

Public Document Pack

Peak District National Park Authority

Tel: 01629 816200

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

Web: www.peakdistrict.gov.uk

Minicom: 01629 816319

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



Our Ref: A.1142/1846

Date: 3 May 2018



NOTICE OF MEETING

Meeting: **Planning Committee**

Date: **Friday 11 May 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 13 April 2018 (Pages 5 - 18)**
- 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 - Rear two storey extension and replacement garage. Keys House, Lime Kiln Road, Butterton (NP/SM/0218/0137 407306 / 356658 P4435 MN 14/3/2018) (Pages 19 - 26)**
Site Plan
- 7. Full Application - Siting of one shepherd hut for use as holiday accommodation and associated works at 9 Avenue Close, Stoney Middleton. (NP/DDD/1217/1258, P1093, 423301/375200, 15/12/2017) (Pages 27 - 38)**
Site Plan

8. **Full Application - Erection of a general purpose agricultural building - Land to the south of New Close Farm, Over Haddon (NP/DDD/0318/0215 420733 / 366411 P407, P4712, & P6013 MN 14/3/2018) (Pages 39 - 48)**
Site Plan
9. **Full Application - Proposed open general purpose agricultural building to house livestock and store fodder and implements at Mayfield Farm, Litton Slack. (NP/DDD/0218/0139, P3923, 416175 / 373385, 21/02/2018) (Pages 49 - 56)**
Site Plan
10. **Full Application - Proposed outbuilding to create garden store. The Cottage, Congreave Lane, Pliihough, Stanton-in-Peak. (NP/DDD/0318/0221, P3976, 424886 / 365033, 15/3/2018) (Pages 57 - 64)**
Site Plan
11. **Full Application - Installation of w.c. facility in old boiler room, installation of kitchenette in school room and new domestic package treatment plant to be located in adjacent car park together with associated pipework. Reinstatement of window. School Room, Moor Road, Reapsmoor, Longnor (NP/SM/0318/0164 408381 / 362123 P5943 MN 5/3/18) (Pages 65 - 72)**
Site Plan
12. **Listed Building Consent Application - Installation of w.c. facility in old boiler room, installation of kitchenette in school room and new domestic package treatment plant to be located in adjacent car park together with associated pipework. Reinstatement of window. School Room, Moor Road, Reapsmoor, Longnor (NP/SM/0318/0170 408381 / 362123 P5943 MN 5/3/18) (Pages 73 - 80)**
Site Plan
13. **Minerals Team Review 2017-18 (Pages 81 - 84)**
14. **Annual Report on Planning Appeals 2017/18 (A.1536/AM/JRS/KH) (Pages 85 - 90)**
15. **Head of Law Report - Planning Appeals (A.1536/AMC) (Pages 91 - 92)**

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.

Peak District National Park Authority

Tel: 01629 816200

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

Web: www.peakdistrict.gov.uk

Minicom: 01629 816319

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



MINUTES

Meeting: **Planning Committee**

Date: Friday 13 April 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 D Chapman, Cllr A Hart, Mr R Helliwell, Cllr Mrs K Potter, Cllr Mrs L C Roberts and Cllr Mrs J A Twigg

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

Apologies for absence: Cllr Mrs C Howe, Cllr A Law, Cllr H Laws and Cllr J Macrae.

34/18 MINUTES OF PREVIOUS MEETING

The minutes of the last meeting of the Planning Committee held on the 9 March 2018 were approved as a correct record.

35/18 URGENT BUSINESS

There were no items of urgent business to consider.

36/18 MEMBERS DECLARATIONS OF INTEREST

Item 6

It was noted that all Members knew Cllr Chris Furness, who had given notice to speak as a member of the Authority.

Cllr Judith Twigg declared a personal interest as she had received emails relating to this application and knew the officers from Derbyshire Dales District Council who were speaking regarding this application.

Cllr David Chapman declared a personal interest as he had received emails relating to the application.

Item 8

Cllr Mrs Lesley Roberts declared a personal interest as she had received an email from Caroline Keightley relating to the application.

Cllr Andrew Hart declared a personal interest as he had received an email relating to the application.

Cllr Paul Ancell declared a personal interest as he had been made aware of the email from Caroline Keightley to Cllr Mrs Lesley Roberts

Item 9

Cllr Andrew McCloy declared a personal interest as he is a member of the Parish Council for Youlgrave. He stated he had an open mind on the application.

Item 11

Cllr Patrick Brady declared a personal interest as he knew the agent Jim Murphy who is an acquaintance but had not discussed this application with him.

Item 13

All Members declared personal interests as the application was made by the Peak District National Park Authority.

37/18 PUBLIC PARTICIPATION

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

38/18 FULL APPLICATION - CONSTRUCTION OF 30 AFFORDABLE DWELLINGS AND ASSOCIATED WORKS AT LADY MANNERS SCHOOL, SHUTTS LANE, BAKEWELL

Members had visited the site on the previous day.

The planning officer introduced the report and noted an error on page 16 of the report as the planning application number should have read NP/DDD/0917/0934.

The application had originally been for 36 properties but the number had been reduced due to the presence of a Churt Mine in the area.

Demolition of the pre-fabricated building on site had already been approved and it had been agreed that the environmental impact was not significant.

The site was situated outside the Bakewell development boundary but a survey to identify alternatives failed to find a suitable site other than one which the owner did not want to release for development.

The location of the Pretoria Churt Mine had archaeological implications as well as an impact on surface stability which had been taken into account during the planning application.

Following consultation with Sport England, regarding the loss of the playing field at the school, the developer agreed to make a contribution of £49,538 for the provision, off site, of alternative playing fields for Bakewell Mannerians Rugby Club instead of on the school grounds. The new playing fields have the benefit of planning permission already.

The Highways Authority has requested an additional condition regarding the detail and design of the turning head to avoid obstructing visibility.

The Planning officer explained that as the development was for more than 10 houses it could be classed as “major” development but that officers considered that the impacts of the development would not be so significant as to require the development to meet the major development test set out in the framework and in policy. She also explained that the development had been screened and did not require an Environmental Impact Assessment.

The following spoke under the Public Participation at Meetings Scheme:-

- Cllr Chris Furness, Authority Member – Supporter
- Mr David Coe, Chair of Governors – Supporter
- Ms Isabel Cogings, Rural Housing Enabler – Supporter
- Mr Robert Cogings, head of Housing, Derbyshire Dales District Council – Supporter

Members requested that consideration be given to the provision of dustbins and whether the provision of community dustbins by the developer or Derbyshire District Council would be suitable.

Members congratulated the Planning Officers on the production of a good report and the work that had gone into the scheme.

The Officer recommendation to approve the application subject to conditions was moved and seconded.

Members had concerns regarding traffic on the roads around the site, particularly along Monyash Road and requested that the Highways Authority be asked to extend the 30mph speed limit in the area. Other highways issues may be caused by the displacement of cars that use Shutts Lane during the school day as the creation of the access road would reduce the number of parking spaces on the road and the impact on the safety of pedestrians.

Members discussed the energy efficiency of the development which met Core Strategy Policy CC1 but did not include any energy generating additions to the buildings. The developer did not have the funds to introduce energy generating equipment to the development as the additional costs would impact on the affordability of the development.

Members requested an update on the impact on badgers known to use the site as the previous ecology survey was now out of date. Officers confirmed that a new survey would be completed and a replacement sett would be provided on land already identified.

Members requested that Condition 13 was re-worded as the meaning was not clear.

Condition 18 was included because of the restricted space and the density of the development although the application has provided details for the siting of sheds.

The Planning Officer confirmed that the communal areas will be maintained by the Housing Association.

The officer recommendation to approve the application subject to changes to the conditions was put to the vote and carried.

RESOLVED:

To **APPROVE** the application subject to a section 106 agreement to secure a financial contribution of £49, 536.90 towards the provision of one rugby pitch on Shutts Lane (as approved under application ref NP/DDD/0617/0600) and to restrict occupancy to those with a local need and the following conditions:

1. 2 year time limit
2. Adopt amended plans
3. Submit and agree Written Scheme of Investigation for programme of archaeological work. Thereafter development to take place only in accordance with agreed scheme. Site investigation and post investigation assessment to be completed and archive deposited before any of the dwellings first occupied.
4. Updated badger survey and report to be submitted to the Authority detailing the findings of the survey together with detailed recommended mitigation and compensation measures as appropriate. Once agreed the mitigation and compensatory measures to be completed in full.
5. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.
6. Construction management plan/method statement to be submitted and agreed.
7. No development shall take place until an adequate temporary access for construction purposes has been provided to Shutts Lane in accordance with a scheme to be submitted and agreed.
8. The dwellings the subject of the application shall not be occupied until a permanent estate street junction has been formed to Shutts Lane, located, laid out, constructed and provided with 2.4m by 47m visibility splays in either direction, all in accordance with the approved drawings, the area in advance of the sightlines being levelled, forming part of the new street constructed as footway and not forming part of any plot or other subdivision of the site.
9. Within 28 days, (or other such period of time as may be agreed with the National Park Authority) of the permanent access being constructed all other means of access to Shutts Lane (existing or temporary) shall be permanently closed and the existing vehicle crossover(s) reinstated with full height kerb and appropriate footway/verge construction in accordance with a scheme first submitted and approved in writing by the Authority.
10. No development shall take place until construction details of the residential estate road and footways (including layout, levels,

gradients, surfacing and means of surface water drainage) have been submitted to and agreed in writing by the Authority.

11. The carriageways and footways shall be constructed in accordance with the details approved under condition 10 above, up to and including the binder course surfacing, to ensure that each dwelling, prior to occupation, has a properly consolidated and surfaced carriageway and footway between the dwelling and the existing public highway. Until the final surfacing is completed the footway binder course shall be provided in a manner to avoid any upstanding gullies, verges and other such obstruction within or abutting the footway. The carriageways and footways in front of each dwelling shall be completed with final surface course within 12 months (or 3 months in the case of a shared surface road) from the occupation of such dwelling, unless otherwise agreed in writing by the Authority.
12. The dwellings, the subject of this application shall not be occupied until the estate street has been provided with suitable turning arrangements to enable service and delivery vehicles to turn, all as may be agreed in writing by the Authority.
13. No house will be occupied until the relevant car parking space has been provided.
14. All private and shared driveways and parking spaces within the site shall not be taken into use until provided with 2.4m x 25m visibility splays, the area in advance maintained free from any obstruction exceeding 1m (600mm if vegetation) relative to the adjacent carriageway channel level and 2m x 2m x 45 degrees pedestrian inter-visibility splays on either side of the access at the back of the footway, the splay area being maintained throughout the life of the development clear of any object greater than 0.6m in height relative to footway level.
15. No gate, including any part of their opening arc shall be permitted to open out over the public highway limits.
16. Works shall not commence until a scheme for the disposal of highway surface water has been submitted to and approved in writing by the Authority. The scheme shall thereafter be implemented in accordance with the approved details prior to occupation of the dwellings and retained accordingly thereafter.
17. Vehicle accesses shall be no steeper than 1 in 20 for the first 5 metres from the nearside highway boundary.
18. Remove permitted development rights for alterations, extensions, outbuildings, gates, fences, walls and solar panels.
19. Hard and soft landscaping scheme (including details of drystone walls) to be submitted and agreed in writing.
20. No work on site shall take place on Sundays or Bank Holidays or before 8am nor after 6pm on weekdays and before 9am nor after 1pm on Saturdays unless otherwise agreed in writing.
21. Sample panel of stonework including quoins and heads and cills to

windows to be agreed.

22. Sample of render and blue roof slates to be submitted and agreed in writing.
23. Details of design and finish of windows and doors to be submitted and agreed in writing.
24. Before work commences on the external sheds, details of their design and materials shall be submitted to an agreed in writing by the Authority. Thereafter the sheds shall be constructed in accordance with the agreed details before the dwellings are first occupied.
25. Before any work commences on external lighting, lighting scheme to be submitted to and agreed in writing by the National Park Authority.
26. No trees or hedgerows to be removed other than those referred to on the approved plans. Trees to be retained to be protected in accordance with BS5837.
27. Environmental Management plan to be fully implemented.
28. Minor Design Details.
29. Details and design of turning head to be agreed with Highways Authority, Derbyshire County Council to avoid obstruction of visibility.

The meeting was adjourned from 11.10 to 11.15am for a short break.

39/18 OUTLINE APPLICATION - PROPOSED FOUR AFFORDABLE/LOCAL NEED FLATS AND EIGHT OPEN MARKET FLATS. PLOT 3 AND 11A, DEEPDALE BUSINESS PARK, BAKEWELL

Members had visited the site on the previous day.

The Planning Officer introduced the item making it clear that this was an application for outline permission only.

The Officer recommendation to refuse the application for outline permission was moved and seconded.

Members discussed concerns regarding the overdevelopment of the site and the loss of green spaces. There were concerns regarding parking as there were already problems with many cars on site. Members suggested that the green spaces be used for parking if they were to be developed.

The Officer recommendation to refuse the application for outline permission was put to the vote and carried.

RESOLVED:

To REFUSE the application for the following reasons:

1. Core Strategy policy E1D requires safeguarding of the existing land

and buildings for business use where they are in high quality suitable locations such as Deepdale Business Park. As the location is considered to be appropriate for business use, the proposal is contrary to policy E1D.

2. Policy HC1 does not permit new open market housing other than as an enhancement to a previously developed site. As this proposal offers no enhancement it is contrary to policy HC1. Furthermore, it is considered that the development would not deliver a significant amount of affordable housing to justify new open market housing and is therefore also contrary to the National Planning Policy Framework and the guidance provided within English National Parks and Broads: UK Government Vision and Circular 2010.

40/18 FULL APPLICATION - TO CHANGE THE USE OF THE CURRENT DINING ROOM AT THE CRAG INN INTO A BOTTLING PLANT FOR BOTTLING ON SITE SPRING WATER AT THE CRAG INN, WILDBOARCLOUGH

The Planning Officer introduced the item for an extension to the current business. The current business is not financially viable and the bottling and selling of the water from the borehole would create a new revenue stream which it was hoped would help to sustain the public house.

Consultation with the legal officer would take place regarding a change to Condition 5 of the report.

The following spoke under the Public Participation at Meetings Scheme:-

- Mr Doran Binder, Owner - Supporter

Members discussed condition 6 and questioned why the water could not be sold from the public house. Officers agreed to change this condition to allow some sales over the counter from the public house.

The officer recommendation to approve the application subject to conditions was moved.

Members discussed concerns regarding limited opening times of the pub which the applicant stated was due to the poor revenue from the pub business which does not allow for the costs of employment of any staff. It was hoped the additional income from the water sales would encourage longer pub opening times.

The officer recommendation to approve the application subject to changes to the conditions was seconded.

The applicant confirmed that all necessary testing of the quality of the water to be sold was carried out.

The motion for approval of the application subject to amended conditions was voted on and carried.

RESOLVED:

To APPROVE the application subject to the following conditions:-

1. **3 year temporary consent.**
2. **Adopt submitted plans.**
3. **Water bottling use and any associated storage to be restricted to the dining room shown on the approved plans and the enclosed yard area directly to the east of the public house only.**
4. **Any operation of machinery associated with the water bottling use and any deliveries or other activities in the yard area associated with the water bottling use to be restricted to between the hours of 08.30 and 18.00 only.**
5. **No more than 500 crates per day (or 5000 litres per day whichever is the lesser) of water shall be produced and bottled from the site and no more than 500 crates (or 5000 litres) shall be distributed from the site.**
6. **There shall be no direct retail sales of the bottled water from the application site other than for consumption within the public house and direct sales of bottled water through the bar.**
7. **The water bottling use hereby approved shall cease completely if the Crag Inn ceases to trade as a public house.**

Cllr Mrs Judith Twigg left the meeting at 12 noon.

41/18 FULL APPLICATION - PROPOSED RE-MODELLING OF EXISTING HOUSE WITH EXTENSION AND REPLACEMENT GARAGE AT AFE WAE, BRASSINGTON CLOSE, YOULGRAVE

The Planning officer introduced the item and illustrated the changes made, to the original planning application following discussions with the owner. The application before the committee was more in keeping with local design/tradition. Assessment of the impact on the Grade I listed church had been carried out and providing the rendering on the first floor was of dark colour there would be no impact on this. The colour of the render would be agreed as part of condition 3.

The following spoke under the Public Participation at Meetings Scheme:-

- Mr Stephen White, Applicant - Supporter

Members thanked the applicant and the officers for the work carried out to reach the submitted design. Members recognised the need for the larger than normal garages due to the nature of the business of the applicant who ran tours in vintage cars.

The officer recommendation to approve the application subject to conditions was moved and seconded.

Members requested that information regarding applying the design and local vernacular be included in the next round of member training.

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

RESOLVED:

To APPROVE the application subject to the following conditions:

- 1. The development hereby permitted shall be begun within 3 years from the date of this permission.**
- 2. Carry out in accordance with specified amended plans.**
- 3. Sample and colour of render to be approved**
- 4. Sample of stone to be approved**
- 5. Landscaping scheme to be submitted and agreed.**

The meeting was adjourned at 12.30pm for a lunch break and reconvened at 1.00pm.

**42/18 FULL APPLICATION - EXTENSION TO CARE HOME AT THE LODGE,
MANCHESTER ROAD, HOLLOW MEADOWS**

Cllr Andrew McCloy did not return to the meeting following lunch.

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

Members had visited the site on a previous occasion in 2017.

The Planning Officer introduced the item. The site had permission for nine residents following the previous approval to convert the building to a care home in 2017. The officer recommendation for refusing the application was explained to be the increased scale (80% in the floor space of the original building) form and design which would harm the character and appearance of The Lodge, its setting and the wider landscape contrary to the Development Plan Policies, adopted design guidance and the National Planning Policy Framework.

The following spoke under the Public Participation at Meetings Scheme:

- Mr Ciro Canello, on behalf of the Applicants, Supporter

Members considered that it was difficult to apply principles to this application because of the unique type of business.

Members discussed the requirement for the additional space in the rooms of the extension, it was clarified by the applicant that some residents needed more space than one room or needed larger rooms. The larger the space the better residents needs are met. With the extension, the capacity of the buildings would be 13 but the applicant stated that it is likely there will only be 10 residents.

Members raised concerns regarding the height of the glass conservatory that joined the old and new buildings and also the use of UPVC for this construction.

Members considered that the item needed further consideration by officers to include introduction of conditions and re assessment of the design of the conservatory including the proposed height and the use of UPVC.

A motion to defer the application for further discussion was moved and seconded.

Following further discussion the motion to defer the item was withdrawn.

A motion to approve the item contrary to officer recommendation was proposed with further discussion to take place between the officers and the applicant and that the final decision being made under delegated powers by officers.

Members were pleased to see part of the site for horticulture and requested that the whole site be included in the landscaping scheme.

The planning officer confirmed that the application would return for consideration by committee if concerns remained regarding the development.

RESOLVED:

To delegate the decision to the Director of Conservation and Planning in consultation with the Chair and Vice Chair of the Planning Committee and following discussion with the applicant.

Cllr Andrew McCloy returned to the meeting at 1.20pm but did not take part in the discussion of this item.

Cllr Mrs Lesley Roberts left the meeting at 1.30pm.

43/18 FULL APPLICATION - DEMOLITION OF EXISTING FLAT ROOF EXTENSION TO BE REPLACED WITH TWO STOREY SIDE EXTENSION, BRAMBLEGATE, TIDSWELL LANE, EYAM

Members had visited the site on the previous day

The Planning officer introduced the item and confirmed that alternative options were available to the applicant but that the applicant wanted to pursue the proposed design.

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 excessive scale, poor design and dominant massing of the proposed plans would result in an adverse impact on the character and appearance of the property, its setting and the wider Conservation Area. The proposed plans would not be sympathetic, subservient to the original building or limited in size, would not respect, conserve and enhance the valued characteristics of the site or the surrounding landscape, and would harm the character and appearance of the existing building and its setting. As such, this application is contrary to the Extensions and Alterations SPD, and Policies GSP3, L1, LC4 and LH4 of the Peak District National Park Core Strategy**

44/18 FULL APPLICATION - USE OF PREVIOUSLY REFURBISHED BARN AS HOLIDAY ACCOMMODATION, CONSTRUCTION OF GENERATOR AND BATTERY HOUSE AND LAYING OUT OF PARKING//TURNING AREA AT EASTSIDES LANE, LITTON

Members had visited the site on the previous day

The planning officer introduced the application which is within a very sensitive landscape stating that officers considered the proposal to be a sensitive conversion and fits within the landscape.

The following spoke under the Public Participation at Meetings Scheme:

- Mr Rob Smith, Agent - Supporter

Members discussed concerns regarding the report from the Cultural Heritage (Archaeology) Team which did not support the application. The Planning Officer clarified that work had already been undertaken to repair the barn. Although the Planning Officer agreed with the contents of the Archaeologists report regarding the value of the barn, they considered that the proposal would not impact on the exterior appearance sufficiently to refuse the application.

Members requested that the erection of fencing be added to condition 10 along with a condition to control use of outside buildings and garden. The Planning Officer stated that enforcing controls over garden furniture such as parasols would be difficult and therefore not suitable for a condition.

Members discussed their concerns regarding the use of a generator and the ecological implications. The Planning Officer explained that a generator was proposed because the applicant considered a mains connection was too far away to be viable.

Members requested the Condition 1 be changed to clearly state the length of the statutory time limit.

Members requested that the objection for Highways Authority also be considered.

The officer recommendation to approve the application was moved but not seconded.

A motion for refusal contrary to the officer recommendation, on grounds raised by the Authority's Archaeologist, was moved and seconded. The motion was voted upon and carried. Cllr Doug Birkinshaw requested that it was noted that he had abstained from voting.

RESOLVED:

To REFUSE the application for the following reasons:

1. **The introduction of a residential and domestic use into this agricultural site and landscape the comes with the introduction of a domestic curtilage, parking, provision of services, light pollution, septic tank, generator and its housing etc. would introduce elements that are out of place, incongruous and are harmful to this most important historic landscape. A further consideration is that the development is not on the road network of the village, but a green lane which is part of the medieval strip field system and which in the**

past simply would have provided agricultural access to the adjacent fields and Tansley Dale to the east.

2. Taking in to account the context and setting of this development, it would harm the significance of the historic landscape character and setting of Litton village. This is because it will create a visual intrusion in to a relatively rare, intact, block of former medieval strip fields in an area which is recognised as making an important contribution to the Litton Conservation Area. In addition to this, the proposed use of a generator to power the scheme will result in aural intrusion and will negatively impact visitors and residents experience of this rare, special and important landscape.
3. The development is therefore contrary to with the requirements of Local Development Framework.

Cllr Mrs Lesley Roberts returned to the meeting at 2.15pm and had not taken part in discussions on this item.

45/18 FULL APPLICATION - RE-ROOFING OF THE WORKSHOP AT BRUNT'S BARN, BRUNTS BARN CENTRE, UPPER PADLEY, GRINDLEFORD

The Planning Officer introduced the report on the application by the Peak District National Park Authority. The current corrugated cement fibre roofing material is nearing the end of its life and the supports in the roof are only strong enough to hold a light roofing material, a dark coloured plastic coated corrugated metal sheet material has been put forward for the replacement.

The following spoke under the Public Participation at Meetings Scheme:

- Mr Peter O'Brien - Objector

Members expressed concerns regarding the use of a plastic coated material due to environmental issues with plastic and the reflective qualities of the finish.

A motion to refuse the application contrary to the officer recommendation was proposed but not seconded.

The Planning Officer confirmed that due to the weak roof support it would not be suitable to use slate for the roofing, but that in keeping with the original roof, it may be possible to replace with corrugated roofing as a like for like replacement.

Members were minded to approve the recommendation with the addition of a condition that specified the new roof would be made of fibre cement.

The motion to approve the application with a condition regarding the use of corrugated fibre cement sheets was moved and seconded.

The motion to approve the application subject to conditions including the material to be used was put to the vote and carried.

RESOLVED:

To APPROVE the application subject to the following conditions:

1. **Two year time limit.**
2. **Development in complete accordance with the submitted plans and specifications.**
3. **Fibre cement corrugated roofing to be used.**

Cllr Andrew McCloy and Cllr Chris Carr left the meeting at 2.40pm following the discussion on this item.

46/18 MONITORING & ENFORCEMENT ANNUAL REVIEW - APRIL 2018

The Monitoring & Enforcement Manager introduced the report. He drew attention to paragraphs 3.5 and 3.6 of the report which recorded that the Team's two performance targets had been met. In relation to the case at Fox Holes Farm (ref: 10/0189A) listed in paragraph 3.1, he explained that there was a backlog of appeal cases with the Planning Inspectorate (PINS) often resulting in the Authority experiencing delays of several months before the formal appeal process is started.

The officer also drew attention to the chart in paragraph 3.8, which showed that although there are a high number of outstanding breaches, a large proportion of these have been created relatively recently and there is a high turnover of cases.

In relation to case ref: 17/0055, listed in paragraph 4 of the report, Members raised the issue of untidy land and how this can be dealt with by the Monitoring & Enforcement Team. The officer explained that evidence is needed that the condition of the site adversely affects the amenity of the area as per section 215 of the Town & Country Planning Act 1990. It also needs to be expedient to take action.

Members requested that the table in Appendix 1 be reported to Committee more frequently. Members also requested a list of outstanding issues and details of where these are located.

Members requested an update on a case relating to an unauthorised agricultural building near Taddington (ref: 16/0022) which had been ongoing since October 2015. The officer explained that a retrospective application for the building was refused in August 2016 and a subsequent appeal was dismissed in February 2017. The building will become immune from enforcement action no earlier than October 2019 but, if expedient, an enforcement notice to remove it will be issued well in advance of this date.

RESOLVED:

To note the report

47/18 HEAD OF LAW REPORT - PLANNING APPEALS

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

RESOLVED:

That the report be received

The meeting ended at 3.00 pm

This page is intentionally left blank

6. FULL APPLICATION - REAR TWO STOREY EXTENSION AND REPLACEMENT GARAGE. KEYS HOUSE, LIME KILN ROAD, BUTTERTON (NP/SM/0218/0137 407306 / 356658 P4435 MN 14/3/2018)

APPLICANT: P AND M BROWN

1. Site and Surroundings

Keys House is a detached two storey dwellinghouse positioned to the western end of Butterson village, to the north of Kiln Lane.

The property is of stone built construction under a clay tiled roof, with barge boards and fascias to the roof eaves and verges.

A small porch is centred on the front elevation, whilst to the rear half of the elevation is covered by a projecting two storey gable. The other half of the rear elevation is covered with a single storey lean-to that projects the same distance from the rear elevation as the two storey gable does.

A single timber garage has been constructed to the eastern side of the house.

The property is set in a sizeable plot, with garden to all four sides.

The nearest neighbouring house is the immediate neighbour to the east, whose property is approximately 15 metres from Keys House. To the west, the neighbouring property is approximately 40m away due to their large garden being positioned between the two houses. There are further nearby properties to the southern side of Kiln Lane.

The site is within the Butterson Conservation Area.

2. Proposal

- 2.1. To replace the existing rear lean-to extension with a two storey gable extension that would project approximately 4.9 metres from the rear wall of the house. It is also proposed to replace the existing timber garage with a new stone built garage.

3. RECOMMENDATION

That the application be REFUSED for the following reasons:

- 1. By virtue of its massing and design the proposed two storey rear extension would detract from the appearance of the dwellinghouse and would fail to preserve the character of the Butterson Conservation Area, contrary to policies LC4, LH4, and LC5.**

4. Key Issues

- The impact of the development on the character and appearance of the parent building and wider built environment.

5. Relevant Planning History

- 5.1. No relevant history

6. Consultations

- 6.1. Butterton Parish Council – The Parish Council support the application, advising that they have no concerns. They note that they are pleased to see the property being restored as it has appeared unmaintained for some time.
- 6.2. Staffordshire Moorlands District Council – No response at time of writing.

7. Representations

- 7.1. None received at time of writing.

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.
- 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. Policy LC4 states, amongst other things, that any development must, at least, respect and conserve the landscape of the area.
- 8.8. Policy LC5 states that development in conservation areas should assess and clearly demonstrate how the existing appearance of the conservation area will be preserved and, where possible, enhanced.
- 8.9. Policy LH4 allows for extensions and alterations to existing dwellings (which includes domestic outbuildings such as garages) provided that the development does not detract from the character or appearance of the original building, dominate the original dwelling, or amount to the creation of a separate dwelling.
- 8.10. Policy LT11 states that the design and number of parking spaces associated with residential development must respect the value characteristics of the area, particularly in conservation areas.

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

Relevant Local Plan (LP) policies: LC4, LC5, LH4 LT11

9. Assessment

Design and appearance of the proposed rear extension

- 9.1. Based on the design of the existing house (roof detailing and size and proportion of openings in particular) it is considered that the building most likely dates from the mid twentieth century.
- 9.2. It is not a historic property, although retains a traditional form and is constructed of traditional materials and makes a positive contribution to the appearance of the conservation area.
- 9.3. The existing two storey gable projects approximately 2.7 metres from the rear wall of the house and shares the same ridge line as the main part of the house, making it a dominant feature of the elevation. The existing rear gable may have been constructed at the same time as the 'main' part of the house. If the building was constructed with the rear gable and lean-to, they read as the kind of additions commonly found on houses of traditional style in the locality. The simple form and dominance of the 'main' part of the house remains legible though, due to the matching projection of this gable and the adjacent lean-to, because part of the rear elevation of this part of the building remains exposed, and because of the limited projection of both of these elements.

- 9.4. The proposed extension would alter this relationship. The Authority's design guidance advises that extensions should respect the dominance of the parent building, be subordinate to it in terms of size and massing, and that having a lower eaves height than that of the main building can help achieve this (Design Guide – paragraph 7.8). The extension would project approximately 5m from the rear wall of the 'main' part of the house, which is the same length as the property's gable width. It would also share the same eaves height. These two factors mean that when viewed from the west the extension would be overly dominant, having a greater apparent mass than the 'main' part of the house, contrary to adopted design guidance and policy LH4.
- 9.5. The addition of a two storey gable alongside the existing one would also serve to entirely obscure the rear elevation of the principle part of the building, reducing its legibility. Further, it would result in the two rear gables being staggered – the new one projecting past the existing by approximately a further 2.2 metres. This would lead to an awkward relationship between the existing and proposed development and would significantly unbalance the rear elevation, the impact being exacerbated by the mismatching gable widths and ridge lines. This would result in a complicated arrangement that detracts from the relatively simple form of the building and is contrary to the advice of adopted design guidance stating that extensions should be simple bold shapes (Alterations and Extensions SPD - section 3.4)
- 9.6. For these reasons the extension would detract from the appearance of the building, contrary to policies LC4 and LH4.

Design and appearance of the proposed replacement garage

- 9.7. It would be preferable for the proposed garage to be orientated so that the gable faces the house rather than the road, in order that the garage door could be positioned beneath the eaves as is traditional and advocated by the Authority's adopted design guidance.
- 9.8. However, due to the limited space to this side of the house this would not be possible without adjoining the garage to the house or building it very close to it. This would prevent access to the rear garden down this side of the house and would obstruct access to the property through an existing side door. It is therefore accepted that providing the main door in the gable of the building is the only practical solution.
- 9.9. Given that the proposed building is modest in size and that the property is not of historic significance, the position of the garage door in the gable can be supported in principle.
- 9.10. The proposed door opening is overly wide however; it dominates the elevation and provides a very large opening that is contrary to the generally solid character of the house and appearance of most buildings in the conservation area. Where there are examples of garages with wide openings in the gable in the vicinity, these detract from the character and appearance of the conservation area.
- 9.11. It is therefore recommended that the garage door be reduced in width by condition if permission is granted.

Impact on the character and appearance of the conservation area

- 9.12. The rear extension would be partially visible in public views when approaching along Kiln Lane from the west. It would not be especially prominent in these views, and intervening mature planting would further reduce its impact in some views, especially in the months that the trees are in leaf.

- 9.13. However, the proposed extension would be harmful to the overall character of the host dwelling for the reasons set out above. The renovation works undertaken recently are a positive occurrence after the dwelling had apparently previously fell into disrepair. The building's position, traditional appearance and general form are considered to make a positive contribution to the Conservation Area but the proposed extension would be harmful to the character and appearance of the existing dwelling, reducing the benefit that has recently arisen from the renovation works. It follows that the proposal would fail to preserve the character of the Conservation Area, contrary to policy LC5.
- 9.14. Notwithstanding the concerns about the impact of the garage on the Conservation Area, it is acknowledged that the garage would be a modest addition to the site and, subject to a reduction in the proposed door opening width as discussed above, would not have an unacceptable impact on the conservation area.
- 9.15. Overall, the development would fail to conserve the character and appearance of the conservation area as required by planning policy.

Amenity

- 9.16. The two storey extension would be a prominent addition to the property when viewed from the neighbouring garden to the west. It would be set only approximately 6 metres from their boundary, but their garden is large with otherwise open aspects. For these reasons it is considered that it would not be overbearing or oppressive on the neighbouring property, and nor would it result in any significant overshadowing.
- 9.17. The garage would be only single storey and the adjacent neighbouring property to the east is set on higher ground. As a result it would not be overbearing or oppressive, and nor would it otherwise detract from the neighbours amenity.
- 9.18. Overall, the development is considered to conserve the amenity of nearby properties.

Highway Considerations

- 9.19. The property would retain space for the parking of at least two vehicles. This accords with local parking standards provision for a 3 bed house (which this would be).
- 9.20. Site access would remain unchanged, and the development would not result in a significant intensification of use on the site that would result in any highways impacts.

10. Conclusion

- 10.1. The proposed two storey rear extension would dominate and unbalance the property, detracting from its appearance, contrary to policy LC4. It would also fail to preserve the character of the Butterton Conservation Area, contrary to policy LC5.
- 10.2. The development otherwise provides no significant material planning benefits to weigh against this harm.
- 10.3. Therefore, and having given full consideration to all relevant planning policy and other material considerations, the application is recommended for refusal.

11. Human Rights

11.1. None

12. List of Background Papers (not previously published)

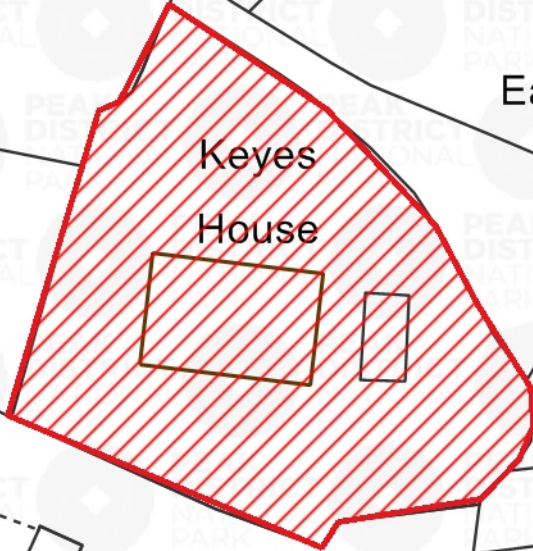
None

Report Author and Job Title

Mark Nuttall, Senior Planner,



Townend Farm



Easter Lane House

PO


295.7m

Laburnum House

Middle Town Cottage

Fair View

© Crown copyright and database rights 2018 Ordnance Survey 100005734
 You are not permitted to copy, sub license, distribute or sell any of this data to third parties in any form.

Committee Date:	11th May 2018	Title: Keys House, Butterson	 PEAK DISTRICT NATIONAL PARK
Item Number:	Item 6		
Application No:	NP/SM/0218/0137		
Grid Reference:	407306, 356658		

This page is intentionally left blank

7. FULL APPLICATION - SITING OF ONE SHEPHERD HUT FOR USE AS HOLIDAY ACCOMMODATION AND ASSOCIATED WORKS AT 9 AVENUE CLOSE, STONEY MIDDLETON. (NP/DDD/1217/1258, P1093, 423301/375200, 15/12/2017)

APPLICANT: MS DREYFUSS AND MR WILLIS

1. Site and Surroundings

- 1.1. The site is located on the outskirts of Stoney Middleton, to the South East of the main body of the village at a cul-de-sac of dwellings on Avenue Close.

Number 9 Avenue Close is a semi detached dwelling on a corner plot. It has no off road parking available to it and the access path runs over land which is not in the applicants ownership before it enters the site. The access path runs along the boundary of the neighbouring property and right up to the neighbours lounge window.

- 1.2. The property has a relatively generous sized rear garden and there are a mix of mature shrubs and trees on the boundary. The proposed site for the shepherd hut would be at the western-most end of the site, which is as far away from neighbouring properties as it could possibly be. From the front of proposed shepherds hut to the boundary of the neighbours rear garden it is approximately 30m.
- 1.3. Officers have visited the site three times to better understand the parking issues in the cul-de-sac twice (including the initial site visit and an evening site visit) there has been very limited space available. A third visit in the daytime had all the spaces at the head of the cul-de-sac taken with some free space on the approach road.
- 1.4. There is a mature tree close to the site which overhangs the boundary but is situated on the field which adjoins the site.
- 1.5. The site is visible from the nearby footpath to the north, which is approximately 60m away from the site. Parts of the footpath run through the designated Conservation Area.

2. Proposal

- 2.1. The proposal is to site a shepherds hut for use as holiday accommodation in the rear garden of number 9 Avenue Close. No off-street parking is proposed.
- 2.2. The dimensions of the shepherds hut are approximately 2.5m wide x 6.1m long and 3.2m tall. The hut would have horizontal larch cladding to the walls under a dark metal corrugated roof. The finish for the timberwork would be natural so that it weathers to natural silver/grey.
- 2.3. The hut would be separated from the rest of the garden by a new fence and steps and it would be sited on a gravel base with some hardstanding for seating.
- 2.4. The shepherds hut would link into the existing dwellings power, water and waste services.
- 2.5. Amended plans have been submitted which now also show a new pedestrian access path over the applicants land.

3. RECOMMENDATION

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

1. The proposal is unacceptable in principle as it amounts to the creation of a new holiday let dwelling in a permanently sited 'Shepherds Hut' type caravan in the rear garden of an existing dwelling. The proposal is therefore contrary to the policies of the development plan including Core Strategy Policy RT3 and Local Plan policy LR3.
2. The materials and general design do not reflect that of the original dwelling or the National Park's local building traditions. Therefore the proposal is not considered to be of a high quality design or detailing. The proposal is incongruous in this domestic setting and wholly contrary to the design policies of the development plan. The site is open to public view from the nearby footpath to the north of the site and would detract from the character of the original dwelling and the established character of the area and the National Park's Landscape. The proposal is therefore contrary to the policies of the development plan including Core Strategy policies GSP1, GSP3, L1, RT3 and Local Plan Policy, , LR3 as well as the Authority's 'Design Guide', 'Detailed Design Guide for Alterations and Extensions' and the National Planning Policy Framework.
3. There is no off street parking available to the property. The proposal will generate the need for an additional parking space. The policies of the development plan require adequate parking space and no more and seek to protect residential amenity and the living conditions of communities. The representations and consultation responses that have been received suggest that residents experience difficulty parking already. This demonstrates that there is clearly pressure for the existing parking spaces. The proposal will add further pressure for parking to the existing situation and this is likely to cause an amenity issue for the residents in this community. The proposal is therefore contrary to Core Strategy Policies GSP3, RT3, T7 and Local Plan Policies, LR3, LT11 and the 'Design Guide' paras 5.7-5.9 and the National Planning Policy Framework.

4. Key Issues

- Principle, design, amenity, impact on the landscape.

5. Relevant Planning History

- 5.1. 2005 - Planning permission granted for a 2 storey extension to the rear which enlarged the property from a 2 bedroomed dwelling to a 3 bedroomed dwelling (NP/DDD/0805/0819).
- 5.2. Pre application advice has been provided in 2017 – Enq 30812, This related to the siting of a shepherds hut in the rear garden of the property and the use of one bedroom in the property as for Bed and Breakfast. This advice was given without the benefit of a site visit. This concluded there is more scope for provision of a shepherds hut under the existing development plan policies in comparison to the forthcoming Development Management Policies which although specifically having provision for shepherds huts, this is only for single shepherds huts at farmsteads.
- 5.3. The advice explained that at present, the policies require a judgement to be made on the landscape and amenity impacts of an application proposing shepherds huts. The advice was that subject to appropriate design and colouring, the screening of the site and its relatively private position mean any landscape impact would be low, and therefore acceptable; and that given the distance of the proposed shepherds hut to the neighbouring property's boundary. Furthermore, provided it didn't directly overlook this property, then

impact on this property's amenity would be acceptable.

- 5.4. The advice also explained that the enquirer should consult the Highway Authority as the property does not benefit from any off street parking.
- 5.5. In summary the advice was that the proposal for a shepherds hut would comply with the current development plan policies but not the forthcoming Development Management Policies.
- 5.6. The advice about the bed and breakfast proposal was that the use of one bedroom for bed and breakfast in a four bedroomed property would not represent a material change of use of the property and therefore not require planning permission.

6. Consultations

- 6.1. Derbyshire County Council – Initial response of no objection subject to application demonstrating 1 off street parking space for the holiday let. This was later revised to the following detailed consultation response.
- 6.2. The applicant doesn't own sufficient frontage to 'The Avenue' to create any off-street parking spaces.
- 6.3. Whilst an increase (albeit occasional) in parking demand on 'The Avenue' is likely to lead to additional inconveniences to local residents who already park on The Avenue, this is more of an amenity issue rather than a safety concern.
- 6.4. Therefore, as current guidance only allows the Highway Authority to object to an application if the application proposal is likely to lead to a severe highway safety concern, there is no objection to this application purely from a highway safety viewpoint.
- 6.5. Stoney Middleton Parish Council – No objections but do have concerns on the increased level of parking on Avenue Close.
- 6.6. Derbyshire Dales District Council – No response to date.

7. Representations

- 7.1. Five letters of support have been received. These offer support for the proposal on the following basis –
 - Cannot see a problem with parking in the close so cannot understand why anyone would object. There are ample spaces. Do not drive myself but have many visitors at various times of the day and evening, these visitors have never had difficulty parking.
 - Since the carriageway was widened a few years ago parking on the close has vastly improved. The supporter considers that 1 or possibly 2 cars (at most) extra cannot be detrimental and will not cause undue disturbance to the residents. A number of the homes (over 50%) already have off street parking which helps considerably.
 -
 - A neighbour having lived there for 30 years states they have never once failed to have a parking space. The verge has been reduced a few years ago and there is more parking spaces available than there are cars, parking is not a problem.
 -
 - A good way of providing visitor accommodation on a small scale basis.

7.2. Three letters of objection have been received. These object to the scheme on the following grounds.

- Parking spaces are limited on Avenue Close.
- The site has no private parking. There are 3 drivers living there and currently 2 vehicles. On Avenue Close, 6 properties have off road parking. It is not possible to create any private parking to numbers 4,5,8 and 9 due to the shape of the cul-de-sac. Currently there are elderly non-drivers resident in the cul-de-sac but this will inevitably change and the pressure on parking will be critical. Parking for the proposed shepherd hut will add pressure to this, impacting our visitors and the well-being of neighbours.
- There are 10 dwellings on the close and approximately 12 parking spaces. At the top of the close there are six parking spaces. Any additional cars have to be parked on the sides of the close. Parking is already a problem, which results in people using grass verges as there isn't an alternative nearby. 2 of the existing properties are Bed and Breakfast properties. One, at Number 8 has no off-street parking and has only started operating recently.
- This is a residential cul-de-sac, as a business venture shouldn't it have off street parking?.
- The site has no private access to their property. They gain access via the path over the neighbours land (number 10), for private use by themselves, their guests and maintenance. Use for commercial purposes will raise liability issues.
- Occasionally visitors to number 9 obstruct the entrance to the adjoining neighbours (number 10) driveway for short periods. The neighbours are concerned that the frequency and duration of this obstruction will increase should this application be successful.
- The location of the unit is in full view of and overlooking the neighbour's house (number 10) and paying guests will be able to see into this property, including its bedroom and garden. This would be distressing and an invasion of privacy.
- Holiday makers paying to stay in a small private garden will impact on the neighbours in terms of noise, cooking smells and privacy invasion.
- The proposal may require commercial dustbins. The location and collection of this will cause impact on the cul-de-sac and could attract vermin.
- Disposal of foul waste.
- Security risk.
- Precedent.

7.3. A second consultation of the neighbouring properties has been undertaken as amended plans have been received which propose a new footpath over the applicant's land so they no longer need to use the existing one over the neighbour's land.

7.4. Responses from three properties have been received including the neighbour to the south. No objections have been received in relation to the repositioned path.

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 17 of the NPPF has the core planning principles which includes amongst other things-

- Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

8.5. Para 56 explains that the government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

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

Development Plan policies

8.7. 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.

- 8.8. 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.
- 8.9. Policy DS1C allows for recreation and tourism development in the open countryside outside the natural zone and within all settlements .
- 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. RT3: Caravans and camping - Proposals for caravan and camping sites must conform to the following principles:
- A. Small touring camping and caravan sites and backpack camping sites will be permitted, particularly in areas where there are few existing sites, provided that they are well screened, have appropriate access to the road network, and do not adversely affect living conditions.
 - B. Static caravans, chalets or lodges will not be permitted.
 - C. Provision of improved facilities on existing caravan and camping sites, including shops and recreation opportunities, must be of a scale appropriate to the site itself.
 - D. Development that would improve the quality of existing sites, including improvements to upgrade facilities, access, landscaping, or the appearance of existing static caravans, will be encouraged.
- 8.12. Core Strategy Policy T7 requires in part B that residential parking be the minimum required for operational purposes taking into account environmental constraints and future requirements.
- 8.13. Local Plan Policy
- 8.14. Policy LC4 Design, Layout and Landscaping
- (a) Where development is acceptable in principle, it will be permitted provided that its detailed treatment is of a high standard that respects, conserves and where possible it enhances the landscape, built environment and other valued characteristics of the area.
 - (b) Particular attention will be paid to:
 - a. scale, form, mass and orientation in relation to existing buildings, settlement form and character, landscape features and the wider landscape setting;
 - b. the degree to which design details, materials and finishes reflect or complement the style and traditions of local buildings;
 - c. and the use and maintenance of landscaping to enhance new development, and the degree to which this makes use of local features and an appropriate mix of species suited to both the landscape and wildlife interests of the locality;
 - d. the amenity, privacy and security of the development and of nearby properties;
 - e. and any nuisance, or harm to the rural character of the area, caused by lighting

schemes.

8.15. Policy LR3: Touring camping and caravan sites –

- (a) The development of a new touring camping and caravan site or small extension to an existing site will not be permitted unless its scale, location, access, landscape setting and impact upon neighbouring uses are acceptable, and it does not dominate its surroundings.
- (b) Shopping, catering or sport and leisure facilities at camping and caravan sites will be permitted provided that there is no significant adverse effect on the vitality and viability of existing facilities in surrounding communities and the development is of a scale and nature suited to the needs of the site itself.
- (c) Permanent dwellings for site warden's accommodation at camping and caravan sites will not be permitted.

8.16. Policy LR5: Holiday occupancy of camping and caravan sites

- (a) Where the development of a touring camping or caravan site is acceptable, its use will be restricted to holiday accommodation.
- (b) For an existing camping or caravan site, the removal of any existing condition that stipulates months of occupation, and its replacement by a holiday occupancy condition, will be permitted, provided that it is adequately screened in winter months and that there would be no adverse impact on the valued characteristics of the area or residential amenity.

8.17. Local Plan Policy LT11 requires the design and number of parking spaces associated with residential development, including any communal residential parking, must respect the valued characteristics of the area, particularly in Conservation Areas.

8.18. Together there are two SPDs which are relevant these are the 'Design Guide' and the Detailed Design guide for alterations and extensions', these explain the local building traditions and promote high quality design that is designed in sympathy with the local building traditions. The design guide section 2 discusses peak traditions, section 3 new development designing in sympathy and section 4 materials. Para 4.13 when discussing new materials explains that there is no tradition of external timber boarding in the Peak District.

Relevant Core Strategy (CS) policies: GSP1, GSP2, GSP3, GSP4, , L1, , RT3, T7.

Relevant Local Plan (LP) policies: LC3, LC4, LR3, LR5, LT11, LT18.

9. **Assessment**

Principle of the Development

- 9.1. Whilst there has been pre-application advice which was generally supportive of the principle of the development, having considered the relevant policies and examined the site in detail this position cannot now be supported, for the reasons discussed below.
- 9.2. Policy RT3 deals with caravans and camping. Part (A) is permissive in principle of small touring camping and caravan sites and backpack camping sites. However as this is the permanent siting of a caravan it does not comply with this provision. Whilst such structures are on wheels they are not known to be suitable to be towed on the public highway, so are not touring caravans by definition. RT3 B states that static caravans will not be permitted.

The proposal is contrary to the intentions of RT3 as it would be a permanent siting of a shepherds hut caravan. The Emerging Development Management Policies explain that wooden camping structures and shepherds huts have the same potential (as static caravans) for adverse landscape impact and will therefore be determined against RT3B; essentially they are treated as static caravans. The supporting text to RT3 sets out that exceptionally, static caravans may be acceptable in locations where they are not intrusive in the landscape. This proposal is not considered to be an exception as it involves the permanent siting of a caravan for short let holiday accommodation in the back garden of a dwelling. This is a situation that could be replicated many times over if this proposal were allowed, and there are further amenity reasons which will be set out later that the proposal raises. The proposal is therefore contrary to the provisions of core strategy policy RT3.

- 9.3. The emerging Development Management policies can also be given some weight as they set out a future policy direction likely to be arising after the plan is adopted. In the case of policy DMR1 in particular, there are no outstanding objections to the policy which develops the idea of when shepherds huts in particular may be acceptable. The policy sets out that a single shepherds hut may be acceptable on farmsteads due to the benefits of farm diversification and the historic link of shepherds huts to farms. The proposal would not be in accordance with the policy.

Design

- 9.4. A shepherds hut is not something that would normally be seen in a domestic setting. The materials and general design do not reflect that of the original dwelling or the National Park's strongly defined local building traditions. Therefore the proposal is not considered to be of a high quality design or detailing.
- 9.5. The proposal is one which is capable of making sense at a farmstead, due to the historic link with farming, but not in the rear garden of a dwelling. Its design is therefore incongruous in this domestic setting and wholly contrary to the design policies of the development plan including CS GSP3, as well as the Authority's 'Design Guide', 'Detailed Design Guide for Alterations and Extensions' and the NPPF.
- 9.6. The agent has included an argument that similar structures would be classed as permitted development and this should therefore be taken into consideration to accept the design. However in this location which is over 20m from the rear of the dwelling there is a cumulative floor space total of 10m² in the permitted development rights. The proposed building is approximately 15m² so exceeds this provision. Furthermore, due to its height and proximity to the boundary and also the height of the structures eaves, it also exceeds the provisions in householder permitted development rights. Therefore only very limited relevance can be given to the permitted development rights.

Character/Landscape

- 9.7. The proposal is over 3m tall and at the highest part of the garden so would be difficult to screen from public and private vantage points. Whilst it would be seen in a domestic setting, its height and form would appear incongruous / unusual in this setting and is therefore considered to be obtrusive and would detract from its landscape setting, particularly when seen from the footpath to the north. Therefore the proposal is contrary to Core Strategy Policies GSP1, GSP3, and L1 as well as RT3 and Local Plan policies LC4 and LR3.

Amenity

- 9.8. As submitted the proposal raised some significant amenity issues related to the access path, parking and impact on neighbouring properties. The issue in relation to the path was that the property is currently accessed via a path over the neighbours land. The footpath

runs directly up to the neighbours lounge window. As the holiday makers would not be familiar to the neighbours and may well come and go more frequently the impact is considered to be greater than normal domestic use.

- 9.9. This issue has now been resolved via a amended plan '1:500, March 2018' which proposes a new path over the applicants land. Neighbouring properties have been consulted on this new path and no objections have been received. Officers consider that the amended plan resolves this particular amenity issue and if the scheme were to be approved this could be secured by a planning condition which requires the path to be completed prior to commencing use of the proposed accommodation.
- 9.10. The proposed siting of the shepherds hut is over 30m from the neighbours boundary so it is unlikely that direct overlooking could be significant and the boundary has a range of mature shrubs to help screen and filter intervisibility between the two properties. However the presence of the holiday makers, the potential of hearing them and their comings and goings to the proposed accommodation is enough to change the nature of the impact of the site on the adjacent neighbouring property. This would not however be so much of a changed impact to constitute harm to their amenity or warrant refusal of the application for this reason.
- 9.11. The amenity of the host property will also be affected as the privacy of the garden that currently exists would be lost by the introduction of the shepherds hut, particularly when it is accessed via comings and goings and whilst it is in use, including the use of the outdoor seating area that has been provided for. However the host property would have control over this, so it is therefore considered that the host property would be able to endure the impact on their own amenity, without it being a reason for refusal in its own right.
- 9.12. There is no off street parking available to this property and the cul-de-sac has only limited parking which already appears to be upto or close to capacity. Current and emerging policies would require the property to have a minimum parking provision of 3 spaces (2 spaces for a three bedroomed dwelling and 1 space for the holiday let). It is considered that the proposed permanent siting of the shepherds hut will add to the existing pressures for parking spaces that is already experienced by the residents of the cul-de-sac. This position is one which is reflected in the representations that have been received including the Highway Authority's final response. Subsequent to this the planning agent has submitted a photographic record to demonstrate that there are generally spaces available. Officers have visited the site outside of normal business hours to ascertain what it is like in the evening. The position was that whilst space was available it was very limited. Officers have also visited the site during the day, and there has been mixed experience of limited space during the initial site visits and more availability on a second daytime visit. On the second daytime visit the on-street parking at the head of the cul-de-sac was full but the approach road had parking spaces adjacent to the verge.
- 9.13. It is acknowledged that the representations show a mix of responses on the availability of parking in the close with some saying there is an issue and others that there is not. It is therefore considered that based on the representations, it can only be concluded that for some residents there is an issue with the availability of parking spaces.
- 9.14. The agent has tried to quantify the parking requirements for the cul-de-sac, however this analysis bases its findings on the level of car ownership that currently exists on the site, rather than the need as a whole for the cul-de-sac based on size of dwellings (in terms of number of bedrooms). Figures based on the level of car ownership cannot be relied upon as this could be subject to considerable change, and the level quoted by the agent is relatively low. No figures have been submitted which quantify the existing number of spaces in comparison to the level of parking that would be considered to be adequate. The highway Authority suggest the issue is not a highways safety one but one of amenity. This is also reflected in the Parish Council's response who have concerns about the

increased level of parking on Avenue Close and is also reflected in some representations.

- 9.15. Considering these findings, and the representations and consultation responses that have been received, it is therefore considered that this demonstrates that there is clearly pressure for the existing parking spaces. Adding further pressure (even though the holiday let unit will add the need for 1 additional parking space) for parking to the existing situation is likely to cause an amenity issue and this is considered to be sufficient to warrant refusal as it is contrary to Core Strategy Policies GSP3, RT3, T7, Local Plan Policies, LR3, LT11 the 'Design Guide' paras 5.7-5.9 and the NPPF which essentially together require adequate parking and no more and seek to protect residential amenity and the living conditions of communities.

Highway Considerations

- 9.16. Whilst there is an amenity issues stated above, there is not considered to be a highway safety issue. This is reflected in the Highways Authority's final response which explains that whilst an increase (albeit occasional) in parking demand on The Avenue is likely to lead to additional inconveniences to local residents who already park on The Avenue, this is more of an amenity issue rather than a safety concern.

10. Conclusion

- 10.1. The proposal to site a new holiday let dwelling via a shepherds hut in the rear garden of an existing dwelling is contrary to the policies of the development plan in principle, design, and because a lack of off street parking will impact on the residential amenity the neighboring properties.

11. Human Rights

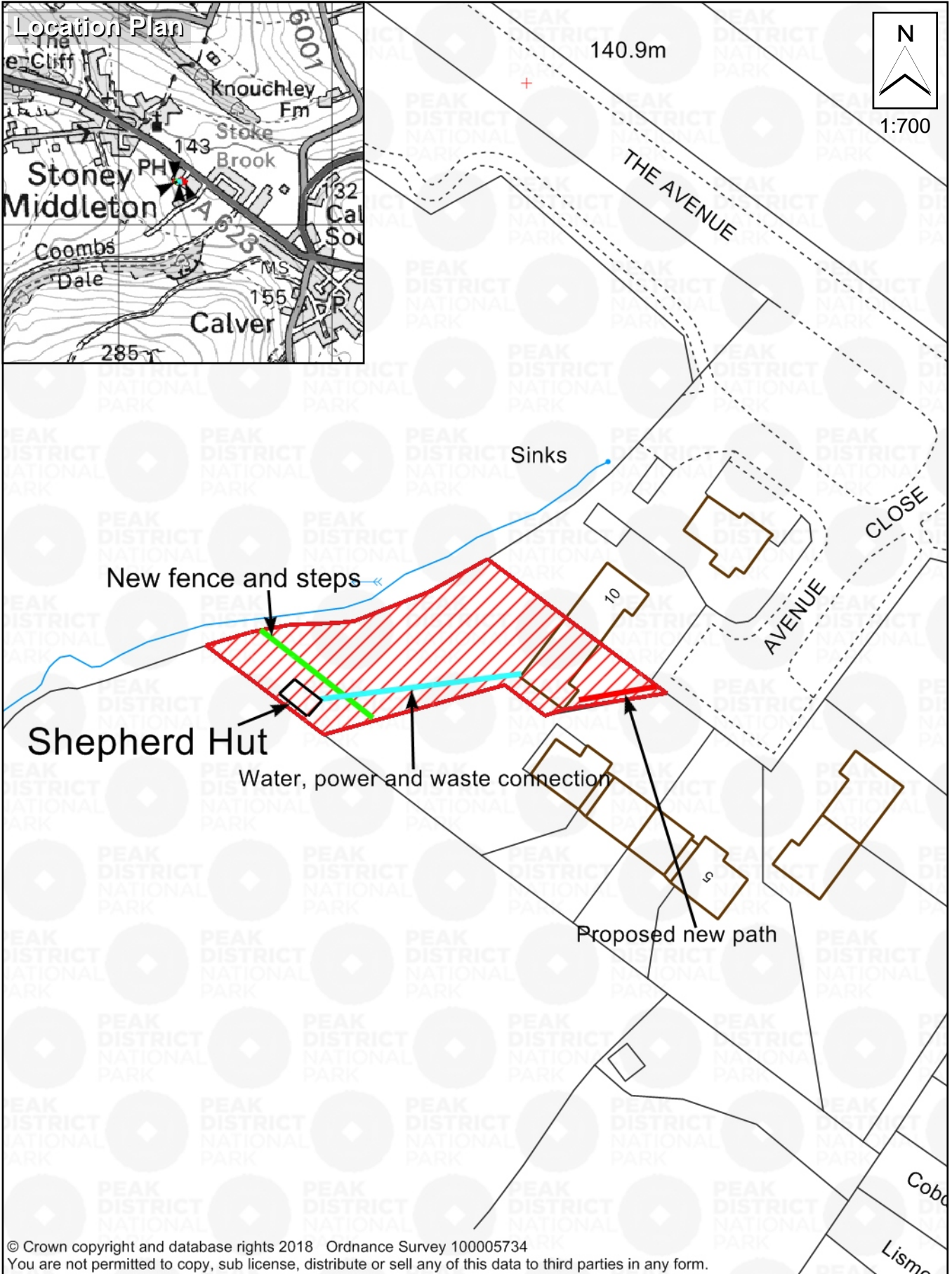
- 11.1. None

12. List of Background Papers (not previously published)

None

Report Author and Job Title

Steven Wigglesworth, Planner



© Crown copyright and database rights 2018 Ordnance Survey 100005734
 You are not permitted to copy, sub license, distribute or sell any of this data to third parties in any form.

Committee Date: 11th May 2018
 Item Number: Item 7
 Application No: NP/DDD/1217/1258
 Grid Reference: 423301, 375200

Title: 9 Avenue Close, Stoney Middleton



This page is intentionally left blank

8. FULL APPLICATION - ERECTION OF A GENERAL PURPOSE AGRICULTURAL BUILDING - LAND TO THE SOUTH OF NEW CLOSE FARM, OVER HADDON (NP/DDD/0318/0215 420733 / 366411 P407, P4712, & P6013 MN 14/3/2018)

APPLICANT: WHEELDON PARTNERS

1. Site and Surroundings

- 1.1. The site is a field on the eastern edge of Over Haddon village, approximately 70m west of the nearest point of School Lane, which represents the eastern edge of the built settlement.
- 1.2. The field occupies a position on a south facing hillside, which slopes down to Lathkill Dale with the River Lathkill approximately 400m to the south.
- 1.3. A number of footpaths run closely past the site to the north, east and west.
- 1.4. There is already an agricultural building on the site, measuring approximately 18.3 metres long by 12.5 metres wide. This is of modern construction having been granted permission in 1995, and is constructed with a lower wall of natural stone to the south and east elevation with blockwork to the north and western sides, and with timber boarding above along the sides with metal sheeting above on the gables.
- 1.5. There is a large bund of earth to the immediate west of the building, which was included to improve screening of the existing building as part of the permission that approved the building.
- 1.6. There is a single tree on the embankment, although much more significant planting was secured by the planning permission. It is unclear whether this was planted or not, but if so it has failed to establish. There is a further single line of trees bounding the eastern edge of the field, which was also part of the landscaping scheme that accompanied the previous permission.
- 1.7. A water tank has been erected adjacent to the existing building. It is unclear how long this has been present on site but there is no record of it having been granted planning permission.
- 1.8. The site is accessed from either a minor unnamed road approximately 150m to the north or along a track leading from the village to the west. In terms of the northern access a gateway off the road runs south through a field, through a further gateway, and in to the application site. The western site access passes through the fields to the west before joining the road network on the eastern edge of the village.
- 1.9. New Close Farm, which includes a group of dwellings and farm buildings, is located approximately 100m north of the application site, and is in separate ownership to the farm business that is operated at the application site.
- 1.10. To the west the nearest neighbouring property is Hall Hill Cottage, located on School Lane and approximately 95 metres from the proposed building.
- 1.11. The site is outside of the Over Haddon Conservation Area.

2. Proposal

- 2.1. To erect a general purpose agricultural building adjacent to the existing building. The building would have a footprint of 418m², be approximately 30.4m long, 13.7m wide and approximately 5.5m tall.

3. RECOMMENDATION

That the application be REFUSED for the following reasons:

- 1. Due to the isolated hillside position of the proposed building in an open landscape the development would result in significant harm to the rural and largely undeveloped character and appearance of the landscape at this location. As a result the development fails to comply with planning policies L1, LC4, LC13, and the provisions of the NPPF in so far as they relate to landscape protection within the National Park.**

4. Key Issues

- The need for a further agricultural building
- The impact of the development on the character and appearance of the landscape

5. Relevant Planning History

1994 – Planning permission refused for agricultural building approximately 150m west of the currently proposed building

1995 – Planning permission granted for erection of agricultural building adjacent to position of currently proposed building

6. Consultations

- 6.1. Derbyshire County Council – Highways – No objections subject to all use remaining ancillary to the land to the south of New Close
- 6.2. Derbyshire Dales District Council – No response at time of writing
- 6.3. Over Haddon Parish Council – Support the application subject to two conditions:
 - The site is very prominent site in the landscape so landscaping on the eastern side is recommended;
 - Vehicle access should be only via the new track from New Close Lane. This is shorter and more direct than the original access track (which goes behind the village hall) and in view of extra traffic which would be expected would avoid congestion within the village.

7. Representations

- 7.1. One letter of representation has been received, objecting to the proposal. The grounds for objection raised are that it is considered the proposal would have adverse landscape impacts due to the isolated and prominent position of the building and the proximity of a number of public footpaths from which it would be visible.

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. Part 12 of the National Planning Policy Framework deals with conserving and enhancing the historic environment.

8.5. Amongst other things, paragraph 132 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. It notes that the more important the asset, the greater the weight should be. It also advises that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting and that as heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

8.6. Paragraph 134 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Development Plan policies

8.7. 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. 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.

- 8.8. 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 L3 requires that development must conserve and where appropriate enhance heritage assets.
- 8.10. 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.
- 8.11. LC13 deals specifically with agricultural developments and it is permissive provided they are close to the main group of buildings wherever possible and it relates well to them. It must avoid harm to the areas valued characteristics including local views, making use of the least obtrusive or otherwise damaging location and must not require obtrusive access tracks, roads or services. These need to be designed with particular respect for the landscape and its historic patterns of land use and movement, and any landscape change likely to result from agricultural or forestry practices.

Wider policy context

- 8.12. The Authority has produced a Supplementary Planning Guidance (SPG) document for agricultural buildings. This explains at paragraph 2.17 that farm development must be fully explained and justified and at paragraph 2.18 that failure to supply adequate information may lead to refusal. The SPG sets out the basic requirements for an application. Paragraph 3.1 explains that because of the natural beauty of the National Park, new agricultural buildings can have a very damaging impact on their surroundings without careful thought to siting, design and appearance. Paragraph 3.4.5 explains that it is best to keep new agricultural buildings close to the existing ones, and make the best use of trees, walls and other landscape features. Paragraph 3.6.3 explains that the use of dark tones will help to reduce a buildings impact.

Relevant Core Strategy (CS) policies: GSP1, GSP3, L1, L3

Relevant Local Plan (LP) policies: LC4, LC13

9. Assessment

Principle

- 9.1. Planning policy supports the erection of new farm buildings providing that they are required for farming purposes and would have acceptable landscape impacts. Landscape impacts are considered later in this report.
- 9.2. In terms of the agricultural need for the building, the applicant farms approximately 113 hectares, and the holding's stock currently comprises 550 breeding ewes and a suckler herd of 140 cattle. Of the 113 hectares approximately 32 hectares are located surrounding the application site at Over Haddon.
- 9.3. The 32 hectares of land at Over Haddon includes recently acquired land that has facilitated the applicant grazing increased numbers of sheep and livestock at the site.
- 9.4. The existing building adjacent to the site of the proposed building is the only one serving the 32 hectares. At the time it was granted planning permission (1995) the land in ownership at the site was only 12 hectares and the building (with a footprint of 228m²) was sufficient for the management of the land. Given that the land farmed at the site has since doubled, the

applicant advises it is no longer large enough to serve the increased stocking numbers, which requires more space for the storage of fodder and housing of animals.

- 9.5. On this basis it is accepted that there a reasonable agricultural need for the new building, and the development is acceptable in principle, subject to it not having an unacceptable landscape impact.

Design

- 9.6. The building follows a typical design for modern agricultural buildings. It has a low pitched roof and timber and metal sheeting above a lower stone wall. This accords with the Authority's adopted guidance for the design of farm buildings and is acceptable.

Landscape impact

- 9.7. As noted previously, the site is an elevated hillside position that is prominent and clearly visible in many close public views; it can be seen looking out of the conservation area from School Road to the west, and a network of footpaths pass the site to the north, east, and south – some at a distance of only a few metres. The site is also seen in more distant views, including at distances of over 700m from Youlgrave Road to the east and south east.
- 9.8. The existing building on the site provides a useful marker for understanding the impact the proposed building would have. This building is clearly visible in the landscape from all of the vantage points detailed above.
- 9.9. The impacts of the existing development in these views would be magnified by the proposed building. In views from the east the building would be much longer, increasing its prominence, and in views from the south the additional of a further gable would make the building significantly more imposing and prominent, especially in views from nearby footpaths.
- 9.10. The result of this increased massing and prominence would be a significant further visual intrusion in the open countryside, harming it's largely undeveloped and open rural character at this location.
- 9.11. There are larger groups of buildings to the north around New Close farm and to the west at Over Haddon village that would be seen in some of the same views as the building, but the application site would appear isolated from these.
- 9.12. The existing landscaping around it would do little to reduce its impact either, providing only very limited screening, and the building would still appear out of keeping with the otherwise undeveloped land around it. Landscaping would do little to ameliorate wider landscape impacts arising from the development.
- 9.13. Furthermore, it would not be appropriate in landscape terms to undertake significant tree planting in this location in an effort to mitigate the building's impact; whilst some thicker planting belts are found at less elevated positions in the locality, the higher hillsides in closer proximity to the application site have only scattered planting. A much denser belt of trees would be required to have any meaningful effect on the screening of the building and this would be at odds with the landscape character in this location.
- 9.14. As a result of the impacts identified above, the development fails to comply with policies L1, LC4, LC13, and paragraph 115 of the NPPF, all of which require development to conserve the character and appearance of the landscape for which the National Park is primarily designated. The unacceptable landscape impact of the building could not be offset with landscaping in this location.

Amenity

- 9.15. The building is almost 100 metres from the nearest residential properties of Hall Hill Cottage on School Lane, and a short distance further from the dwellings around New Close Farm to the north.
- 9.16. At these distances it is not considered that a building of the proposed size for the proposed uses would result in any significant additional amenity impacts arising from noise or odour, particularly given that the site is already in agricultural use.
- 9.17. Due to the isolated position of the building there are no further amenity impacts arising as a result of the development either.

Highway Considerations

- 9.18. The site access would remain unaltered. Whilst some additional vehicle movements could be expected as a result of the increased land in ownership at the site, the provision of a further building would not be a significant contributing factor to this; if anything, the facility to store further feed, bedding, and vehicles on the site may reduce the need for vehicular trips to the site.
- 9.19. The Highway Authority also raise no objection to the proposal.
- 9.20. On the basis of the above the development would not result in any significant adverse highway impacts.

Archaeology

- 9.21. The site is within an area associated with an Historic Environment Record. This records the land around Over Haddon as containing the remnants of a medieval field system including ridge and furrow, lynchets and sub-rectangular enclosures.
- 9.22. The proposed position of the building would not have any significant effect on these features however. The ground adjacent to the existing building has already been disturbed and partially levelled during its construction, and the new building would not disturb a significant amount of further land, nor effect any existing field boundary.
- 9.23. Further, there is already a modern building in the field in a similar position as well as those 100m to the north and as a result the building would not harm the interpretation of the historic field system to any significant degree;
- 9.24. On this basis it is considered that further archaeological evaluation and/or mitigation is not necessary in this instance.

Pollution

- 9.25. The building would be used for the wintering of cattle, which would produce waste. Livestock would typically be bedded on straw, which would significantly reduce any flow of waste from the building on to or in to surrounding land. Given this, the fact that the building would not be used for housing livestock all year round, and because of the size of the building which would have limited livestock housing capacity, additional measures to prevent groundwater pollution are not necessary.

10. Conclusion

- 10.1. The proposed development would have a an adverse impact on the character and appearance of the landscape which cannot be overcome by landscaping or planting. As a result the development fails to comply with planning policies L1, LC4, LC13, and the provisions of the NPPF in so far as they relate to landscape protection within the National

Park.

10.2. Accordingly, the application is recommended for refusal.

11. Human Rights

11.1. None

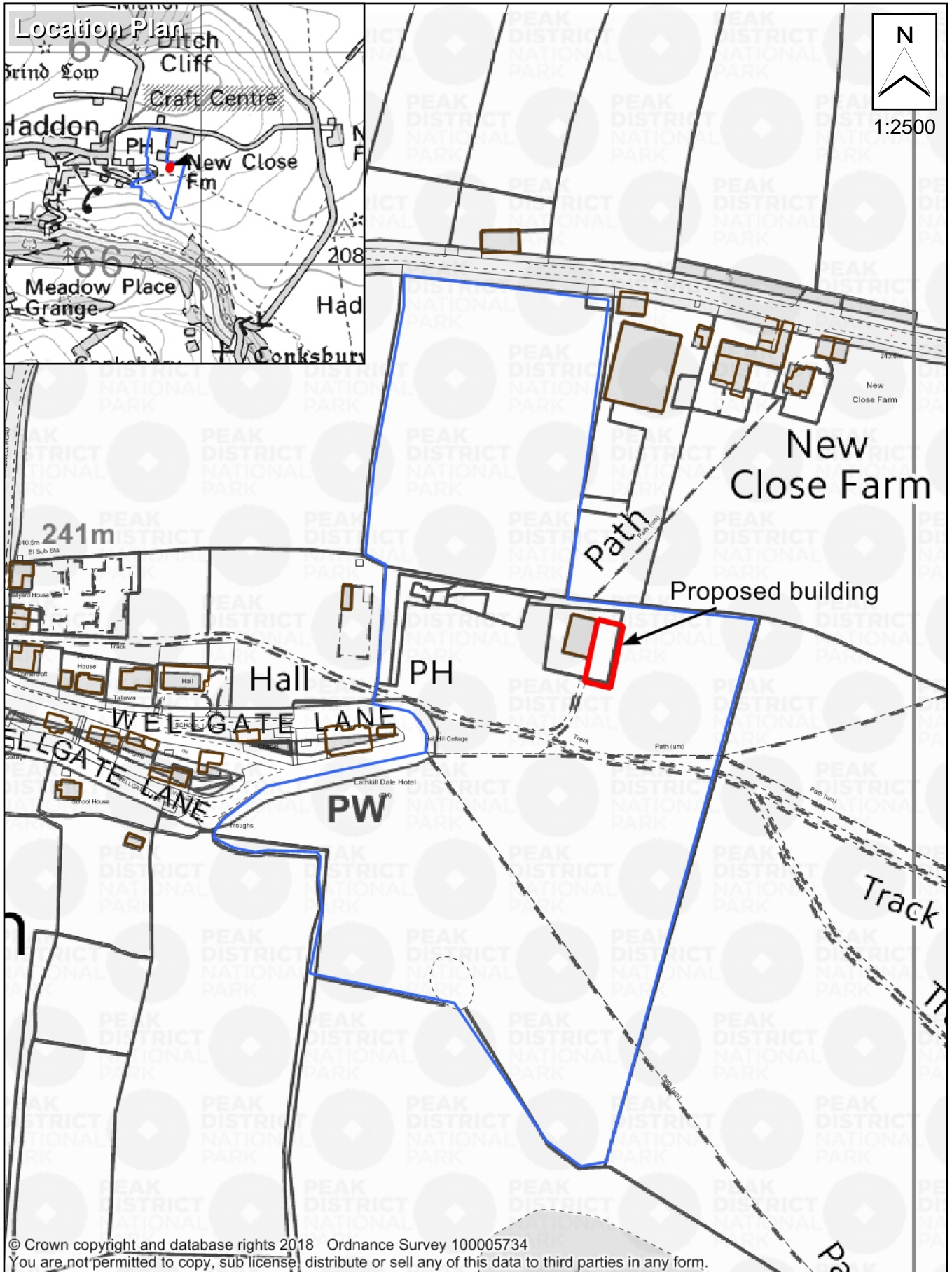
12. List of Background Papers (not previously published)

None


Report Author and Job Title

Mark Nuttall, Senior Planner

This page is intentionally left blank



© Crown copyright and database rights 2018 Ordnance Survey 100005734
 You are not permitted to copy, sub license, distribute or sell any of this data to third parties in any form.

Committee Date:	11th May 2018	Title: Land to the South of New Close Farm, Over Haddon	 PEAK DISTRICT NATIONAL PARK
Item Number:	Item 8		
Application No:	NP/DDD/0318/0215		
Grid Reference:	420733, 366411		

This page is intentionally left blank

9. FULL APPLICATION - PROPOSED OPEN GENERAL PURPOSE AGRICULTURAL BUILDING TO HOUSE LIVESTOCK AND STORE FODDER AND IMPLEMENTS AT MAYFIELD FARM, LITTON SLACK. (NP/DDD/0218/0139, P3923, 416175 / 373385, 21/02/2018)

APPLICANT: A & EM HOWE & SONS

1. Site and Surroundings

- 1.1. The site is located approximately 300m to the north of the main group of buildings associated with Mayfield Farm at Litton Slack. Litton Slack is a small hamlet lying in open countryside above and to the north of Litton Mill. It lies at the end of a culs-de-sac lane and comprises of, the farm and a terrace of 11 houses. The site is within the landscape character type of Limestone Village Farmlands in the Landscape Character Area of the White Peak.
- 1.2. The landscape here exhibits key characteristics of this Landscape Character Type including, a gently undulating plateau; pastoral farmland enclosed by drystone walls made of limestone and a repeating pattern of narrow strip fields.
- 1.3. The site area is an open and exposed location which has been used for agricultural purposes including storage of bailed fodder, a slurry store and to store some machinery. The site stands out in the wider landscape as being isolated from the main group, and the existing storage/slurry/surfacing appears insensitive to the landscape setting, being sited in the limestone plateau, amongst the strip field system formed by drystone walls built of natural limestone.
- 1.4. Mayfield Farm is a holding comprising of 256 acres of land of which 180 are owned by the applicant. At the farmstead there is a modern farmhouse constructed from Davie blocks under a blue slate roof and a range of modern agricultural buildings. Adjacent to the farmstead there is a barn which has been converted into a holiday let in separate ownership.. A row of terraced dwellings lie approximately 60m to the west of the farmstead and approximately 250m south of the site for the new building.
- 1.6. From the farmstead the land slopes away to the valley floor in a north to south direction, from the farmstead a footpath runs down into the valley to Litton Mill.

2. Proposal

- 2.1. The proposal is for a general purpose agricultural building to house livestock and store fodder and implements.
- 2.2. The building is 27.4m long and 15.2m wide. Its eaves height is 4.2m and its ridge height is 6.3m.
- 2.3. Its roof is clad with fibre cement sheets, finished in a dark slate blue colour (18B29). Above exposed base walls of pre-stressed concrete panels vertical cladding in the form of dark slate blue (18B29) polyester coated box profile steel sheets is proposed.
- 2.4. The north elevation is open, there are gated openings in the east and west gable ends.

3. RECOMMENDATION

That the application be REFUSED for the following reasons:

1. **The isolated siting of the building is away from the existing group of agricultural buildings at Mayfield Farm and would be obtrusive and harmful to the valued characteristics of the area and the National Parks landscape. The proposal is therefore contrary to the policies of the development plan including Core Strategy Policies GSP1, GSP2, GSP3, L1, Local Plan Policies LC4, LC13 and the Authority’s SPG ‘Agricultural Developments in the Peak District National Park’ and the NPPF.**

4. Key Issues

- Design, siting, amenity, agricultural justification and landscape impact.

5. Relevant Planning History

- 5.1. There has been no pre application advice in relation to the proposed siting for the building. Furthermore there is no relevant planning history in relation to the existing storage of bails, slurry store and machinery at the site for the proposed building.
- 5.2. 1988 – Planning approval No NP/WED/188/35 for the dwelling at ‘Mayfield Farm’. Its occupation is restricted to agricultural or forestry workers.
- 5.3. 2008 – Planning Approval under ref NP/DDD/0308/0257 allowed the Barn Conversion adjacent to the existing group of buildings as a holiday let dwelling.
- 5.4. 2014 – Approval at Mayfield Farm for a cover over an existing livestock gathering area via a prior notification application done under agricultural permitted development rights (NP/GDO/0314/0247).

6. Consultations

- 6.1. Derbyshire County Council (Highways) – No objection subject to use remaining ancillary to Mayfield Farm.
- 6.2. Derbyshire Dales District Council – No response to date.
- 6.3. Litton Parish Council – Mr Howe and his family are long established farmers in the Parish and they need to expand their business so that it is viable and sustainable for the future. The Council consider that farming is an essential part of the Peak Park, contributing to the local economy in many ways, and would wish to see farms like Mayfields have a secure future. The proposed site for the building does not lead to the loss of good pasture and the Council considers a much needed barn would fit into the landscape in this part of the Parish.

7. Representations

- 7.1. Two representations in support have been received.
- 7.2. The support is based on the following grounds.
 1. Family business, a vital and valued part of the local community.
 2. Essential that local business such as this are supported.
 3. Least intrusive option for a building on the site as it has been situated to the rear of the site and within a natural dip in the ground, so its visual impact has been limited as far as is practicably possible.
 4. The site is already used for the storage of silage, so the proposed plan is not to the detriment of a green field site.
 5. The site would require much less excavation and therefore disturbance to natural run

off and drainage.

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 as identified in the Landscape Strategy and Action Plan and other valued characteristics, and other than in exceptional circumstances, proposals in the Natural Zone will not be permitted. Amongst other things the valued characteristics identified for the purposes of the Core Strategy include: Natural beauty, natural heritage, landscape character and diversity of landscapes; sense of wildness and remoteness; thousands of years of

human influence which can be traced through the landscape; distinctive character of hamlets, villages and towns; trees, woodlands, hedgerows, stone walls, field barns and other landscape features.

- 8.7. Local Plan Policy LC4 requires that the detailed treatments of development is of a high standard that respects, conserves and where possible enhances the landscape, built environment and other valued characteristics of the area. Particular attention is paid to: scale, form, mass and orientation in relation to existing buildings, settlement form and character, landscape features and the wider landscape setting; the degree to which design detail, materials, and finishes reflect or compliment the style and traditions of local buildings; the use and maintenance of landscaping to enhance new development, and the degree to which this makes use of local features and an appropriate mix of species suited to both the landscape and wildlife interests of the locality; the amenity, privacy and security of the development and of nearby properties.
- 8.8. LC13 deals specifically with agricultural developments and it is permissive provided they are close to the main group of buildings wherever possible and it relates well to them; respects the design, scale, mass and colouring of existing buildings; It must avoid harm to the areas valued characteristics including local views, making use of the least obtrusive or otherwise damaging location and must not require obtrusive access tracks, roads or services. These need to be designed with particular respect for the landscape and its historic patterns of land use and movement, and any landscape change likely to result from agricultural or forestry practices.
- 8.9. The Authority has produced an SPG for agricultural buildings. Para 3.1 explains that because of the natural beauty of the National Park, new agricultural buildings can have a very damaging impact on their surroundings without careful thought to siting, design and appearance. Para 3.4.5 this explains that it is best to keep new agricultural buildings close to the existing ones, relate well to them and make the best use of trees, walls and other landscape features. Para 3.4.8 explains that Isolated buildings in the open landscape are the most difficult to accommodate and should, where practicable (i.e. not to the detriment of natural ventilation and animal welfare), take advantage of natural dips in the land or be set against a hillside to reduce the visual impact. Avoid skyline sites or sites prominent from public viewpoints. Isolated buildings will usually require some landscaping. Careful siting in relation to existing mature trees, or other features such as stonewalls will also help merge a new building into the landscape. Good design can mean that not all new farm buildings need significant landscaping. Farm buildings are after all a traditional aspect of the landscape and where they are done well they should be integral to the landscape rather than completely screened from view. Para 3.6.3 explains the use of dark tones will help to reduce a buildings impact.
- 8.10. The Authority's Landscape Strategy and Action Plan explains the site is within the White Peak within the 'Limestone Village Farmlands' landscape character type. A small-scale settled agricultural landscape characterised by Limestone Villages, set within a repeating pattern of narrow strip fields bounded by drystone walls. In this landscape character type priorities include protecting the historic pattern of enclosure, the nucleated settlement pattern and the integrity and setting of traditional buildings, whilst restoring the biodiversity of the pastoral farmland within a sustainable farming system.
- 8.11. Key characteristics of this Landscape Type include amongst other things –
- A gently undulating plateau.
 - Pastoral farmland enclosed by drystone walls made from limestone.
 - A repeating pattern of narrow strip fields originating from medieval open fields.

Relevant Core Strategy (CS) policies: **GSP1, GSP2, GSP3, GSP4, L1.**

Relevant Local Plan (LP) policies: **LC3, LC4, LC13.**

9. Assessment

Principle

- 9.1. The Development Plan and other material considerations are generally supportive of agricultural development, where it is necessary, provided it would not harm the amenities or valued characteristics of the area or the National Parks Landscape. Appropriate design, siting and landscaping is also required.
- 9.2. In this case the agricultural need for the building is not disputed. The holding extends to approximately 265 acres. The farm is run to rear cattle and sheep and to produce the necessary fodder for the animals. The building would be for additional housing and for feeding cattle, to house and lamb sheep as well as to store fodder and implements.
- 9.3. However officers have significant concerns about the siting of the building because of the impact it will have on the valued characteristics of the area and the National Parks Landscape.

Design/ siting and impact on the National Parks Landscape

- 9.4. The general design of the building is of standard modern agricultural design.
- 9.5. What is of key concern here is the siting for the building. It is proposed to be located standing alone in an isolated position away from the group of existing agricultural buildings which are some 300m to the south of the application site.
- 9.6. It is noted that on this parcel of land the farm currently stores baled fodder and implements and has created a slurry store. However this is not considered to justify siting a new building at this location. It does however serve to demonstrate how the existing impact of this site already detracts from the character and appearance, valued characteristics and natural beauty of the landscape. This is because it is so open and otherwise a visually attractive part of the limestone village farmlands landscape character type.
- 9.7. The proposed site is far too open and isolated in the landscape to site a new building here, as it would harm the valued characteristics of the area, is clearly open to public view and would be obtrusive. Although the existing storage taking place at the site already detracts from the landscape setting, this provides no justification for the proposed building which would significantly exacerbate this harmful impact for the foreseeable future.
- 9.8. In particular, the building would be open to view from the adjacent highway and from an elevated position from a long stretch of Bottomhill road to the east which is the main lane down to Cressbrook from Litton. Viewed from Bottomhill Road the isolated location appears particularly harmful to the National Park's landscape. Its also likely to open to public view from more distant vantage points especially from the various public rights of way and access land in the wider landscape
- 9.9. Therefore, the proposal is contrary to Local Plan Policy LC13 and in this sensitive setting it will result in harm to the character and appearance and valued characteristics of the National Park's Landscape so is also contrary to Local Plan Policy LC4, Core Strategy Policy GSP1, GSP3, L1. It is also contrary to the Authority's SPG 'Agricultural Development in the Peak District' NPPF which explains that great weight should be given to conserving landscape and scenic beauty in National Parks, which have the highest status of protection on relation to landscape and scenic beauty.

10. In planning terms there are three clear alternatives which have been explored with the applicant. Each are adjoining or relatively close to the existing buildings. Just north of the main group of building, adjacent to the yard, there is an ideal site on land which the applicant rents but does not own. Land ownership cannot be taken into account in making planning decisions, so this alternative site should be given weight, even though the applicants currently do not own it.
- 10.1 There also appears to be another site to the south of the existing buildings, that would need some significant excavation into the topography. The applicant has ruled this site out during discussions because they would hit bedrock and are concerned about control of nitrates in this area. However given the topography of the National Park these are issues that are frequently encountered elsewhere on other farms and have rarely proved insurmountable. It is not considered that avoiding groundwork is an acceptable reason to alternatively seek a building in a location with a significant landscape impact.
- 10.2 A third site in the field to the west of the access has also been considered. This is better in terms of its relationship to the group of existing buildings as it would not appear so isolated. The applicant has concerns about improving the access and how siting a building there could raise objection with neighbouring properties.
- 10.3 Essentially the applicant has ruled out the three alternative sites. But not on planning grounds, the first site adjacent to Mayfields Farm on land that is rented but not owned appears ideal in land use and landscape terms. The other sites, while not ideal in every respect, are preferable to the application site.
- 10.4 However, even if all three alternatives could be ruled out on planning grounds this would not justify the proposed site because of the clearly harmful impacts discussed above.
- 10.5 Officers have also considered whether a landscaping scheme could make the scheme acceptable. In this open landscape setting, within this landscape character type it is not considered that a scheme of tree planting would be effective or appropriate, particularly in long range views.

Amenity

There are no amenity issues raised by the proposal as it would be a sufficient distance away from nearby properties.

11 **Conclusion**

It is considered that there are no other material considerations that outweigh the conflict with policies identified above and it is not considered that the harm arising from the proposed building could be mitigated by a landscaping scheme including additional tree planting. Accordingly, the current application is recommended for refusal.

12 **Human Rights**

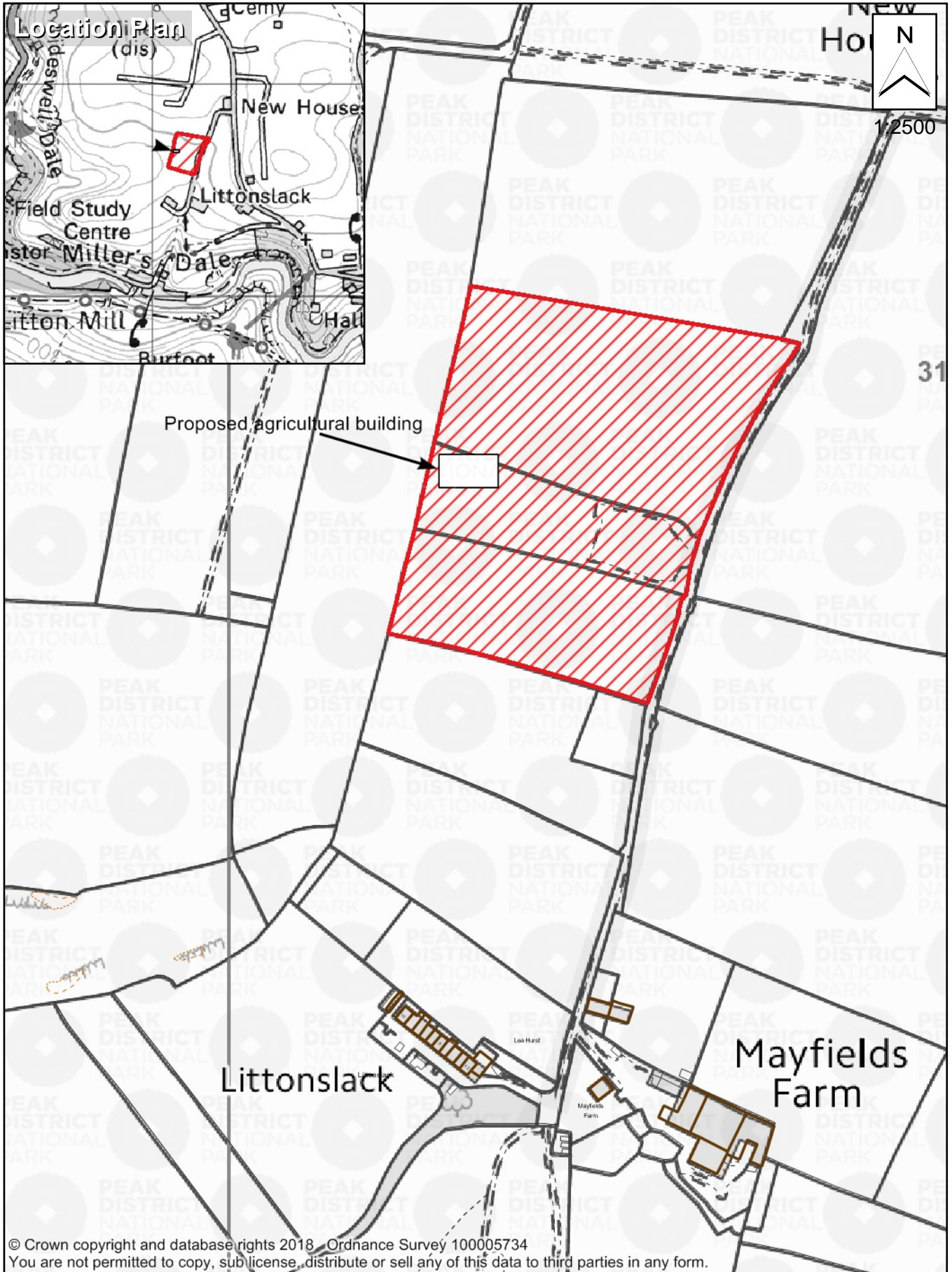
None


13 **List of Background Papers** (not previously published)

None

Report Author and Job Title

Steven Wigglesworth Planner,



Committee Date:	11th May 2018	Title: Mayfield Farm, Litton Slack	 PEAK DISTRICT NATIONAL PARK
Item Number:	Item 9		
Application No:	NP/DDD/0218/0139		
Grid Reference:	416175, 373385		

This page is intentionally left blank

10. FULL APPLICATION - PROPOSED OUTBUILDING TO CREATE GARDEN STORE. THE COTTAGE, CONGREAVE LANE, PILHOUGH, STANTON - IN - PEAK. (NP/DDD/0318/0221, P3976, 424886 / 365033, 15/3/2018)

APPLICANT: MR R MISTRY

1. Site and Surroundings

- 1.1. The Cottage is a 2-storey traditional dwelling, located at the eastern end of a terrace of three dwellings adjacent to the north side of Stanton Hall Lane. The dwelling is constructed of natural gritstone under a blue slate roof. A recent permission has allowed extensions and alterations to the side and rear of the dwelling and an outbuilding within the garden area. The extensions have been largely completed but the outbuilding has not been constructed yet. A small porch is located on the front elevation of the cottage leading out into a small garden area to the front. The garden extends around the cottage to the side and rear, where it drops steeply from the back of the property.
- 1.2. Almost directly opposite the property, on the other side of Stanton Hall Lane, is a plot of land in the ownership of the applicant and subject of this application. The plot lies on rising land between Stanton Hall Lane and the walled boundary with Pilhough Lane to the south and measures approximately 30m in length x 10m in width. A hedge boundary separates the plot from open fields to the west, whilst to the east a stone wall splits the site from an extended area of cultivated land, where a number of various timber outbuildings and greenhouse structures have been erected and which are currently being used by neighbouring properties for growing vegetables and fruit, sheltering and feeding of various animals and parking of vehicles. The proposed land is currently being cleared of scrub with a dilapidated timber shed still erected within the plot.

2. Proposal

- 2.1. Permission is being sought to erect a single storey detached outbuilding for use as a garden store, sited within the enclosed area of land on the south side of Stanton Hall Lane, across from the main dwelling and its surrounding garden area. The building would be constructed from natural materials, gritstone for the walls and blue slate for the roof. In addition, the doors would be constructed of timber with two rooflights inserted, one in each roofslope. The proposed building would be 4.6m deep and 3.6m wide. It would have an eaves height of 2.5m and a pitched roof with a ridge height of 3.5 metres. The building would be similar in mass and form to a small domestic garage.

3. RECOMMENDATION

That the application be APPROVED subject to the following conditions:

1. **The development hereby permitted shall be begun within 3 years from the date of this permission.**
2. **The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted drawing number 1781-200 and subject to the following conditions.**
3. **The roof shall be clad with natural blue slate to match the existing dwelling.**
4. **All new stonework shall be in natural gritstone, faced, coursed and pointed to match the existing dwelling.**

5. **All door frames shall be recessed a minimum of 100mm from the external face of the wall.**
6. **All door openings shall be provided with natural gritstone lintels.**
7. **The external doors shall be of timber construction and vertically boarded.**
8. **The timber finish shall be coloured a Stone Grey (RAL 7030).**
9. **All pipework other than rainwater goods shall be internal within the building.**
10. **The rooflights shall be fitted flush with the roofslope.**
11. **The building hereby approved shall not be used for any other purposes than a garden store ancillary to the main dwelling (The Cottage).**
12. **Prior to the store being erected, the existing timber shed shall be dismantled and permanently removed from the site.**
13. **Remove permitted development rights for further ancillary buildings, gates, fences, walls or other means of boundary enclosure.**

4. Key Issues

- Whether the proposed development would conserve the character and appearance of the locality, the amenity of neighbouring properties and highway safety.

5. Relevant Planning History

- 5.1. 2017: (NP/DDD/0717/0734) - Proposed outbuilding; the application made invalid due to being submitted on the incorrect application forms.
- 5.2. 2016: (NP/NMA/1116/1120) - Non material amendment to planning consent NP/DDD/0216/0119 for additional glazing panels to the side of French doors on East Elevation, amendment accepted.
- 5.3. 2016: (NP/DDD/0216/0119) - Alterations, extension and erection of detached outbuilding, granted.
- 5.4. 2015: (NP/DDD/1015/0998) - Alterations, extension and erection of detached outbuilding. Refused on scale and design grounds.

6. Consultations

- 6.1. Highways - No objections, subject to all use remaining private and ancillary.
- 6.2. Parish - *'Stanton in Peak Parish Council objects to the application on the grounds of massing, size and position. The small cottage already has large extensions and planning for a store on its side of the road. All the buildings are on the north side running east to west; this crosses the road and runs north to south. The land it's on appears to be agricultural land not domestic.'*

Its proposed position up against the wall will damage the existing neighbouring fruit trees (it is noted that the contractors have already started digging out and have already cut into them whilst clearing the site). Also in the current proposed position the building will steal sun light from the fruit trees.

- 6.3. *If planning is to be consented, the building should be turned to East-West and existing permission for a store should be removed. The side stone wall boundary should be maintained along with sufficient space between it and the building for maintenance.*
- 6.4. *Having already issued an earlier response to the invalid NP/DDD/0717/0734, the Parish Council is surprised that the applicants wish to submit an application in such a prominent position and have chosen to orientate the proposed building where it would have the most detrimental impact on the landscape’.*

7. Representations

- 7.1. There have been four letters of representation, three objecting to the proposal and one general comment. The letters are summarised as follows:

- It would change the nature of the hamlet considerably if building were to be allowed to spread across the lane.
- The property has already been given permission to build an out building for their use adjacent to their property there would not seem to be a need for a second one.
- Size and massing would have detrimental impact on adjacent land and the amenity of the cottages.
- It would have a significant visual impact from a number of viewpoints, clear to all users of the lane, including walkers and cyclists.
- This proposal would introduce an incongruous building to the side of the lane where none exists and where development has not taken place.
- It would detract from the character, appearance of the setting and have a detrimental impact on neighbouring dwellings.
- If granted it would set a precedent for further development on the south side of the lane, all to the detriment of the existing landscape.

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 which is to:

- Conserve and enhance the natural beauty, wildlife and cultural heritage and
- 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 this instance, Paras: 56 - 66 requires good design, whilst Paras: 109 - 116 promotes the protection of sensitive landscapes, in particular Para: 115, which affords great weight to the protection of the National Park's landscape.
- 8.3. 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. In this case, it is considered, there is no significant conflict between prevailing policies in the Development Plan and government guidance in the NPPF.

Development Plan Policies

Core Strategy

- 8.4. GSP1, GSP2, jointly seek to secure national park legal purposes and duties through the conversion and enhancement of the National Park's landscape and its natural and heritage assets.
- 8.5. GSP3 requires that particular attention is paid to the impact on the character and setting of buildings and that the design is in accord with the Authority's Design Guide and development is appropriate to the character and appearance of the National Park.
- 8.6. DS1 supports extensions to existing buildings in principle, subject to satisfactory scale, design and external appearance.
- 8.7. L1 identifies that development must conserve and enhance valued landscape character as identified in the Landscape Strategy and action Plan and other valued characteristics.

Local Plan

- 8.8. LC4 states that development will not normally be permitted where it would not respect, would adversely affect, or would lead to undesirable changes in the landscape or any other valued characteristic of the area. Further stating, that an appropriate scale, siting, landscaping, use of materials and a high standard of design will be required if consent is to be granted.
- 8.9. 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 neighbouring buildings.
- 8.10. LT11 says that the design and number of parking spaces associated with residential development, including any communal residential parking, must respect the valued characteristics of the area.
- 8.11. Supplementary Planning Guidance is provided in the 1987, 2007 & 2014 Design Guides.

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

Relevant Local Plan (LP) policies: LC4, LH4, LT11

9. Assessment

Principle of Development

- 9.1. The Authority's housing and conservation policies seek to ensure that extensions to dwellings, (which includes outbuildings), respect the character and appearance of the existing dwelling, as well as the amenity, privacy and security of the development and any affected nearby properties.. Subsequently the proposal is considered acceptable in principle in accordance with policies DS1 and LC4, subject to consideration of design, landscape and amenity issues which are addressed below: .

Siting, Design & Materials

- 9.2. The proposed garden store would be sited within an enclosed plot of land to the south side of Stanton Hall Lane, which is bounded to the west by a timber fence and mature hedging, on the south and east sides by a stone boundary wall and a returning section of stone walling to the front roadside elevation. The building would be set back into the site around 3m from the roadside edge and measure 4.5m in length x 3.5m in width x 3.5m to the ridge. A vertically timbered double door would be located in the north gable elevation facing the road and a single vertically timbered door in the east elevation. Two rooflights would be positioned on either side of the roofslope to exploit the natural light. The garden store would be constructed with natural gritstone walls and a blue slate roof. It is considered that, subject to a condition to colour the timber doors a stone grey, to reflect the surrounding walls and buildings in the locality, the impact of the garden store on the appearance of the locality and its wider setting would be low and the scheme is acceptable in siting and design terms, in accord with policies LC4 & LH4.
- 9.3. It is acknowledged that there is an extant permission for an outbuilding within the garden of the host dwelling. This would mean that, if approved, two outbuildings could be built. However, each one is a small and appropriately designed and the two would be separated by the road. It is considered that both buildings could be built without causing any visual harm, and the cumulative impact would not be unacceptable in this case.

Landscape Impact

- 9.4. The site is part of a wider area of rising land that lies between Stanton Hall Lane and Pilhough Lane, of which, a wider area of land beyond the application site appears to have been used for a mix of agricultural and domestic purposes for a considerable number of years.
- 9.5. Letters of objection have raised concerns relating to the proposed building being on the opposite side of the road to the associated dwelling and that the land on which it would be sited is agricultural, rather than domestic. It is acknowledged that the development would be on the opposite side of the road to both the associated dwelling and other dwellings in the immediate locality. However, it is important to note that the site is not part of an extensive area of open land. The land to immediately to the west of the site is part of an open landscape that makes an important contribution to the character of this area of the National Park. However, the application site is part of an area that is quite a distance from the open land. It is much narrower and enclosed relatively tightly by boundary walls. Furthermore, the land to the east has been subdivided with boundary treatments and contains a range of domestic style outbuildings. The land in which the building is proposed is not agricultural in character. The building would be most visible from Stanton Hall Lane, where its modest size would be partially screened by a roadside boundary wall and viewed against the backdrop of the rising land with a high stone boundary wall beyond. Due to its set back position within the plot, it would be viewed in the context of the adjacent parcels of land, where other structures in relation to domestic uses exist. Therefore, the garden store would not be visually intrusive in this locality and as a result would not have a substantially harmful impact on the wider landscape character of this part of the National Park. The proposal is acceptable in landscape terms in accord with

policy L1.

Amenity Impacts

- 9.6. The nearest residential properties, Rose Cottage and Laburnum Cottage, are sited over 35 and 25m away respectively and located on the opposite side of Stanton Hall Lane from the development site. In this case, due to its limited scale, siting and proposed use as a garden store, it is not considered the building would adversely affect the quiet enjoyment of these properties or indeed the amenity of any other nearby residential dwellings. The amenity of neighbouring properties would not be detrimentally affected by the development and the proposal accords with GSP3 & LC4 in these respects.

Highway Impacts

The local Highway Authority raises no objections, subject to all use remaining private and ancillary to the primary dwelling at The Cottage. Subsequently, the scheme is considered acceptable in highway safety terms, according with policy LT11.

10. Conclusion

- 10.1. Whilst the proposed garden store would occupy a visible position within the plot, particularly from the immediate roadside, it is nonetheless considered appropriate in siting, design and appearance for this type of structure and therefore in keeping with the immediate surroundings and wider locality., There would be no adverse effect on any nearby residential amenity or highway safety concerns. Consequently, the scheme is considered in accord with Development Plan Policies and adopted Design Guidance and recommended for approval, subject to appropriate conditions.

11. Human Rights

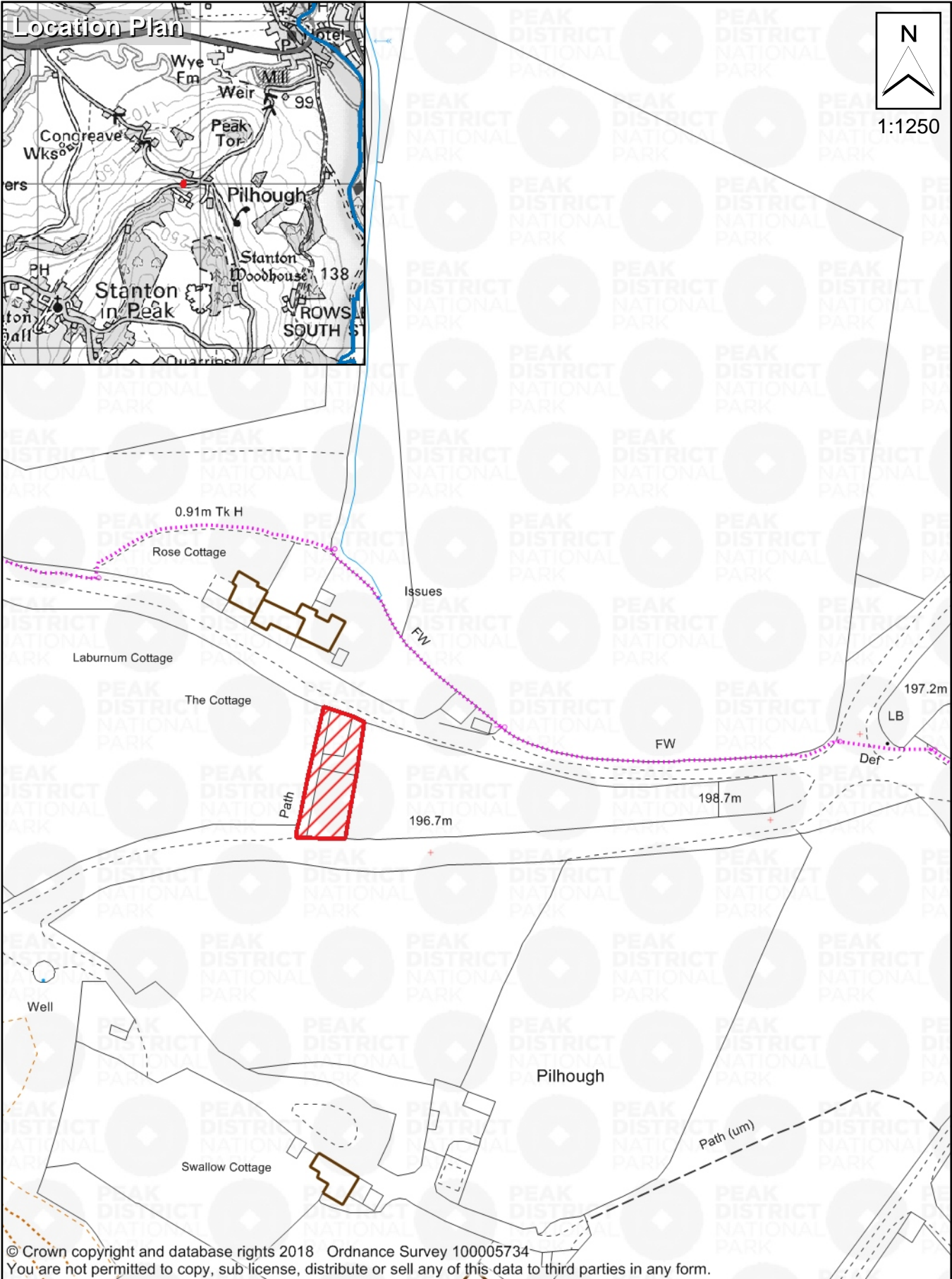
- 11.1. None identified.

12. List of Background Papers (not previously published)


None

Report Author and Job Title

Steve Coombes, Planner.



© Crown copyright and database rights 2018 Ordnance Survey 100005734
 You are not permitted to copy, sub license, distribute or sell any of this data to third parties in any form.

Committee Date:	11th May 2018	Title: The Cottage, Congreave Lane, Pilhough	 PEAK DISTRICT NATIONAL PARK
Item Number:	Item 10		
Application No:	NP/DDD/0318/0221		
Grid Reference:	424886, 365033		

This page is intentionally left blank

11. FULL APPLICATION - INSTALLATION OF W.C FACILITY IN OLD BOILER ROOM, INSTALLATION OF KITCHENETTE IN SCHOOL ROOM AND NEW DOMESTIC PACKAGE TREATMENT PLANT TO BE LOCATED IN ADJACENT CAR PARK TOGETHER WITH ASSOCIATED PIPEWORK. REINSTATEMENT OF WINDOW. SCHOOL ROOM, MOOR ROAD, REAPSMOOR, LONGNOR (NP/SM/0318/0164 408381 / 362123 P5943 MN 5/3/18)

APPLICANT: MRS TAMMY SHIRLEY ON BEHALF OF PEAK DISTRICT NATIONAL PARK AUTHORITY

1. Site and Surroundings

- 1.1. The School Room is a Grade II* listed building located in Reapsmoor, approximately 3.5km south of Longnor village. The first floor of the building is occupied by St Johns Church with the School Room on the ground floor. The School Room is used by the Church, Parish Council and other for community use. Ivy Cottage (the original school house) is also attached to the property but does not form part of the current application and is in separate residential occupation.
- 1.2. The two storey building was built in 1842. It has a blue clay tiled roof with verge parapets, the walls are constructed from coursed limestone. There is a flat roofed single storey porch to the front elevation and stone steps which lead up to the first floor entrance to the church.
- 1.3. The site car park is located immediately south of the building, accessed from the highway that runs north to south past the eastern edge of the site.
- 1.4. The site is outside of any designated conservation area.

2. Proposal

- 2.1. The proposed development is to facilitate the installation of a W.C facility in the property's old boiler room and a kitchenette in school room. The works involved that require planning permission are the installation of a new package treatment plant, including associated excavation, the reinstatement of a ground floor window, and minor alteration to the car park layout.

3. RECOMMENDATION

That the application be APPROVED subject to the following conditions:

- 1. 3 year time limit**
- 2. In accordance with the submitted plan and schedule of works**
- 3. Notwithstanding the submitted plans a package treatment plant as specified in the supporting documents shall be installed to deal with waste water from the site in place of the septic tank shown.**
- 4. Detailed design of new window to be agreed**
- 5. Position and design of soil vent pipe to be agreed**
- 6. Scheme of external lighting to be agreed**

4. Key Issues

- The impact of the development on the character, appearance, and setting of the listed building and wider landscape.

5. Relevant Planning History

- 5.1. 2013 – Listed building consent granted for replacement windows.

6. Consultations

- 6.1. Staffordshire Moorlands District Council – No response at time of writing
- 6.2. Staffordshire County Surveyor – No response at time of writing
- 6.3. Fawfieldhead Parish Council – No response at time of writing
- 6.4. PDNPA – Archaeology – Advise that the primary interest and significance of the site is in the architectural and historic interest of the building itself and we have no information or evidence to suggest earlier uses or activity of the site that could be revealed archaeologically. As a result no conditions are recommended if the application was to be approved.
- 6.5. PDNPA – Conservation – Supports approval subject to conditions requiring agreement of window details, that the new WC door to match the existing door, that details of the soil vent pipe be agreed, that external lighting be agreed, and that any structural works to the building are agreed prior to undertaking them.

7. Representations

- 7.1. None received at time of writing.

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. Part 12 of the National Planning Policy Framework deals with conserving and enhancing the historic environment.
- 8.5. Amongst other things, paragraph 132 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. It notes that the more important the asset, the greater the weight should be. It also advises that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting and that as heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.
- 8.6. Paragraph 134 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Development Plan policies

- 8.7. 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.
- 8.8. 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.
- 8.9. 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.
- 8.10. Policy L3 requires that development must conserve and where appropriate enhance heritage assets.
- 8.11. Policy HC4 states that the provision or improvement of community facilities and services will be encouraged within settlements listed in core policy DS1, or on their edges if no suitable site is available within. It goes on to state that elsewhere, proposals to provide community facilities and services involving a change of use of traditional buildings or a replacement building which achieves enhancement, will be encouraged.
- 8.12. 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.
- 8.13. Listed buildings are addressed by policy LC6, which states that any applications for development must clearly demonstrate how the building will be preserved and enhanced and why the development is desirable or necessary.
- 8.14. Policy LC21 states, amongst other things, that development that prevents a risk of pollution or disturbance that could adversely affect water supply, groundwater resources, or the water environment will not be permitted unless adequate measures to control emissions within acceptable limits are put in place.

Relevant Core Strategy (CS) policies: GSP1, GSP3, L1, L3

Relevant Local Plan (LP) policies: LC4, LC6

9. **Assessment**

Principle

- 9.1. The development does not represent a change of use of the building, but would improve its versatility as a community facility. Planning policy does support the improvement of community facilities, particularly those in traditional buildings and the proposal is therefore welcomed in principle.

Impact of the works on the appearance and setting of the listed building and wider landscape

- 9.2. The external works to the building itself are limited to re-opening a former window. This would result in an improvement to the appearance of the building and restore a historic feature. However, there is insufficient information of how the new window would be detailed. The application notes that the new window would be to match the window above, but sufficiently detailed plans of frame profiles and mouldings for neither have been provided. It is therefore recommended that if permission is granted details of the window design are reserved by condition.
- 9.3. The installation of the drainage equipment in the car park and associated ground works would have a very limited visual impact once completed; the only evidence of the development would be visible inspection chamber covers at ground level, and a new grass verge at the rear of the car park to act as a soakaway for the treatment plant. These would have a less than significant impact on the setting of the listed building or wider landscape.
- 9.4. The provision of any new external lighting has the potential to impact on the character and appearance of the building and the wider rural landscape too, and so it is recommended that details of this should be reserved by condition.
- 9.5. It is also recommended that the details and position of any soil vent pipe are reserved to ensure its design and position conserve the buildings appearance.

Amenity

- 9.6. The development would not change the relationship of the property to the adjacent house, which is the only nearby neighbour. The use of the building would also remain the same, and it is not considered likely that the proposal would result in any significant changes to noise or disturbance to this neighbour.

Highway Considerations

- 9.7. Once the installation of the drainage works are complete the disturbed area of the carpark will be reinstated, with only a minor reduction in parking area due to the provision of a soakaway at the back of the site. There would be no change to the site access arrangements.
- 9.8. On this basis the development would not result in any significant adverse highway impacts.

Pollution

- 9.9. The application proposes the installation of a package treatment plant beneath the car park to serve the new WC and kitchen. An acceptable specification for this has been provided (the precise details of effluent discharge are covered by other legislation separate from the planning system). However, the submitted plans refer to this as a septic tank. This would not

be acceptable, as it would result in a higher level of groundwater pollution than a package treatment plant. National planning guidance is clear that these should only be considered where connection to mains sewerage or a package treatment plant are not feasible when taking into account cost and/or practicability. In this case, there is no evidence that such an exceptional case exists. It is therefore recommended that if permission is granted a condition is imposed to ensure installation of only a package treatment plant and not a septic tank.

Archaeology

- 9.10. Whilst the proposal includes some excavation, the Authority's Archaeologist has advised that there is no evidence of former uses on the site that would warrant the need for any archaeological investigation or recording.

10. Conclusion

- 10.1. Overall the proposed development would have a neutral impact on the appearance of the building and landscape, and would improve its potential use as a community facility. As such the development would comply with 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 conditional approval.

11. Human Rights

- 11.1. None

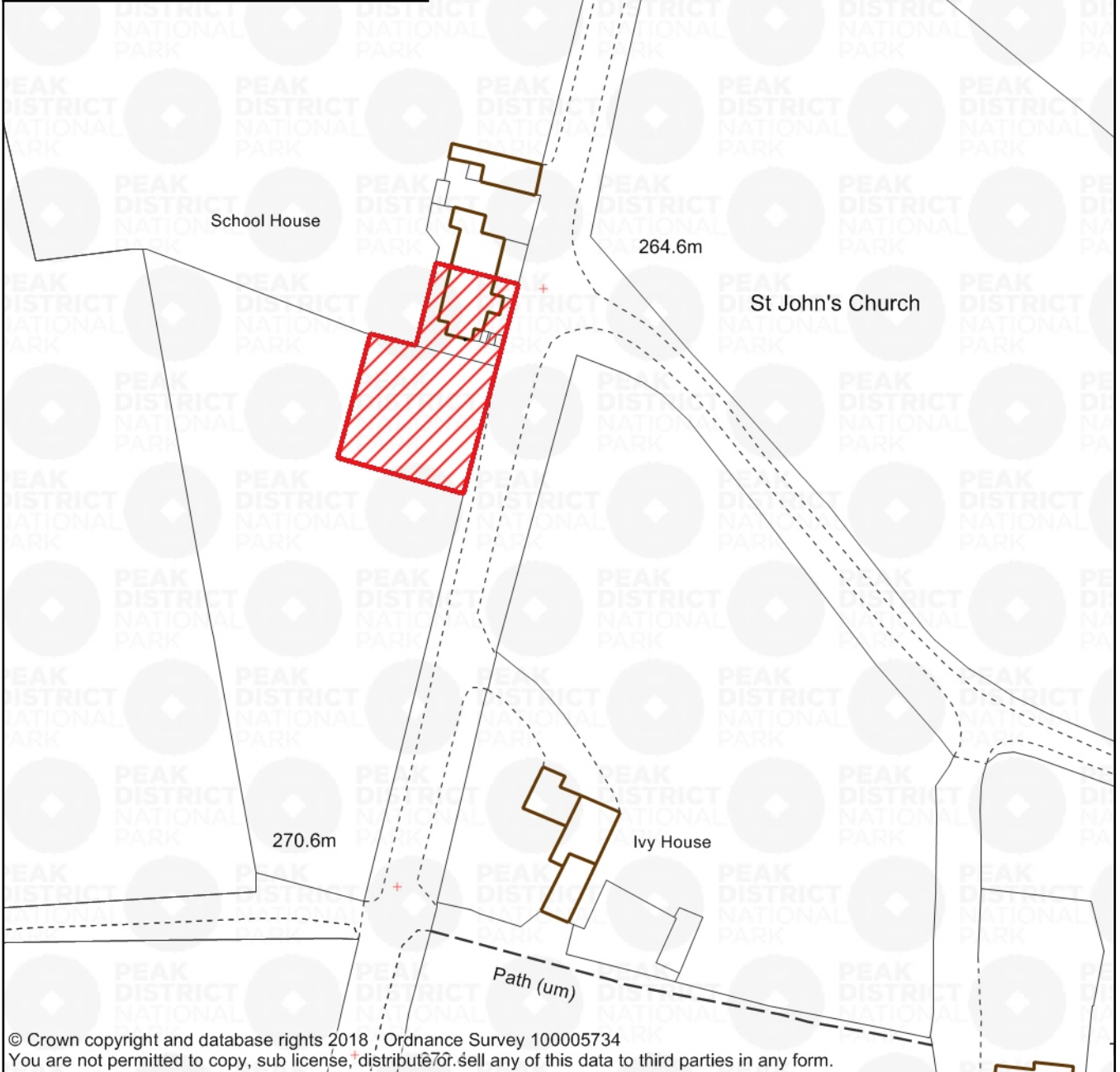
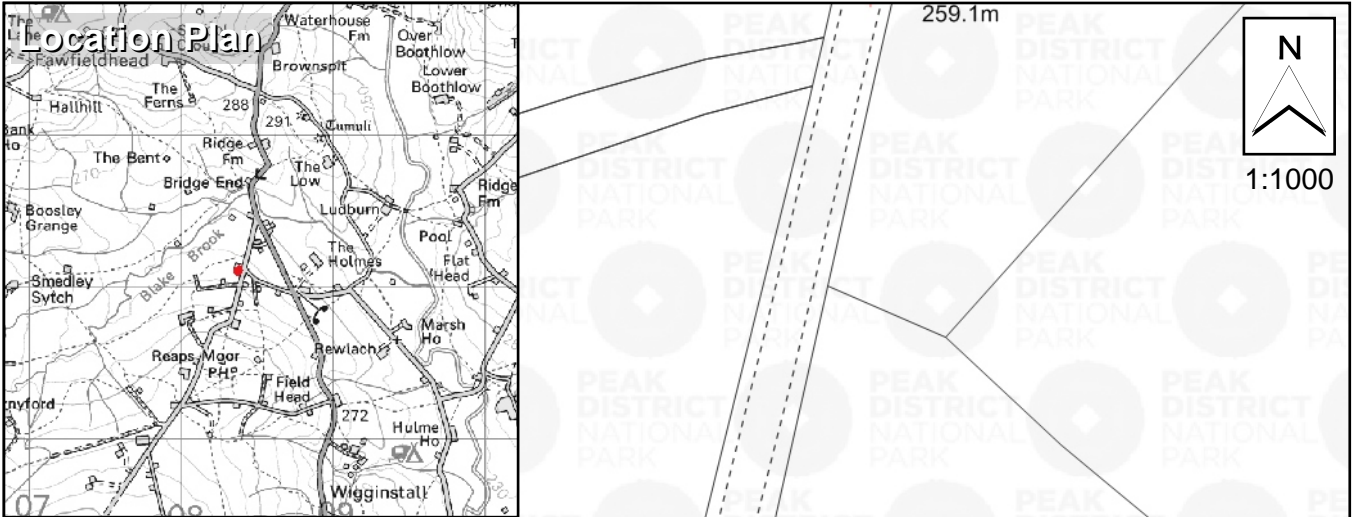
12. List of Background Papers (not previously published)


None

Report Author and Job Title

Mark Nuttall, Senior Planner

This page is intentionally left blank



Committee Date:	11th May 2018	Title: School Room, Moor Lane, Reapsmoor	 PEAK DISTRICT NATIONAL PARK
Item Number:	Item 11 & 12		
Application No:	NP/SM/0318/0164 & NP/SM/0318/0170		
Grid Reference:	408381, 362123		

This page is intentionally left blank

12. LISTED BUILDING CONSENT APPLICATION - INSTALLATION OF W.C FACILITY IN OLD BOILER ROOM, INSTALLATION OF KITCHENETTE IN SCHOOL ROOM AND NEW DOMESTIC PACKAGE TREATMENT PLANT TO BE LOCATED IN ADJACENT CAR PARK TOGETHER WITH ASSOCIATED PIPEWORK. REINSTATEMENT OF WINDOW. SCHOOL ROOM, MOOR ROAD, REAPSMOOR, LONGNOR (NP/SM/0318/0170 408381 / 362123 P5943 MN 5/3/18)

APPLICANT: MRS TAMMY SHIRLEY ON BEHALF OF PEAK DISTRICT NATIONAL PARK AUTHORITY

1. Site and Surroundings

- 1.1. The School Room is a Grade II* listed building located in Reapsmoor, approximately 3.5km south of Longnor village. The first floor of the building is occupied by St Johns Church with the School Room on the ground floor. Ivy Cottage (the original school house) is also attached to the property but does not form part of the current application and is in separate residential occupation.
- 1.2. The two storey building was built in 1842. It has a blue clay tiled roof with verge parapets, the walls are constructed from coursed limestone. There is a flat roofed single storey porch to the front elevation and stone steps which lead up to the first floor entrance to the church.
- 1.3. The site car park is located immediately south of the building, accessed from the highway that runs north to south past the eastern edge of the site.
- 1.4. The site is outside of any designated conservation area.

2. Proposal

- 2.1. Listed Building Consent for the installation of a W.C facility in the property's old boiler room and a kitchenette in school room. This work includes the installation of a new package treatment plant, provision of pipework, and works to internal floors and walls. The reinstatement of a ground floor window is also proposed, as is minor alteration to the car park layout (the latter not requiring listed building consent).

3. RECOMMENDATION

That the application be APPROVED subject to the following conditions:

- 1. 3 year time limit**
- 2. In accordance with the submitted plan and schedule of works**
- 3. Detailed design of new window to be agreed**
- 4. New door to WC to match the existing**
- 5. Details of any structural works to the building to be agreed**
- 6. Position and design of soil vent pipe to be agreed**
- 7. Scheme of external lighting to be agreed**

4. Key Issues

- The impact of the development on the significance of the listed building and its setting.

5. Relevant Planning History

- 5.1. 2013 – Listed building consent granted for replacement windows.

6. Consultations

- 6.1. Staffordshire Moorlands District Council – No response at time of writing
- 6.2. Staffordshire County Surveyor – No response at time of writing
- 6.3. Fawfieldhead Parish Council – No response at time of writing
- 6.4. PDNPA – Archaeology – Advise that the primary interest and significance of the site is in the architectural and historic interest of the building itself and we have no information or evidence to suggest earlier uses or activity of the site that could be revealed archaeologically. As a result no conditions are recommended if the application was to be approved.
- 6.5. PDNPA – Conservation – Supports approval subject to conditions requiring agreement of window details, that the new WC door to match the existing door, that details of the soil vent pipe be agreed, that external lighting be agreed, and that any structural works to the building are agreed prior to undertaking them.

7. Representations

- 7.1. None received at time of writing.

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. Part 12 of the National Planning Policy Framework deals with conserving and enhancing the historic environment.
- 8.5. Amongst other things, paragraph 132 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. It notes that the more important the asset, the greater the weight should be. It also advises that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting and that as heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.
- 8.6. Paragraph 134 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Development Plan policies

- 8.7. 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.
- 8.8. 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.
- 8.9. 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.
- 8.10. Policy L3 requires that development must conserve and where appropriate enhance heritage assets.

- 8.11. Policy HC4 states that the provision or improvement of community facilities and services will be encouraged within settlements listed in core policy DS1, or on their edges if no suitable site is available within. It goes on to state that elsewhere, proposals to provide community facilities and services involving a change of use of traditional buildings or a replacement building which achieves enhancement, will be encouraged.
- 8.12. 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.
- 8.13. Listed buildings are addressed by policy LC6, which states that any applications for development must clearly demonstrate how the building will be preserved and enhanced and why the development is desirable or necessary.
- 8.14. Policy LC21 states, amongst other things, that development that prevents a risk of pollution or disturbance that could adversely affect water supply, groundwater resources, or the water environment will not be permitted unless adequate measures to control emissions within acceptable limits are put in place.

Legislation

- 8.15. Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 sets out a duty for the Local Planning Authority to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Relevant Core Strategy (CS) policies: GSP1, GSP3, L1, L3

Relevant Local Plan (LP) policies: LC4, LC6

9. Assessment

Impact of the works on the listed building and its setting

- 9.1. The external works to the building itself are limited to re-opening a former window. In principle this would result in an improvement to the appearance of the building and restore a historic feature. However, there is insufficient information of how the new window would be detailed. The application notes that the new window would be to match the window above, but sufficiently detailed plans of frame profiles and mouldings for neither have been provided. It is therefore recommended that if permission is granted details of the window design are reserved by condition.
- 9.2. The installation of the drainage equipment in the car park and associated ground works would not require listed building consent.
- 9.3. Internally, the works are relatively minor, re-using existing rooms and openings. The Authority's Conservation Officer has recommended that some details are secured by condition, including requiring the new door to the WC to match the existing.
- 9.4. The application notes that some structural works to the walls may be required as a result of insulating the floors and installing pipework. As these have the potential to alter historic fabric and significance it is recommended that details are reserved so that appropriate works can be agreed once there is a clearer indication of precisely what is considered to be necessary in this regard.

- 9.5. The provision of any new external lighting has the potential to impact on the character and appearance of the building too, and so it is also recommended that details of this should be reserved by condition.
- 9.6. It is also recommended that the details and position of any soil vent pipe are reserved to ensure its design and position conserve the buildings appearance.

10. Conclusion

- 10.1. Overall, and subject to conditions, the proposed development would have a neutral impact on the appearance of the Listed building and landscape, and would improve its potential use as a community facility. As such the development would comply with 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 conditional approval.

11. Human Rights

- 11.1. None

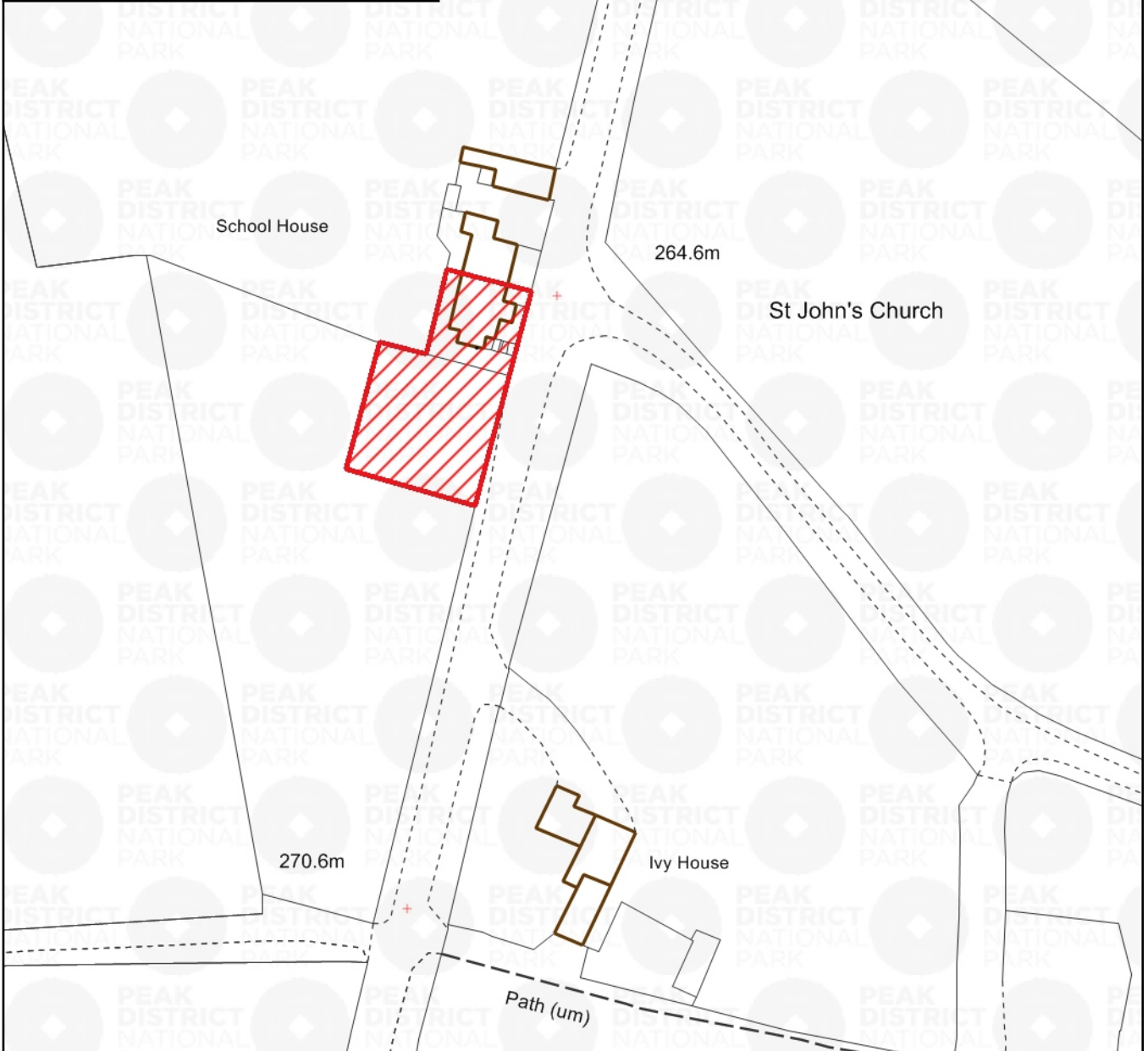
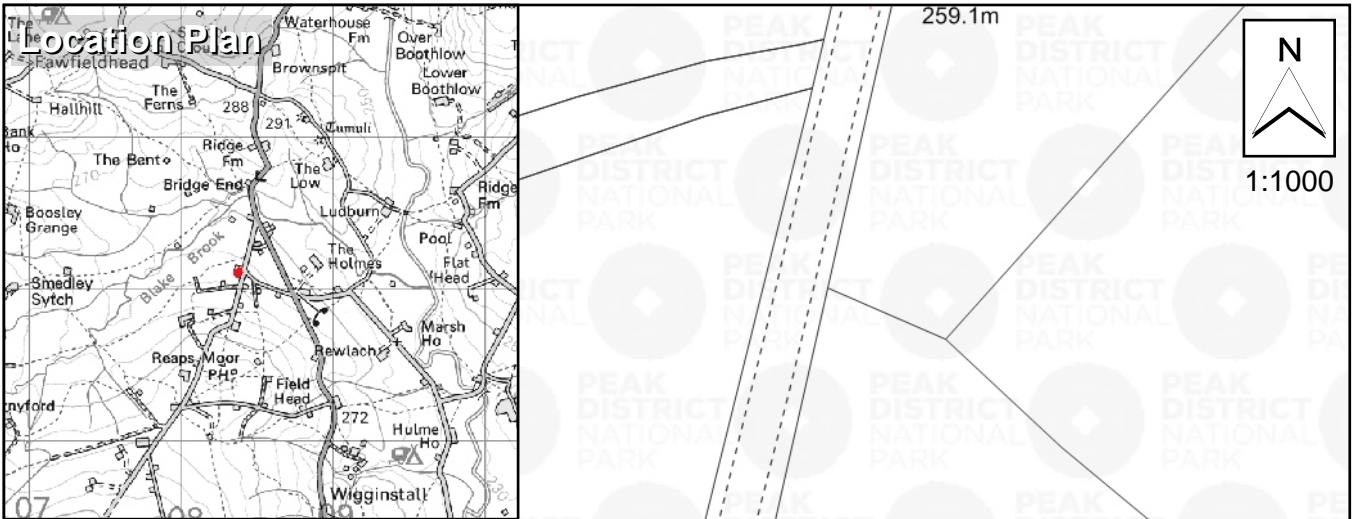
12. List of Background Papers (not previously published)

None


Report Author and Job Title

Mark Nuttall, Senior Planner

This page is intentionally left blank



© Crown copyright and database rights 2018, Ordnance Survey 100005734
 You are not permitted to copy, sub license, distribute or sell any of this data to third parties in any form.

Committee Date:	11th May 2018	Title: School Room, Moor Lane, Reapsmoor	 PEAK DISTRICT NATIONAL PARK
Item Number:	Item 11 & 12		
Application No:	NP/SM/0318/0164 & NP/SM/0318/0170		
Grid Reference:	408381, 362123		

This page is intentionally left blank

13. MINERALS TEAM REVIEW 2017-18

1. Purpose of Report

To report on activity and performance for 2017-18

2. RECOMMENDATION

To note the report

3. How does this contribute to our policies and legal obligations

3.1. By implementing PDNP policies and statutory responsibilities for Minerals & Waste planning.

4. Background Information

Introduction

4.1. This report summarises the work of the Minerals and Waste Team over the year 2017-18.

4.2. The Team deals with planning applications, enforcement and policy work for minerals and waste in the National Park. Also, due to the on-going nature of minerals sites, a program of regular monitoring for every site is undertaken and forms a significant part of the team's workload. Managing waste disposal is an important but relatively minor part of the Team's workload.

Applications

4.3. Minerals and waste applications, particularly for new development or extensions or increasing capacity at existing sites, can be large and complex, often requiring Environmental Impact Assessment (EIA). Nevertheless, the same targets for decision apply as for other planning applications, which are: 16 weeks for applications accompanied by EIA, 13 weeks for major applications and 8 weeks for minor applications. However we may also agree a longer period with the applicant, and in most cases where we are not able to determine within the target time, applicants agree to a longer period. We have met government targets for percentage of applications determined within the above timescales, or have formally agreed a longer period for decisions.

4.4. Between April 2017 and March 2018 the Team has received 11 planning applications:

- 7 were applications to discharge or partly discharge conditions on existing permissions
- 1 was a prior notification required under the General Permitted Development Order
- 2 applications are application type Minerals
- 1 was a GDO notification

Between April 2017 and March 2018 the Team has determined 8 applications:

- 8 were granted or the condition was discharged or partially discharged
- All of the decisions were delegated
- 1 application was withdrawn in 2018 (which had been received in 2016).

4.5. No Minerals Appeals have been made or decided within the year.

- 4.6. Mineral planning permissions often include many planning conditions to control the complicated and varied aspects of the development over several decades. Permissions commonly require the discharge of several planning conditions at several different times to determine detailed aspects of the development.
- 4.7. Through site monitoring we have a good working relationship with the owners and/or operators of most sites in the National Park. As a result of our continued monitoring we have good opportunities to influence proposals from their earliest stages and this is why most proposals are granted planning permission. Less acceptable proposals are less likely to become formal applications or appeals

Monitoring

- 4.8. In recognition of the on-going nature of minerals and waste permissions and the need for regular monitoring in the interests of amenity and the environment, there is a statutory basis for charging for carrying out site inspections at mineral and waste sites.
- 4.9. We collect data for monitoring for each financial year. For the period 01 April 2017 to 31 March 2018, the Team conducted 59 visits to consented mineral and waste sites. Of these visits, 50 were formally chargeable, with 49 chargeable visits at those facilities classed as 'active' sites, and 1 to a non active site. Up until 17th January 2018 we could charge £331 per active site visit, and £110 per non active site, however, following the revision of the Fee Regulations these changed to £397 and £132 respectively. The total amount invoiced for the year will be £17,055, which is the highest recorded.
- 4.10. This increase reflects a sharpened focus on those sites which are in particularly sensitive/high activity phases and those which generate the greatest compliance issues. Our aspiration is to: monitor all sites annually review the number of monitoring visits necessary for each site per year (up to a total of 8 per year as allowed by the Regulations), increase monitoring at some sites and recoup our monitoring costs through charging, as far as possible.
- 4.11. The Team also carried out a number of site visits which were not charged for, for example if conditions were not monitored, if the visit was part of pre-application discussions, if it was undertaken in the course of learning and development work, or visits to sites without the benefit of planning permission

Enforcement

- 4.12. The Team deal with general enquiries about stand-alone breaches of planning control, and also breaches of conditions at permitted sites.
- 4.13. In the period 01 April 2017 until 31 March 2018, we dealt with around 35 enquiries. Of these 16 are recorded as responded to and closed, while a number remain under investigation.
- 4.14. Many of these relate to small to medium scale deposits of waste or relate to breaches of conditions at existing operations. In line with government guidance, we initially aim to resolve all but the most serious breaches of planning control through negotiation and in the majority of cases this is a quick and successful way to address problems.
- 4.15. In some very serious cases where harm is likely to be great or irreversible, or where negotiation has not been successful in resolving breaches, our recourse is to formal enforcement action. Between April 2017 and March 2018 the team has served 1 Enforcement Notice, 0 Stop Notices, 0 Temporary Stop Notices and 2 Revocation Orders. These are summarised below:

Notice Type	Location	Development Concerned	Date Served
Enforcement	Moss Rake East Quarry	Breach of conditions 5 & 24	22 Dec 2017
Revocation	New Pilhough Quarry	Revocation	1 Aug 2017
Revocation	Stanton Moor Quarry	Revocation	1 Aug 2017

4.16. A Prohibition Order made at Parsley Hay (Vincent House Silica Pits) last year was confirmed by the Secretary of State on 7th June 2017

Policy

4.17. The Team have also been responsible for drafting Development Management Policies for minerals and waste, in partnership with the Policy Service who lead on the timetable for agreeing the policies. The most recent consultation documents can be found here: <http://www.peakdistrict.gov.uk/planning/how-we-work/policies-and-guides>

4.18. In addition to the Authority's own mineral policy work, the Team also contribute to a joint Local Aggregate Assessment with Derbyshire County Council. This document sets out the changing trends in demand and supply of aggregate in Derbyshire. Derbyshire County Council is very supportive of the Authority's implementation of government policy for the reduction of supply of mineral from National Parks. As sites in the National Park cease operations, the demand for aggregates and other minerals will be increasingly met by the permitted reserves in Derbyshire outside the National Park. The report can be found here: <https://www.derbyshire.gov.uk/site-elements/documents/pdf/environment/planning/planning-policy/minerals-waste-development-framework/minerals-plan/local-aggregates-assessment-laa.pdf>

4.19. The Team also engage in the Aggregate Working Party. This is a regional working group through which each Mineral Planning Authority carries out a survey of operators to establish sales and reserves to ensure that the forthcoming need for minerals in the region and in wider markets are met. The annual report and previous published reports can be viewed here: <https://www.gov.uk/government/collections/aggregates-working-parties-annual-reports>

4.20. Nicola Howarth, Mineral Planner, prepared the Authority's response to the government consultation on 'planning advice on fracking'. As a result of this representation we have been asked to appear at the Housing, Communities and Local Government Select Committee in relation to the government's preparation of planning advice in relation to fracking.

Liaison and Influence

4.21. The Team has regular liaison with both with site operators and local communities. There have been strategy/liason meetings with the operators at Hope & Stanton Moor to address technical issues on their sites. There have also been meetings with local forums or Liaison Committees at Hope, Stanton Moor, Tunstead and Topley Pike to address their questions or concerns.

4.22. The Team comments on minerals and waste applications to minerals authorities which might have a significant impact on the National Park. In the past year there has been liaison with surrounding Minerals & Waste Authorities on 5 of such minerals applications.

Restoration and Conservation

4.23. The work of the Team creates opportunities both for the restoration of previously worked quarrying sites, but also for the improvements to the landscape plus conservation of species and habitats. This can require supervision of many years of 'aftercare'. With expert input from

the National Park Ecologists and Landscape specialists, major progress has been made for example in landscape improvements at Hope, hay meadow translocation at 'Once a Week' Quarry and ecological improvements on Stanton Moor.

- 4.24. Control of minerals extraction has allowed protection of cultural heritage such as the Scheduled Monument at Stanton Moor. Management of minerals consents to allow availability of locally quarried material extraction allows the sympathetic conservation of historic buildings along with extensions and 'new build' which retain local character. For example continued but limited extraction at Burntwood quarry allows for ongoing and appropriate conservation work to buildings on the Chatsworth Estate, while limited extraction at Birchover quarry allows building to continue in the vernacular style and with traditional building stone, within the National Park.

Staff Resources

- 4.25. Staff resources have dropped temporarily by 22%. There is a member of staff on a 12 month leave of absence, and the Minerals Team Manager is currently unfilled. The management of the team has until recently been carried out by an agency member of staff but this has now come to an end. There is a need to fill this post permanently as soon as possible.

5. Conclusion

- 5.1. Despite pressure on staff resources during the year, significant progress has been made, both in general, and in particular on several problematic mineral sites.

6. Human Rights

- 6.1. No issues arising from this report

7. List of Background Papers (not previously published)

None

Report Author and Job Title

Graeme Law, Minerals Team Manager – Contractor, 3 May 2018.

14. ANNUAL REPORT ON PLANNING APPEALS 2017/18 (A.1536/AM/JRS/KH)

Purpose of Report

This report summarises the work carried out on planning appeals from 1 April 2017 to 31 March 2018.

Information on Appeals Process

In this period 22 new appeals were received, of which 3 were still in hand as of the 1 April. During the year 23 appeals were decided and 3 were withdrawn.

Of the total new appeals:

- 12 - followed the written representation procedure
- 8 - followed the householder appeals procedure
- 2 - followed the public inquiry procedure (LDC & Enforcement Appeal)

Outcome of Appeals

The chart below shows the outcome of appeals over the last five years. The percentage of appeals dismissed in the year 2017/18, at 59% is lower than the previous year, although the context for this is analysed in more detail below.

	2017/18	2016/17	2105/16	2014/15	2013/14	2012/13
DECISIONS	23	41	29	35	33	38
Allowed	9.5 41%	14 34%	7 24%	15 43%	11 33%	10 26%
Dismissed	13.5 59%	27 66%	22 76%	20 57%	22 67%	28 74%

The national average for appeals allowed (according to the figures from the Planning Inspectorate up to the end of December) for 2017/18 was 32% for householder appeals and 31% for all other appeals excluding householder.

Of the 9.5 appeals allowed during this period, 6 (63%) were dealt with by written representations, 2.5 (26%) by the Householder procedure and procedure and 1 (11%) by the informal hearing process.

Enforcement

During the period 1 new enforcement appeal was handled and dismissed by the Public Inquiry Procedure.

Householder Appeals

In the year to 31 March 2018, 8 new householder appeals were submitted. Of these, 5.5 (69%) were dismissed, and 2.5 (31%) were allowed.

List of Appeals Allowed

Each appeal decision, whether allowed or dismissed, has been reported to Committee during the year. The following is a list of all the appeals which were allowed or partially allowed during 2017/2018.

Appeal Site	Development subject to appeal	Mode of appeal	Decision date	Delegated/committee	Main issue
3156948 Riverside Business Park, Buxton Road, Bakewell	Removal of Condition 3 from the planning permission granted in 2016 for a new access road to the business park	Informal Hearing	22/06/17	Committee	Whether the disputed condition was reasonable and necessary in the interests of highway safety and the character and appearance of the area, including its enjoyment by residents and visitors
3170548 The Moon Inn, Stoney Middleton	Retrospective planning approval for replacement shed in garden of public house	Written Representations	27/06/17	Delegated	Whether the development would preserve or enhance the character or appearance of the Conservation Area
3170901 Turnpike House, Kettleshulme	Erection of wooden feather board landscaping fence within the boundary of the property	Written Representations	29/06/17	Committee	Whether the proposal would preserve or enhance the character or appearance of the Conservation Area and whether the proposal would affect the living conditions of the occupiers of Side End Cottage with regard to the ability to maintain that property

3173151 Horseshoe Cottage, Back Lane, Alstonefield	Erection of a store	Written Representations	20/07/17	Committee	The effect of the proposed development on the character and appearance of the existing cottage and its setting, and the surrounding landscape
3171518 Cliffe House Farm, Loxley Road, Sheffield	Erection of an agricultural building	Written Representations	28/07/17	Committee	The effect of the proposal on the character and landscape setting of the area. Whether the proposal would preserve the setting of the nearby listed building
3166812 Station House, Upper Padley, Grindleford	Conversion of part of outbuilding to holiday let and leave part as ancillary accommodation	Written Representations	21/09/17	Delegated	Effect of the development on i) the character and appearance of the host building and the wider area and ii) the water supply, groundwater resources and the water environment (part allowed)
3175372 Bank House, Main Road, Hathersage	Change of use from A2 to A3 from former bank to restaurant	Written Representations	04/10/17	Committee	The effect of the proposed development on the living conditions of nearby residents with regards to odour, noise, disturbance and privacy as well as

					heritage assets
3182213 Rushup Cottage Far, Rushup Lane, Chapel-en-le- Frith	Porch extension to rear of detached dwelling	Householder	20/10/17	Delegated	Effect of the proposal on the character and appearance of the host dwelling
3182026 24 Hernstone Lane, Peak Forest	Drop shared western boundary wall and a footway crossing/dropped kerb to allow vehicular access to the property	Householder	27/10/17	Delegated	Effect of the proposal on highway safety (part allowed)
3179328 Aston Grange, Oker Road, Oker, Matlock	Alterations and extensions to create bedsit and ground floor shower room for disabled resident	Householder	07/11/17	Delegated	Effect of the development on the character and appearance of the area
3161980 Land adjacent to the North of Brown Lane, Flash, Quarnford	Enforcement regarding material change of use of the land to a use for storage, handling and processing of wood	Written Representations	15/02/18	Delegated	Allowed in part. Enf. Notice upheld with variations

Delegation / Planning Committee

Total number of planning applications decided between 1 April 2017 and 31 March 2018 was 1110 of which 731 (66%) were determined under delegated powers.

Of the 23 appeals decided:

- 16 (70%) related to applications determined under delegated powers. Of these 11.5 were dismissed and 4.5 were allowed
- 7 (30%) appeals were determined by Planning Committee. Of these 2 were dismissed and 5 were allowed

Comment

The percentage of appeals allowed against the Authority's decisions in 2017/18 was higher than last year, at 41% rather than 34%. However, this includes two appeals which is where the decision followed the Authority's position in one case (an enforcement notice was varied but otherwise met the Authority's expectations (Brown Lane, Flash), and in the other an appeal at Hernstone Lane, Peak Forest was allowed in part, but the element which the Authority objected to was dismissed. If these had been recorded as dismissed appeals, then the performance measure would be much more favourable.

Those appeals which have been allowed have been cases where a site specific judgment by the Inspector has been different from that of the Authority. There have been no appeals allowed which were fundamentally contrary to policy or which raised wider policy issues. This is welcome and shows that the Authority's decisions and its policies are generally being supported by the Planning Inspectorate.

Members will be aware of any issues raised by specific appeal decisions (both allowed and dismissed) as the Director of Conservation & Planning sends all members a short analysis of each decision, together with the decision letter itself, when an appeal is determined. Three appeals were allowed this year in cases where Members had overturned the officer recommendation.

There was one appeal for Bank House, Hathersage, where the Inspector had awarded costs against the Authority due to unreasonable behaviour, which had resulted in unnecessary wasted expense for the applicant.

The householder appeal service continues to be a success, allowing a quicker and simpler process and the opportunity for officers to use the delegated report as the essential evidence to defend the appeal. The delegated report template was changed in November 2017 to include as a standard more background on the National Park and the national and local policies specifically relating to the conservation and enhancement of the National Park. As there is no opportunity to provide additional information in householder appeals this ensures that the Inspector always has the policy background clearly set out and can easily understand why in the National Park there is a greater need to conserve and enhance the special qualities of the place. Since the introduction of this template there has been an increase in positive outcomes for householder appeals. To date no problems have occurred with the processing of appeals electronically.

Finally, in March 2018 the Authority received a letter from the Ministry of Housing Communities and Local Government (MHCLG), advising that the Authority may be at risk of designation because of its performance on major appeals in the qualifying period (2015-2017). The "quality" performance measure is that the Authority must not lose more than 10% of major applications on appeal. During this period the Authority lost 2 major appeals in a total of 4 applications. The Director has responded, as requested, to highlight two factors that should be taken into account. Firstly, the figures only show the "District" function, but omitted the higher number of applications

dealt with under the “County” function, as a unitary Authority. Secondly, the overall number of cases is very low so the statistics are not representative of the Authority’s overall performance. The figures for the last 2 year period show the Authority falling within the measure.

Human Rights

The appeals procedure is consistent with human rights legislation.

RECOMMENDATION:

That the report be noted.

Background Papers (not previously published) - None

Appendices – None

Report Author, Job Title and Publication Date

Andrea McCaskie, Head of Law; Jane Newman, Head of Development Management and Karen Harrison, Democratic & Legal Support Assistant

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/1217/1286 3196737	First floor front extension, single storey rear extension, loft conversion and alterations at 3 Lowside Close, Calver	Householder	Delegated
ENF 10/0189 3189366	Unauthorised change of use of land to a mixed use including use as a venue for wedding events, residential use and agriculture at Foxholes Farm, Low Bradfield	Informal hearing	Delegated

2. APPEALS WITHDRAWN

There have been no appeals withdrawn during this month.

3. APPEALS DECIDED

There have been no appeals decided during this month.

.4 RECOMMENDATION:

That the report be received.

This page is intentionally left blank