.26. Neighbours have raised concerns about the lack of provision for off road parking. They are concerned if the extension is approved this would increase the number of cars to the property.
- 9.27. Whilst these concerns are acknowledged, the Highway Authority have raised no objections and sufficient parking would be provided. As such, it is considered that the proposal would not lead to any harm to highways safety or amenity.

10. Conclusion

- 10.1. It is recognised that the applicants have made changes to their proposals to address amenity concerns. The development would also not have an unacceptable impact on the amenity of the locality or the nearest neighbouring properties. However, it is considered that the proposed size, form and massing of the extensions and alterations would be unacceptable, particularly in relation to the northern front elevation, and would have a detrimental effect on the character and appearance of the property and its setting contrary to policies GSP3, LC4, LH4 and guidance in the SPD.
- 10.2. The proposal is in accordance with the relevant planning policies and guidance, and therefore the application is recommended for approval subject to conditions securing compliance with the plans and design details.

11. Human Rights

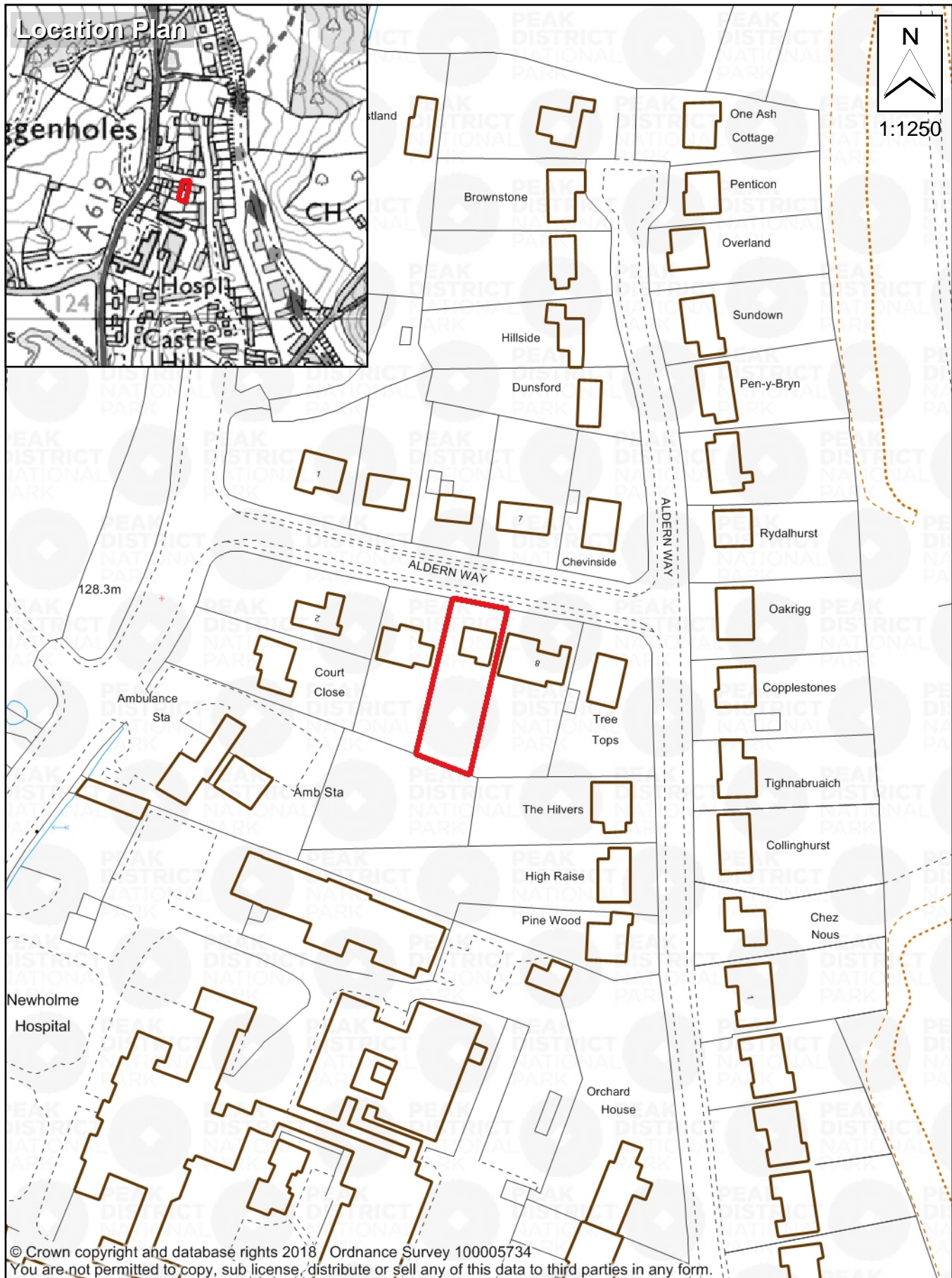
- Any human rights issues have been considered and addressed in the preparation of this report.


12. List of Background Papers (not previously published)

None

Report Author and Job Title

Teresa MacMillan, Planning Assistant



Committee Date:	13th July 2018	Title: 6 Aldern Way, Bakewell	 PEAK DISTRICT NATIONAL PARK
Item Number:	12		
Application No:	NP/DDD/0418/0314		
Grid Reference:	422051, 369245		

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13. MONITORING & ENFORCEMENT QUARTERLY REVIEW – JULY 2018 (A.1533/AJC)

1. Introduction

- 1.1 This report provides a summary of the work carried out by the Monitoring & Enforcement Team over the last quarter (April – June 2018). The majority of breaches are resolved voluntarily or through negotiation with the landowner (or other relevant persons) without resorting to formal enforcement action. In cases where formal action is considered necessary, the Head of Development Management and Head of Law have joint delegated powers to authorise such action whereas delegated authority not to take formal action is held by the Head of Development Management, Monitoring & Enforcement Manager and Area Planning Managers.
- 1.2 The Authority has a duty to investigate alleged breaches of planning control, but enforcement action is discretionary and must only be taken where it is 'expedient' to do so, having regard to planning policies in the development plan and any other material considerations. Any action needs to be proportionate with the breach of planning control to which it relates. This means that the breach must be causing unacceptable harm to the appearance of the landscape, conservation interests, public amenity or highway safety, for example. It must also be clear that resolving the breach would be in the public interest.
- 1.3 The National Planning Policy Framework states that Local Planning Authorities (LPAs) should consider publishing a Local Enforcement Plan to manage enforcement proactively, in a way that is appropriate to their area. Many, but by no means all, LPAs have published a Plan. In March 2014 the Authority published its Local Enforcement Plan, which sets out what breaches of planning control are, how potential breaches can be brought to the attention of the Authority, what matters may or may not be investigated and the priorities for investigation and action. It also outlines the tools that are available to the Authority to resolve any breaches. The Local Enforcement Plan is available on the Authority's website.

2. RECOMMENDATION:

That the report be noted.

3. Summary of Activity

3.1 Formal Notices issued

18/0062 Land at Cartledge Flat/Rushy Flat Dike, North of Hollingdale Plantation, Strines, Bradfield	Laying of crushed stone to form a track.	Enforcement Notice issued on 15 June 2018 Due to come into effect on 10 August 2018
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3.2 Breaches resolved

Case Ref. and Address	Breach of Planning Control	Reason for Resolution
17/0169 Field adjacent Willow Farm Butterton Moor Bank Butterton Leek	Siting of caravan on agricultural land	Caravan used for agricultural purposes
18/0039 Wye Farm Bakewell Road Rowsley	Display of advertisements	Advertisements removed
17/0120 Land at Rowson House Farm Church Street Monyash	Formation of vehicular access onto classified road	Planning permission granted
17/0161 Ash Grove Burton Close Drive Haddon Road Bakewell	Erection of conservatory	Planning permission granted
17/0144 2 Church View Taddington	Removal of trees in Conservation Area	Removal agreed as trees storm damaged
16/0108 Land and Buildings south of Hayes Lane Opposite Back of the Brook Farm Waterfall	Site clearance, importation of hardcore, demolition of buildings	Work ceased – no breach of planning control
17/0006 Town End Barn Leek Road Waterhouses	Breach of condition regarding boundary treatment on planning permission for conversion of barn to dwelling (NP/SM/0315/0252)	Boundaries completed as approved
14/0083 17 The Square Middleton-By-Youlgrave	Listed Building – Internal alterations	LBC granted and agreed remediation work carried out
17/0058 Lower Damgate Farm Ilam Moor Lane Stanshope Ashbourne	Breach of Conditions 6, 8, 12, 14 and 15 attached to planning permission for weddings and other events (NP/SM/0915/0895)	Not expedient to take enforcement action

18/0016 Grouse Inn Chunal Glossop	Use of former pub car park for storage of skips and building materials.	Use ceased
18/0045 Barn on Broadway Lane Waterfall	Listed Building – partial collapse of curtilage barn	Concluded that barn not curtilage listed
Case Ref. and Address	Breach of Planning Control	Reason for Resolution
13/0109 Woodseats Farm Castleton	Erection of agricultural building	Immune from enforcement action
10/0152 Holmesfield Farm Mill Bridge Castleton	Use of land for car parking	Permitted development as temporary use for up to 28 days pa
17/0013 Land opposite Shepherds Park Farm	Engineering operations and erection of fencing	Fencing removed and land restored
13/0040 Swallow Cottage Pilhough Rowsley	Creation of raised parking/turning area and partial erection of building	Parking/turning area granted planning permission on appeal, partially erected building removed
18/0050 Hall Farm Hall Bank Hartington	Erection of building	Works are in accordance with GDO consent (NP/GDO/0911/0931)
18/0044 Lindwood Monyash Road Bakewell	Erection of flue	Flue is permitted development
14/0549 Robin Hood Inn Chesterfield Road Baslow	Use of land for car parking	Use ceased
17/0186 Church Farm Dam Lane Alsop-En-Le-Dale	Demolition of building within curtilage of listed building	Works are in accordance with planning permission (NP/DDD/0396/101)

11/0176 The Grouse Inn, Chunal Lane, Glossop	Use of land as 'children's farm' and erection of pens	Use ceased
13/0144 Land south of Robin Lands Lane Castleton	Siting of caravan and steel container	Immune from enforcement action
17/0154 Cupola Cottage Sheffield Road Baslow	Installation of package treatment plant	Planning permission granted
Case Ref. and Address	Breach of Planning Control	Reason for Resolution
17/0146 Coop Store Bakewell	Breach of condition relating to delivery hours on planning permission NP/DDD/0596/200	No evidence of current breach
16/0083 Land at Wicken Walls Dovehead And Three Shires Head Quarnford	Use of land for motorcycle scrambling	Use appears to be lawful
17/0099 The Lodge Manchester Road Hollow Meadows	Breach of conditions on planning permission for change of use to care home (NP/S/1216/1235)	Conditions discharged
16/0079 1 Long Lee Farm Cottages Unnamed Road From Laneside Road To Long Lee Barn Rowarth	Erection of building	Building removed
14/0420 Track between Sunny Dene and the Church Off Church Lane Litton	Creation of vehicular access	Immune from enforcement action
13/0138 Bassetts Buildings Crossland Sides Reynard's Lane Hartington	Erection of breeze block building	Building removed

18/0082 Land adjacent Smiths Island Car Park Bakewell	Use of land for temporary siting of mobile food van	Use ceased
15/0049 3 Wheatlands Lane Baslow	Creation of vehicular access	Access removed
17/0040 The Old School Tea Room Carr Lane Wetton	Display of advertisements	Number of advertisements reduced to acceptable level
10/0207 Former Miner's Cottage Coplow Dale Bradwell	Partial rebuilding of derelict cottage	Works ceased

Case Ref. and Address	Breach of Planning Control	Reason for Resolution
07/0074 Doe House Barn, Bradfield	Non Compliance with conditions on planning permission for dependent relative unit (NP/S/0402/016)	Immune from enforcement action
07/0052 Land Adj to Long Lee Barn, Rowarth	Storage of non agricultural items on agricultural land	Use ceased
18/0093 Haddon Villa The Avenue Bakewell	Erection of fence	Fence reduced in height – now permitted development
18/0053 Gardeners Cottage Haddon Drive Bakewell	Use of dwelling for B&B	Not a material change of use – no breach

3.4 **Overview of Caseload**

3.5 The following table provides an overview of the Monitoring & Enforcement Team's caseload at the end of the quarter. Figures for the preceding quarter are shown in brackets. The main performance target is to resolve 120 breaches of planning control each year. In this first quarter the team has resolved 36 cases – so we are currently ahead of target.

	Received	Investigated/Resolved	Outstanding
Enquiries	136 (82)	118 (81)	80 (62)
Breaches	61(34)	36 (27)	577(552)

- 3.6 Enquiries from different sources but relating to the same issue are logged as separate enquiries and included in the overall figure of 136 received. Over the quarter there have been 13 of these 'duplicate' enquiries so if these are discounted then the number of issues on which enquiries have been raised is 123.
- 3.7 96% of enquiries have been investigated within 30 working days which is significantly above the performance target of 80%. The number of enquiries received is significantly higher compared to the previous quarter as is the number of enquiries investigated. The number received (136) is also significantly higher than in the equivalent quarter last year (103).

Report Author and Job Title

Andrew Cook, Team Manager – Monitoring & Enforcement

14. DESIGNATION OF BRAMPTON NEIGHBOURHOOD AREA

1. Purpose of the report

To designate that part of Brampton parish that is within the National Park as part of the Brampton Neighbourhood Area, under Schedule 9 of the Town and Country Planning Act 1990.

Key Issues

- **Designation of a neighbourhood area is required by parish councils seeking to write a neighbourhood plan. Under Schedule 61G of the Town and Country Planning Act 1990, the power to designate an area as a neighbourhood area is exercisable by the Authority when a relevant body (a parish council or neighbourhood forum) has applied. This power is exercisable by two or more local planning authorities if the area falls within the area of those authorities (Section 61I).**
- **Brampton Parish Council has applied to the Authority and to North East Derbyshire District Council (NEDDC) to designate the area of Brampton Parish, which is split between these two planning authorities, as a neighbourhood area. The application satisfies the regulations.**
- **NEDDC has now designated that part of Brampton parish that is outside the National Park as part of the Brampton Neighbourhood Area.**

2. Recommendations(s)

- 1. Members designate that part of Brampton parish that is within the National Park as part of the Brampton Neighbourhood Area (the shaded area within the parish boundary on the map in Appendix 1), under the Town and Country Planning Act 1990 Sections 61G and 61I.**

How does this contribute to our policies and legal obligations?

3. This is a legal obligation under the Localism Act.

Background Information

4. An application satisfying Regulation 5 of the Neighbourhood Planning (General) Regulation 2012 was submitted to the Authority and to North East Derbyshire District Council. The application was publicised in accordance with Regulation 6. One representation was received, which did not object to the designation of this neighbourhood area.
5. In determining the application the Authority must have regard to the 1990 Town and Country Planning Act 61G(4)(7) and H(1) and consider the desirability of designating the whole of the area of a parish council; the desirability of maintaining the existing boundaries of areas already designated as neighbourhood areas, and ensuring areas do not overlap; and whether the area should be designated as a business area.
6. The area is an appropriate area to be designated as a neighbourhood area and the statement in the application explaining why it is appropriate is satisfactory. Designation of a business area would only apply if the area is wholly or predominantly business in nature. This is not the case.

7. The decision was taken by North East Derbyshire District Council (NEDDC) to designate that part of Brampton parish outside of the National Park on the 22 June 2018.

Proposals

8. Taking into account the considerations in paragraphs 4 to 7 above it is now proposed that the Authority designate that part of Brampton parish that is within the National Park as part of the Brampton Neighbourhood Area (the shaded area within the parish boundary on the map in Appendix 1), under the Town and Country Planning Act 1990 Sections 61G and 61I

Are there any corporate implications members should be concerned about?

Financial:

9. DCLG grant of £5k is available on designation of a neighbourhood area and this will be shared between the Authority and NEDDC.

Risk Management:

10. The steps that the Authority is taking, as described, to designate the neighbourhood area, means that the risk around failing to meet government standards or legal obligations is low.

Sustainability:

11. There is no impact at this stage. These matters will be considered as part of the Authority's assessment of the plan itself.

Equality:

12. Equalities issues are considered as part of the neighbourhood planning process.

13. Background papers (not previously published)

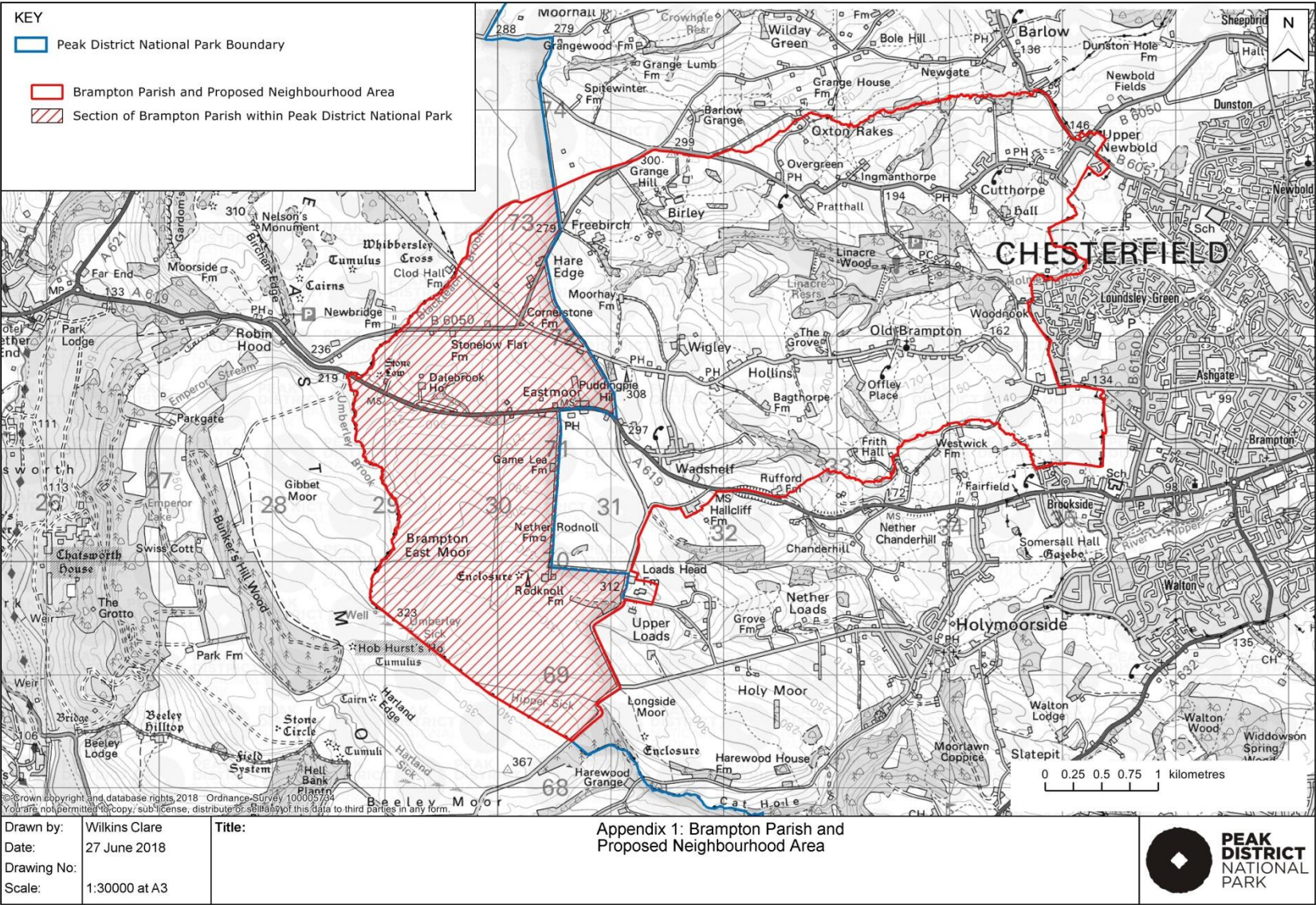
None.

14. Appendices

Appendix 1 - Map of Brampton Neighbourhood Area.

Report Author, Job Title

Adele Metcalfe, Community Policy Planner



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15. 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/0917/0936 3199816	Conversion of existing building to form local needs dwelling on land north of Monyash, West of Over Haddon	Written Representations	Delegated
NP/DDD/1217/1282	Erection of mobile timber hen house on skids – objection to a condition imposed on granting permission to application NP/DDD/1217/1282	Written Representations	Committee

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>
3182046 17-0054	Without planning permission, engineering operations to create a new track across open fields and the creation of a flat area for erecting marquees for weddings at Land to the North of Mortimer Road, Bradfield, Sheffield	Written Representations	Enf. Notice Upheld with Variations	Delegated

The Inspector considered that the development was not reasonably necessary for the purposes of agriculture and had a limited economic benefit, neither did it conserve or enhance the natural beauty of the area, and its impact on the character and appearance of the protected landscape was unacceptable. The development had altered the natural contour of the land and created an artificial plateau on the hillside and amounted to an intrusive manmade intervention. Although the levelled area was not readily visible from the main road, it did afford extensive views of the surrounding landscape and despite the use of locally sourced stone, the track and turning area stand-out in this setting. The Enforcement Notice was upheld by the Inspector with a variation on the time period of when it had to be complied with.

3193872 NP/SM/0517/0529	Section 73 - Removal of condition 4 - on NP/SM/1116/1116 at Keg Cottage, Leek Road, Warslow	Written Representations	Dismissed	Delegated
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The Inspector felt that the condition was reasonable as without it the proposal would not preserve or enhance the character or appearance of the conservation area, similarly it would not comply with GSP1, GSP2, GSP3 and DS1 of the Core Strategy or LC4, LC5 and LH4 of the Local Plan, which respects the area and its valued characteristics. The appeal was therefore dismissed.

4. **RECOMMENDATION:**

That the report be received.