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Peak District National Park Authority

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



Our Ref: A.1142/2120

Date: 2 May 2019



NOTICE OF MEETING

Meeting: **Planning Committee**

Date: **Friday 10 May 2019**

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 12 April 2019** (*Pages 5 - 22*)
- 3. Urgent Business**
- 4. Members Declarations of Interest**
Members are asked to declare any disclosable pecuniary, personal or prejudicial interests they may have in relation to items on the agenda for this meeting.
- 5. Public Participation**
To note any questions or to receive any statements, representations, deputations and petitions which relate to the published reports on Part A of the Agenda.
- 6. Full Application - Re-Organisation and Upgrade of the Existing 'Rivendale Holiday Park' to Include Demolition of Existing Site Buildings, Construction of Replacement Facilities and Maintenance/Housekeeping Buildings with Provision of Accommodation in the Form of 78 Lodges, 7 Cabins, 3 Field Barns, 25 Pods and 2 Tree Houses at Alsop Rivendale Touring Caravan and Leisure Park, Unnamed Section of A515 from Crosslow Lane to Back Lane, Alsop En Le Dale AMENDED REPORT (NP/DDD/0219/0137, TS) - AMENDED REPORT** (*Pages 23 - 42*)
Site Plan

7. **Retrospective Consent for Change of Use of Agricultural Land, for up to 5 Touring Caravans and Tents, Used Between March and October, and Erection of Amenity Block at Clough Head, The Brund, Sheen (NP/SM/1218/1188) P10835 (Pages 43 - 54)**
Site Plan
8. **Full Application - Change of Use of Barn to Residential, Associated External Alterations, Installation of Package Treatment Plant Works of Hard and Soft Landscaping and Other Incidental Works at Barn at Highfields Farm, Middleton Lane, Stoney Middleton (NP/DDD/0219/0127, AM) (Pages 55 - 66)**
Site Plan
9. **Full Application - Placement of Timber Mobile Poultry Shelter on Land at Rocklands Farm, The Bent, Curbar (NP/DDD/0219/0174, DH) (Pages 67 - 76)**
Site Plan
10. **Local Validation List (JEN) (Pages 77 - 84)**
Annex 1
11. **Annual Report on Planning Appeals 2018/19 (A.1536/AM/JRS/KH) (Pages 85 - 88)**
12. **Head of Law Report - Planning Appeals (A.1536/AMC) (Pages 89 - 90)**

Duration of Meeting

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

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

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

Agendas and reports

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

Background Papers

The Local Government Act 1972 requires that the Authority shall list any unpublished Background Papers necessarily used in the preparation of the Reports. The Background Papers referred to in each report, PART A, excluding those papers that contain Exempt or Confidential Information, PART B, can be inspected by appointment at the National Park Office, Bakewell. Contact Democratic Services on 01629 816200, ext 362/352. E-mail address: democraticservices@peakdistrict.gov.uk.

Public Participation and Other Representations from third parties

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

Written Representations

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

Recording of Meetings

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

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

General Information for Members of the Public Attending Meetings

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

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

To: Members of Planning Committee:

Chair:	Mr P Ancell	
Vice Chair:	Cllr D Birkinshaw	
Cllr J Atkin		Cllr P Brady
Cllr C Carr		Cllr M Chaplin
Cllr D Chapman		Cllr A Hart
Mr R Helliwell		Cllr Mrs C Howe
Cllr H Laws		Cllr A McCloy
Cllr J Macrae		Cllr Mrs K Potter
Cllr Mrs L C Roberts		Mr K Smith

Other invited Members: (May speak but not vote)

Mr Z Hamid	Mr J W Berresford
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Constituent Authorities
Secretary of State for the Environment
Natural England

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MINUTES

Meeting: **Planning Committee**

Date: Friday 12 April 2019 at 10.00 am

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

Chair: Mr P Ancell

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

Apologies for absence: Cllr A Hart.

42/19 MINUTES OF PREVIOUS MEETING

The minutes of the last meeting of the Planning Committee held on 8 March 2019 were approved as a correct record.

43/19 CHAIRS ANNOUNCEMENTS

The Chair announced that this was possibly the last Planning Committee for a number of Members due to local elections, and on behalf of the Authority thanked them for their contribution and wished them well.

44/19 MEMBERS DECLARATIONS OF INTEREST

Item 6

It was noted that all Members had received an email from Mr Sedgewick.

Cllr Kath Potter had received 2 emails from Mr Sedgewick one of them being a response from an MP.

Item 7

It was noted that all Members knew Cllr Gill Heath, who had given notice to speak as a Member of the Authority.

Item 8

It was noted that all Members knew Cllr Tony Favell, who had given notice to speak as a Member of the Authority.

Mr Robert Helliwell declared a personal interest, as he knew the applicant and all the speakers and he regularly attended Edale Church.

Cllr Caroline Howe declared that she had had a telephone call with one of the speakers, Cllr Tony Favell, but had not discussed the detail of the application with him.

Item 9

It was noted that all Members knew Cllr Gill Heath, who had given notice to speak as a Member of the Authority.

Item 11

Mr Robert Helliwell declared a personal interest as he knew the applicant, Mr Ben Garstang.

Item 12

Mr Robert Helliwell declared a personal interest as he knew one of the speakers, Cllr Heather Rogers.

45/19 PUBLIC PARTICIPATION

Twenty three members of the public were present to make representations to the Committee.

46/19 FULL APPLICATION - DEVELOPMENT OF PERMISSIVE PATHS AND A FAMILY MOUNTAIN BIKE TRAIL AT LANGSETT RESERVOIR PLUS PACKAGE OF MITIGATION AT LAND TO THE SOUTH OF LANGSETT RESERVOIR

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

The Planning Officer introduced the report and informed Members on an adjustment to the wording of Condition 18 to read that "An application for Advertisement Consent be submitted at least 12 weeks before the works are desired to be brought into use". Also, in all conditions, where missing, add "and carry out the approved works".

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

- Mr Daniel Brown, Agent

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

Members felt that full consideration of the biodiversity of the landscape had been taken into account by Yorkshire Water, but there was some concern over potential disturbance of nesting birds and conflict between different users of the trail, as well as extra cars that may come into the area, as the site already attracted a huge amount of people.

Officers informed Members that it was in Yorkshire Waters remit to monitor how the trails are used and that there was already a lot of parking provision in the area, and that on some days the National Park does get busy.

The Officer recommendation to approve the application subject to amended conditions, was moved, seconded, voted on and carried.

RESOLVED:

To delegate **APPROVAL** of the application to the Director of Planning subject to the following conditions or modifications. The final wording of which are to be agreed in consultation with Chair and Vice Chair:

1. **Standard time limit**
2. **The development hereby permitted shall not be carried out otherwise than in complete accordance with the amended plans; Application Form, Planning and Design and Access Statement, Report to inform a Habitats Regulations Assessment – Stage 1 Assessment of Likely Significant Effects, Common Sandpiper Assessment, Current Tree Species Map, Felling and Thinning Map Langsett, Bird Assessment Report, Long-eared owl records, Woodland Management Plan, Long Term Forest Plan, Woodland Area Plan, Ecological Appraisal, Landscape and Visual Appraisal, Historic Woodland Assessment, RD1 rev E, RD2 rev E, RD3 rev E, RD4 rev E, RD5 rev E, RD6.1 rev B, RD6.2 rev B, RD6.3 rev B, RD7.1, RD7.2, RD7.3, RD7.4, RD8.1, RD8.2, RD8.3, RD02 rev E, LA03-2, LA03-5, LA02, SA04, LA05, LA01, SA02, SA03, LA03-4, LA03-3, LA03-1, LA03-6,**
3. **No development shall take place until a written method statement for preservation in situ of the heritage assets identified with the Historic Woodland Assessment produced for Yorkshire Water by John Buglass, dated March 2017, has been submitted by the applicant and approved in writing by the National Park Authority. No development work shall then proceed other than in accordance with the approved method statement so as to ensure that relevant remains are safeguard and preserved in situ.**
4. **a) No development shall take place until a Written Scheme of Investigation for a scheme of archaeological works has been submitted to and approved by the National Park Authority in writing, and until any pre-start element of the approved scheme has been completed to the written satisfaction of the National Park Authority. The scheme shall include an assessment of significance and research questions; and**
 1. **The programme and methodology of site investigation and recording;**
 2. **The programme for post investigation assessment;**
 3. **Provision to be made for analysis of the site investigation and recording;**
 4. **Provision to be made for publication and dissemination of the analysis and records of the site investigation;**
 5. **Provision to be made for archive deposition of the analysis and records of the site investigation;**
 6. **Nomination of a competent person or persons/organization undertake the works set out within the Written Scheme of Investigation.**

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- b) No development shall take place other than in accordance with the archaeological Written Scheme of Investigation approved under condition (a).
- c) Within a period of 12 weeks from completion of the development the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological Written Scheme of Investigation approved under condition (a) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.
5. No works or development shall take place until full details of landscape scheme proposals have been submitted to and approved by PDNPA. These details shall include, as appropriate:
- Planting plans (location of planting) & specifications (including operations associated with tree establishment).
 - Planting schedules, noting species, planting sizes and proposed numbers / densities where appropriate.
 - Locations and specifications of flow control measures ('leaky dams' etc).
6. Prior to the start of construction, a Construction Environmental Management Plan shall submitted to the National Park authority for approval in writing to avoid damage to sensitive habitats on and adjacent to the site. This shall set out:
- Risk assessment of potentially damaging construction activities.
 - Identification of any biodiversity protection zones
 - Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction.
 - Measures to prevent pollutants and sediment entering the watercourses located on the site and Langsett Reservoir itself
 - Details of materials/chemical storage to ensure that materials are stored in a suitable manner as to avoid potential impacts on vegetation, watercourses and waterbodies on site and adjacent to the site, including Langsett Reservoir itself.
 - The times during construction when specialist ecological supervision (Ecological clerk of Works) needs to be present on site to oversee works (bird nesting season, fingertip search for reptiles etc.).
 - The responsibilities of the Ecological Clerk of Works during pre-clearance and construction (including checks for protected and notable species).
 - The location and timing of sensitive works to avoid harm to biodiversity features.
 - The use of protective fences, exclusion barriers and warning signs. The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the PDNPA.
7. Construction works shall be in daylight hours only and no lighting shall be erected in the woodland.
8. Vegetation clearance shall be completed outside the main breeding bird season (spanning from March to September inclusive). Any construction works during this period shall be checked for nesting birds by a suitability

qualified ecologist. If nesting birds are found to be present, these areas shall be left undisturbed until the young have fledged.

9. Prior to removal, trees to be removed shall be assessed for their significance, and any bird and bat potential and details submitted to the National Park Authority for approval in writing.
10. Prior to the start of the construction works, the location of fencing, tree planting and wetland areas shall be agreed on site with the National Park Authority.
11. During construction works on the ground, the route shall avoid heathland habitats. Where loss cannot be avoided during path construction work, extra heathland habitat shall be created by the clearance of areas of regenerating birch to the west of the track, where limited areas of dry dwarf shrub heath and wet dwarf shrub heath have already developed since the removal of previous forestry plantation.
12. Prior to the track being brought into use, a woodland management plan shall be submitted to the National Park Authority for approval including measures for the promotion of habitat suitable for Nightjar and other key species. The measures set out shall be implemented unless otherwise approved in writing by the PDNPA.
13. Prior to the track being brought into use, a scheme for the monitoring and mitigation of Common Sandpiper shall be submitted to the National Park Authority for approval and shall be implemented as approved.
14. The path shall be designated for daylight hours use only and no lighting shall be erected along the route.
15. Signage for dogs to be kept on a lead at all times shall be erected at key locations along the footpath, as shown on the approved plans, with enforcement during the bird breeding period.
16. Prior to the development being brought into use, the 5ha area of habitat creation for nightjars, other ground nesting birds and heathland creation shown on Figure 15 B shall be created as indicated in the approved plans.
17. Prior to the surfacing material of the tracks being laid, material samples of the surfacing materials shall be submitted to the National Park Authority for approval in writing. Development shall take place in accordance with these approved details.
18. An application for Advertisement Consent be submitted at least 12 weeks before the works are desired to be brought into use.
19. Prior to construction of the proposed bike trails, where they pass close to existing public footpaths, details shall have been submitted to and approved in writing by the National Park Authority of measures to be implemented ensuring no miss-use of existing public footpaths by cyclists. The above-mentioned approved measures shall be implemented in tandem with construction of the bike trails.

20. Prior to the bike trails being brought into use, a scheme shall be submitted to the National Park Authority for approval including measures to manage different groups using the multi-use trail. The scheme shall be implemented as approved.

21. Prior to the bike trails being brought into use a travel and traffic management plan shall be submitted to the National Park Authority for approval, including measures to manage parking and encourage public transport use. The scheme shall be implemented as approved.

The meeting adjourned at 11.10 for a short break and reconvened at 11.15

47/19 FULL APPLICATION - ERECTION OF AN AGRICULTURAL WORKERS DWELLING AT HIGHER FORD WETLEY FARM, FORD WETLEY, FORD

The Planning Officer introduced the report and reminded Members that this item had been deferred from the Planning Committee in October 2018, to allow for further discussions with the applicant to look at other possible alternatives for an agricultural workers dwelling. Amended plans had been provided with design modifications for a slightly smaller, although still substantial family home, and although the financial tests had now been addressed, the need for a dwelling had not.

The following spoke under the Public Participation at Meetings Scheme:

- Mr Ken Wainman, Agent
- Mr Robert Watkins, Supporter – wasn't present at the meeting, but a statement was read out on his behalf
- Miss Catherine Alcock, Supporter
- Ms Caroline Turnock, Supporter
- Cllr Gill Heath, Supporter

Although Members were broadly supportive of the need for additional accommodation, they considered that there were other ways to supply accommodation on the site without a new build in the open countryside.

The Officer recommendation to refuse was moved and seconded.

The Officer reported that there was a suitable building on site that could be converted to a dwelling, which was currently used for storage and lambing, which would appear to be a potential solution to the applicant's accommodation needs, but the applicant was unwilling to pursue the conversion of the barn as an alternative to constructing a new dwelling.

The Officer recommendation to refuse the application was voted on and carried.

RESOLVED:

To REFUSE the application for the following reason:

- 1. An essential functional need for a second agricultural workers dwelling on the site has not been demonstrated, contrary to policy HC2 and LC12 of the Development Plan and the guidance contained within the National Planning Policy Framework.**

48/19 FULL APPLICATION - EXTENSION TO PROVIDE TOILET AND ALTERATIONS TO PORCH TO CREATE DISABLED ACCESS AT HOLY TRINITY CHURCH, EDALE

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

The Planning Officer introduced the report, and set out that although there was a clear need for better toilet facilities, this proposal harmed the significance of the Grade II listed church. The Officer read out the Conservation Officers objections and explained extensive pre-application discussions had concluded in advice to the applicants that a toilet in the south porch was not the solution, and that the north side of the church would be less harmful and a better option.

The following spoke under the Public Participation at Meetings Scheme:

- Rev. Simon Cocksedge, Applicant
- Ms Naomi Compton, Supporter
- Mr Mark Parsons, Supporter
- Cllr Tony Favell, Supporter

Members appreciated the dilemma of the Conservation Officer but considered that what was proposed was more practical, and that any harm would be outweighed by public benefit, and that the proposal could be supported with appropriate conditions.

A motion to approve the application contrary to Officer recommendation and subject to conditions, was moved and seconded.

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

RESOLVED:

To APPROVE the application contrary to the Officer Recommendation subject to the following conditions:

- 1. 3 year time limit**
- 2. Implementation in accordance with specified approved plans**
- 3. Agree precise architectural details, minor design issues**
- 4. Natural York stone flags be used for the platform and natural gritstone for edging of paths**
- 5. Submit and agree precise details of door design prior to installation.**
- 6. Submit and agree a written scheme for Archaeological building recording and implementation prior to commencement of works**

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

The meeting was adjourned at 13:05 for a lunch break and reconvened at 13:35.

Cllr Harold Laws and Cllr Jason Atkin left the meeting and did not return following the lunch break.

Present:- Mr P Ancell, Chair

Cllr D Birkinshaw, Cllr P Brady, Cllr C Carr, Cllr M Chaplin,
Cllr D Chapman, Mr R Helliwell, Cllr C Howe, Cllr A McCloy,
Cllr J Macrae, Cllr K Potter, Mr K Smith

49/19 FULL APPLICATION - CHANGE OF USE OF AGRICULTURAL LAND FOR PROPOSED CAMPING PODS, SHOWER BLOCK, ACCESS WITH BRIDGE OVER WARSLOW BROOK AT FURLONG FARM, UPPER ELKSTONES, WARSLOW

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

The Planning Officer introduced the report and updated Members that the application had been revised reducing the number of pods to 4 from 6 and omitted the amenity block. The Officer also informed members that there would also be an impact on the landscape as a new bridge and access track would have to be built as well as visibility splays on the highway.

The following spoke under the Public Participation at Meetings Scheme:

- Cllr Gill Heath, Supporter
- Ms Abigail Evans, on behalf of the applicant, Supporter

Members were concerned about the size of the pods, the visual impact of the road, and that the logistics of getting on and off the site from the highway could be problematical.

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 permanence, size, and design of the pods means that their potential impacts would be comparable to siting chalets or lodges on the land, which policy RT3(B) states will not be permitted.**
- 2. Due to the siting of the camping pods in open countryside, outside of woodland, and due to the position and appearance of the access track, the development would harm the rural character and appearance of the landscape, contrary to policies L1, LC4.**
- 3. Insufficient information has been submitted to establish whether the development would conserve the ecological interests of the site, contrary to policies L2 and LC17.**
- 4. Insufficient information has been submitted to establish whether the development would conserve tree interests within and adjacent to the site, contrary to policy LC20.**
- 5. Due to sub-standard exit visibility from the site access, and due to a lack of information regarding access track construction, the application fails to**

demonstrate that the development would be served by safe access arrangements, contrary to policy LT18.

- 6. Insufficient information has been submitted to establish whether the development would result in an increase in flood risk, contrary to policies CC5 and LC22.**

50/19 FULL APPLICATION - CONVERSION OF BARN TO LOCAL NEEDS DWELLING AT LEACH BARN, LEADMILL, HATHERSAGE

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

The Planning Officer introduced the report and informed Members that the barn was a non-designated heritage asset that was situated within the flood zone of the River Derwent. The Officer also reported that the applicant didn't meet the local needs criteria, as he already had a house that met his needs and he wasn't from the parish or neighbouring parish. Furthermore, the proposed dwelling would not meet the local community need either as the Parish Housing survey showed no need for more one bedroomed dwellings.

The following spoke under the Public Participation at Meetings Scheme:

- Mr Trevor Smith, Applicant and Mr Craig Barks, Agent shared the 3 minute speaking allocation.

Members considered that although they would like to see the barn preserved to ensure that it had a long-term future, this was not the right way of doing it and that the proposed floor levels and the new openings in the gable ends were not appropriate to the character of the building which had been there for over 200 years.

The Officer recommendation to refuse the application was moved, seconded, voted on and carried.

RESOLVED:

To REFUSE the application for the following reason:

- 1. The proposed development would harm the significance of the barn and its setting within the wider landscape contrary to Core Strategy policies GSP1, GSP2, GSP3, L1, L3 and HC1, saved Local Plan policies LC4 and LC8 and the National Planning Policy Framework.**

As there were no speakers registered for item 11, the Chair brought forward items 12,13 and 14 for consideration, as the speakers had arrived for those items.

51/19 FULL APPLICATION - CHANGE OF USE FROM AN A1 (SHOP) TO AN A5 (HOT FOOD TAKEAWAY) AT BROOK HOUSE, MAIN ROAD, HATHERSAGE

The Planning Officer introduced the report, and informed Members that the lack of need for the A1 shop had been accepted, and that the change of use to a hot food takeaway outlet was acceptable in principle given there was no other community need, including

use as a one bedroomed affordable flat. He reported that the application was supported by a Noise and Odour Report which had satisfied the Environmental Health Officer, and subject to a condition relocating the chimney to the ridge, there would be no adverse impact or harm to the conservation area.

The following spoke under the Public Participation at Meetings Scheme:

- Mr James Mee, Supporter
- Mrs Julie Graham, Objector
- Mrs Penny Sedgewick, Objector
- Mr David Graham, Objector
- Cllr Heather Rodgers, Hathersage Parish Council, Objector
- Mr Darren Ashton, Business Partner of Applicant

Although Members had some concerns over the amenity impact on neighbours, and possible problem with odours coming from the premises, it was felt that with regular maintenance of the extraction and filter system, the problem could be minimised. There were other commercial food premises within the locality, but to date there had been no complaints from the local residents regarding odour nuisance.

Members asked for an amendment to Condition 4 to add the word “serviced” so the Condition reads “The specification for the extraction and filtration systems shall thereafter be operated, serviced and maintained” and an extra Condition relating to the provision of a bin for customers to use during opening hours.

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

The Officer recommendation to approve the application subject to an amendment to Condition 4 and an additional Condition relating to the provision of a bin, was moved, seconded, put to the vote and carried.

RESOLVED

To APPROVE the application subject to the following conditions or modifications:

- 1. Standard time limit**
- 2. The development shall not be carried out other than in complete accordance with the submitted plans A3_01, A3_04, and specifications subject to the following considerations or modifications.**
- 3. Opening hours, Monday to Friday 11:30 to 21:00 and on Saturdays, Sundays and Bank Holiday Mondays 11:00 to 21:00.**
- 4. Before the use hereby permitted takes place, the final detailed specification and design for the extraction and filtration system shall be installed in accordance with a scheme to first be submitted to and approved by the National Park Authority. The approved scheme shall achieve a target level of no more than 33dbLAeq 1m from the façade of the nearest dwelling (assessed in accordance with BS4142:2014). The specification for the extraction and filtration system shall thereafter be operated, serviced and maintained in accordance with that approval throughout the lifetime of the development to prevent noise and odour nuisance.**

5. Prior to commencing the use hereby permitted the extraction unit and systems stated in the 'Purified Air - Specification & Defra Report' shall be installed and throughout the lifetime of the development these shall be permanently maintained in accordance with the submitted 'Purified Air – Preventative Maintenance Contract'.
6. The chimney hereby approved shall be made of natural gritstone and sited on the ridge to match the existing chimneys on the same terrace of properties.
7. During opening hours, a bin shall be made available for customers to use for disposal of rubbish.

15:25 Cllr Kath Potter and Cllr Chris Carr left the meeting

52/19 S.73 APPLICATION - VARIATION OF CONDITION 2 ON NP/DDD/1017/1104 AT CO-OPERATIVE FOOD STORE, NETHERSIDE, BRADWELL,

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

The Planning Officer introduced the report, which seeks to reduce the number of car parking spaces proposed to be created in the last application from 32 to 20. This would match the retail floorspace to be created and the operator's demands and would lead to an extended area of soft landscaping.

The following spoke under the Public Participation at Meetings Scheme:

- Mr Chris Edge, Applicant

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

RECOMMENDATION:

To APPROVE the application subject to the following conditions and/or modifications:

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 amended plans; Application Form, Transport Addendum Report, Design and Access Statement, 5731(P)103B, 5731(P)203-1C, 5731(P)203D, and 5731(P)503F, and the submitted materials schedule, subject to the following further conditions and amendments:
3. Notwithstanding the submitted information, all new walling (excluding the three rendered panels to the south elevation) shall be constructed of natural gritstone coloured, dressed, sized, coursed, and pointed to match the existing.
4. Prior to the erection of the external walls a sample panel of rendered wall of at least 1.0 metre square shall be constructed on the site and the Authority

shall be informed to approve the details. The three rendered panels approved to the south elevation shall thereafter be constructed to match the approved sample panel in terms of material, colour and texture.

5. Notwithstanding the submitted information, all new lintels, sills, and coping stones shall be natural gritstone.
6. The rainwater goods shall be black.
7. Notwithstanding the submitted information, prior to the cladding of the roof a sample of the proposed roofing material shall be submitted to and agreed in writing by the Authority. Thereafter the development shall proceed only in accordance with the approved material.
8. Prior to the erection of the walls details of the design of roof copings shall be submitted to and agreed in writing by the Authority. Thereafter the development shall proceed only in accordance with the approved details.
9. Prior to any alteration of the existing wall between the development site and highway details of the proposed remodelling of the wall and bollard design shall be submitted to and agreed in writing by the Authority. Thereafter the development shall proceed only in accordance with the approved details.
10. Prior to the erection of either the boundary or plant compound fencing (including gates) details of its design and finish shall be submitted to and agreed in writing by the Authority. Thereafter the development shall proceed only in accordance with the approved details.
11. Prior to commencement of the development hereby approved a detailed scheme for landscaping, including tree and shrub planting and hard and soft ground surfacing, shall be submitted to and approved in writing by the Authority. Once approved, the planting shall be carried out to the reasonable satisfaction of the Authority within the first planting seasons following completion or occupation of the development. Any trees dying, being severely damaged or becoming seriously diseased within 5 years of planting shall be replaced within the next planting season with trees of an equivalent size and species or in accordance with an alternative scheme agreed in writing by the Authority before any trees are removed.
12. No development shall take place including any works of demolition until a construction management plan or construction method statement has been submitted to and been approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the construction period. The statement shall include for:
 - a. Parking of vehicles of site operatives and visitors
 - b. Storage of plant and materials
 - c. Routes for construction traffic
 - d. Hours of operation
 - e. Method of prevention of debris being carried onto highway
 - f. Pedestrian/ cyclist protection
 - g. Any proposed temporary traffic restrictions
 - h. Arrangements for turning vehicles)

- 13. The extended premises the subject of the application shall not be taken into use until the existing vehicular access onto Netherside has been modified including widening to an effective 5.5m for the first 10m from the highway boundary and provided with visibility sightlines all in accordance with the revised layout drawing no. 3337-04, the area in advance of the visibility sightlines shall be retained throughout the life of the development free of any object greater than 1m in height (0.6m in the case of vegetation) relative to adjoining nearside carriageway channel level. Markings shall be introduced on the access to prevent parking on this access.**
- 14. The extended premises the subject of the application shall not be taken into use until off street parking (including cycle parking) and manoeuvring space has been provided in accordance with the application drawings and maintained free from any impediment to its designated use throughout the life of the development.**
- 15. The existing limestone wall to the north eastern boundary that separates the development site from the properties of Butt Mills Court shall be maintained throughout the lifetime of the development.**
- 16. The new fence to the southern boundary of the site shall be erected in its entirety prior to the commencement of any works associated with the construction of the new car park and shall be permanently so maintained. Alternatively, a temporary solid and secure fence of 2m in height and of a design to be agreed in writing by the Authority prior to its erection shall be erected prior to the commencement of any works associated with construction of the new car park and shall be maintained in position throughout works until such time that the permanent fencing is erected, which shall then be permanently maintained. The extended car park shall not be brought in to use until the new permanent southern boundary fence has been erected.**
- 17. The development shall proceed only in complete accordance with the recommended works and enhancement measures specified in the submitted bat method statement.**
- 18. The development shall proceed only in complete accordance with the recommendations of the submitted reptile report.**
- 19. The extended premises the subject of the application shall not be taken into use until a scheme providing biodiversity enhancement measures for the application site has been submitted to and approved in writing by the Authority. Thereafter, the development shall not be carried out other than in complete accordance with the approved scheme, and the extended premises shall not be brought in to use until the enhancement measures have been implemented. The scheme should include details of:
 - a. Nesting sites for birds (with particular reference to house martin, swift and sparrow)**
 - b. Planting of habitat, which will provide habitat for wildlife (including the opportunity to incorporate local varieties of orchard trees into the landscaping scheme)****
- 20. Vegetation clearance shall be undertaken outside the nesting bird season so far as is practicable. The nesting bird season is weather dependent but generally extends between March and September inclusive (peak period**

March-August). If any clearance works are required within the nesting season then any vegetation to be removed or disturbed shall be checked by a qualified ecologist for nesting birds immediately prior to works commencing. If birds are found to be nesting any works which may affect them shall be delayed until the young have fledged and the nest has been abandoned naturally.

21. Any excavations that remain open overnight shall be covered or fitted with mammal ramps. Any open pipework with an outside diameter of greater than 120 mm shall be covered at the end of each work day.
22. Prior to the erection or installation of any external lighting a lighting plan shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and thereafter retained for the lifetime of the development. The submitted scheme shall be designed to take into account the advice on lighting set out in the Bat Conservation Trust document Bats and Lighting in the UK.
23. a) No development shall take place until a Written Scheme of Investigation for archaeological monitoring has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and
 - I. The programme and methodology of site investigation and recording;
 - II. The programme and provision to be made for post investigation analysis and reporting;
 - III. Provision to be made for publication and dissemination of the analysis and records of the site investigation;
 - IV. Provision to be made for archive deposition of the analysis and records of the site investigation;
 - V. Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation.b) No development shall take place other than in accordance with the archaeological Written Scheme of Investigation approved under part (a) of this condition.
c) Within a period of 12 weeks from completion of the development the archaeological site investigation and post investigation analysis and reporting shall have been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (a) and the provision to be made for publication and dissemination of results and archive deposition shall have been secured.
24. Within 12 weeks of the commencement of development the post investigation analysis and reporting for the archaeological evaluation shall have been completed in accordance with the programme set out in the approved Written Scheme of Investigation (CgMs Consulting, Archaeological Written Scheme of Investigation Co-Op, Netherside, Bradwell Derbyshire, dated 23rd February 2018, CgMs Ref: CH/MF/24152/01) and the provision made for publication and dissemination of results and archive deposition shall have been secured.
25. The development permitted by this planning permission shall be carried out only in accordance with the approved Flood Risk Assessment (FRA) Rev

A02 compiled by Waterman Group August 2017 and approve plan 5731(P)503 Revision F.

53/19 FULL APPLICATION - 2 STOREY DETACHED DOUBLE GARAGE AT PIPPIN DELL, THE SQUARE, EYAM, DERBYSHIRE

The Planning Officer introduced the report.

The following spoke under the Public Participation at Meetings Scheme:

- Mr Howard Wright, Applicant

The Officer recommendation to approve the application was moved, seconded, voted on and carried.

RESOLVED:

To APPROVE the application, subject to the following conditions or modifications:

- 1. Standard time limit**
- 2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the amended plans; Application Form, Design and Access Statement, Legal Agreement, Site Location Plan, PDE/PL02/01-A**
- 3. The wall to the West elevation shall be of a natural random gritstone construction, and the walls to the North, South and West elevations shall be of a wet dash rendered construction.**
- 4. The roof shall be of a blue slate construction.**
- 5. The windows and doors shall be of an aluminium construction, and the garage doors shall be of a vertically boarded aluminium construction.**
- 6. The windows shall have natural gritstone lintels and sills and the doors and garage doors shall have natural gritstone lintels.**
- 7. The windows, doors and garage doors shall be recessed 10mm from the external walls.**
- 8. The rooflights shall be of a conservation type and fitted flush with the roofline.**
- 9. The windows shall be obscure glazed and non-opening.**
- 10. The garage shall remain ancillary to Pippin Dell and shall not be used as a separate unit of accommodation.**
- 11. Footnote re legal agreement which prevents the construction of the garage consented under application No NP/DDD/0617/0606 in favour of this proposal.**

54/19 FULL APPLICATION - CREATION OF EIGHT ADDITIONAL CAR PARKING SPACES TO ACCOMMODATE THE INCREASE IN VEHICLE NUMBERS AT MARY DEVONSHIRE COTTAGE, THE GREEN, PILSLEY

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

The Planning Officer introduced the report, which was to provide dedicated off street parking spaces for the nearby dwelling houses.

Members considered that the impact to the Conservation Area was minimal and that the public benefits outweighed the minor level of harm.

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

RESOLVED:

To APPROVE the application subject to the following conditions:

- 1. 3 year time limit**
- 2. Adopt amended plans**
- 3. Prior to commencement of the stone wall, a detailed section of the wall and details of materials shall be submitted to an agreed in writing by the National Park Authority. Thereafter the wall shall be constructed in full accordance with the approved details.**
- 4. Written Scheme of Investigation to be submitted, approved and implemented.**
- 5. Trees to be protected during construction.**

55/19 HEAD OF LAW REPORT - PLANNING APPEALS (A.1536/AMC)

The Head of Development Management updated Members on the enforcement notice that had been served on Stoke Hall Quarry, which they had appealed against and had subsequently withdrawn.

Members asked that Appeal Decision Notices are sent to them for information. The Head of Development Management agreed this.

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

RESOLVED:

That the report be received.

56/19 MONITORING AND ENFORCEMENT ANNUAL REVIEW - APRIL 2019 (A.1533/AJC)

The Monitoring and Enforcement Manager introduced the report which provided Members with a summary of the work that had been carried out by the Monitoring and Enforcement Team over the last year (April 2018 – March 2019), as well as information about the breaches of planning control that had been resolved in the last quarter (January – March 2019).

The Officer informed Members that in March 2019, the Monitoring and Enforcement Team had appointed two new Officers, Andy Grayson and Joe Freegard, so it was expected that the team would continue to improve their performance and reduce the overall caseload.

The Officer then went onto show Members some “before and after” photos of cases that had been resolved in the last quarter.

Members thanked the Officer for his report.

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

RESOLVED:

To note the report

The meeting ended at 4.15 pm

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6. FULL APPLICATION - RE-ORGANISATION AND UPGRADE OF THE EXISTING 'RIVENDALE HOLIDAY PARK' TO INCLUDE DEMOLITION OF EXISTING SITE BUILDINGS, CONSTRUCTION OF REPLACEMENT FACILITIES AND MAINTENANCE / HOUSEKEEPING BUILDINGS WITH PROVISION OF ACCOMMODATION IN THE FORM OF 78 LODGES, 7 CABINS, 3 FIELD BARNs, 25 PODS AND 2 TREE HOUSES AT ALSOP RIVENDALE TOURING CARAVAN AND LEISURE PARK, UNNAMED SECTION OF A515 FROM CROSSLOW LANE TO BACK LANE ALSOP EN LE DALE (NP/DDD/0219/0137, TS)

APPLICANT: MR ROGER VAIL

Summary

1. The application seeks permission to upgrade a long-established and very large camping and caravan site. We believe that the proposed scheme would deliver tangible enhancement to the site. The applicant has worked positively with the Authority to produce a scheme for redevelopment that would deliver a site that is more beneficial to promoting understanding and enjoyment of the National Park than the current site. The application is recommended for approval.

Site and Surroundings

2. Rivendale is a large and long established camping and caravanning site located to the southern side of the A515. The site has an area of 14.5 hectares, a large section of which is a former quarry. The rest of the site is wooded grassland and areas that have been hard surfaced.
3. The existing site comprises of a total of 186 caravan and camping pitches. At the moment, these pitches comprise of 37 static caravans and wooden lodges, 33 winter storage touring pitches, 51 touring pitches, 44 camping pitches, 15 pods, 2 yurts and 4 B&B rooms.
4. The site is accessed directly from the A515. To the south western side of the access point there is a parking area and a portable building that contains toilet facilities. Beyond this area there is a large wooded area that is currently used for camping.
5. In the central area of the site there is a stone built former farm building that has been considerably extended and altered. This building serves as a reception, restaurant and bar. To the north of this there is another existing building which is similar in appearance to a modern agricultural or industrial building. This building is a maintenance store.
6. To the east of this building there is an area that has been developed with several wooden camping pods and other buildings that have been used as spa facilities and a number of camping pitches. Further still to the east of the site opens into the former quarry floor and is surrounded by the high quarry walls. This area is very developed with large amounts of hard surfacing and roads. There is also a facilities building towards the centre of the former quarry area.
7. A public right of way enters the site at the same point as the vehicular access and crosses the site before joining the open fields to the south of the site.
8. To the north of the site, beyond the A515, there are open fields. The Tissington Trail lies only a few metres further north of the A515. The site is also surrounded by open fields to the south. There is a row of residential dwellings that lie about 100 metres from the southern boundary of the site. These are the nearest neighbouring properties.

Proposal

9. The application seeks full planning permission for the reorganisation and upgrade of the site.
10. The proposal involves the removal of the existing static caravans, touring caravan pitches and wooden pods and huts.
11. These would be replaced by 78 lodges and 7 cabins. The proposed lodges and cabins range from 1 to 4 bed spaces, so are similar in size to a typical static caravan. The lodges and cabins are, by definition, still static caravans but have the appearance of small buildings. The lodges would be clad in a timber effect product called 'Canoxel'. The cabins are smaller versions of the lodges and would have cedar clad walls and mono-pitched green roofs. The majority of these (67) would be sited within the quarry floor area. 18 would be sited within the central area of the site.
12. 25 wooden camping pods are proposed within the wooded area to the western side of the site that is currently used for tent camping. The pods would be sited to the perimeter of the area with the rest of this part of the site still being available for tents. A new toilet block is proposed for the camping area.
13. The scheme also includes the provision of 2 tree houses within the wooded area in which the camping pods would be sited. These would be constructed 1-2 metres above ground level, supported by heavy timber posts and would be timber clad.
14. It is also proposed to construct three field barn type buildings that would be stone built structures to provide further accommodation. A fourth field barn type building is also proposed but this is just to provide a replacement bat roost habitat and would not be used for any other purposes.
15. The scheme also includes the demolition of the existing facilities and maintenance buildings and the construction of replacement buildings in similar positions within the site. The proposed facilities building would be a contemporary single storey structure. The replacement maintenance building would be of two storey scale and built in a similar form to a modern agricultural building.

RECOMMENDATION:

16. **That the application be APPROVED subject to the following conditions:**
 1. **Time limit for commencement.**
 2. **Development to be carried out in accordance with the submitted plans.**
 3. **Holiday occupancy restriction to be placed on all units.**
 4. **The field barns are to be omitted from the scheme other than the single barn that is only for a replacement bat roost.**
 5. **Contaminated land remediation to be approved if contamination is found during development.**
 6. **Ecology mitigation to be approved and then implemented.**
 7. **Facilities building is for use by overnight guests only.**
 8. **The accommodation within the maintenance building shall be for occasional staff use only and shall not be let to visitors or be a permanent dwelling.**
 9. **Renewables to be implemented.**
 10. **Travel plan to be adopted and implemented.**
 11. **Materials and colour details of all units to be approved.**
 12. **Lighting scheme to be approved.**
 13. **Scheme for grassland enhancement to be approved.**

- 14. Construction traffic method statement to be approved.**
- 15. Provision and retention of parking spaces.**
- 16. Materials and glazing details for new facilities and maintenance buildings to be approved.**
- 17. Drainage strategy to be implemented.**

Key Issues

- The principle of development.
- Impact of the proposed development upon the landscape character and special qualities of the National Park.
- Whether the development would promote understanding and enjoyment of the special qualities of the National Park.
- Amenity Impacts
- Highways Impacts
- Ecology Impacts

History

There is extensive planning history for the site, including the following applications:

- January 2011: Application approved for removal of 2 existing static caravans and toilet and shower building and replacement with a new single building.
- December 2009: Application approved to relinquish a permission on plot D and transfer it to plot B.
- February 2007: Application for conversion of agricultural building into four bedrooms with en-suites was not determined by the Authority. An appeal against non-determination was then allowed in August 2007.
- January 2006: Application refused for removal of a condition restricting sales of food and alcohol from the bar and restaurant to overnight guests. An appeal against the refusal was dismissed in October 2006.
- April 1999: Application approved for the conversion of the former farm buildings to bar and café.
- September 1997: Application refused for siting of mobile homes as an alternative to touring caravans. An appeal was later part-allowed.
- November 1994: Application refused for a camping and caravanning park with new and converted associated building. An appeal was later allowed.
- July 1985: Application approved for use as a caravan and camping site.

17. Pre-application advice was sought from the Authority prior to the submission of the current application. The initial scheme was for 133 lodges, including the provision of lodges on the existing camping field. The applicant was advised that the principle of replacing existing static caravans with lodges was acceptable at this location. Also, the replacement of touring pitches with lodges could be acceptable at this site if overall enhancement of the site could be achieved and it could be demonstrated that the scheme maximised opportunities to promote understanding and enjoyment of the National Park. A scheme that would create an all-on-site holiday park would not be supported. The

provision of lodges on the camping field would not be supported and a smaller number of small and simple camping pods here was suggested instead. The applicant has taken notice of this advice and has worked positively to address these matters in the preparation of the final scheme.

Consultations

18. Eaton, Alsop and Newton Grange Parish Council: No comments received.
19. District Council: No response to date.
20. Highway Authority: The total number of accommodation units would be reduced and there is no evidence to suggest the development will significantly increase the traffic generation associated with the site. Recommend conditions for provision of construction traffic and for the parking for the accommodation units to be provided and retained.
21. Lead Local Flood Authority (LLFA): Initially noted that insufficient information had been provided about the proposed infiltration method of disposal for surface water.

An updated drainage strategy has been provided by the applicant that contains the requested information. The LLFA has been reconsulted. No further comments have been received at the time of writing.

22. Environment Agency: The proposed development will be acceptable if a planning condition is included requiring the appropriate remediation of any contamination that is discovered during development.
23. PDNPA Planning Policy: The essence of adopted policy is to promote forms of holiday accommodation which are in line with the second national park purpose. This is to promote opportunities for the public to learn about and enjoy the National Park. As such the type of all-inclusive 'holiday park' where visitors have all the facilities and entertainment they need on site, and do not venture out to enjoy the area, has long been resisted within the Peak District National Park.

The need to assess the direction of travel for this site will be key, i.e. moves to consolidate the internally facing appeal of the site based on its own facilities and attractions are contrary to the intent of RT3 and should therefore be rejected. Whereas opportunities to green the site and promote its connection and relationship to the wider landscape should be supported.

Opportunities exist to enhance the character and appearance of the site as well as its relationship to the surrounding countryside.

The need to promote the understanding and enjoyment of the National Park is a key role for large sites such as this.

It is unclear whether the TRICS analysis used to forecast traffic movements is a suitable compression for a site within a busy National Park.

It is likely that the majority of users of the site will access it by private motor vehicle. There are opportunities to encourage movements within and around the site by more sustainable means. The design of the site supports minimising unnecessary vehicle movements once visitors arrive, The promotion of public transport links, plus the walking and cycling routes in close proximity to the site would also encourage more sustainable travel by those holidaying at the site.

- A travel plan is recommended aimed at encouraging visitors to arrive at site by public transport or other more sustainable means of access and to encourage those visiting the site who initially arrive by car to use other means of transport whilst staying on the site. This would reduce the overall impact of the site, whilst also encouraging visitors to make the most of the surrounding rights of way and trail network to explore the National Park.
24. PDNPA Landscape Architect: Overall the proposal will provide opportunities to improve the site both internally and externally. The site has previously been used a dark skies viewing site and opportunities should be taken to reduce the impact of lighting.
25. PDNPA Senior Archaeologist: Notes that the archaeological interest associated with the former quarry has been lost as a result of the existing caravan park development. Part of a 19th century former farmstead remains at the site. It is recommended that from a cultural heritage perspective the farmstead buildings should be retained, rather than being demolished and replaced as proposed. The proposed new field barns also raise concerns from a cultural heritage perspective. Field barns are an important part of the historic landscape character of parts of the Peak District but would be out of place at this site. Trying to create accommodation based on a modern pastiche on a field barn would be out of place within the landscape and historic farming developed at this particular site.
26. PDNPA Public Rights of Way: No objections
27. PDNPA Ecologist: The proposed dedicated bat barn would provide mitigation for the loss of an existing maternity bat roost that is located within the facilities building that is proposed to be demolished. There may also be scope to make provision for swallow nesting within the barn. Design details should be conditioned.

Lighting levels are a concern due to the potential impacts on bats and should be minimised.

Great crested newts have been found on the site and a condition for details of the mitigation is recommended. Mitigation measures for badgers and birds should be implemented.

The proposed landscaping scheme includes some non-native species and these should be omitted. Opportunities should also be sought to enhance the grassland to the north of the site.

28. PDNPA Tree Officer: The proposed development will result in the loss of 43 individual trees, 11 groups of trees and the partial removal of a further five groups of trees. The loss of these trees should be mitigated through significant replanting of new trees.

Representations

29. Four letters of general comment have been received that all raise no concerns about the proposed development but note that there are existing leaseholders of existing static caravans at the site and no mention of this has been made in the application.
30. One of the letters of general comment raises concerns that the development would result in disturbance to nearby residents and would increase vehicular movements to and from the site.
31. One letter of objection has been received, which is from Pinelodge Holidays Ltd. The grounds for objection are summarised as follows:
- The application is in direct conflict with the NPPF and the Authority's Core Strategy. Policy RT3 states that chalets or lodges will not be permitted.

- Pinelodge Holidays Ltd have previously been advised that applications for lodge developments within the National Park would not achieve planning approval.
 - The development would create new unsustainable traffic movements with the National Park.
 - The proposal would create a precedent for new lodge parks within the National Park.
 - The proposal would seriously affect the viability of existing caravan and lodges parks and business that are correctly sites outside of the National Park boundary.
32. One letter of support has been received which sets out that the development would improve the appearance of the site, would create jobs and would attract more tourists to the area.

Main Policies

33. Relevant Core Strategy policies: GSP1, GSP2, GSP3, L1, L2, L3, RT1, RT3, CC1, CC2, HC5, E2, T1, T2, T6, T7
34. Relevant Local Plan policies: LC4, LC16, LC17, LC18, LC20, LC21, LC22, LC24, LT11 and LT18
35. Relevant Emerging Development Management Polices: DMT3, DMT5, DMT6, DMR1, DMR2

National Planning Policy Framework

36. 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 the National Planning Policy Framework (NPPF).
37. Paragraph 172 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 – Core Strategy

38. 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. GSP2 sets out that opportunities for enhancing the valued characteristics of the National Park will be identified and acted upon.

39. Policy GSP3 sets out development management principles and 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.
40. Policy L1 identifies that development must conserve and enhance valued landscape character and valued characteristics. .
41. Policy L2 states that development must conserve and enhance any sites, features or species of biodiversity importance and where appropriate their setting. Other than in exceptional circumstances development will not be permitted where it is likely to have an adverse impact on any sites, features or species of biodiversity importance or their setting that have statutory designation or are of international or national importance for their biodiversity.
42. Policy L3 sets out that development must conserve and where appropriate enhance or reveal the significance of archaeological, architectural, artistic or historic assets and their settings.
43. Policy RT1 states that The National Park Authority will support facilities which enable recreation, environmental education and interpretation, which encourage understanding and enjoyment of the National Park, and are appropriate to the National Park's valued characteristics. Opportunities for access by sustainable means will be encouraged.
44. Policy RT3 states that small touring camping and caravan sites and backpack camping sites will be permitted, particularly in areas where there are few existing sites, provided that they are well screened, have appropriate access to the road network, and do not adversely affect living conditions. It goes on to include the following relevant parts:
 - 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.
45. CC1 sets out that development must make the most efficient and sustainable use of land, buildings and natural resources. Development must also achieve the highest possible standards of carbon reductions.
46. CC2 sets out that proposals for low carbon and renewable energy development will be encouraged provided they can be accommodated without adversely affecting landscape character or the special qualities of the National Park.
47. HC5 sets out that retail use in the countryside will only be acceptable where proposals are small scale and ancillary to a business acceptable under policy E2. Such proposals must not have an adverse impact on local centers.

48. E2 sets out that proposals to accommodate growth and intensification of existing businesses will be considered carefully in terms of their impact on the appearance and character of landscapes. Ancillary retail operations must be small scale and principally offering for sale goods which are produced at the premises.
49. T1 sets out that conserving and enhancing the National Park's valued characteristics will be the primary criterion in the planning and design of transport and its management.
50. T2 sets out that Sustainable transport patterns will be sought that complement the development strategy. Travel Plans will be used to encourage behavioral change to achieve a reduction in the need to travel, and to change public attitudes toward car usage and public transport, walking and cycling. Travel Plans to reduce traffic movements and safeguard transport infrastructure will be required on appropriate new developments and encouraged on existing developments.
51. T6 sets out that The Rights of Way network will be safeguarded from development, and wherever appropriate enhanced to improve connectivity, accessibility and access to transport interchanges.
52. T7 sets out that non-residential parking will be restricted in order to discourage car use, and will be managed to ensure that the location and nature of car and coach parking does not exceed environmental capacity.

Development plan policies – Local Plan

53. Policy LC4 sets out that 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.
54. Policies LC15 and LC16 provide detailed criteria to assess development that affects archaeological and historic sites.
55. Policy LC17 provides more detailed criteria to assess development that may affect protected sites, species or habitats.
56. Policy LC18 states that where development which could affect a site, feature, or species of nature conservation importance or its setting is acceptable, appropriate safeguards and enhancement will be required to minimise adverse impacts.
57. Policy LC20 states that where development that involves risk of damage to trees, woodlands or other landscape features is acceptable, adequate space must be left for their replacement with appropriate species of trees and shrubs or local materials. Appropriate maintenance that respects wildlife interests will be required.
58. LC21 sets out that development that presents a risk of pollution or disturbance will not be permitted unless acceptable mitigation measures can be put in place.
59. LC22 requires that adequate measures are included to deal with surface water run-off.
60. LC24 requires that where there is suspicion or evidence of slight contamination an assessment will be required and remedial measures must be agreed before development commences.

61. Policies LT11 and LT18 require development to be provided with appropriate access and parking provision which conserves the environmental quality of the National Park.

Emerging Development Management Policies

62. The Authority's emerging Development Management Policies Document is not yet adopted but is now at a very advanced stage. As such, the policies can be given significant weight as a material planning consideration in the assessment of the application.
63. DMT3 sets out the requirement for new transport related infrastructure to be of the highest standards of environmental design and materials.
64. DMT5 sets out the requirement to ensure that where a development affects a right of way, that either the existing route be retained, or one that is equal or better to the original be provided.
65. DMT6 states that new or enlarged car parks will not be permitted unless a clear demonstrable need can be shown.
66. DMR1 sets out that the development of a new touring camping or touring 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. Exceptionally, the development of structures may be permitted where these are small, simple, wooden pod structures in woodland locations with minimal landscape impact.
67. DMR2 sets out that where the development of a touring camping or touring caravan site is acceptable, its use will be restricted to holiday accommodation.
68. It is considered the Authority's adopted design and conservation policies in the Development Plan are consistent with national policies in the NPPF, which emphasise the great weight that should be attached to the conservation and enhancement of the National Park landscape, its wildlife and cultural heritage in any planning decision, and also promote high standards of design that would be sensitive to the valued characteristics of the National Park.

Assessment

Principle of Development

(i) *Principle of major development within the National Park*

69. The size of the application site means that the application is for major development within the National Park as defined by the Development Management Procedure Order (DMPO).
70. The NPPF and policy GSP1 of the Core Strategy both resist major development within the National Park in all but exceptional circumstances.
71. A High Court decision in 2013 found that for the purposes of planning policy, major development' should not have the same meaning as in the DMPD; rather it should be considered in the context of the document it appears and concluded that it is reasonable to apply the normal meaning of the words when interpreting policies. This means that the presumption against major development does not automatically apply just because the

size of an application site is over the 1 hectare threshold which is the definition of major development in procedural terms.

72. Instead, it is reasonable and necessary to assess whether or not the development is major by reference to its potential impacts on the National Park's valued characteristics as protected by planning policies. In this case, the site is a large and long-established camping and caravanning site. As is discussed further below, although the site area is large, the development would result in a reduction in the total amount of built and engineered form at the site. As such, the development would not be major in terms of its likely impacts on the National Park. That is not to say that the impacts could not still be significant within the context of the site itself and its immediate surroundings – only that the restriction placed on major development by national and local policy are not considered to apply to this proposal.

(ii) *Principle of the type of accommodation proposed*

73. The Authority's recreation and tourism policies are clear that static caravans, chalets or lodges will not normally be permitted. However, the supporting text to policy RT3 goes on to state that exceptionally, static caravans, chalets or lodges may be acceptable in locations where they are not intrusive in the landscape. There may be some locations where, through the use of effective design and landscaping, small, simple timber structures may be acceptable as replacements for existing static caravans where this would result in enhancement.

74. The thrust of the recreation and tourism policies is to ensure development is in line with the second National Park purpose to promote understanding and enjoyment of the special qualities of the National Park. This is absolutely key to the acceptability of redevelopment of the site. A redevelopment that led to the creation of an all-inclusive holiday park where visitors have all the facilities and entertainment they need and therefore they do not venture out to enjoy the national park would be wholly contrary to this purpose and would not be acceptable.

75. A letter of objection from a different holiday park operator has raised concerns that a development of holiday lodges is contrary to policy RT3 and that the operator has previously been advised by the Authority that a holiday lodge development would not be acceptable within the National Park.

76. That advice is correct. However, it is important to remember that this application is for the redevelopment of a very large and long-established site, and is not for the creation of a new site. Part D of policy RT3 is clear that 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.

77. The key issues for the acceptability of the principle of the development are therefore the opportunities for enhancement of the existing site and the promotion of the second national park purpose.

78. The existing site comprises of a total of 186 caravan and camping pitches. At the moment, these pitches comprise of 37 static caravans and wooden lodges, 33 winter storage touring pitches, 51 touring pitches, 44 camping pitches, 15 pods, 2 yurts and 4 B&B rooms.

79. The site has developed in a piecemeal way over many years with a complex planning history. Much of the site as exists today has come about as a result of appeal decisions and some elements have not had the benefit of planning permission but have now become immune from enforcement action through the passing of time.

80. The layout of the site at the moment is erratic with a number of poor quality structures and very densely laid out areas of the site. There is also a very large amount internal road surfacing and other hard standing. Overall, the site is of pretty poor quality as a result of the ad hoc development and un-cohesive planning of the site. We consider that the site is not a particularly good asset to the National Park at the moment and that there is a good opportunity for enhancement, both visually and in terms of the benefit of the site to National Park.
81. The site does however benefit from being in a very well screened location due to the substantial mature planting around the site and, more significantly, the position of a large area of the site within the former quarry walls.
82. The application seeks permission to remove all the existing static caravans, touring pitches, wooden lodges and pods, and to provide a cohesive scheme that comprises of 78 lodges (these are static caravans by definition as they do not exceed the size limits, come in two pieces and can be transported on a vehicle), 7 cabins, 3 field barns and 2 tree houses. The scheme also includes the provision of 25 wooden camping pods on the existing camping area which does not contain any existing buildings or hard surfaced caravan pitches at the moment.
83. As well as being beneficial in terms of providing a cohesive and well-planned layout, the proposed scheme is also positive as it includes a meaningful reduction in the developed areas within the site.
84. At the moment, 2.45 hectares of the site are taken up by structures, hardstanding and roads. As a result of a providing a better laid out site, the area taken up by structures, hardstanding and roads would be reduced to 1.35 hectares. 1.1 hectares of the site would therefore be returned to footpaths, grass and open space.
85. This would be particularly beneficial in the central area of the site and the area within the quarry walls. At the moment, these areas feel very formally developed and engineered as a result of the extensive roads and hardstanding and the dense laying out of the static and touring pitches. Whilst the development introduces cabins and lodges on areas that don't have any existing buildings as they are touring pitches, the overall layout is less dense. For example, the number of pitches along the north eastern edge of the area within the quarry walls would be reduced from 21 as existing to 12 as proposed. Only a single access road with two centralised parking areas are proposed, as opposed to the extensive roads and parking spaces that clutter the site at the moment. This would allow a significantly more green and natural feel to the areas around the cabins and lodges and to the site overall.
86. The camping pods are reasonably simple wooden structures. They would contain toilet facilities but would not have kitchens or televisions etc. as sometimes found in this type of accommodation. The pods would be sited in a well screened wooded landscape and are considered to be in accordance with policy RT3 and emerging policy DMR1.
87. The scheme also initially proposed three new build field barn type buildings. Policy RT2 does not support the construction of new permanent buildings for holiday use and doing so would undermine the conservation benefits of converting historic field barns. The introduction of new build accommodation styled as field barns at this site would also be an alien feature that would not have been historically found here. As such, the 'field barns' are not acceptable in principle. The applicant has agreed to omit these from the scheme. In the interest of clarity, this would be confirmed through a condition being attached to any approval. The field barn type building that is proposed just to provide a replacement

- bat roost (and would not be used for any other purposes) has clear ecology benefits and is justified for this reason.
88. Overall, we consider that the scheme, excluding the three field barns, would result in clear improvement to the quality of the existing site and would deliver enhancement to the appearance of the site. The scheme accords with part D of Policy RT3.
89. It is still essential however that in order for the development to be acceptable in principle it must align with the second National Park purpose to promote understanding and enjoyment of the special qualities of the National Park and must avoid the creation of a holiday park site where visitors would be unlikely to leave the site during their stay.
90. This site is extremely well located for exploring the Peak District on foot and bicycle and without the need for private car use. The Tissington trail lies opposite the site to the north west and a public right of way runs through the site giving instant access to the public footpath network to the south. As well as providing opportunity for exploring and enjoying the scenic beauty of the National Park, this also means that the attractions, community facilities and amenities within local villages, particularly Tissington and Pariwch, are in easy reach without reliance on private car use.
91. A travel plan has been submitted which, if implemented, would help to ensure that the opportunities that the site offers for exploration of the National Park would be realised. Whilst the travel plan includes some means to encourage visitors not to bring cars to the site at all, it is accepted that realistically most visitors will arrive at the site by private car. However, the real benefit of the travel plan is the means to encourage visitors and staff to not be reliant on car use during their stay after they have initially arrived.
92. The travel plan includes a walking and cycling strategy and aims to deliver a modal shift that would both reduce car use and promote understanding and enjoyment of the National Park.
93. The strategy includes promotion of walking events, provision of walking and cycling routes through, into and out of the site, provision of route maps, a cycle to work scheme for staff, complementary cycle facilities and setting up of a bike pool scheme for both staff and visitor use.
94. The travel plan also includes a public transport strategy and two electric vehicle charging points. Visitors would be provided with route map and timetable information and subsidised bus vouchers.
95. These measures are all very welcome and would turn the desire to promote sustainable travel and enjoyment of the National Park into tangible means to actively encourage this. This again represents a significant benefit over and above the existing situation.
96. As well as actively encouraging visitors to explore the National Park, it is also essential that the level of the facilities within the site do not provide all the entertainment and amenities visitors need so that they have no reason to venture out.
97. The scheme includes the provision of a new facilities building. Care has been taken to limit the extent of the facilities that would be on offer. The existing facilities building includes a reception and small shop, admin and office space, kitchen, restaurant, bar and toilet facilities. The proposed replacement building would include the same facilities with the addition of only a drying room and dog wash area, which are specifically aimed at walkers and cyclists. As such, there would not be any increase in on site facilities to the extent of encouraging visitors not to leave the site. The proposed bar, restaurant and shop would be of similar size to the existing. The existing facilities building is poorly laid

- out with awkward staircases and small rooms. The proposed replacement facilities building would provide a better functioning area but, importantly, would not increase the extent of the facilities on offer (beyond those aimed at walkers and cyclists). It is considered that the extent of the new facilities building is in accordance with policies RT3 and HC5.
98. Whilst the scale of the facilities building is considered to be appropriate and acceptable for the site, it is important that it does not attract custom away from existing businesses within the nearby villages. As such, a condition restricting the use of the facilities building to being for overnight visitors only is necessary and reasonable. This would further ensure compliance with policies E2 and HC5.
99. It is therefore considered that the development would result in the creation of a site that much better promotes the understanding and enjoyment of the National Park than the existing site.
100. Although we consider the field barns to be unacceptable for the reasons outlined above, the rest of the scheme provides a good mix of different accommodation types. At the pre-application stage, the scheme initially proposed to redevelop the site only with lodges. This was concerning as it would have resulted in the most basic accommodation types (i.e. tent camping and touring caravans) being lost. These types of accommodation are important as they are often the ones that best encourage visitors to venture out to enjoy the area, thereby achieving the second National Park purpose. The applicant has worked proactively to address this issue and the scheme now proposes a good range of accommodation with cabins and lodges, camping pods and tent camping.
101. The development would also be likely to result in benefits to the rural economy in this part of the National Park. Policy E2 supports appropriate development of existing businesses in the open countryside. The supporting information sets out that the redevelopment would be likely to promote more year-round use of the site. Whilst the existing site is open all year already, the take up of touring caravan and camping use is likely to be low. Because the site would encourage more year-round use, there would be an increase in full-time employment. It is anticipated that the redeveloped site would employ 30 permanent members of staff, compared to the 5 seasonal staff that are employed at the moment. The development would also be likely to support existing businesses and community facilities in the locality, particularly given the efforts outlined above to encourage visitors to explore the National Park beyond the application site boundaries.
102. The economic benefits would not in themselves be a reason to approve the application if it were otherwise considered harmful to the National Park. The Core Strategy makes it clear that conservation of the National Park takes precedent. However, as the development is considered to be of benefit overall to the National Park, the economic benefits carry further weight in favour.
103. A letter of objection from a different holiday operator has raised concerns that there could be an adverse impact on business and employment at existing sites that are situated outside of the National Park boundary. There is no policy that seeks to afford protection to existing businesses outside of the National Park. In any case, the primary objective is to ensure the development enhances the appearance of the site and the enjoyment of the wider National Park by visitors. The concerns raised in this respect by the different holiday operator could not substantiate a reason for refusal. The proposal is in accordance with policy E2.

104. An exception to the general presumption against static caravans, chalets and lodges is clearly justified in this instance given the particular merits of the case and the character of the site. The principle of the development is acceptable.

Energy efficiency / carbon reduction

105. As well as the positive approach to encouraging sustainable travel methods as set out earlier, the applicant has also confirmed that the scheme would include solar photovoltaic panels on the new maintenance building. Air source heat pumps will also be used to heat the new facilities building. The development overall accords with the aims of policies CC1 and CC2. This is also a further indication that the proposal is for a sustainable form of development overall.

Impact of development on the Landscape

106. The site is well screened by a combination of the existing mature planting in and around the site and the topographical features, most notably the high walls of the former quarry.
107. The Authority's Landscape Architect has noted that the proposed development would enhance the appearance of the site from views within and outside of it. We considered this to be a significant benefit of the development as outlined above. A detailed Landscape and Visual Impact Assessment has been submitted.
108. The proposed new cabins and lodges would be sited within the former quarry floor and the central area of the site adjacent to it. These units would have no adverse visual impact from outside of the site.
109. The proposed camping pods would be within the camping field to the south western side of the site. This is a wooded area that also benefits from very good screening. This is a location where small and simple wooden camping pods are considered to be acceptable and in accordance with policy RT2 and emerging policy DMR1.
110. The proposed replacement maintenance and housekeeping building would occupy a similar position to the existing building and would also be of similar scale. This is again in a well-screened area of the site, set on a land level that is lower than the adjacent A515 road. As such, this would have little impact on the landscape character.
111. The proposed replacement facilities building would be visible in views from the south of the site. The design of the new building is discussed in more detail below. It is noted at this stage however that it is a low-profile building with a curved roof. It is considered that the scale and form of the building would integrate comfortably within the site and its surroundings and would have no adverse landscape impact.
112. The proposal includes the removal of a number of existing trees. A scheme of replacement planting and additional landscaping has been submitted. The Authorities Ecologist has noted that the submitted scheme includes some non-native species so these should be altered for native specimens. Subject to a condition to ensure the details of the landscaping scheme are acceptable, it is considered that there would be enhancement to the current site in this respect.
113. The proposal therefore accords with Core Strategy policies GSP1, GSP2, GSP3, L1, L3 and HC1, saved Local Plan policies LC4 and LC8 and the National Planning Policy Framework.

Impact on Heritage Assets

114. There are no Listed Buildings within the site or within close proximity to the site boundaries. The vast majority of the existing structures within the site that are proposed to be demolished/removed are poor quality, modern and of no historic merit. The Authority's Senior Archaeologist has also noted that there is little of archaeological interest at the site.
115. The only building within the site that is of any historic interest is the existing facilities building. The Authority's Senior Archaeologist has noted that, from a cultural heritage perspective, it would be preferable to retain this building than demolish and replace it as is proposed. The building is part of a 19th century former farmstead. However, it has been significantly altered and extended and its historic character, value and significance are therefore limited. The building functions poorly at the moment due to levels changes within it. This makes accessibility difficult. Given that the significance of the building is very limited, we consider that the removal of the existing building is justified and acceptable.
116. The Authority's Senior Archaeologist has also raised concerns that the new field barns would be harmful as they would constitute an unacceptable pastiche of a historic type of building. We share this concern and agree that the field barns are not acceptable. As set out above, the field barns have been omitted from the scheme.
117. Overall, the development would not harm any heritage assets or the cultural heritage of the National Park. The proposal accords with policies L1, L3, LC4, LC15 and LC16 in this respect.

Design Issues

118. The cabins and lodges, tree houses, pods and new toilet block are all simple structures that would have a temporary appearance. Subject to conditions to ensure the materials and colour finishes are appropriate, they do not raise any design concerns in this very well screened location.
119. The proposed replacement facilities building is the most significant element of the scheme from a design perspective. This involves replacing the existing facilities building, which is in a converted farm building so is of traditional appearance, with a contemporary new building.
120. The new building would be a single storey unit, which would allow good accessibility and circulation for visitors and staff. The building would have a curved green roof. The north elevation would be a limestone drystone wall, which would reflect the existing drystone walls in the adjacent fields. The north east and south west elevation walls would be constructed with reclaimed stone from the existing building that is to be demolished. The south east facing elevation would also have elements of solid reclaimed stone walling, but would be predominantly glazed with powder coated frames.
121. The general concept of a contemporary building that reflects the traditional character of the National Park by using natural stone is welcomed and the scale and the form of the buildings considered to work well with the site and surrounding landscape.
122. The heavily divided glazing to the south east elevation is however considered to be somewhat complicated and not in keeping with the clean and simple lines of the rest of the building. It is important that this elevation in particular looks appropriate as it is the elevation that would be seen from outside of the site. It is considered that an amended

design with undivided glazed panels with stone columns in between would be more appropriate and the amendments should be secured by conditions.

123. The replacement maintenance and housekeeping building would have a simple and function appearance to its north west elevation. It is somewhat less simple to the south east elevation but this side would only be seen from within the site. The building would be clad in a combination of timber vertical boarding and profile sheeting. The building includes some very large rooflights, which are considered to be overly-large and appear incongruous. A condition to approve the details of more appropriate roof lights is recommended.
124. Overall, subject to conditions to secure design amendments and appropriate materials, the scheme as a whole is considered to be acceptable and in accordance with policy LC4.

Highways

125. A letter of objection and a letter of comment have raised concern that the proposal would increase traffic movements in and around the site. This concern is noted.
126. However, the development would result in an overall reduction in the total number of accommodation units at the site. The proposal would also remove existing occurrence of visitors towing caravans to the site as there would be no touring pitches.
127. It must be acknowledged though that the reduction in accommodation units would be unlikely to result in a proportionate reduction in traffic movements, since one of the aims of the redevelopment is to secure year round use whereas the existing site apparently has clear seasonal peaks at the moment.
128. The Highway Authority are of the view that there is no evidence to suggest that the development would result in any significant increase in traffic movements associated with the site and have raised no objections. Given this, along with the positive measures in the submitted travel plan to reduce use of private cars once visitors have arrived at the site, we consider that the development would not lead to any unacceptable or unsustainable increase in traffic movements around the site or in the National Park more generally.
129. As outlined further above, means to encourage sustainable travel have been integrated into the proposal.
130. The proposal therefore accords with policies LT11, LT18, T1, T2, T6, T7 and emerging policies DMT3, DMT5 and DMT6.

Ecology

131. The existing facilities building contains a maternity bat roost. Mitigation is therefore required for this loss of habitat. The proposal makes provision for this in the form of a new field barn type building that would be used only to create a replacement bat roost. Assessments and mitigation measures have also been submitted for great crested newts, birds and badgers. The Authority's Ecologist has raised no objections to the scheme but has noted that some of the mitigation measures require additional details to be approved before they are implemented. Subject to a condition for this, the development would not have an adverse impact on protected species.

132. The Authority's Ecologist has also noted that there is an opportunity to enhance the grassland in the area to the northern side of the site, which is within the applicant's ownership but not subject to any development proposals. This opportunity should be taken in order to enhance the ecology value of the site and a condition to secure this is recommended.
133. Subject to these conditions, the development accords with policies LC17 and LC18.

Amenity

134. A letter of comment has raised concerns that the proposed development would result in increased disturbance to nearby residents, particularly through the introduction of camping pods to the existing camping field. This concern is noted.
135. It must be acknowledged though that this is a well-established and large site. The camping field is already in regular use. The development would result in a reduction in the existing total number of accommodation units at this site. Given this, as well as the separation distances between the edge of the site and the nearest residential properties, we are of the view that there would be no material harm to the residential amenity of the occupiers of any nearby houses. Furthermore, the proposal would not result in excessive noise or other associated disturbance over and above the well-established existing use. The proposal accords with policies LC4 and LC21.

Flood Risk and Drainage

136. The site is within Flood Zone 1, so is at the lowest risk of flooding. The Environment Agency has raised no objections to the scheme. The Lead Local Flood Authority initially requested additional details about surface water drainage disposal. An updated drainage strategy has now been submitted which addresses this. It is considered that, subject to implementation of the drainage strategy, the scheme would not be at unacceptable risk of flooding and would not increase the risk of flooding outside of the site.

Land Contamination

137. The Environment Agency has requested a condition for a remediation strategy to be approved and then implemented if any land contamination is discovered during the development, Subject to such a condition, the proposal accords with policy LC24.

Other considerations

138. Letters have been received which state that there are existing leaseholders of some of the existing static caravans that are proposed to be removed and no mention has been made of this in the application.
139. This is a private matter between the individuals involved and the applicant. The resolution of this matter is not a material planning consideration and is outside of the control of the Authority.

Conclusion

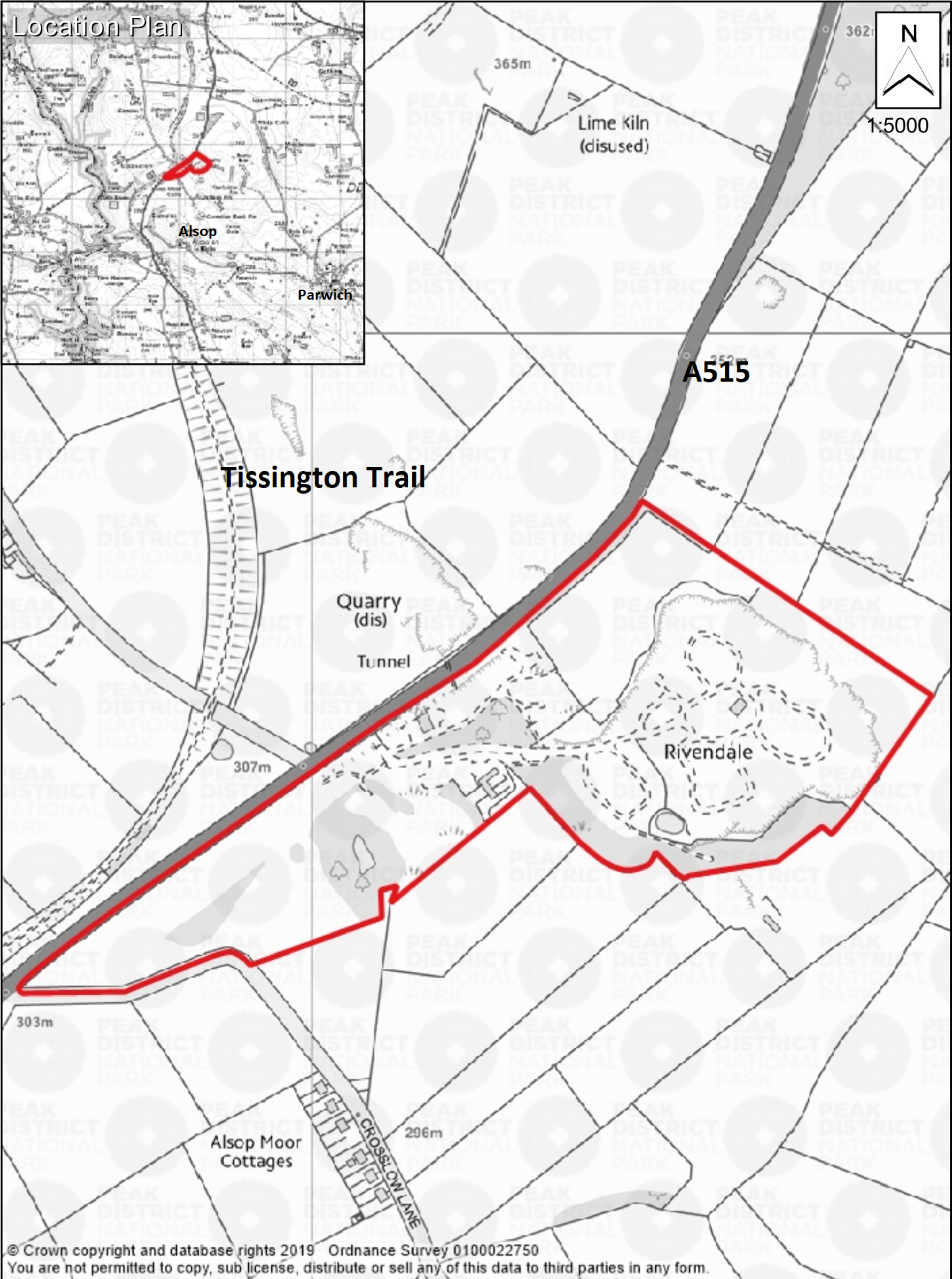
140. The proposed development would deliver enhancement to the existing site in a manner that would be in line with the National Park purpose to promote understanding and enjoyment of the special qualities of the National Park. The development would have no adverse impact on the landscape character of the area. The development is recommended for approval.


Human Rights

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

List of Background Papers (not previously published)

Report Author, Tom Shiels - Area Team Manager



Committee Date:	Friday 10th May 2019	Title: Rivendale Holiday Park	 PEAK DISTRICT NATIONAL PARK
Item Number:	Item 6		
Application No:	NP/DDD/0219/0137		
Grid Reference:	416106, 356636		

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7. RETROSPECTIVE CONSENT FOR CHANGE OF USE OF AGRICULTURAL LAND, FOR UP TO 5 TOURING CARAVANS AND TENTS, USED BETWEEN MARCH AND OCTOBER, AND ERECTION OF AMENITY BLOCK AT CLOUGH HEAD THE BRUND SHEEN (NP/SM/1218/1188 LB)

APPLICANT: MR MARK CRITCHLOW

Summary

1. The site is not an appropriate location for a touring caravan and camping site because it is an open field that does not benefit from good screening and it is located in close proximity to residential dwellings. The development would therefore be harmful to the landscape character and special qualities of the National Park and would be harmful to the residential amenity of neighbouring residents. The application has also failed to demonstrate that the development would not be harmful to ecology. The application is recommended for refusal.

Site and Surroundings

2. The application site is a parcel of land located at Clough Head, on the northern edge of Brund, in open countryside. Adjacent to the Brund Conservation Area and in close proximity to the River Manifold, the site amounts to approximately 1548 square meters and is largely a flat open parcel of land. Gritstone walls bound the east and west boundaries of the site, whilst the north and south is open field divided by a wall separating the space into two parcels. Adjacent to the southern side of the wall are electric points for touring caravans. Mature trees are located adjacent to the western boundary of the site and a single mature tree is located adjacent to the southern boundary.
3. In the south west corner of the application site an amenity block is located which resembles a dark green shipping container bounded in part by timber rail fencing and decking area. A bin storage area is located adjacent to the southern elevation.
4. Clough Head itself is a large detached dwelling of some traditional merit, constructed from gritstone under a blue slate roof. Access to the dwelling and the retrospective site is off the main road which runs through Brund. Parking space is available within a yard area. A modern agricultural building is located approximately 13 metres to the south of the dwelling, and within the curtilage of Clough Head, a yard area with turning circle. To the rear of Clough Head is 'New House', a detached listed building, located approximately 30 metres from the eastern boundary of the application site.
5. Approximately 40 metres from the southern boundary of the site is Sheldon House, a detached dwelling alongside a group of stone buildings of traditional and vernacular merit, which in part form the boundary of the field which is part of the application site.
6. The majority of the application falls within Landscape Character 'Upper Valley Pastures' lying in the South West Peak. This is described as a settled pastoral valley landscape, with scattered trees along hedgerows around settlements and following streams. Fields of permanent pasture are divided by hedgerows and occasional drystone walls, with dispersed gritstone farms constructed under stone or clay tile roofs.
7. The eastern corner of the application site falls within the 'Upland Pastures' which has characteristics of undulating slopes with gentle summits and incised cloughs, permanent pasture enclosed by gritstone walls and some thorn hedges with scattered trees along cloughs and farmsteads.

Proposal

8. Retrospective permission is being sought to change the use of the land to a caravan and camping site for up to 5 touring caravans and for tent pitches for use between the months of March and October. A maximum number of tent pitches has not been specified. The application also seeks to regularise the existing amenity block and proposes areas of new landscape screening.

RECOMMENDATION:

9. That the application be **REFUSED** for the following reasons:
 1. **By virtue of the setting and layout of the proposed touring caravan pitches in this exposed field setting and with the potential of unrestricted number of tents, the proposed development would appear unduly intrusive, having an unacceptable adverse visual impact on the character and appearance of the surrounding open landscape and the general tranquil amenity of the area, harming the valued characteristics of the National Park. This would be contrary to Core Strategy policies GSP1, GSP3, L1 and RT3, saved Local Plan policies LC4 and LR3 and to policies in the National Planning Policy Framework.**
 2. **Owing to the use, and unrestricted number of tents and close proximity of the camping site to nearby residential properties, the proposed development would materially harm the amenity of the occupiers of these dwellings. As such, it would conflict with the Core Strategy Policy GSP3 and Local Plan Policy LC4, which seek to safeguard residential amenity.**
 3. **Insufficient evidence has been provided to allow the Authority to properly determine the likely impact on protected species and ecological interests, contrary to Core Strategy policy L2 and Local Plan policy LC17.**

Key Issues

- Principle of the Development,
- The landscape and visual impact of the retrospective proposal, the impact on the amenity of neighbouring properties and the impact upon ecology and the local highways system.

History

10. Planning enquiry 32414: Enquiry to determine how to apply for planning permission for 5 seasonal touring caravans and a small container on site which is to be used in conjunction with the caravans. PDNPA Enforcement Officer advised register with a caravan club to obtain a licence or submit an application to gain planning permission.
11. Enforcement case 16/0087 created: Operating Caravan Park possibly in excess of 28 days in addition of a siting of a steel container / toilet block.
12. Enforcement enquiry 266667: Enforcement enquiry regarding the possible use of an area as a camping and caravan site in excess of 28 days at Clough Head, The Brund, Sheen. (Enquiry transferred to enforcement case 16/0087)

Consultations

13. Sheen Parish Council: Support and made the following comment;
14. *'We fully support this application as it has been a viable site for numerous years, without any problems. The applicant has, over time, improved on this, and we feel the amenity block is not too big and noticeable. Perhaps the inclusion of 'tents' and the number of these could be questioned'*
15. Staffordshire Moorlands District Council: No response to date.
16. Staffordshire County Surveyor: No objections on highways grounds to this proposal.
17. PDNPA Ecology: Object to the application for the following reasons;
18. *'Ecology object to the application on grounds of lack of information. No ecological assessment has been provided with the application to determine the impact on species and habitats associated within the site and surrounding area. Leek moorlands SSI and SPA is situated 1.5km to the south-west. An Ecological appraisal should consider potential impacts on Annex 1, Schedule 1 species and those associated with the SSSI that may also use the surrounding habitat. The appraisal should include options to mitigate against disturbance of the development.*

The area to the west of the site is important for breeding waders and the field to the north has potential to support curlew and lapwing, although it is noted that the habitat is less suitable here. We also hold records of foraging barn owls in this area. The area where the tree planting is proposed supports unimproved BSP quality acid grassland.

An ecological assessment needs to be completed considering the constraints mentioned above along with providing any appropriate mitigation measures. The application cannot be positively determined until this information is provided'.

19. PDNPA Landscape: Object to the application for the following reasons;
20. *'Specifically this is an undulating site of improved pasture enclosed by a mixture of drystone walls and hedges. A public footpath passes through the site and there are other numerous public footpaths in the area which are well used, including the Manifold Trail which runs close by. Although there are numerous individual trees around the site, the site can be seen from a variety of roads and footpaths in particular the surrounding higher ground to the north east.*

It is clear that the caravans and tents will stand out in the landscape and have a negative impact on the character of the landscape. Within the Landscape Strategy there is a section on Issues of Change which covers tourism and recreation within the South West Peak.

This area receives less visitor pressure than many other areas of the National Park, and is much valued by residents for its variety of landscapes and tranquillity. Most of the recreation in the South West Peak is concentrated into a few honey-pot sites, with much of the remaining area receiving relatively few visitors...

The proposal will have a negative visual and character impact on the surrounding area and I recommend refusal

Representations

21. A total of 11 representations have been received at the time of writing; 8 letters of objection and 3 letters providing general comment. It is noted that two of the letters of objection set out that the current limited scale of the campsite raises no disturbance but there are concerns in regard to the scale of the proposals. Other concerns raised through the objection letters are detailed below;
- Insufficient information in regard to the scale of the proposal, i.e. numbers of tents and caravans, cars, detailing of proposed screening
 - Impact of the proposal on the surrounding highways
 - Landscape and visual impact of the proposal
 - Not compliant with policy
 - Noise and light pollution
 - Impact on the quiet enjoyment of the Peak District for residents and other recreational users, loss of tranquillity
 - Is the amenity block sufficient for the number of tents as the number of tents is unknown?
 - Where is the septic tank located and where does it discharge?
 - Impact upon Conservation Area
 - Expansion of site for commercial operation
 - Open and uncontrolled number of caravans and tents on the site
 - Loss of privacy
 - Additional object associated with camping and caravan such as BBQ cumulatively result in visual impact within the landscape
 - Impact upon the nearby listed buildings
 - Concerns regarding impact upon the surrounding ecology
22. Letters of comment have also been received. These request that the Authority are consistent in the assessment of the application with a previous application for similar development in the locality.

National Policy

23. 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 are; 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.
24. The National Planning Policy Framework (NPPF) has been revised (Published 19 February 2019). This replaces the previous document (2012) 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. Section 16 of the revised NPPF sets out guidance for conserving the historic environment.
25. Paragraph 172 asserts that '*great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, which have the highest status of protection in relation to these issues*'.

26. Paragraph 193 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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance’.
27. 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. These Development Plan Policies 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 are no significant conflicts between prevailing policies in the Development Plan and government guidance in the NPPF.

Main Development Plan Policies

28. Core Strategy
29. 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.
30. 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.
31. DS1 supports extensions to existing buildings in principle, subject to satisfactory scale, design and external appearance.
32. Saved Local Plan
33. 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.
34. LC5 states that applications for development in a Conservation Area, or for development that affects its setting or important views into or out of the area, should assess and clearly demonstrate how the existing character and appearance of the Conservation Area will be preserved and, where possible, enhanced.
35. LR3 sets out that the development of a new touring camping and caravan site or small extension to an existing site will not be permitted, unless its scale, location, access, landscape setting and impact upon neighboring uses are acceptable and it does not dominate its surroundings.
36. LR5 states that where the development of a touring or caravan site is acceptable, its use will be restricted to holiday accommodation.
37. 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, particularly in Conservation Areas.
38. Policies LC17, LC18 and LC19, jointly seek to ensure that no harm is caused to protected species as a result of development being carried out, and that where appropriate safeguarding measures are exercised.

39. LT18 states that safe access is a pre-requisite for any development within the National Park.
40. Emerging Development Management Policies
41. The Authority's emerging Development Management Policies Document is not yet adopted but is now at a very advanced stage. As such, the policies can be given significant weight as a material planning consideration in the assessment of the application.
42. DMR1 sets out that the development of a new touring camping or touring caravan site, or small extension to an existing site will not be permitted unless its scale, location, access, landscape setting and impact upon neighboring uses are acceptable, and it does not dominate its surroundings.
43. DMR2 sets out that where the development of a touring camping or touring caravan site is acceptable, its use will be restricted to holiday accommodation.

Relevant Guidance

44. The Authority's Landscape Strategy offers relevant guidance on the application of landscape conservation policies in the Development Plan. In this case, the site is within the Upper Valley Pastures and Upland Pastures of the south west peak landscape character area.

Assessment

Principle of Development

45. Paragraph 83 of the NPPF states that policy should enable sustainable rural tourism and leisure developments which respect the character of the countryside and the sustainable growth and expansion of all types of business in rural areas.
46. Within the Development Plan, DS1 allows for leisure and tourism development in open countryside outside of the National Park's named settlements. RT3 relates to Caravans & Camping, setting out an approach which favours small touring camping and caravan sites, where the scale, location, access, landscape setting, impact upon neighbouring uses are acceptable and it does not dominate its surroundings. This requirement is also reflected in policy DMR1 of the emerging Development Management Policies Document. The landscape and visual impact is a therefore a key consideration and is set out below.

Landscape and Visual Impact

47. The caravan and camping site is part of a large open parcel of land located to the west of the main dwelling at Clough Head. The boundary of the site to the east is identified by a gritstone boundary wall, which also marks part of the entrance to the site. The western boundary is also partially bounded by a gritstone wall and post and wire fencing adjacent to a parcel of woodland, which includes mature trees. The north and south boundary to the site has no demarcation as it comprises sections of two individual fields, which are adjacent to one another and divided by a gritstone wall, which runs through the site. Electric hook up points are located against this wall.
48. The caravan site / camping field is accessed off the main road through Brund, approximately 30 metres from the site. Adjacent to the southern part of the site a wide gravelled track runs over the field to the southwest corner of the site and amenity block.

The site is located within open landscape and is clearly visible from the highway through Brund.

49. The camping and caravanning field is clearly visible from the immediate approach road from the north leading into Brund, as the site is located on the brow of a hill but also at distance from wider views from highways and footpaths to the north. The site for the caravans and tent pitches within the field would occupy a very exposed and sensitive location immediately adjacent to the boundary of the Brund Conservation Area. As a result, it is considered the caravans alongside additional tents are unduly intrusive within the open countryside resulting in a significant harmful visual impact. The intensification and impact of the site would further be increased through the inevitable introduction of additional ancillary development, such as barbeque cooking areas and outside seating, which is associated with this type of holiday accommodation.
50. At present there is some existing mature tree planting which bounds the western side of the site. Mature trees are also located along the access and the single-track approach road from the north. The application proposes some additional screening to the east and west of field but along the boundary and away from the site. As the application does not propose any physical demarcation to the site along the northern boundary and the site will remain clearly visible within the immediate and wider setting in this quiet area of the National Park. This is not a well screened site and is very open to views. These views are made more prominent by the contrast against the white of the caravans against the traditional stone buildings located to the south of the site, clearly identifying the mobile structures within the landscape and its setting. The additional proposed screening would take a significant amount of time to provide any meaningful additional screening, and in their own right would not be appropriate as they would not reflect the distribution of trees typical in this landscape character area, which identifies it as a settled pastoral valley landscape, with scattered trees along hedgerows around settlements and following streams.
51. The caravan and camping site use would result in significant harm to the landscape character and visual amenity of this part of the National Park.
52. Amenity Block
53. An amenity block is located within the southwest corner of the site, which is of rectangular form with a flat roof, painted dark green, measuring 4.9 metres long, and x 3 metres wide, 2.5 metres in height. A door is located in the east elevation and two small linear windows are located within the south elevation. A small timber bordered area is located outside of the door, which provides access to either side of the wall with the electric hook up points.
54. Even though the amenity block is located within the southwest corner of the site, away from the nearby traditional buildings, and has a backdrop of mature trees, the building is not of traditional design, constructed from metal with an obtrusive flat roof. Therefore, due to its utilitarian stark appearance it sits uncomfortably within the setting detracting from its site and surroundings resulting in unnecessary visual impact.
55. Because of the adverse visual impact, the development is contrary to Local Plan Policy LC4 and LH4, policy RT3 of the Core Strategy and emerging policy DMR1.

Economic benefits and tourism

56. It is acknowledged that the development may result in a small boost to the rural economy in this part of the National Park and would provide a facility that may assist in promotion of enjoyment of the National Park. However, where there is a conflict between

conservation and public enjoyment, then conservation interest should take priority (the Sandford Principle) as set out in policy GSP1. In this case, it is considered there is a conflict between those purposes; therefore, the Authority should attach greater weight to the first purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of the area, over the enjoyment of the National Park. The small scale economic benefits also do not outweigh the harm to the valued characteristics.

Impact upon amenity

57. The closest neighbouring dwelling is New House, a grade II listed building approximately 40 meters away from the eastern edge of the site and roughly 60 metres from where the caravans are situated. Due to the small distance between the nearest neighbouring dwelling camping and caravanning would result in a rise in site activity and an increase in noise and disturbance, creating a harmful impact on the quiet enjoyment and amenity of the neighbouring property. Therefore, the proposal conflicts with policies GSP3, LC4 and LR3.

Impact upon ecology

58. An ecological appraisal has not been submitted with the application. The site is in location where there may be important ecological interest. The impact of the proposal on protected species and wildlife habitats in the vicinity of the development cannot be properly understood or assessed due to the lack of information that has been submitted. As noted earlier on in the report, the Authority's ecologist has raised concerns and objects to the application on the grounds of lack of information to determine the impact on species and habitats associated within the site and the surrounding area and therefore cannot fully assess any impact the proposal may have. Because of this, the application is contrary to LC17, LC18 and LC19.

Impact upon the Highway

59. Concern has been raised through representation in regard to the increased traffic the proposal may have upon the current highway through Brund and the potential increased amount of parking on the site. However, the Highway Authority does not object to the proposal. We cannot conclude that the development will result in harm to highway safety and the proposal meets the requirements of policies LT11 and LT18.

Conclusion

60. The proposed development would be sited within open countryside, adjacent to the Brund Conservation Area and in close proximity to listed buildings where it would be clearly visible within immediate and wider vantage points. In this location, it is considered the 5 touring caravans and additional tent pitches alongside the potential increase in activity would have a harmful impact upon the character and scenic beauty of the National Park. Therefore, the retrospective proposal is contrary to the Development Plan policies and the guidance contained within the National Planning Policy Framework and is recommended for refusal.

Human Rights

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

List of Background Papers (not previously published)

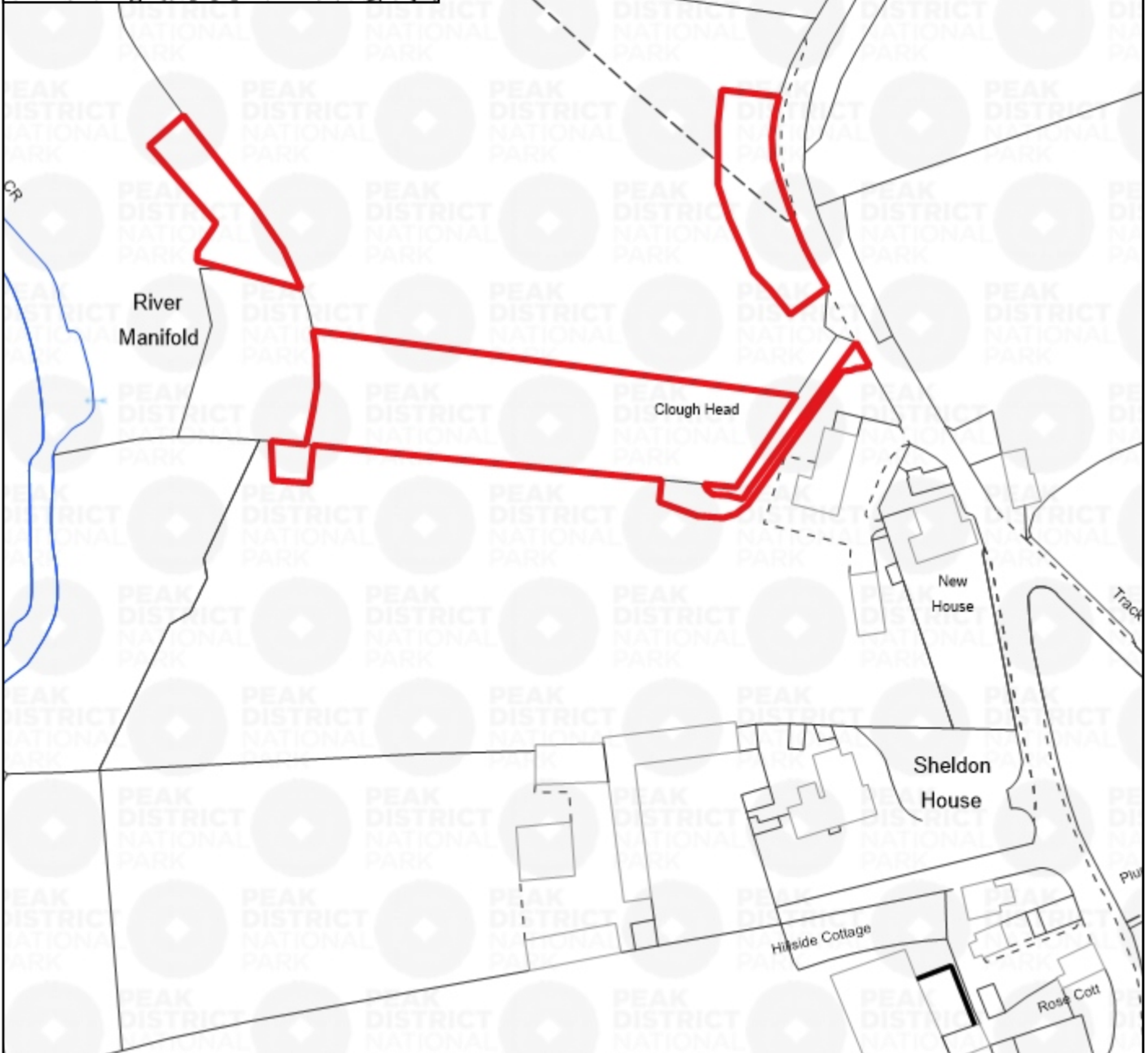
Nil

Report Author –_Laura Buckley – Planning Assistant South Area


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Committee Date:	Friday 10th may 2019	Title: Block at Clough Head	 PEAK DISTRICT NATIONAL PARK
Item Number:	Item 7	The Brund	
Application No:	NP/SM/1218/1188	Sheen	
Grid Reference:	410149, 361254		

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8. FULL APPLICATION – CHANGE OF USE OF BARN TO RESIDENTIAL, ASSOCIATED EXTERNAL ALTERATIONS, INSTALLATION OF PACKAGE TREATMENT PLANT, WORKS OF HARD AND SOFT LANDSCAPING AND OTHER INCIDENTAL WORKS AT BARN AT HIGHFIELDS FARM, MIDDLETON LANE, STONEY MIDDLETON (NP/DDD/0219/0127, AM)

APPLICANT: MR J ARMSTRONG

Summary

1. The application proposes the conversion of a barn to a market dwelling. The barn has planning permission for conversion to a holiday let. We consider that the barn is a non-designated heritage asset and that the proposed development would conserve the significance of the barn, its setting and the landscape of the National Park. The application is recommended for approval.

Site and surroundings

2. The site is in open countryside approximately 850m west of Stoney Middleton, on the south side of Middleton Lane.
3. There is a field barn on the site which is set back behind the highway verge and is constructed from rubble limestone under pitched roofs clad with natural blue slate. The barn is partially two storey and single storey; the single storey element appears to be in a poor state of repair. The barn is within a relatively small field which is enclosed by stone walling and post and wire fencing.
4. Access to the site is off Middleton Lane. The nearest neighbouring property is Highfields Farm to the west of the site and a range of modern agricultural buildings to the east.

Proposal

5. Conversion of the barn to a single bedroom market dwelling.
6. The two storey barn would be converted within the existing shell of the building. The single storey element of the building would be demolished and re-built. New timber windows and doors would be installed along with a total of four roof-lights on the south facing elevation of the building.
7. An area of gravel hardstanding would be created to the rear of the barn for access and parking. This would be bounded by a new post and wire fence to define the domestic curtilage. A package treatment plant is proposed within the curtilage.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions:

1. **Statutory 3 year time limit for implementation.**
2. **Development to be carried out in accordance with specified approved plans.**
3. **No development shall commence until a detailed scheme of mitigation and enhancement measures for bats and birds has been submitted to and approved in writing by the National Park Authority. The development shall then not be**

carried out other than in complete accordance with the approved scheme which shall be completed prior to the first occupation of the development hereby approved.

4. No works to the building shall take place in the bird breeding or maternity roosting seasons (March to September, inclusive).
5. There shall be no external lighting to the building and the associated curtilage shall not be provided with any other external source of illumination at any time other than in complete accordance with a detailed scheme which shall have first been submitted to and approved in writing by the National Park Authority.
6. Prior to the surfacing of the drive, parking or manoeuvring areas a specification or sample of the material to be used for the surfacing of these areas shall be submitted to and approved in writing by the National Park Authority. The development shall thereafter not be carried out other than in complete accordance with the approved details.
7. The development hereby approved shall not be occupied until the parking and manoeuvring space shown on the approved plans has been fully laid out and constructed.
8. There shall be no gates or other barriers within 6 metres of the nearside highway boundary and any gates shall open inwards only.
9. The domestic curtilage of the dwelling hereby approved shall be restricted to the respective adjacent area within the proposed post and wire fence shown on approved plan: drawing 'P2' Revision A. No planning permission is granted for the change of any other land within the application site to domestic use.
10. All new service lines associated with the approved development, and on land with the applicant's ownership and control, shall be placed underground and the ground restored to its original condition thereafter.
11. The conversion shall be carried out within the shell of the existing building, with any rebuilding limited to that specifically shown on the approved plans.
12. All new stonework shall be in natural, reclaimed limestone faced, laid and pointed to match the existing stonework.
13. Prior to the installation of any new window or door frames a detailed scheme for the proposed external finish of the window and door frames shall be submitted to and approved in writing by the National Park Authority. The window and door frames shall thereafter be finished in accordance with the approved scheme prior to the first occupation of the dwelling and the finish shall be maintained throughout the lifetime of the development hereby approved.
14. The new doors shall be vertically boarded timber with no external framing or glazing.
15. The rainwater goods shall be black. The gutters shall be fixed directly to the stonework with brackets and without the use of fascia boards. There shall be no projecting or exposed rafters.

16. **All pipework, other than rainwater goods, shall be completely internal within the building.**
17. **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification) no improvement or other alteration to the external appearance of the dwelling shall be carried out and no extensions, porches, ancillary buildings, satellite antenna, solar or photovoltaic panels, gates, fences, walls or other means of boundary enclosure shall be erected on the site without an application for planning permission having first been made to and approved in writing by the National Park Authority.**

Key Issues

- Is the conversion of the barn to a market dwelling acceptable in principle.
- The impact of the conversion upon the barn and its setting within the landscape and the impact upon other valued characteristics of the National Park.

History

2009: Planning permission granted conditionally for conversion of barn to a holiday let.

2012: Planning permission renewed for conversion of barn to a holiday let.

2016: Application for conversion of barn to holiday let withdrawn prior to determination.

2017: Planning permission granted conditionally for conversion of barn to holiday let.

2018: Pre-application advice sought by the applicant for conversion of the barn to a market dwelling.

8. We advised that the conversion of the barn to a market dwelling is likely to be acceptable because it would not result in any significant additional impact compared to the approved holiday let scheme. We advised that a further extension to the building would have an adverse impact on the character of the property and the surrounding area and that we would be unlikely to support this.

Consultations

9. Highway Authority – No response to date.
10. Officer Note: the Highway Authority raised no objection to the previous application for conversion to a holiday let subject to conditions requiring parking and manoeuvring space to be implemented and maintained and to prevent any gates or barriers within 6 metres of the highway boundary.
11. District Council – No response to date.
12. Parish Council – Object to the development on the basis that it is contrary to the Authority's policies. The Parish Council consider that conditions set with regard to the suitability of the barn for short-let holiday residential use and not full-residential use are still applicable.
13. Natural England – No response to date.

14. Officer Note: Natural England raised no objection to the previous application for conversion to a holiday let and considered that the development would not have significant adverse impact on designated sites.
15. PDNPA Archaeology – Object to the development on the basis of insufficient information and make the following comment.
16. Officer Note: A heritage statement has been submitted in response to the comments from the Authority's Senior Archaeologist (below) who has been re-consulted. Any further comments will be reported verbally at the meeting.
17. *"The barn at Highfields Farm is a non-designated heritage asset of historic and archaeological interest. barn is recorded in the County Historic Environment Record and the Peak District National Park Historic Building Sites and Monuments Record (MPD13325), as a former outfarm. Outfarms are multi-purposes farm buildings, singular or in small groups, set around a yard located away from the main farmstead. They enabled land and stock to be managed remotely from the main farm, and are often associated with parliamentary land enclosure of the landscape.*
18. *It was likely used for sheltering livestock (cattle or sheep), for storage hay, fodder and other crops, or a combination of these activities. The building has historic and archaeological interest, due to its traditional agricultural character that demonstrates its agricultural origin and function, the traditional materials from which it is constructed, surviving historic features and fabric and the form and location of the openings, which provides legibility of the historic function of the barn. Such small barns are characteristic of the agricultural development in these areas in the 19th century and are illustrative of agricultural management practices and their changes overtime.*
19. *The Peak District National Park Historic Farmstead Character Statement identifies that field barns and outfarms are an important part of the Peak District's landscape, they are highly characteristic and strongly contribute to local distinctiveness, especially when combined with the distinctive pattern of dry stone wall enclosure reflecting the development of the historic landscape as at Highfields Barn. The Peak District National Park Historic Farmstead Character Statement also identifies that farm buildings that are detached and remote from a main farmsteads (both outfarms and field barns) have been subject to high levels of change both with the Peak District and nationally, with a 57% loss of such features from the Peak District landscape. This makes those that survive all the more precious.*
20. *The conversion of the farm buildings to residential use will likely result in harm to their significance through the loss of historic fabric and features, and impact on the agricultural character of the building, loss of legibility of historic agricultural functions etc. However, the current application contains insufficient information for us to be able to make an appropriate assessment of the scale of the harm impact of the proposed conversions on the significance of the outfarm complex and its historic landscape location and setting. The application is not accompanied by an appropriate description of the significance of the heritage asset, and therefore does not meet the requirements of NPPF para.189.*
21. *I also have concerns about, and there would be a need to appropriately control, the introduction of domestic curtilage, and all the usual things this entails (services, light pollution, waste disposal, garden areas, parking areas, bin stores, waste disposal, proposed post and wire fence etc.), elements that are out of place in the setting of a traditional agricultural building and within its landscape setting.*
22. *An appropriate assessment of the significance of the heritage asset is required. This*

needs to:

- *Consider the historic development, character and significance of the outfarm, its buildings and the contribution of the setting to significance (including identifying significant historic fabric and features, identify any evidence of phasing etc.)*
- *Consider the significance of the historic landscape and fossilised medieval field system.”*

23. PDNPA Ecology: No response to date.

24. Officer Note: The Authority’s Ecologist raised no objection to the previous application for conversion to a holiday let subject to planning conditions to ensure that mitigation for bats and birds as recommended in the protected species survey were implemented and that building works took place outside of the main breeding bird season.

Representations

25. One letter has been received during the consultation period. The letter objects to the proposed development for the following reasons:

- Previously the Authority has considered that the barn is unsuitable for full residential use.
- The barn is in close proximity to a working farm and from agricultural sheds that house cattle and store muck. Occupants of a permanent dwelling would be more likely to be adversely affected by noise and smell from a working farm than holiday makers.
- The building should not have chimneys due to potential fire risk and risk of smoke entering cattle buildings.
- The proposed soak-away to the package treatment plant would be close to the boundary and could discharge into the neighbouring field, potentially causing welfare issues for cattle.

Main policies

Relevant Core Strategy policies: GSP1, GSP2, GSP3, GSP4, DS1, L1, L2, L3 and HC1

Relevant Local Plan policies: LC4, LC8, LC15, LC16, LC17, LT11 and LT18

National planning policy framework

26. 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 with regard to the issues that are raised.

Development plan

27. Core Strategy policies GSP1, GSP2 and GSP3 together say that all development in the National Park must be consistent with the National Park’s legal purposes and duty and that the Sandford Principle will be applied where there is conflict. Opportunities for

enhancing the valued characteristics of the National Park will be identified and acted upon and development which would enhance the valued characteristics of the National Park will be permitted. Particular attention will be paid to impact on the character and setting of buildings, siting, landscaping and building materials, design in accordance with the Design Guide and the impact upon living conditions of local communities. CS policy GSP4 highlights that the National Park Authority will consider using planning conditions or obligations to secure the achievement of its spatial outcomes.

28. Core Strategy policy DS1 states that in the countryside the conversion or change of use of traditional buildings for housing will be acceptable in principle. Core Strategy policy HC1 says that new housing will only be permitted in the National Park in exceptional circumstances. HC1. C. says that one circumstance is where development is required to achieve the conservation or enhancement of a valued vernacular or listed building.
29. Core Strategy policy L1 says that all development must conserve or enhance the landscape character of the National Park. Core Strategy policy L3 says that all development must conserve or enhance the significance of our heritage assets and their setting and that development that has a harmful impact will not be permitted unless there are exceptional circumstances.
30. Saved local plan policies LC4, LC8, LC15 and LC16 provide more detailed criteria to assess design, landscaping and impact upon archaeological significance.
31. Core Strategy policy L2 says that all development must conserve or enhance the biodiversity of the National Park. Saved local plan policy LC17 provides more detailed criteria for the assessment of development upon designated sites, species and habitats.
32. Saved local plan policies LC11 and LC18 require adequate off-street parking and safe access to be provided as a pre-requisite of all development within the National Park.

Emerging development management policies

33. The Authority's emerging Development Management Policies Document is not yet adopted but is now at an advanced stage. These policies therefore can be given significant weight as a material planning consideration in the assessment of the application.
34. Policy DMC5 says that applications for development affecting a heritage asset must clearly demonstrate its significance including how any identified features of value will be conserved and where possible enhanced and why the proposed development is desirable or necessary.
35. Policy DMC10 says that conversion of a heritage asset will be permitted provided that it can accommodate the new use without changes that adversely affect its character. Proposals under policy HC1. C. I. will only be permitted where the building is a designated or non-designated heritage asset and it can be demonstrated that conversion to a market dwelling is required in order to achieve the conservation and where appropriate, enhancement of the significance of the heritage asset and its setting.

Assessment

Whether the development is acceptable in principle

36. The barn is located in open countryside outside of Stoney Middleton and adjacent to Middleton Lane. Planning permission has been granted for conversion of the barn to holiday accommodation. The most recent planning permission, granted in 2017, has not been implemented but remains extant.
37. When considering the application in 2017 we determined that the barn is a traditional outfarm that makes a positive contribution to the historic landscape and therefore is a non-designated heritage asset. We concluded that proposed conversion to holiday accommodation conserved the significance of the barn and its setting.
38. This application proposes the conversion of the barn to a market dwelling. The proposed design is identical to the scheme previously approved.
39. The character of the building and its setting has not changed and the senior archaeologist remains of the opinion that the building possess historic and archaeological significance. Therefore we still consider that the building is a non-designated heritage asset.
40. Our policies support the principle of converting buildings such as this barn to market dwellings provided that the development is required to secure the conservation or enhancement of the building. This is therefore the key issue in the determination of the application.

Impact of the development upon the building and its setting

41. The senior archaeologist raises concerns that the conversion of the building to residential use will harm its significance and that the application contains insufficient information to assess the impact of the conversion on significance.
42. We have previously determined that it is not necessary for a heritage statement to be provided to understand the significance of the building as an outfarm or assess the potential impacts of the development. However, emerging development plan policy DMC5 should be given significant weight and requires an assessment of significance to be provided and reflects paragraph 189 of the National Planning Policy Framework.
43. We have discussed this issue with the agent and a heritage statement has now been submitted in support of the application. We have re-consulted the senior archaeologist and we will update members at the meeting on any further comments.
44. The barn is not located within an existing group of buildings but is in a roadside position where there is sporadic agricultural and domestic development leaving Stoney Middleton. The proposal is to convert the building without extension and uses the existing access with the garden and parking area around the rear of the building.
45. The design of the scheme is sensitive and in accordance with our design guide because it uses existing openings and proposes new timber windows and doors of a suitable design along with metal rainwater goods and conservation roof lights. A structural report has been submitted to justify the demolition of the later single storey element which would be re-built to match the appearance of the existing structure.
46. Therefore we agree with the heritage statement that while the development would result in some harm to the significance of the barn that this would be very limited and outweighed by the benefits of securing the long-term conservation of the building. The development would not harm the character of the historic landscape or the setting of the nearby grade II listed Highfields Farmhouse or the Stoney Middleton conservation

area.

47. The proposed curtilage would be limited to a modest area to the rear of the building. This is the same area we approved for the holiday let scheme. Parked cars and domestic activity here would not be visible from the roadside or prominent in the wider landscape and therefore we consider that the use of the building as a market dwelling would not be more harmful than use as a holiday let and is therefore equally acceptable in policy terms.
48. The principle of the proposed conversion rests upon impact upon the significance of the building. If permission was granted it would be essential to impose planning conditions to control design details, landscaping, lighting, boundary treatments and to remove permitted development rights for domestic alterations, extensions and outbuildings. There are exceptional circumstances to remove permitted development rights because further development could harm the significance of the building and the landscape.
49. We therefore conclude that the development is required to achieve conservation of the building and is in accordance with: core strategy policies L1, L3 and HC1; saved local plan policies LC4, LC8, LC15 and LC16 and emerging development management policies.

Impact of the development upon biodiversity

50. A protected species survey has been submitted with the application. This survey and the results of previous surveys have shown that the barn is used by brown long-eared and common pipistrelle bats for roosting. Activity surveys were carried out in 2017 and the report says that a further activity survey is required but only provide up-to-date information about the status of the bat roosts and to inform appropriate mitigation. The report states that further survey is only required for a development licence from Natural England and is not required for planning purposes.
51. The report states that work must not be carried out in the maternity roosting season of May – September. And mitigation will be required such as provision for bats to roost within the building by creating voids in the roof and installing bat boxes into the walls. Traditional bitumen hessian underfelt would need to be used for the roof and roof timbers treated by using approved chemicals for bat roosts. Any external lighting would need to be limited.
52. Barn swallows and other bird species have in the past nested in the barn and therefore works must not be carried out in the bird breeding season of March to August unless a breeding bird survey has been undertaken with finding to inform the best method to avoid impacting upon nesting birds. Compensation for loss of nesting sites should be provided including nest boxes and replacement nesting sites for barn swallows.
53. We consider that the planning application is supported by sufficient information to inform the potential impact of the development upon protected species at the site. If permission is granted planning conditions would be necessary to require the approval and implementation of mitigation and enhancement features for bats and birds and to prohibit development within the bird breeding and maternity roosting seasons (March to September).
54. These conditions are necessary to ensure that the development conserves and enhances the biodiversity of the National Park and to secure the favourable conservation status of protected species on the site in accordance with: core strategy policy L2; saved local plan policy LC17 and emerging development management policies.

Other issues

55. Given the distance between the barn and the nearest neighbouring properties we consider that occupants of the development would have sufficient privacy and that the development would not harm the privacy, amenity or security of any neighbouring properties. Occupants of the development would have a private amenity space.
56. Concern has been raised that occupants of the development would be more likely to be affected by noise and smell from livestock kept in the agricultural buildings to the west of the site. We acknowledge that noise and smell would be noticeable to occupants of the proposed dwelling, however, the barn is separated from the buildings by a field and is of a sufficient distance that there would not be a significant impact. This relationship of domestic properties and working farms is not uncommon in the local area.
57. There is sufficient visibility from the access onto Middleton Lane and ample turning and parking space within the proposed curtilage to the rear of the barn. We therefore consider that the development would not harm highway safety.
58. The proposed development is therefore considered to be in accordance with: core strategy policy GSP3 and saved local plan policies LC4, LT11 and LT18.

Conclusion

59. We conclude that the proposal is required to conserve the significance of the barn which is a non-designated heritage asset and therefore the conversion of the barn to a market dwelling is acceptable in principle. The proposal will conserve the landscape character of the National Park and its biodiversity and will not harm highway safety or the amenity of neighbouring properties.
60. Therefore the proposal is considered to be acceptable subject to the imposition of planning conditions. In the absence of any further material considerations we consider that the proposal is in accordance with the development plan and we recommend the application for approval.

Human Rights

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

List of Background Papers (not previously published)

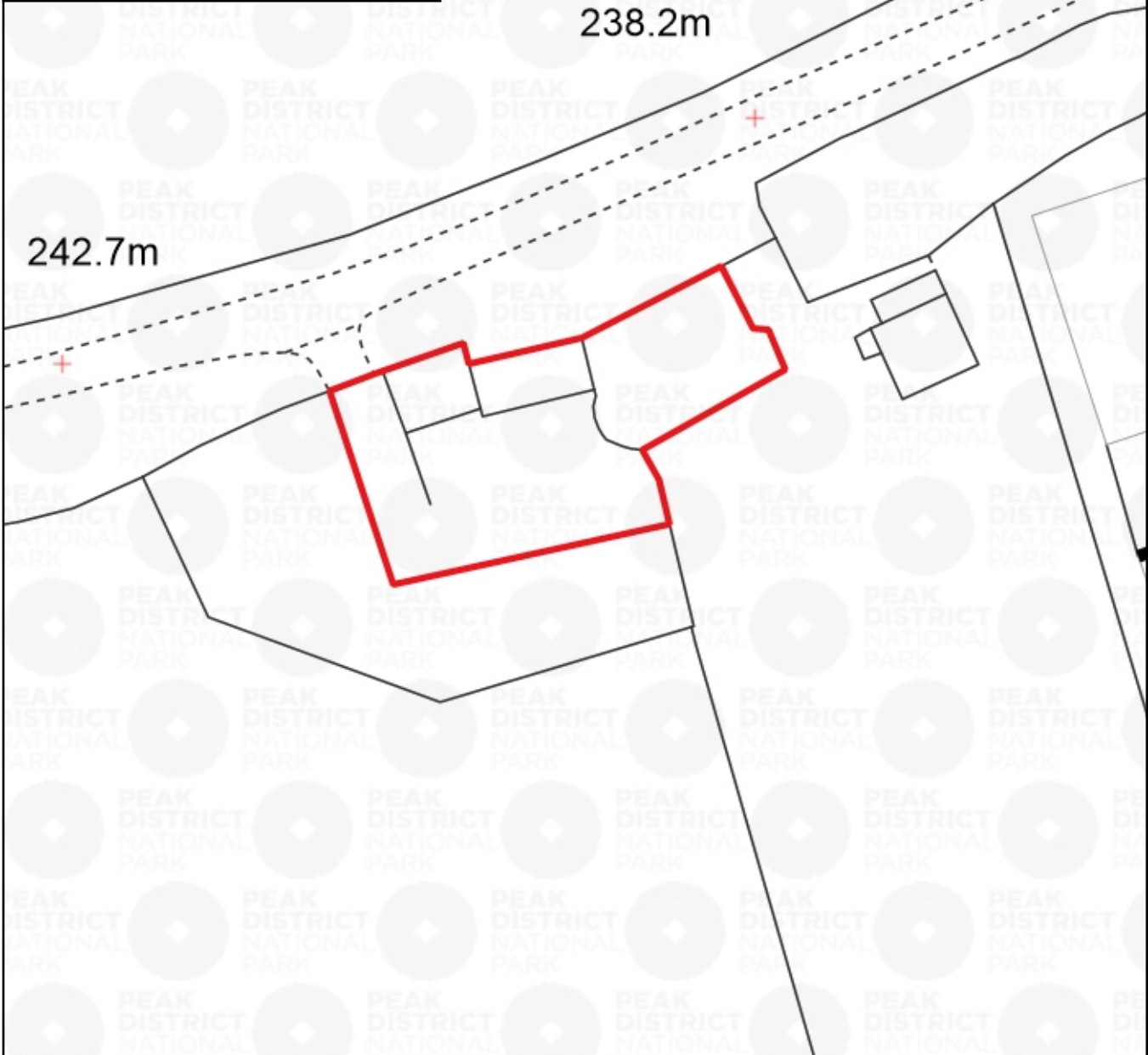
62. Nil

Report Author, Adam Maxwell - Senior Planner


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Committee Date:	Friday 10th May 2019	Title: Barn at Highfields Farm Stoney Middleton	 PEAK DISTRICT NATIONAL PARK
Item Number:	Item 8		
Application No:	NP/DDD/0219/0127		
Grid Reference:	422039, 375217		

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9. FULL APPLICATION – PLACEMENT OF TIMBER MOBILE POULTRY SHELTER ON LAND AT ROCKLANDS FARM, THE BENT, CURBAR (NP/DDD/0219/0174. DH)

APPLICANT: MR THOMAS COOPER

Summary

1. The application proposes the siting of a mobile hen-house on the land to the rear of Rocklands. The applicant has planning permission for a similar, slightly larger structure on the land which has been on site for over a year. We consider that the area of land is large enough that the introduction of one more hen-house will not have any significant visual impact on the site or the wider landscape. The application is recommended for approval.

Proposal

2. The application seeks permission for the siting of a mono-pitched timber hen-house on the land for a commercial egg producing business. The hen house would be 5m long by 2.6m wide and 1.7m to the highest part of the roof. The hen-house would be moved at regular intervals to different locations within the application site area, to mitigate the impact of ground poaching by the hens.

Site and Surroundings

3. The application site is a two hectare area of rough grazing land to the north-east of Rocklands, a bungalow on the east side of The Bent which in the same ownership as the land. Rocklands is one of a number of dwellings built on the hillside to the northern edge of the village of Curbar with the land to the rear rising toward Curbar Edge.
4. The land is accessed via the private driveway to the side of the bungalow and at its closest point the land is approximately 100m north of the Curbar Conservation Area boundary. Curbar Edge is open access land under the Countryside and Rights of Way Act 2000 (CROW Act). There is already a mobile timber hen-house on the land holding around 150 hens which was approved in 2018. This is painted grey with a matt black pitched roof; that hen-house is also moved around the land on a regular basis.
5. The nearest neighbouring properties to the application site are the houses on the north side of The Green some 100m away. There is a public right of way (PROW) which is approximately 125m south of the land which runs from The Green eastwards up to Curbar Edge, and two others which run south to north below and parallel with Curbar Edge, the closest of which is 50m north of the site.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions:

1. **The development shall be in complete accordance with the submitted plans and specifications received by the Authority 22 February 2019.**

2. **Prior to the building being brought into use , the external timberwork shall be given an initial stain in a ‘warm grey colour’ and thereafter, other than the use of a clear timber preservative, shall be left to weather naturally.**
3. **There shall be no external lighting of the site.**
4. **The use of the building shall be ancillary to Rocklands.**
5. **When the building hereby permitted is no longer required for the purposes of agriculture it shall be dismantled, removed from the site and the site shall be restored to its original condition.**

Key Issues

6. Landscape impact. Whether the proposed development would detract from the character, appearance or amenity of the site, or its wider landscape setting.
7. Whether the development would adversely affect the amenities of the property, neighbouring properties, or the wider area.

History

8. March 2018 – NP/DDD/1217/1282 – Erection of mobile timber hen house – Granted subject to conditions.
9. October 2018 – Following an appeal against the conditions on planning approval NP/DDD/1217/1282 the Inspector removed Condition 4 – No egg sales from the premises, 5 – Agreement over fencing details, 6 – Agreement over locations of hen house within site and 8 – Limitation of hens to 150. Appeal decision APP/M9464/W/18/3200699.
10. October 2018 – NP/DIS/1018/1003 – Approval of details reserved by the conditions remaining following appeal.
11. October 2018 - NP/DDD/1018/0976 - Lawful Development Certificate for a proposed use – Siting of mobile poultry shelter – Refused - 15/02/2019.

Consultations

12. Derbyshire County Council (Highway Authority): The precedent has been set by the Planning Inspectorate with regards to the provision of a hen house at this site. For this reason, the Highway Authority does not consider it reasonable to recommend the same conditions with regards to the sale of eggs at the site or to limit the number of hens, as recommended during the last application. However, the hen-house should remain for the applicants own use only or ancillary to the occupants of Rocklands Farm.
13. Derbyshire Dales District Council (Environmental Health Officer): No response to date.
14. Curbar Parish Council: Object for the following reasons:
 - Detrimental impact on the visual amenities of the area/landscape
 - Precursor for future operations which would increase the impact
 - Increase in vehicle movements
15. PDNPA Landscape Architect: No response to date.

16. PDNPA Archaeologist: There are no archaeological concerns with respect to this application.

Representations

17. The Authority has received eight representations regarding the application.

18. Three letters of support have been received, which state:

- The DEFRA approved structure will add order.
- The proposal is a productive use of this land.
- Supports local business.
- The size is very modest and will not spoil the panoramic views from and of Curbar.
- This is a small DEFRA controlled local rural initiative which has to fully respect the strictest and widest range of environment standards.

19. Five objections have been received, which raise the following concerns:

- Landscape/visual impact.
- Impact on the character of the village location.
- Commercial use of the site within a residential area
- Potential future intensification of business
- Generation of extra traffic movements
- Noise
- Smells
- Waste and pollution
- Vermin being attracted to the site
- Health risks
- Practicality of frequent movements of the structure

20. The issues raised above are considered in the assessment of the application with the exception of the potential future intensification of the business, which is not a material planning consideration.

Main Policies

21. Relevant Core Strategy policies: GSP1, 2, & 3, DS1, L1 & E2

22. Relevant Local Plan policies: LC4, LC13 & LE4

23. National Planning Policy Framework

24. The National Planning Policy Framework (NPPF), which was revised February 2019, is considered to be a material consideration which carries particular weight where a development plan is absent, silent or relevant policies are out of date. In the National Park the development plan comprises the Authority's Core Strategy 2011 and saved policies in the Peak District National Park Local Plan 2001. 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.

25. Paragraph 172 of the NPPF states that *'great weight should be given to conserving and enhancing 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 these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in all these areas, and should be given great weight in National Parks and the Broads.'*
26. Paragraph 86 of the NPPF states that planning policies and decisions should enable the sustainable growth and expansion of all types of business in rural areas.

Core Strategy Policies

27. Core Strategy 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.
28. 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.
29. 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.
30. Policy DS1 sets out what types of development are acceptable within the National Park. DS1 (C) states that development for agriculture in the countryside outside the Natural Zone will be acceptable in principle.
31. Policy E2 deals with proposals for business development in the countryside; E2 (D) states that proposals to accommodate growth or intensification of existing businesses need to be considered in terms of their impact on the appearance and character of the landscape.

Saved Local Plan policies

32. Policy LC4 requires a high standard of design that is sensitive to the locally distinctive character of the landscape setting, with particular attention paid to the proposals impact on the character and setting of buildings, the character and appearance of the National Park siting, landscaping and materials. It also states that consideration will be paid to amenity, privacy and security of the proposed development and neighbouring properties.
33. Policy LC13 deals specifically with agricultural development, which should respect the landscape and avoid harm to the areas characteristics.
34. Policy LE4 states that the expansion of existing (business) development must be of a modest scale in relation to the existing activity/use and must not harm the amenity and valued characteristics of the area and the appearance of the site.

Development Management policies

35. The Authority has reached an advanced stage in the production of Development Management Policies. The process has now moved beyond publication and examination, taking into account earlier representations and the Inspector's interim views on soundness. Owing to the advanced stage of the document, the Authority considers that a revised version of the Publication Document (incorporating all proposed modifications) addresses the remaining soundness issues and as such may be afforded significant weight as a material consideration. When adopted these policies will replace the existing saved Local Plan policies (adopted 2001) in their entirety.
36. Policy DME1 states that new agricultural buildings will be permitted provided that the scale proposed is functionally required for the purpose intended. It goes on to state that new agricultural buildings shall (i) be located close to the farmstead or main group of buildings and relate well to existing buildings, trees, walls and other landscape features (ii) not be in isolated locations requiring obtrusive access tracks or services (iii) respect the design, scale, mass and colouring of existing buildings (iv) avoid adverse effects on the areas valued characteristics, and (v) avoid harm to the setting, fabric and integrity of the Natural Zone.

Assessment

37. Design, materials and use of the building

38. The building is modest in scale with a rectangular footprint measuring 5m by 2.6m under a mono-pitched roof 1.7m high. The design has nest boxes protruding from one side, and roosting space inside. The building is clearly designed for agricultural use in connection with keeping hens on the agricultural land and therefore the principle of an agricultural building is acceptable under policy LC13.
39. The building would be constructed of tongue and groove timber with a warm grey finish, as the existing hen house. The roof would be profile sheet painted a matt black. The building would be built onto steel skids and not being fixed to the ground would not require any ground preparation for its siting. The skids have towing loops so that the building, which is smaller than the existing hen house on the land, can be towed to different locations around the holding.
40. The modest size of the structure, its low profile, its clear agricultural purpose and siting on agricultural land, means that the design and use of the building would be compliant with policies L1, LC4 and LC13.

41. Landscape impact

42. The landscape character assessment states that the application site is within an area of valley farmland with villages. The land is to the rear of the building line on the northern edge of the village of Curbar. The nearest houses are approximately 100m away from the boundaries of the application land. The application land is not readily visible from within the village due to the screening provided by houses to the south and west. The proposed building would not therefore impact on the character of the village.
43. The land to the north of the site rises to Curbar Edge, which is designated as Natural Zone and open CROW access land. The majority of the application land is improved grassland apart from a small rectangular paddock of rough moorland fringe land which has been included in this application but was specifically excluded from the 2018 hen-house approval with the applicant's agreement. This small paddock of rough moorland fringe/grazing is

part of a wider area of land on the northern side of the application site which is also in the applicants ownership. There are a number of trees in this area above the application site which provide some screening from Curbar Edge.

44. At its eastern end the application site tapers to where it adjoins the rising land which forms part of the designated South Pennine Moors Special Area of Conservation and Special Protection Area, and the Eastern Peak District Moors Site of Special Scientific Interest for a short distance of approximately 22m. The application land therefore is a buffer zone between the built environment of the village and the moorland to the north.
45. The applicant already has permission for the siting of one mobile hen-house building which although slightly larger than the one proposed in this application is nevertheless modest in scale and in the context of the application land area. Due to its modest scale, the visual impact of a second hen-house would be minimal from the nearby PROW's and open access land on Curbar Edge. Taken together the cumulative impact of the proposal with the existing building on the valued open character and appearance of the landscape would on balance be acceptable. This is provided that the same recessive colour of the timberwork and roof is conditioned to be used to mitigate the landscape impact.
46. Subject to the suggested conditions, we consider that the development would not detract from the character and appearance of its landscape setting, and would therefore be in accordance with landscape conservation policies in the Development Plan including GSP1, GSP2, GSP3 and L1 of the Core Strategy and LC4, LC13 of the Local Plan.
47. Amenity
48. Due to the intervening distance between the application site and the nearest neighbouring properties, being approximately 100m, there are no concerns that the development would result in any harm to the outlook, privacy or daylight of the nearest neighbouring properties.
49. Other amenity concerns regarding noise, smells, waste and vermin have been raised in representations. The applicant has an established small scale free-range egg business and is a registered egg producer. The business is regulated and inspected to ensure the conditions conform to the requirements set out by Defra in their guidelines, 'Laying Hens: Code of recommendations for the welfare of livestock'. There is already one hen house on the site, which houses around 150 hens. The additional building would enable the flock to increase to 270, which would not be so substantial an increase as to have a significant cumulative impact.
50. The hens would be kept around the vicinity of the hen house by electrified fencing to deter predators and also protect the wider land from becoming over-grazed. The containment of the hens ensures no encroachment by grazing hens outside the site which would affect the gardens of the nearest neighbouring properties. The proposed electric fences are permitted development and do not require planning permission.
51. The intervening distance between the nearest residential dwellings and the land is approximately 100m. In this rural setting any hen noise would not be so excessive over such a distance as to have a detrimental noise impact on the amenities of those neighbours.
52. The waste and smell from a small scale flock will be minimal, and again, the intervening distance means it is unlikely to have any detrimental effect. The hens are out on the land during the day, therefore the waste is scattered naturally, and any waste from under the roosting perches in the hen house would be used as fertiliser on the land. Moving the house around the site as intended will also minimise these impacts.
53. Under the Defra regulations, vermin control is very strictly regulated. Hen food has to be

kept in animal proof bins, feeders will be emptied and closed at night and any spilled food removed on a daily basis. The electrified fencing will deter incursion by vermin and the applicant states will be visually inspected daily, and inspected by a dog on a weekly basis. It is intended to use traps located within the hen house and fenced enclosure to control vermin. If any rodents are caught, they will be disposed of by a licensed agricultural pest contractor, who will also take appropriate remedial action.

54. We consider that the proposed scale of the poultry business on this site, managed in accordance with Defra regulations would not cause any significant harm to the amenities of any nearby properties.

55. We therefore consider that the proposal will not have a detrimental effect on the character and appearance of the site, or its setting, in line with the requirements of GSP1 and GSP3, LC4 and LH4; nor would it result in any unacceptable impact on the amenities of the locality or the amenity of the nearest neighbouring properties.

56. Highway Considerations

57. As a registered egg producer the eggs produced must be graded and packed at a licensed packing station and the eggs must be delivered from the packing station. As the applicant works at the packing station located off-site he will be taking the eggs with him on a journey which he would be making to work anyway. Consequently the increased egg production on site would not generate any additional traffic. The increase in stock level would not incur a significant increase in food, bedding and cleaning products required, and these will still fit in the applicant's family car. There are already occasional visits by tradespeople, poultry inspectors and veterinarians, and the flock size increase should not cause the number of these visits to increase to any significant extent.

58. The Highway Authority have assessed the information provided and do not consider the proposals as submitted will lead to a significant increase in vehicle trips associated with the site. They recommend a condition be imposed if the application is approved, restricting the use of the hen house to being ancillary to the dwelling at Rocklands.

Conclusion

59. The application meets the requirements of policies in the Development Plan and the National Planning Policy Framework because the building is of an appropriate scale and design for its agricultural purpose and will not harm the valued characteristics of the National Park. The development would not detract from the character, appearance or amenity of the site, its setting or neighbouring properties. Accordingly, the application is recommended for conditional approval.

Human Rights

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

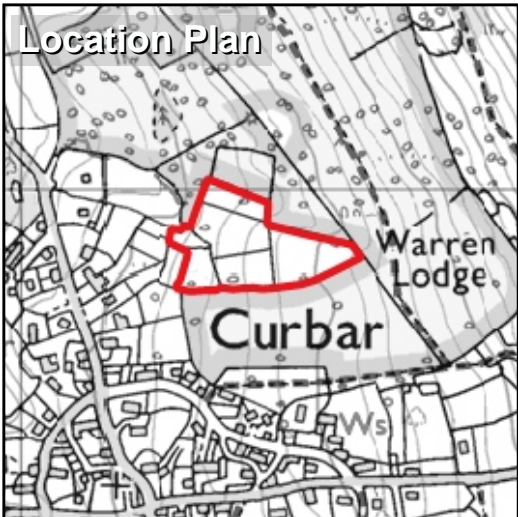
61. List of Background Papers (not previously published)

62. Nil

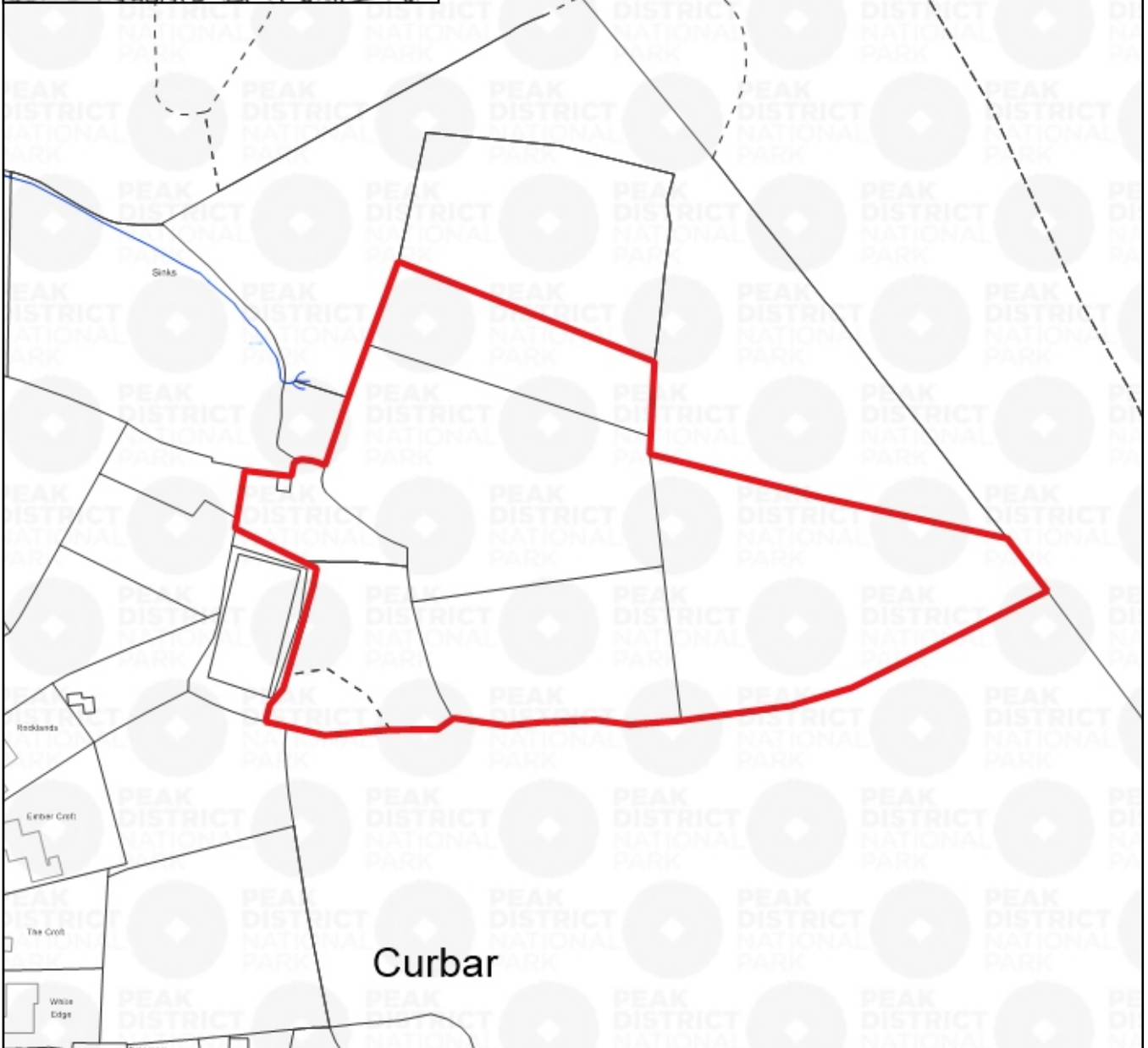
Report Author, Denise Hunt - Planning Assistant

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Location Plan



1:2000



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Committee Date: Friday 10th May 2019
 Item Number: Item 9
 Application No: NP/DDD/0219/0174
 Grid Reference: 425112, 374853

Title: Land Adjacent Rocklands Farm Curbar



PEAK DISTRICT NATIONAL PARK

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10. LOCAL VALIDATION LIST (JEN)

A 'Validation List' is the list of items that must be submitted with a planning application in order for it to be registered.

Validation requirements are not intended to be an exhaustive assessment of exactly what will be required to determine every application. In many circumstances, additional information will be requested in the course of dealing with an application in order to properly assess the impacts of the proposal.

The National List

The national validation list requirements include that the following be submitted with a planning application:

- Completed application form
- Correct application fee
- Ownership certificate
- Agricultural holdings certificate
- Design and Access statement
- Site location plan
- Other plans and drawings necessary to describe the application
- Environmental Statement where applicable

Failure to supply the above information will result in the application being declared invalid. However, Planning Authorities are unable, to treat applications as invalid if they meet these statutory requirements, unless and until they have adopted a local list of further information requirements.

Local List

Section 62 (4A) of the Town and Country Planning Act 1990 (inserted by the Growth and Infrastructure Act) and article 11(3)(c) of the Town and County Planning (Development Management Procedure) (England) Order 2015 as well as the National Planning Policy Framework (NPPF) states that local planning authorities should publish a list of their information requirements for planning applications and that this list, known as the "local validation checklist", should be reviewed every two years. This list should be subject to consultation and should be published on the local planning authority's website.

Section 62 requires that information requested by a local planning authority for submission with a particular planning application must be:

- reasonable having regard, in particular, to the nature and scale of the proposed development; and
- about a matter which it is reasonable to think will be a material consideration in the determination of the application.

Regard has been had to these tests in producing the local validation checklist proposed below.

Proposal

A local validation list has been prepared and circulated amongst colleagues. It is set out in the recommendation below.

RECOMMENDATION

To APPROVE the adoption of the Local Validation Checklist as set out below:

- A plan which identifies the land to which the application relates drawn to an identified scale and showing the direction of North
- Block plan of the site (at a scale of 1:500 or 1:200) showing any site boundaries
- Existing and proposed elevations (at a scale of 1:50 or 1:100)
- Existing and proposed floor plans (at a scale of 1:50 or 1:100)
- For new buildings: existing and proposed site sections, and finished floor and site levels (at a scale of 1:50 or 1:100)
- Roof plans where changes are proposed (at a scale of 1:50 or 1:100)
- Supporting Statement or Design and Access Statement to describe the proposal
- Flood Risk Assessment
Please go to <https://www.gov.uk/guidance/flood-risk-assessment-standing-advice> to check if an FRA is required for your scheme
- Completed Protected Species form and Wildlife and Protected Species report where the form indicates this is required.
- Design and Access Statement for certain works, as per PPG July 2018 including mini heritage statement
- Tree survey where trees will be removed
- **For listed building applications only** - Plans to a scale of not less than 1:20 showing full details of all new features including doors, windows, shopfronts, panelling, fireplaces, plaster moulding, staircases and other decorative details
- The appropriate fee. (Cheque's made payable to the 'Peak District National Park Authority')

Human Rights

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

List of Background Papers (not previously published)

Protected Species Form – Annex1

Report Author – Jane Newman, Head of Development Management



Peak District National Park Protected Species Form

The Peak District's wildlife is a valued characteristic that is important to local people and visitors alike. One of the statutory duties of the National Park Authority is to conserve this natural heritage for future generations to enjoy.

Applications for Planning (apart from householder applications relating to post 1939 dwellings) and Listed Building Consent will not be registered unless 4 copies of the form are received fully completed and signed by the applicant or agent. Only 1 completed set of forms is required for applications involving both Planning and Listed Building Consent.

Please include 4 copies of the completed form with your planning application using the notes (page 2) and the flow diagram (page 3) to help you.

Name of Applicant:	Name of Agent:
Address of Applicant:	Address of Agent:
Address of Proposed Development:	
Brief Description of Nature of Proposed Development:	
Planning Portal Reference Number (if applicable): PP _____	

Tick Boxes that apply

I have read the information in this document on Protected species and do not believe a Protected species survey is required for the application

- (i) the proposed development is not a type listed in Box 1 or 2.
- (ii) other reasons - Please specify and attach supporting information (photographs, historical documents etc). Please note if you tick this box the registration of your application will be delayed while confirmation checks are made.

OR I have read the enclosed guidance and the proposed development is listed in Box 1 and/or 2 as one which may have an impact on a Protected species.

- (iii) I enclose 4 copies of a relevant Protected species survey and mitigation report (where presence is confirmed).

Signature of applicant or agent:.....

Date:.....

Protected species form accompanying notes

The Local Validation Checklist sets out the information required to be submitted with a planning application. This sets out that this form is required to be provided with planning applications. Existing planning policies already guide applicants to the need to consider particular wildlife characteristics on a given site. This note explains the process of survey and analysis that will be required where important species are identified. **Where these matters have not been adequately considered within the submitted planning application the Authority will require further details to be submitted before the application can be formally registered.**

Within the National Park certain species (see Boxes 1 and 2 on page 4) enjoy statutory protected species status under UK National and European legislation. All, and in particular bats, may be affected by new development. The presence of a protected species is a material consideration in the decision making process and therefore the planning system has an important role in their conservation.

The underlying principle of the Peak District National Park's process is to seek protected species surveys only where the Authority believes that a protected species is likely to be affected.

1. Key aims of the new procedures

- To ensure that measures to conserve Protected species are taken through the planning process.
- To help ensure that applicants do not breach Protected species legislation by addressing this as part of the planning process and to prevent unexpected interruptions to building works due to Protected species being found once applications have been approved.
- To minimise the cost of surveys to applicants by ensuring only the most likely cases require surveys.
- To speed up the application process for applicants.

2. What you need to do

The first step is deciding if a proposed development will affect any protected species or their habitats. In most cases there will be no impact, but bats and other protected species can be present in certain properties and not evident without the use of specialised survey techniques.

For all the developments listed in Box 1 an appropriate protected species survey by a suitably qualified ecologist will normally be required. This is because we need to be aware of the possible impact of the work on any protected species. A list of ecological consultants able to undertake such work is available from the PDNPA (there may also be others in the area). **The PDNPA will need to be satisfied that the survey is adequate.** All surveys will therefore need:

- Evidence that they have been carried out by a competent and suitably qualified person (generally someone holding a protected species licence) and that appropriate techniques, time and care has been taken to determine the presence of protected species and signs of their use.
- If protected species are found, the location within the site, a description of the nature of their use, the likely impact of the proposed development and an appropriate mitigation plan.

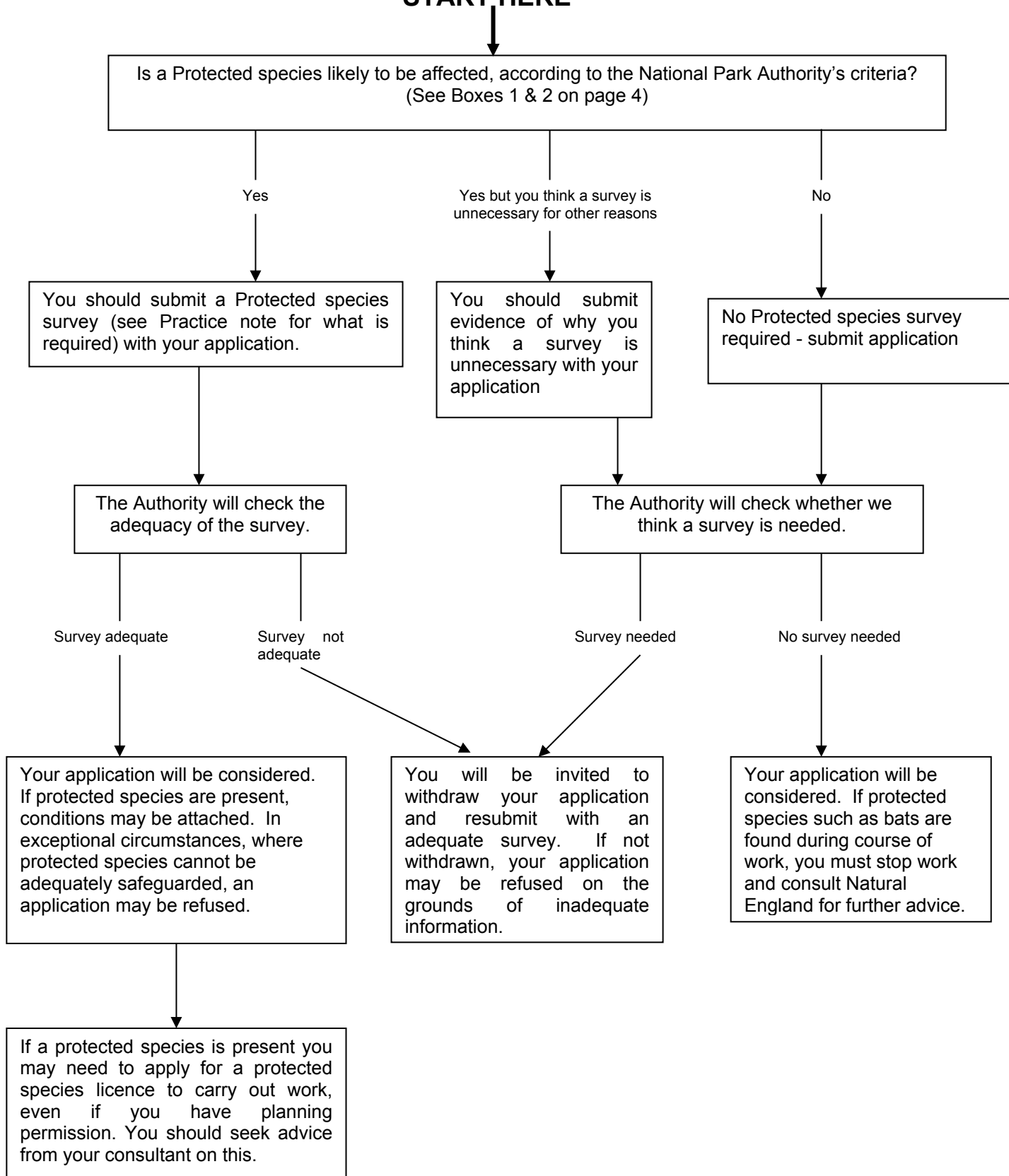
Do not attempt to exclude or remove Protected species - you may be breaking the law. Experienced surveyors can often tell if a protected species has been present.

Four copies of the survey should be submitted with the application forms.

For all developments listed in Box 2 a protected species survey may also be required. You are advised to contact the PDNPA Ecology Team for further advice.

PROTECTED SPECIES AND PLANNING PROPOSALS - WHAT YOU NEED TO DO

START HERE



Box 1 Developments with a possible impact on bats or barn owls

- (A) **Houses built before 1939** - Changes affecting the roof (e.g. house extensions, loft conversions, re-roofing, etc) or demolitions
- (B) **Barns and other traditional buildings** - Changes to or demolition of other buildings built before 1939.
- (C) **Buildings with complex roof structures of any age** - Changes or demolitions to buildings such as schools, offices, hostels, pubs and hotels, hospitals etc.
- (D) **Developments to listed buildings affecting walls or roof**
- (E) **Developments involving the loss of mature trees**
- (F) **Developments affecting buildings where bats and owls are known to be present**

Exceptions to A -D only (where a Protected species survey is not required)

Minor alterations to the roof

Isolated upland buildings or those more than 200m from the nearest trees

Buildings with missing or metal/prefabricated sheet roofs

Recently re-roofed buildings (last 10 years)

Porches or other minor structure applications and minor changes to existing roofs

Active industrial premises

Box 2 Developments with a possible impact on great crested newts, otters, breeding birds and water voles

- | | |
|-----|---|
| (A) | All disturbances to rivers, streams, canals, ditches, lakes, ponds and other aquatic habitats. |
| (B) | All disturbances to hedgerows, scrub (10 or more bushes) or woodland. |

3. What if a protected species is found?

If protected species are found by your ecological surveyor they must include details of MEASURES TO AVOID, MITIGATE OR COMPENSATE FOR POTENTIAL HARM TO THESE SPECIES with the report. This depends on the species found and extent of use but generally it will include recommendations on the timing of operations, the methods used and additional recommendations on how wildlife habitats can be incorporated into the final design.

The presence of a protected species need not detrimentally affect the potential to gain planning permission. The survey recommendations will be taken into account in assessing your application. You may have to make some changes to your initial plans and/or apply for an appropriate licence to allow works to proceed. In the majority of cases, however, protected species can be accommodated within development proposals.

Please note that the species listed and their roosts/breeding sites are protected from destruction or disturbance by the law, irrespective of planning permission. This includes intentional and reckless disturbance (reckless disturbance includes the failure to follow advice regarding known roosts). Only licensed workers are allowed to disturb or handle bats and great crested newts and a licence is required from Defra to enter a known bat roost. Breeding birds are also protected by law.

Appendix 2: Useful contacts

Local and national contacts

Natural England <https://www.gov.uk/government/organisations/natural-england>

The PDNPA Natural Environment Team, Aldern House Baslow Road, Bakewell DE45 1AE. Tel 01629 816200.

Derbyshire Bat Group <http://www.derbyshirebats.org.uk/>

Bat Conservation Trust, <https://www.bats.org.uk/>

Appendix 3: Essential reading

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11. ANNUAL REPORT ON PLANNING APPEALS 2018/19 (A.1536/AM/JRS/KH)

Purpose of Report

This report summarises the work carried out on planning appeals from 1 April 2018 to 31 March 2019.

Information on Appeals Process

In this period, 37 new appeals were received, of which 12 were still in hand as of the 1 April. During the year, 24 appeals were decided and 3 were withdrawn.

Of the total new appeals:

- 21 - followed the written representation procedure of which 3 were Enforcement Appeals
- 14 - followed the householder appeals procedure
- 0 - followed the public inquiry procedure
- 2 - followed the hearing procedure of which 1 was an 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 2018/19, at 62% is higher than the previous year, although the context for this is analysed in more detail below.

	2018/19	2017/18	2016/17	2015/16	2014/15	2013/14
DECISIONS	24	23	41	29	35	33
Allowed	9 38%	9.5 41%	14 34%	7 24%	15 43%	11 33%
Dismissed	15 62%	13.5 59%	27 66%	22 76%	20 57%	22 67%

The national average for appeals allowed (according to the figures from the Planning Inspectorate up to the end of December) for 2018/19 was 37% for householder appeals and 30% for all other appeals excluding householder.

Of the 9 appeals allowed during this period, 3 (33%) were dealt with by written representations, 5.5 (61%) by the householder procedure and 0.5 (6%) by the informal hearing process.

Enforcement

During the 2018/19 period, the Public Inquiry Procedure handled no new enforcement appeals.

Householder Appeals

In the year to 31 March 2019, 14 new householder appeals were submitted. Of these, 7.5 (54%) were dismissed, 5.5 (39%) were allowed and 1 (7%) were still ongoing.

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 that were allowed or partially allowed during 2018/2019.

Appeal Site	Development subject to appeal	Mode of appeal	Decision date	Delegated/ committee	Main issue
3196737 3 Lowside Close, Calver	First floor extension, single storey rear extension, loft conversion and alterations	Householder	02/07/18	Delegated	The effect of the first floor extension on the character and appearance of the area
3201699 Walker Edge Farm, Bolsterstone	Garden room and link building	Householder	24/07/18	Delegated	The effect of the proposal on the character and appearance of the area
3204525 Trinity Cottage, Ashford in the Water	Erection of handmade green oak truss frame and monopitch roof to side of property	Householder	29/08/18	Delegated	The effect of the proposed development on the character and appearance of the host dwelling and the surroundings on Hill Cross and the Conservation Area
3200699 Rocklands, The Bent, Curbar	Erection of mobile timber hen-house on skids	Written Representations	12/10/18	Committee	Whether the four conditions were necessary; relevant to planning and to the development to be permitted; enforceable; precise; and reasonable in all other aspects
3208690 15 Lowside Close, Calver	Single Storey Garden Room extension	Householder	22/10/18	Delegated	Effect of the proposal on the character and appearance of the host dwelling and its setting
3213351 Badgers Wood, Upper Padley, Grindleford	Alterations and additions to an existing 1920's timber framed bungalow/chalet	Householder	30/01/19	Delegated	Effect of the proposal on the character and appearance of the host property and on the area, having regard to the location of the site within the Peak District National Park
3201092 Edale House, Hope Road, Edale	Alterations to listed building	Hearing	01/03/19	Delegated	Effect of the existing and proposed works on the special interest of Edale House which is listed grade II
Page 86					In this case the decision was split.

					<p>The appeal involved numerous alterations to the building, several of which were retrospective. The Authority agreed that some of the works were acceptable and these and these were allowed by the Inspector. However, in relation to the substantive parts of the works that the Authority argued were unacceptable, the Inspector identified that insufficient public benefit was identified that would outweigh the harm to the heritage asset and the appeal was dismissed in those parts.</p>
3208806 Skidmore, Queen Street, Tideswell	Removal of condition to planning permission granted for change of use of part of premises from commercial to residential	Written Representations	11/03/19	Delegated	<p>Whether conditions were reasonable and necessary in the interests of preserving the character and appearance of the Conservation Area.</p> <p>In this case the decision was split.</p> <p>The appeal was allowed insofar as it relates to the removal of one condition. The Inspector decided that the other condition subject to the appeal was necessary and reasonable in the circumstances, subject to amended wording.</p>
3221331 Hollins House Dunlow Lane, Eyam	Two storey rear extension, single storey side extension and detached garage	Householder	28/3/19	Delegated	<p>Effect of the proposed detached garage on the character and appearance of its immediate surroundings</p> <p>In this case the decision was split.</p> <p>The appeal allowed the extensions to the dwelling, development which was supported by the Authority. The detached garage was not acceptable to the Authority, and this view was supported by the Inspector.</p>

Delegation / Planning Committee

Total number of planning applications received between 1 April 2018 and 31 March 2019 was 1163 of which 717 (62%) were determined under delegated powers.

Of the 24 appeals decided:

- 21 (88%) related to applications determined under delegated powers. Of these 13 were dismissed and 8 were allowed
- 3 (12%) appeals were determined by Planning Committee. Of these 2 were dismissed and 1 was allowed

Comment

The percentage of appeals allowed in 2018/19 was lower than the previous year, at 38% rather than 41%.

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 Planning Inspectorate is generally supporting the Authority's decisions and its policies.

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.

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. 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. To date no problems have occurred with the processing of appeals electronically.

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 Officer

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

1. APPEALS LODGED

The following appeals have been lodged during this month.

<u>Reference</u>	<u>Details</u>	<u>Method of Appeal</u>	<u>Committee/ Delegated</u>
NP/S/1218/1131 3224901 (Listed Building)	Repairs and amendments to the garden retaining wall, internal amendments and attic conversion at Yew Trees Farm, Bolsterstone	Written Reps	Delegated
NP/S/1218/1300 3224986	Repairs and amendments to the garden retaining wall, internal amendments and attic conversion at Yew Trees Farm, Bolsterstone	Written Reps	Delegated
NP/S/0518/0387 3220720	Conditions attached to planning granted for Proposed attic conversion, extension to single storey kitchen/porch and refurbishment/conversion of outbuildings to form accommodation ancillary to dwelling at 7 Ringinglow Village, Ringinglow	Written Reps	Delegated
NP/S/0518/0388 3220719 (Listed Building)	Conditions attached to planning granted for Proposed attic conversion, extension to single storey kitchen/porch and refurbishment/conversion of outbuildings to form accommodation ancillary to dwelling at 7 Ringinglow Village, Ringinglow	Written Reps	Delegated

2. APPEALS WITHDRAWN

No appeals have been withdrawn this month.

3. APPEALS DECIDED

The following appeals have been decided during this month.

<u>Reference</u>	<u>Details</u>	<u>Method of Appeal</u>	<u>Decision</u>	<u>Committee/ Delegated</u>
NP/DDD/0418/0311 3208241	Single Storey Extension to Laburnam House,	Written Reps	Dismissed	Delegated
NP/DDD/0418/0313 3208245 (Listed)	Main Street, Great Longstone			

The Inspector considered that the proposals would erode the plan-form of the building and diminish its evidential interest and architectural significance, and that the appeal scheme, taken together with the former extensions would serve to overwhelm the host property. Although the scheme would not be widely publicly visible, the proposed works and development would fail to preserve the character and appearance of the conservation area. The appeals were therefore dismissed.

NP/DDD/0718/0629 3214930	Removal or variation of 3 conditions related to planning permission 0116/0060 to Renovate house and rear garden, remove existing porch to form new smaller one and change of use of highway to garden at Newburgh House, Netherside, Bradwell	Householder	Allowed with conditions	Delegated
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The Inspector considered that the proposal would not have an adverse effect on the character and appearance of its surroundings and did not harm the significance of the conservation area, nor detract from the host buildings and the wider setting. The Inspector in allowing the appeal, removed one of the disputed conditions as it was no longer relevant, and modified the other two. The other conditions related to the planning permission remain relevant and were not disputed by the appellant.

NP/DDD/0518/0435 3219940	Alterations and extension to a domestic dwelling without complying with a condition attached to permission granted in 2017 to protect the residential amenities of the nearby properties to Gate Close, The Fold, Stoney Middleton	Householder	Allowed with conditions	Delegated
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The Inspector considered that the condition was unnecessary and its removal would not cause significant harm to the privacy and living conditions of the occupiers of the nearby property. The proposal would also be in accord with GSP3 of the Core Strategy, LC4 of the Local Plan as well as the Design Guide and national guidance in the NPPF, all of which seek to ensure that development protects the amenity of neighbouring properties and encourage high quality design. The appeal was therefore allowed.

4. **RECOMMENDATION:**

That the report be received.