

Public Document Pack

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



Our Ref: A.1142/2124
Date: 5 September 2019



NOTICE OF MEETING

Meeting: **Planning Committee**
Date: **Friday 13 September 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 Minutes Public Pack, 09/08/2019 Planning Committee**
(Pages 5 - 12)
- 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 - Installation of a 15.0m Phone Mast Supporting 3 No Antenna 2 No Dishes, Equipment Store and Ancillary Development, Cliffe House Farm, High Bradfield (NP/S/0519/0475, P.1252, 427668 / 391738, 11/09/2015/JRS) (Pages 13 - 22)**
Site Plan
- 7. Full application - use of land as touring caravan site with ten pitches - Jug and Glass Inn, Ashbourne Road, Hartington (NP/DDD/0619/0687 TS) (Pages 23 - 30)**
Site Plan

8. **Full application for the change of use of existing dwelling to use as children's home for up to five children with up to six staff, with ancillary use of lower level for home schooling, and minor internal alterations/changes to existing fenestration at Moorfield Barn, Derbyshire Level, Glossop (NP/HPK/0619/0622 – JK) (Pages 31 - 40)**
Site Plan
9. **Discharge of condition 4 on NP/HPK/0217/0140, change of use to 3 open market dwellings at Hurst Water Treatment Plant, Derbyshire Level, Glossop (NP/DIS/0519/0555, P.8289, 405202 / 393910, 08/03/201/AM) (Pages 41 - 48)**
Site Plan
10. **Full application - alterations to dwelling including partial change of use to holiday accommodation, demolition of garage, and construction of replacement garage with ancillary accommodation above - Dale Head, Liffs Road, Biggin (NP/DDD/0419/0333, MN) (Pages 49 - 60)**
Site Plan
11. **Full application - residential conversion and minor extension - former primitive Methodist chapel, East Bank, Winster (NP/DDD/0619/0663, MN) (Pages 61 - 84)**
Site Plan
12. **Full application - listed building consent for the residential conversion and minor extension - former primitive Methodist chapel, East Bank, Winster (NP/DDD/0619/0665, MN) (Pages 85 - 102)**
Site Plan
13. **S.73 application for the variation of condition 2 on NP/HPK/0299/021 at Ladycroft Barn, Thornhill, Bamford (NP/HPK/0419/0393/ALN) (Pages 103 - 110)**
Site Plan
14. **Full application - conversion of existing building within the curtilage of a dwelling house to form living accommodation for ancillary use of the main dwelling - retaining 1 stable, equipment store and tack room within the application building - Lane Farm, Bar Road, Curbar (NP/DDD/0419/0378, JF) (Pages 111 - 120)**
Site Plan
15. **Full application - change of use and construction of a stable to house two horses / ponies at the cottage in the Dale, Wensley Dale, Wensley. (NP/DDD/0519/0486 SC) (Pages 121 - 130)**
Site Plan
16. **Head of Law Report - Planning Appeals (A.1536/AMC) (Pages 131 - 132)**

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.

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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 R Helliwell
Vice Chair: Cllr D Birkinshaw

Mr P Ancell
Cllr P Brady
Cllr D Chapman
Cllr A Hart
Cllr A McCloy

Cllr W Armitage
Cllr M Chaplin
Cllr A Gregory
Cllr I Huddleston
Cllr Mrs K Potter

Miss L Slack
Cllr G D Wharmby

Mr K Smith

Other invited Members: (May speak but not vote)

Mr Z Hamid

Mr J W Berresford

Constituent Authorities
Secretary of State for the Environment
Natural England

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



MINUTES

- Meeting:** **Planning Committee**
- Date:** Friday 9 August 2019 at 10.00 am
- Venue:** Board Room, Aldern House, Baslow Road, Bakewell
- Chair:** Mr R Helliwell
- Present:** Cllr D Birkinshaw, Mr P Ancell, Cllr W Armitage, Cllr P Brady, Cllr M Chaplin, Cllr D Chapman, Cllr I Huddleston, Cllr Mrs K Potter, Miss L Slack and Mr K Smith
- Miss L Slack attended to observe and speak but not vote.
- Apologies for absence:** Cllr A Gregory, Cllr A Hart, Cllr A McCloy and Cllr G D Wharmby.

101/19 MINUTES OF PREVIOUS MEETING

The minutes of the last meeting of the Planning Committee held on the 12th July 2019 were approved as a correct record, subject to the following amendment to minute number 96/19:

The Director of Conservation and Planning clarified that there had been an appeal against an Enforcement Notice for a track put in at Cartledge Flat, which had been dismissed by the Inspectorate but the track has not yet been removed..

102/19 URGENT BUSINESS

There were no items of urgent business.

103/19 MEMBERS DECLARATIONS OF INTEREST

Item 6 & 7

It was noted that all Members of the Committee had received emails from Tracey Sharkey and Rowland Parish Council

Item 10

Cllr Patrick Brady declared a personal interest as his son-in-law was a member of Winster Parish Council.

104/19 PUBLIC PARTICIPATION

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

105/19 FULL APPLICATION - CHANGE OF USE OF AGRICULTURAL BARN TO 3 NO. LETTING ROOMS - BLEAKLOW FARM, BRAMLEY LANE, HASSOP

The Planning Officer provided a single introduction to items 6 and 7, an overall view of the site and then gave specific details on each application. Those members of the public registered to speak then had the opportunity to address the committee.

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

The Planning Officer introduced the report for item 6 which had been deferred from the meeting of the Planning Committee on 12 July 2019.

Members had raised three areas of concern at the previous committee and these were addressed within the report.

The following spoke under the public participation at meetings scheme:

- Chris Woods – Objector
- Dr Juliet Fraser – Objector
- Prof David Beerling – Objector
- Mrs Kathleen Pheasey – Objector
- Mr Robert Pheasey – Objector
- Clare Gamble, Ward Member – Objector
- Tracey Sharkey, Rowland Parish Meeting – Objector
- Sarah Foster - Agent

Members noted changes had been made to the original application.

Cllr Kath Potter requested that her vote against any recommendation of approval be recorded on a point of principal that the National Park Authority Purposes are being undermined by this application.

The Director of Conservation and Planning confirmed that Members could state the lack of information on increased traffic as a reason for deferring both applications but that the applicant has the right to appeal and would state that the application was in line with policy and that enough information was provided. Members were asked to note that the impact of additional traffic needs to be 'severe' as per the National Planning Policy Framework to justify refusing an application.

The Planning Officer confirmed that Members were requesting a single application for the development but reminded Members that they needed to make a decision on the applications before them.

A motion to defer both applications was moved and seconded.

Members requested that the Enforcement Team be asked to visit the site to assess the areas of the development that did not comply with the previously approved planning permission.

The motion to defer both applications was voted on and carried.

RESOLVED:

To DEFER the application to allow the following:

- 1. Further details of overall scheme, including access arrangements**
- 2. Clarification on changes to plan for garage/games room**
- 3. Clarification on additional parking and extension of rear curtilage**
- 4. Clarification of extension of curtilage at front of property**
- 5. Intended use of barn**

106/19 SECTION 73 APPLICATION - VARIATION OF CONDITION 1 ON NP/DDD/1117/1128 TO ALLOW THE APPROVED STABLES AND TACK ROOM TO BE USED AS ANCILLARY DOMESTIC ACCOMMODATION AT BLEAKLOW FARM, BRAMLEY LANE, HASSOP

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

This item was considered in conjunction with the related planning application details of which are in minute 106/19 above.

The following spoke under the public participation at meetings scheme:

- Dr Juliet Fraser
- Prof David Beerling
- Mrs Kathleen Pheasey
- Mr Robert Pheasey
- Clare Gamble, Ward Member
- Tracey Sharkey, Rowland Parish Meeting
- Sarah Foster, Agent

The motion to defer both applications was moved, seconded, voted on and carried.

RESOLVED:

To DEFER the application to allow the following:

- 1. Further details of overall scheme, including access arrangements**
- 2. Clarification on changes to plan for garage/games room**
- 3. Clarification on additional parking and extension of rear curtilage**
- 4. Clarification of extension of curtilage at front of property**
- 5. Intended use of barn**

The meeting adjourned at 11.50 for a short break and reconvened at 12.00

As there were no speakers registered to speak on item 8 of the agenda the Chair brought forward items 9, 10 & 11 for consideration as the speakers had arrived for those items.

107/19 FULL APPLICATION - PART TWO STOREY, PART SINGLE STOREY SIDE EXTENSION FOLLOWING DEMOLITION OF EXISTING GARAGE AT PLANTATION VIEW, RAKE LANE, MIDDLETON BY YOULGRAVE

The Planning Officer introduced the item and confirmed that amended plans had been received after the report had been published. The amended plans had addressed some of the concerns in the report, but the Planning Officer still had concerns regarding the size of the proposed extension. The Planning Officer confirmed that a further reduction in the size of the extension would not fit with the design guide and would then be out of proportion with the host property. The Planning Officer considered the proposal would harm the character of the property and recommended refusal of the amended scheme.

The following spoke under the public participation at meetings scheme:

- Roger Yarwood, Agent

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

Members supported the scale and form of the application, but requested changes to window alignment and location of patio doors which would then be approved under delegated powers.

The motion to approve the application contrary to Officer recommendation with conditions was voted on and carried.

RESOLVED:

To APPROVE the application contrary to Officer recommendation with the following conditions:

1. **Standard 3 year limit**
2. **Design and materials**
3. **Approval of samples of building materials**
4. **window materials to match the host dwelling**
5. **Amendments made to design and location of windows and doors (this condition would not be necessary if amended plans were submitted prior to approval being issued).**

108/19 FULL APPLICATION - DEMOLITION OF EXISTING GARAGE AND CONSTRUCTION OF NEW ROOM ON SAME SITE AT STANTON HOUSE, WEST BANK, WINSTER

The applicant attended committee but did not speak.

The Planning Officer introduced the item and confirmed that the applicant had been in discussion with the Highway Authority regarding the land which was a private matter. The Applicant had also been in discussion with Severn Trent Water regarding the sewer pipe which went under the garage, this was also a private matter between the applicant and Severn Trent.

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

RESOLVED:

To APPROVE the application subject to conditions controlling the following:

1. **Statutory time limit.**
2. **Development in complete accordance with the amended plans.**
3. **The new stonework shall be gritstone to match the host dwelling, coursed, laid and pointed to match the existing.**
4. **All new door and window frames shall be recessed from the external face of the wall the same depth as existing frames.**
5. **All windows shall be timber framed and painted to match the host dwelling.**
6. **The new roof shall be slate tiles to match the existing. The roof verge(s) shall be flush cement pointed, with no barge boards or projecting timberwork.**
7. **All rainwater goods shall be black to match the host dwelling.**
8. **Submission of a scheme of measures to address carbon reduction and climate change.**

109/19 HOUSEHOLDER APPLICATION - FIRST FLOOR EXTENSION AND INTERNAL REMODELLING AT BARNLEA, FOLOW

The Director of Conservation & Planning introduced the item.

The following spoke under the public participation at meetings scheme:

- Victoria Doig – Applicant

Members requested clarification regarding the origins of the building as it was not clear if it was a converted barn and if the recommendation for refusal was based on the origins of the building.

The Director of Conservation and Planning clarified that the proposed design was not inherently bad but that the proposal to link the two buildings would result in the loss of their separate massing and identity.

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

RESOLVED:

To REFUSE the application following the Officer recommendation:

Due to the massing, design and proposed materials, the extension causes unacceptable harm to the character and appearance of the dwelling contrary to policies GSP1, GSP3, DMC3 and DMH7, and the design principles of the Design

Guide and Supplementary Planning Document on alterations and extensions to dwellings.

110/19 FULL APPLICATION - SECTION 73: VARIATION OF CONDITION 2: EXTENSION TO RIDGE HEIGHT ON NP/DDD/0817/0887 AT CHEESE PRESS COTTAGE, MAIN ROAD, STANTON-IN-THE-PEAK

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

The Planning Officer introduced the item and explained that the variation of the roof height had been caused because of an error in the drawings of the previously approved planning application submitted in 2017, which showed the variance between the two roofs but had given measurements which did not provide a break between the two roof heights. Other variance from the original plan had also occurred during building and were not in line with the design guide. The Planning Officer confirmed that the resulting building was not unacceptable but that the barge board on the first floor extension would need to be changed in line with the original planning application and that the applicant had been informed.

Cllr D Chapman declared a personal interest as he rented the field next to the property.

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

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

Members requested that consideration be given to future conditions to restrict the relative size of roofs and to secure breaks in roof lines as shown on submitted plans.

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

RESOLVED:

To APPROVE the application subject to the following conditions and recommendations:

- 1. Development carried out in accordance with plans**
- 2. The fascia/barge board to be removed from the two storey extension and the roof verge(s) shall be flush pointed.**

111/19 FULL APPLICATION - REMOVAL OR VARIATION OF CONDITION 12 ON PLANNING APPROVAL - NP/DDD/0118/0022 AT BANK TOP COTTAGE, BIGGIN

The Planning Officer introduced the item.

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

RESOLVED:

To APPROVE the application subject to the following conditions:

1. **The development hereby permitted shall not be carried out otherwise than in complete accordance with the amended site plan drawing number DL17.A2, and the variation plan submitted '02-05-2019'.**
2. **Within 4 months of the date of this permission, all new drystone walling to be erected, as shown on drawing numbers DL17.A2 and Variation Plan submitted 02-05-2019' shall be laid in the traditional manner in local natural stone, topped with half round stones and built to the same height and form as the adjacent and existing wall and shall be permanently so maintained'**
3. **No caravan shall remain on the site for a period exceeding four weeks in any calendar year.**
4. **No caravan or structure shall be placed on the site, which is not capable of being towed on a public highway by a private family car.**
5. **No tents shall be pitched on the site at any time.**
6. **No arrivals to, or departures from, the site shall take place before 7a.m nor after 11p.m.**
7. **No works or development shall take place until full details of the proposed planting shown on plan DL17.A2, have been approved in writing by the Authority. The scheme shall include details of proposed species and spacing. Once approved, the development shall proceed only in complete accordance with the approved details.**
8. **The landscaping tree and shrub planting approved by condition 7 shall be carried out in the first planting and seeding seasons following first use of the campsite or following completion of the development, whichever is the sooner. Any trees or plant which die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species or in accordance with an alternative scheme previously agreed in writing by the Authority.**
9. **Prior to its construction, details of the design and materials of the new access driveway shall be submitted to and agreed in writing by the Authority. The development shall thereafter proceed only in accordance with the approved details.**
10. **No part of the proposed development shall be brought into use until space has been laid out within the site in accordance with the approved application drawings for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear.**
11. **There shall be no gates or other barriers within 15m of the nearside highway boundary and any gates shall open inwards only, unless otherwise agreed in writing by the Local Planning Authority.**
12. **The proposed access drive to the A515 shall be no steeper than 1 in 20 for the first 15m from the nearside highway boundary and 1 in 14 thereafter.**

112/19 DISCHARGE OF CONDITION 4 ON NP/HPK/0217/0140, CHANGE OF USE TO 3 OPEN MARKET DWELLINGS AT HURST WATER TREATMENT PLANT, DERBYSHIRE LEVEL, GLOSSOP

Following agreement with the applicant, the application was deferred until the Planning Committee on Friday 13 September 2019

113/19 LOCAL VALIDATION LIST

The Director of Conservation and Planning introduced the item.

Following the increased focus on climate change, it was proposed to introduce an extra validation requirement which asks all applicants to submit a statement on how the application had addressed policy CC1. Refusal to submit the statement would not be a reason for refusal, but means of asking applicants to consider green credentials.

Change of wording of recommendation clarified by Director of Conservation and Planning.

The Officer recommendation to amend the validation requirement was moved, seconded, put to the vote and carried.

RESOLVED:

That the validation list be amended to require that planning applications be accompanied by a statement setting out how the application addresses the requirements of policy CC1.

114/19 HEAD OF LAW REPORT - PLANNING APPEALS

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

RESOLVED:

That the report be received.

115/19 MINUTES OF PREVIOUS MEETING

The exempt minutes were considered as part of item 6 of the agenda as no longer exempt.

The meeting ended at 1.30 pm

6. FULL APPLICATION – INSTALLATION OF A 15.0M PHONE MAST SUPPORTING 3 NO ANTENNA 2 NO DISHES, EQUIPMENT STORE AND ANCILLARY DEVELOPMENT, CLIFFE HOUSE FARM, HIGH BRADFIELD (NP/S/0519/0475, JRS)

APPLICANT: Home Office

Summary

1. The application is for a mast to provide emergency services and other telecommunications coverage in an area with no coverage. The mast would have an unacceptable landscape impact and is recommended for refusal.

Site and Surroundings

2. The application site is located at Cliffe House Farm which is located in open countryside in an elevated position on the northern slope of the Loxley Valley, approximately 1.1km to the south east of High Bradfield and 870m to the north of Damflask Reservoir.
3. The farm comprises a relatively recently erected modern agricultural building, the excavations for an additional building, and a smaller range of older sheds and sits close to the edge of an escarpment on the hillside. Immediately to the south of the agricultural buildings there are two detached dwellings, Hill Top and the original Cliffe House Farmhouse. There are two accesses serving the building group. The first is via a narrow track off Loxley Road to the south west. This serves the dwellings and the farm buildings and also carries a public footpath which runs past the south side of the new farm building into the fields east of the farm. The second and main access for the farm buildings comes down off Kirk Edge Road to the north and also carries a public footpath which links with one running west to east through the site; this is the access to the application site.
4. From the west the land falls away from the site and on this side the buildings which make up the property are partly screened by a combination of the landform, tree cover on the slopes of the escarpment and by a stand of mature trees on the south west corner of the building group. The site and nearby farm buildings are clearly visible from Kirk Edge Road to the north. The proposed site for the proposed mast is small area of land to the west of the access track and adjacent to an existing earth mound and planting which run along the edge of the escarpment. The site of the building currently under construction lies to the east of the access track.

Proposal

5. This application seeks planning permission for the erection of a 15 metre high lattice tower supporting three antenna and two dishes, the erection of an equipment store and ancillary development.
6. The proposal also involves the installation of three Home Office equipment cabinets, contained within a foul weather enclosure; one electrical meter cabinet; one generator and one pole mounted 1200mm satellite dish within a 10mx10m compound surrounded by a 1.8m high mesh compound fence.
7. The proposal is required as part of the Extended Area Services network, an integral part of the Emergency Services Mobile Communications Programme. The site will provide uninterrupted, high quality emergency communications to the target area of Bradfield, the majority of the roads in the area Minor Roads (as defined by ESN), and approximately 3Km of the B6077, Major Road (as defined by ESN) from Malin Bridge to Dungworth is provided with coverage. Coverage is also provided to Bradfield Moors, Ughill Moor,

Broomhead Moor and part of Derwent Moor and all minor roads and surrounding area within the coverage footprint.

8. A supporting statement submitted with the application explains: *“The new blue light service, to be known as the Emergency Services Network (ESN), will be delivered across England, Scotland and Wales. ESN is being procured competitively to provide a high-quality service that makes full use of the latest 4th generation (4G) technology in the telecoms sector and has a number of related projects to provide the capability, resilience and security required for what will be a key part of the Critical National Infrastructure (CNI) supporting public safety.*
9. *Most of the UK will be covered directly by EE who are in the process of upgrading their commercial networks to deliver ESN. Largely because of demographics and geography, there exists a number of areas in the country which have not been populated with mobile communications infrastructure. It is these ‘not-spots’ which are addressed by the Extended Area Services (EAS) project.*
10. *The EAS project extends the coverage provided by EE by procuring, on behalf of the Home Office, telecommunications infrastructure in these defined but primarily rural, remote and commercially unviable areas where little or no MNO coverage exists. The Home Office is acting as the prime contractor to contract with Acquisition, Design and Build (ADB) suppliers (Lendlease for EAS sites) and will further contract with transmission suppliers for their backhaul. Sharing existing telecommunications sites is being negotiated where possible, but EAS coverage needs will require mainly new greenfield sites, which the Home Office will then own and operate for Government use. EE will install their active equipment on these EAS sites and connect this to their core ESN network.*
11. *EE are at liberty to offer their own commercial services to the general public from these EAS sites but are under no obligation to do so. The Home Office understands that a number of stakeholders, not least local residents, would be in favour of receiving a commercial service from the new sites so it has undertaken to build, wherever possible, an enhanced design so as to allow subsequent mobile network operators to share the sites and provide commercial services with the minimum of further works required. The site to which this application refers is one of these where an enhanced, future-proofed design has been submitted.”*

RECOMMENDATION:

That the application be REFUSED for the following reasons:

1. **The proposed base station would be a relatively tall structure within this protected landscape and would be prominent from many viewpoints within the Loxley Valley. The proposed development would have a harmful impact upon the scenic beauty of the landscape contrary to Core Strategy policies GSP1, GSP3, and L1 and Development Management DPD policy DMU4.**
2. **Whilst the proposed development would provide emergency services coverage and would provide economic and social benefits by facilitating the provision of mobile communications to the local community, it is considered that the harm that has been identified would outweigh the public benefits of the development and that therefore the proposal does not represent sustainable development and that approval would be contrary to the National Planning Policy Framework.**

Key Issues

12. The impact of the development upon the scenic beauty and other valued characteristics of the National Park.
13. Whether the need for the development, notably emergency services cover, outweighs the harm identified.
14. The economic and social benefits of the development.

History

15. 2012: NP/S/0712/0725: Planning permission granted conditionally for demolition of a collection of existing concrete framed agricultural buildings at Cliffe House Farm and provision of a single replacement steel framed agricultural building with associated vehicle turning area and associated landscaping. This building was completed in 2014.
16. 2015: NP/S/1214/1273: Planning permission refused for the erection of two agricultural buildings at Cliffe House Farm on the grounds of adverse landscape impact and adverse impact upon the setting of nearby listed buildings. A subsequent appeal was dismissed.
17. 2015: NP/S/0715/0663: Planning permission refused for the erection of a 20 metre high shared lattice telecommunications mast with ancillary development. The proposal was on the current application site and was part of the Government's Mobile Infrastructure Project (MIP) which sought to cover "not spots", that is those areas where there is no mobile coverage by any operator
18. 2016: NP/S/0316/0281: Planning permission refused for the erection of an agricultural building to the north of the building approved in 2012. A subsequent appeal was allowed in 2017 and the building is now under construction.

Consultations

19. Highway Authority – No response to date.
20. City Council – No response to date.
21. Parish Council – *"The Parish Council has no objections to the installation of the mast but would suggest a more sympathetic installation could be used."*

Representations

22. One letter of representation have been received. This states:
23. *"Due to the refusal of the previous application NP/S/0715/0663 for a 20m mast on exactly the same site as this application for a 15m mast; a detailed comparison with that application should be undertaken in order to judge whether the reasons for refusal have been overcome. Given that the site is exactly the same there is a marked difference in the treescape on the drawings of the proposed masts which needs checking with a site visit. Our comments on the previous application still stand"*.

Main Policies

24. Relevant Core Strategy policies: GSP1, GSP3, DS1, L1 and L3

25. Relevant Development management Plan policies: DMU4

26. National Planning Policy Framework

27. 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.

28. The National Planning Policy Framework (NPPF) has been revised (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. In particular Paragraph 172 states 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.

29. In relation to telecommunications development, paragraph 113 of NPPF states: *"The number of radio and electronic communications masts, and the sites for such installations, should be kept to a minimum consistent with the needs of consumers, the efficient operation of the network and providing reasonable capacity for future expansion. Use of existing masts, buildings and other structures for new electronic communications capability (including wireless) should be encouraged. Where new sites are required (such as for new 5G networks, or for connected transport and smart city applications), equipment should be sympathetically designed and camouflaged where appropriate"*.

Development Plan

30. The recently adopted Development Management DPD (2019) includes a section on telecommunications development. This states:

31. *10.18 The nature of the landscapes of the National Park makes the assimilation of telecommunications infrastructure and associated equipment very difficult without visual harm.*

32. *10.19 Modern telecommunications networks are useful in reducing the need to travel, by allowing for home working. They can be a vital aid to business and to emergency services and the management of traffic. However, as with other utility company development, the National Park Authority must carefully avoid harmful impacts arising from this type of development, including that needed to improve services within the National Park itself. Telecommunications development proposed within the National Park to meet an external national need, rather than to improve services within it, may well be of a scale which would cause significant and damaging visual harm and in such circumstances alternative less damaging locations should be sought.*

33. *10.20 In exceptional circumstances where it can be demonstrated that telecommunications infrastructure is essential, rather than desirable to the industry, the National Park Authority will seek to achieve the least environmentally damaging but operationally acceptable location. It will request that the full range of technical information is supplied by the company regarding the siting, size and design of the equipment proposed to facilitate evaluation of the least obtrusive but technically feasible development in line with guidance in the NPPF.*

34. 10.21 New equipment should always be mounted on an existing structure if technically possible and development should be located at the least obtrusive site. Particular care is needed to avoid damaging the sense of remoteness of the higher hills, moorlands, edges or other prominent and skyline sites. Upland or elevated agricultural buildings, which are not uncommon in the National Park, may provide a suitable alternative to new structures in the landscape. If necessary, the National Park Authority will seek expert advice to help assess and minimise the impact of the design and siting of telecommunications infrastructure. Evidence will be required to demonstrate that telecommunications infrastructure will not cause significant and irremediable interference with other electrical equipment, air traffic services or instrumentation operated in the national interest. Fixed line Code Operators should refer to the Code of Practice for Cabinet siting and Pole siting, June 2013.
35. 10.22 Mobile telephone companies may often be able to locate antennae (or any other transmitting or receiving equipment) on an existing building rather than erect a purpose built mast. The National Park Authority would support such an approach where the antennae can be mounted with minimum visual and architectural impact. Mounting antennae on a Listed Building will usually be inappropriate (see policy DM07).

Policy DMU4 Telecommunications infrastructure

- a. Development will not be permitted if applicants fail to provide adequate or accurate detailed information to show the effect on the landscape or other valued characteristics of the National Park.
- b. Development proposals for radio and telecommunications must be supported by evidence to justify the proposed development.
- c. Telecommunications infrastructure will be permitted provided that:
 - i. the landscape, built heritage or other valued characteristics of the National Park are not harmed;
 - ii. it is not feasible to locate the development outside the National Park where it would have less impact; and
 - iii. the least obtrusive or damaging, technically practicable location, size, design and colouring of the structure and any ancillary equipment, together with appropriate landscaping, can be secured.
- d. Wherever possible, and where a reduction in the overall impact on the National Park can be achieved, telecommunications equipment should be mounted on existing masts, buildings and structures. Telecommunications equipment that extends above the roofline of a building on which it is mounted will only be allowed where it is the least damaging alternative.
- e. Substantial new development such as a mast or building for the remote operation and monitoring of equipment or plant not part of the code-system operators' network will not be permitted.

Assessment

36. The application proposes a 15 metre high lattice telecommunications mast to provide emergency services cover to the area around Bradfield. It will also be capable of providing mobile coverage for EE as part of the commercial network available to its customers. Bradfield is currently a "not spot", with no mobile coverage from any operators. The Home Office-led EAS network will replace the existing Airwave emergency services network. The site is in an elevated location on the northern side of the valley, to the north-east of the village of High Bradfield.
37. Following pre-application discussions with officers about the possible prominence of a mast in this location, the applicants have submitted photomontages to support the application; these are referred to below. The application also includes a list of discounted

sites these are alternative sites which have been considered but which were discounted for one of more of a number of reasons. These include technical and reasons, with the alternative sites either not roving the required coverage or being in physically unsuitable locations. The application is also supported by a certificate which states that, when operational, the International Commission guidelines for public exposure will be met. Consequently, in accordance with the National Planning Policy Framework, there are no concerns that the development would have any adverse impact upon public health.

38. It is considered that the main issue in this case is the impact of the proposed development upon the valued characteristics of the National Park including the scenic beauty of the landscape and the setting of nearby heritage assets and whether the visual impact of the mast would be outweighed by the public benefits.

Impact of the proposed development

39. Relevant policies in the development plan offer support in principle for the erection of new telecommunications infrastructure provided that the development does not harm the valued characteristics of the National Park and where it is not feasible to site the development outside the National Park. The Authority's policies are consistent with the Framework which is supportive of the development of communication networks where justified but also states that great weight should be given to conserving the Peak District National Park.
40. The application site is located adjacent to land and buildings used as part of the agricultural unit associated with Cliffe House Farm. The site is located in an elevated position on a ridge which forms part of the northern slope of the Loxley Valley. It should be noted, however, that since the refusal of the application for a taller, 25 metre mast in 2015, a second large agricultural building has been allowed on appeal and is currently under construction immediately to the east of the access track.
41. The proposed base station which would mount the telecommunications antenna would have a maximum height of 15m above the adjacent ground level. The proposed structure would be taller than the adjacent earth mound and tree planting (approximately 8 m high) and consequently would be clearly visible within the valley from a number of nearby vantage points. The development would also be clearly visible from the local public footpath network which is well used by local people and by visitors to the National Park. The application states:
42. *".. following the instigation of pre-application discussions with the LPA we have reduced the height of the mast to 15m which is the lowest we can go whilst still achieving the required coverage. The design of the mast to our slimmest available lattice structure which minimises the visual impact. The applicant considers the proposed location, with existing tree screening to the west and proposed development to the east is the best available location. We have considered locations to the south towards the trees but the natural drop in elevation compromises radio coverage and would require a significantly taller structure".*
43. In the pre-application discussions officers advised the applicants to prepare and submit photomontages of the proposed development from a number of vantage points in the locality. The application is therefore accompanied by photomontages which illustrate the installation from Kirk Edge Road (north of the site, looking downhill), from Loxley Road to the south-west, and Hoarstones Road, looking across the valley from the south. These demonstrate that whilst in the longer views across the valley the installation is less visible by virtue of the tree cover of its lower half and the distance involved, the views from Loxley Road and Kirk Edge Road are more significant. It is considered clear that by virtue of the height of the proposed structure that it would be visually prominent in these

view points and that the development would appear as a relatively tall, man-made structure. It is acknowledged that the impact of the installation is partly mitigated by the existing trees to the west and the substantial agricultural buildings erected and under construction at Cliffe Farm, but nonetheless, the mast would be visually prominent.

44. It is also acknowledged that telecommunications masts, by their nature and technical requirements are usually visible. Officers have suggested that an alternative design is more likely to be acceptable, but the applicant's agents have advised that the technical requirements of the service (the need for relatively substantial antennae up to 15 metres) would not permit a more discreet design, such as an imitation telegraph pole. The supporting statement says that the dimensions of the proposed mast are the thinnest available to support the required antennas and associated equipment at this geographical location, while also having structural capacity to accommodate additional equipment, if required by additional operators or future changes to the emergency services communications network.
45. Notwithstanding this, it is considered that the proposed development would result in a harmful impact upon the scenic beauty of the National Park in conflict with Core Strategy policies GSP1, GSP3 and L1 and DM DPD policy DMU4.
46. The site is adjacent to the existing farm track which would provide access from Kirk Edge Road. Access visibility from the track is good and likely levels of traffic to maintain the development would be very low. Therefore there are no concerns that the development would have any harmful impact upon highway safety. Given the distance from the site to the nearest neighbouring properties and Cliffe House Farm there are no concerns that the proposal would have a harmful impact upon the privacy, security or amenity of neighbouring properties.
47. The harm in this case would be "less than substantial" and therefore it is appropriate to weigh any public benefits of the proposal against the harm that has been identified.

Benefits of the proposed development

48. As mentioned earlier in the report, the proposed telecommunications mast has come forward as part of the Home Office's Extended Area Services network, which is an integral part of the Emergency Services Mobile Communications Programme. The site will provide uninterrupted, high quality emergency communications to the target area of Bradfield, the majority of the roads in the area Minor Roads (as defined by ESN), and approximately 3 km of the B6077, Major Road (as defined by ESN) from Malin Bridge to Dungworth is provided with coverage. Coverage is also provided to Bradfield Moors, Ughill Moor, Broomhead Moor and part of Derwent Moor and all minor roads and surrounding area within the coverage footprint. The site would also provide EE with the option of commercial mobile coverage is an area where there is currently no mobile coverage.
49. The benefits of the proposed development would therefore be to provide emergency services coverage (to replace the existing Airwave network, which is being replaced) and to give the possibility of high speed wireless communications to an area where there is no coverage currently available. Officers agree that both of these would be likely to offer significant public safety, economic and social benefits for members of the public living and working within the affected area.
50. The National Planning Policy Framework does place emphasis upon the need to encourage the continued rollout and improvement of digital infrastructure network, however, great weight also needs to be given to the conservation of the National Park and the setting of heritage assets. Therefore for the proposals to be consistent with the

Framework it must also be demonstrated that the development will conserve the valued characteristics of the Peak District National Park including the scenic beauty of its landscape and the setting of its heritage assets.

51. In this case it is considered that the proposed development would result in harmful impacts upon the scenic beauty of the landscape and would also harm the setting of the heritage assets listed above. The public benefits of the development are significant but it is considered that the impacts of the proposed development would outweigh the benefits in this case.
52. While the loss of an opportunity to provide emergency service and mobile coverage is very unfortunate it is considered that this in itself does not justify development which would have an overriding harmful impact upon the National Park contrary to local and national policies. Officers have been willing to consider other, less prominent solutions with the applicant's agents, but, as explained above, they consider that these do not provide technically suitable solutions.

Conclusion

53. It is considered that the proposed development would be a relatively tall and prominent man-made structure which would have an adverse impact upon the scenic beauty of the surrounding landscape.
54. The proposal would result in significant public benefits related to the provision of emergency services coverage and the possibility of mobile telecommunication infrastructure in a "not spot". This would be likely to result in significant public safety, economic and social benefits for members of the public living and working within the affected area.
55. However, great weight must be given to the desirability of conserving the valued characteristics of the National Park including the scenic beauty of its landscape and the setting of its heritage assets. In this case it is considered that any approval of the development would have a significant harmful impact upon the National Park and it is considered that this harm would outweigh the benefits of approving the proposal.
56. It is therefore considered that for the above reasons the proposed development is contrary to Core Strategy policies GSP1, GSP3, L1 and Development Management DPD policy DMU4.
57. It is therefore recommended that the application be refused.

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: John Scott, Director of Conservation and Planning



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Committee Date:	13 September 2019	Title: Land at Cliffe House Farm High Bradfield	 PEAK DISTRICT NATIONAL PARK
Item Number:	Item 6		
Application No:	NP/S/0519/0475		
Grid Reference:	427651, 391704		

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7. FULL APPLICATION – USE OF LAND AS TOURING CARAVAN SITE WITH TEN PITCHES – JUG AND GLASS INN, ASHBOURNE ROAD, HARTINGTON (NP/DDD/0619/0687 TS)

APPLICANT: MS V BONSALE

Summary

1. The application site is a very prominent position in an open landscape. The proposed use of the land as a caravan site would result in harm to the landscape character of this part of the National Park.

Site and surroundings

2. The site is a paddock that lies to the south west of the Jug and Glass Inn. The Jug and Glass is a public house that lies immediately next to the A515 Ashborne Road, in the open countryside approximately 1.5km north of Newhaven and 3km east of Hartington.
3. The site is laid to grass and is rectangular in shape. Trees have recently been planted around the perimeter of the site. Beyond the public house and its associated outdoor areas and the A515, the site is surrounded to all sides by open agricultural land.

Proposal

4. The application seeks full planning permission for use of the land as a caravan site for ten pitches.
5. The proposed caravan site would utilise the existing access point from the A515 that serves the public house. The proposal does not include any amenity buildings. Users of the caravan site would have use of the existing facilities and services within the public house.

RECOMMENDATION:

That the application be REFUSED for the following reason:

1. **The use of the land as a caravan site would result in harm to the appearance of this prominent and open site and would result in harm to the landscape character of this area of the National Park. The proposal is therefore contrary to policies GSP3, L1, RT3, DMC3 and DMR1 and the guidance contained within section 172 of the NPPF.**

Key Issues

- The principle of development
- Impact on the landscape character and special qualities of the National Park
- Amenity Impacts
- Highways Impacts

History

2013 – A pre-application enquiry was received relating to the possibility of using the land as a seasonal caravan site for 10 pitches. We gave the enquirer the following advice:

“Despite being sited adjacent to the pub the field is located in a very prominent location visible

from the surrounding roads. My view is that a seasonal caravan site with 10 pitches here would be likely to have a harmful visual / landscape impact. While the Authority's policies do support small seasonal caravan sites 'in principle' having looked at the details my view is that officers would not be able to support a planning application for a caravan site here because of the potential visual and landscape impact."

Consultations

6. Hartington Nether Quarter Parish Council – Support the application.
7. Derbyshire County Council Highways – No objections.

Representations

8. No third party representations have been received.

Main policies

9. Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1.
10. Relevant Development Management Plan policies: DMC3, DMR1, DMT3.

National planning policy framework

11. 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.
12. The National Planning Policy Framework (NPPF) has been revised (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. In particular Paragraph 172 states 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.
13. In the National Park the development plan comprises the Authority's Core Strategy 2011 and the Adopted Development Management Policies 2019. 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 government guidance in the NPPF with regard to the issues that are raised.

Development plan

14. 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. Core Strategy policy GSP4 highlights that the National Park Authority will consider using planning conditions or obligations to secure the achievement of its spatial outcomes.

15. Policy RT3 of the Core Strategy 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.
16. Development Management Policy DMC3 requires development to be of a high standard that respects, protects, and where possible enhances the natural beauty, quality and visual amenity of the landscape, including the wildlife and cultural heritage that contribute to the distinctive sense of place. It also provides further detailed criteria to assess design and landscaping, as well as requiring development to conserve the amenity of other properties.
17. Policy DMR1 states 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.
18. Policy DMT3 sets out that development will only be permitted where a safe access that is achievable for all people can be provided in a way that does not detract from the character and appearance of the locality.

Assessment

Principle

19. Policies RT2 and DMR1 allow for the creation of small camping and touring caravan sites when they would not have detrimental landscape or amenity impacts. The supporting text to policy RT2 notes that camping and caravanning is the most popular type of holiday accommodation in the Peak District. The meaning of “small” camping and touring caravan sites is not defined in policy RT2 but the supporting text clarifies that appropriate size will vary from site to site. For guidance, sites up to 30 pitches are more likely to be acceptable, although the text says that this may be too large in many circumstances.
20. It is fully acknowledged that camping and caravan sites can help to support the local economy and provide diversification for existing businesses. Whilst no supporting information has been provided with this application in respect of benefits to the public house business, it is assumed that income from the proposed caravan site would help to support the public house business.
21. At 10 pitches, it is reasonable to take the view that this would be a small touring caravan site. The site would have benefits in terms of promoting enjoyment of the National Park and may also support the local economy. However, policy DMR1 stresses the need for camping and caravanning development to integrate well with and not dominate its surroundings.
22. The proposed touring caravan site use is broadly acceptable in principle under policy RT2. However, the impact on the landscape is key to the acceptability of this type of development. The landscape impact is discussed below.

Impacts on the character and appearance of the landscape

23. The site is in the Limestone Plateau Pastures character area as defined in the Authority's Landscape Strategy. This is detailed as an upland pastoral landscape with a regular pattern of straight roads and small to medium sized rectangular fields bounded by limestone walls. Tree cover is mostly limited to occasional tree groups, or small shelter belts, allowing wide views to the surrounding higher ground. This description accurately reflects the land surrounding the application site.
24. This is particularly relevant in respect of tree cover in the area. Whilst trees are present in the locality, this is by no means a wooded landscape. The trees that do exist are generally in small groups of linear shelter belts. The site itself is a group of open fields that do not contain any trees other than the ones that have been planted around the perimeter of the application site.
25. In 2013 we gave advice that the application site was unsuitable for use as a touring caravan site because of its prominent location in an open landscape.
26. At that time, the application site did not appear to contain any trees or soft landscaping. It was simply demarked by a drystone wall that was in keeping with other field boundaries in the landscape.
27. Since then, a dense band of trees has been planted around three sides of the application site, forming a very obvious U-shape of planting. The trees have been planted extremely close together, forming an almost solid landscaped barrier around three sides of the site. It is clear that the trees have been planted with the purpose of screening the inside of the site.
28. At the moment, the trees are not high enough to completely screen caravans in the site. However, it is likely that they would grow to a height that would largely screen the site in the near future.
29. The issue however is that the tree planting itself, in its very dense U-shaped formation, forming an enclosed rectangle in the middle of the open plateau pastures landscape is entirely incongruous in this location. The landscape has been manipulated in order to screen the site.
30. This is therefore an unusual situation whereby tree planting has clearly taken place in advance of the application being submitted in order to establish screening for the development. In future years it is likely that the tree planting would screen the proposed caravan site fairly effectively. The problem is that the tree planting itself is discordant with the open character of the landscape.
31. Whilst the tree planting itself is not development, the Authority should not endorse a development (i.e. the caravan site use) which can only be screened by tree planting that is itself harmful to the landscape. It is clear that the tree planting has only been carried out in this manner to form a visual barrier around the site – it does not form a shelter belt in the way that other lines of mature trees in the locality do. Without the tree planting, the proposed caravan site would be clearly visible in far reaching views from all directions, would be very prominent and would have an unacceptable impact on the landscape character of the area.
32. The view must therefore be taken that this is not a suitable site for a touring caravan site and the development would be harmful to the landscape character of this part of the National Park.
33. The development is therefore contrary to policies L1, RT2, DMR1, DMC3 and the

guidance in paragraph 172 of the NPPF.

34. The benefits outlined further above in respect of promoting enjoyment of the National Park and supporting the public house business do not outweigh the landscape harm.
35. Policy RT2 sets out that small camping and touring caravan sites will be supported particularly in areas where there are few existing sites. It is noted that there are numerous caravan sites, both large and small, along the A515. This is not an area where there are few existing sites.

Amenity impacts

36. The site is over 300 metres from the nearest neighbouring property. Given this, and that the site is adjacent to the existing commercial use at the public house, the proposed caravan site use would be unlikely to have any detrimental impacts on the amenity of any nearby users or residents by way of noise or other associated disturbance. The application accords with policy DMC3 in this respect.

Highways Impacts

37. The proposed caravan site would be accessed using the existing entrance to the public house site from the A515. This is in regular use for the public house. The Highway Authority has raised no objections. It is therefore considered that the intensification in the use of the existing access point is acceptable in this instance and would not be harmful to highways safety.
38. The proposal accords with policy DMT3.

Conclusion

39. The proposal would be harmful to the appearance of this prominent and open site and would result in harm to the landscape character of this area of the National Park. The proposal is therefore contrary to policies GSP3, L1, RT3, DMC3 and DMR1 and the guidance contained within section 172 of the NPPF.

Human Rights

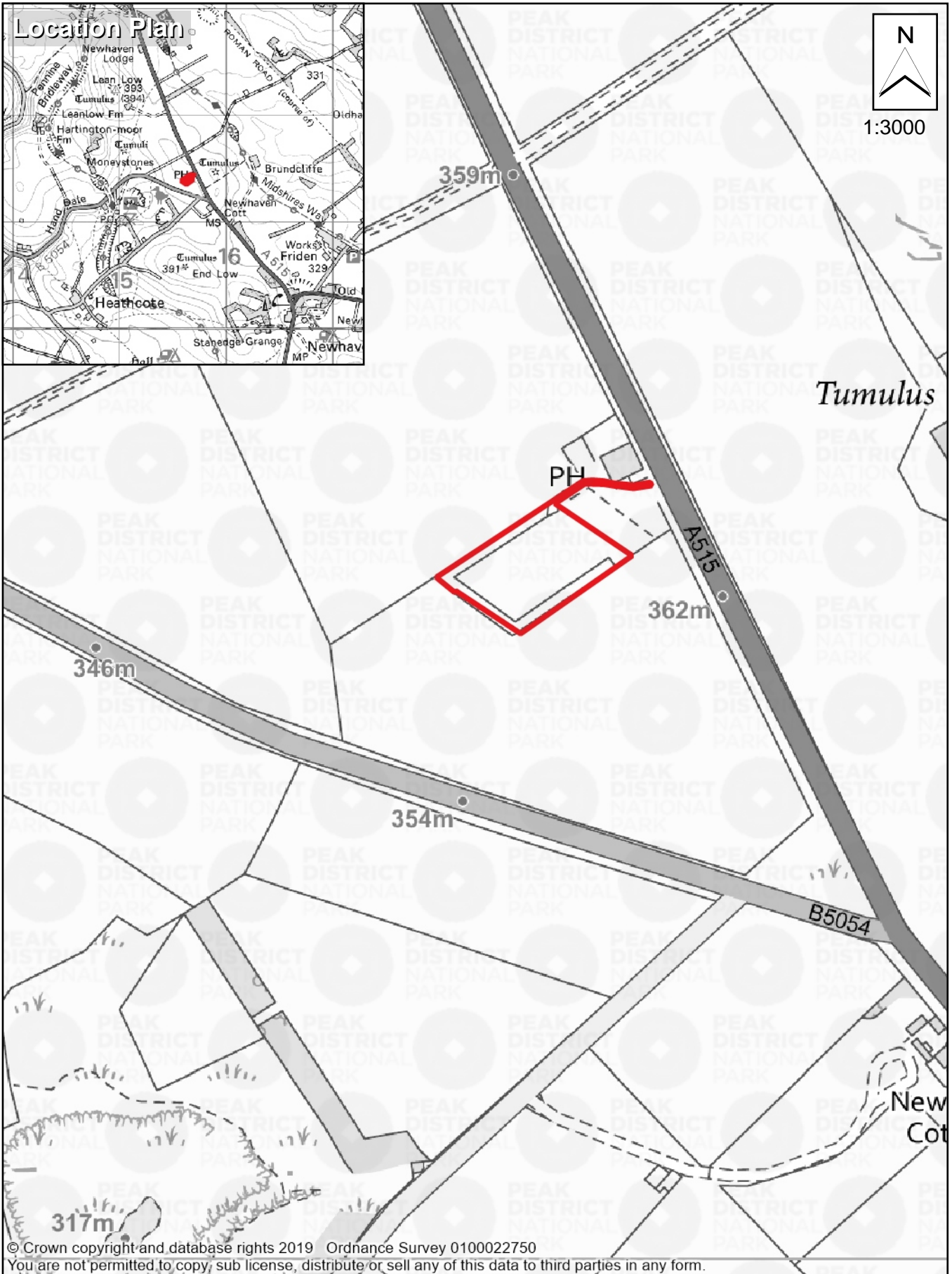
Any human rights issues have been considered and addressed in the preparation of this report.

List of Background Papers (not previously published)

Nil

Report Author: Tom Shiels, Area Team Manager

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Committee Date: 13 September 2019
 Item Number: Item 7
 Application No: NP/DDD/0619/0687
 Grid Reference: 415678, 361451

Title: Jug And Glass Inn
 Hartington



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8. FULL APPLICATION FOR THE CHANGE OF USE OF EXISTING DWELLING TO USE AS CHILDREN'S HOME FOR UP TO FIVE CHILDREN WITH UP TO SIX STAFF, WITH ANCILLARY USE OF LOWER LEVEL FOR HOME SCHOOLING, AND MINOR INTERNAL ALTERATIONS/CHANGES TO EXISTING FENESTRATION AT MOORFIELD BARN, DERBYSHIRE LEVEL, GLOSSOP - NP/HPK/0619/0622 – JK

APPLICANT: MR P KNOWLES, ARNFIELD CARE LTD

Summary

1. Moorfield Barn is in use as a four bedroom dwelling which, in planning use terms, is a Class C3 (a) dwellinghouse use. The change of use to a children's home for up to five children, may require planning permission in some circumstances depending on the needs of the children and the care provided, and whether or not the proposal would involve a material change of use.
2. Our development plan policies allow in principle the change of use of existing traditional buildings to housing and business uses in the open countryside. In this case there would be no change in appearance, the parking and access facilities are appropriate and the use would not be so different to a normal family use as to give rise to any adverse amenity issues for neighbouring properties or impact upon the valued characteristics of the locality. The proposal has therefore been recommended for approval subject to conditions set out below.

Site and Surroundings

3. Moorfield Barn is a detached 4 bedroom house located on the west side of 'Derbyshire Level', just outside and to the south west of the town of Glossop. Derbyshire Level is a minor road which links the A57 Snake Road east of Glossop with the A624 Road south of the town and affords access to a small number of farms and individual dwellings. The National Park Boundary lies 200m to the North-West. The application site comprises the dwelling and its associated residential curtilage.
4. The house is a converted traditional agricultural stone barn which fronts onto Derbyshire Level. Windows and doors are dark brown painted timber. There is a parking area for four cars next to the north gable where there is also an integral garage in a gable lean-to. Next to the south gable is a further gravelled parking area for two cars. To the rear of the house is a raised stone patio with storage space below accessed by a sloping gravelled driveway down from an entrance gate onto the lane. The house sits within a rectangular garden which is sloping away from and below the level of the house and which is clearly defined by drystone walls and mature boundary trees/hedging.
5. The nearest neighbours is Moorfield Farm and Moorfield Cottage which lie across the road some 65m or so to the north east and are themselves set back from the road behind intervening landscaping.

Proposal

6. Full planning permission is sought for the change of use of the existing dwelling to use as a children's care home for up to five children with up to six staff, with ancillary use of lower level for home schooling along with minor internal alterations/changes to existing fenestration.
7. The submitted plans show internal alterations to increase the number of bedrooms from four (potentially 5) to seven with two rooms being designated as staff 'sleep-over' rooms. The lower storage below the rear terrace would be divided to form 3 rooms for use as

classrooms and or meeting/break out rooms with new glazed screen doors fitted to the four existing openings.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions;

- 1. Commence development within 3 years.**
- 2. Carry out in accordance with submitted plans.**
- 3. Define approved use as a ‘children’s care home’ within Class 2 of the Town and Country Planning (Use Classes) Order 1987.**
- 3. Submit for prior written approval the precise details of new screen doors before installation.**
- 4. Maintain the 6 existing outdoor parking spaces located beside each gable end of the main house and the driveway available for designated parking use throughout the life of the development.**
- 5. Maintain exit visibility splays for the parking spaces and drive exits.**
- 6. No additional external lighting other than in accordance with a scheme that shall first be submitted for prior written approval by the Authority.**

Key Issues

8. Principle of use of the property as a care home and whether or not ‘development’ comprising a change of use needing planning permission.
9. Highway considerations
10. Amenity considerations

Planning History

11. 1979 – Permission granted for conversion of the barn to a dwelling
12. 2007 – Permission granted for extension of patio to rear including formation of storage area underneath.

Consultations

13. Highway Authority – No objections subject to conditions

The Highway Authority note site is currently served by an access and off street parking spaces adjacent to where exit visibility is acceptable and the space available is considered acceptable to accommodate the likely parking requirements of the unit. They also noted that there is additional space, served by another access, towards the north eastern boundary of the site which should also remain for vehicle parking if required.

There are no highway objections to the application subject to conditions in any consent granted covering provision and maintenance of visibility splays from the accesses and maintenance of the space within the site for the parking and manoeuvring of staff and

visitors vehicles.

14. High Peak Borough Council – no response
15. Charlesworth Parish Council – no response

Representations

16. 7 letters of objection and 1 letter of support (from the current owner of Moorfield Barn) have been received. The objectors make the following summarised planning points relevant to the application (factually incorrect points omitted), the full text of all letters is available to view on the Authority's website:

- No need for the home on Derbyshire Level or in the Glossop area.
- Property is not redundant as a family dwelling and should be maintained.
- No suitable disabled access to the classrooms at the rear or to the bedrooms.
- Concern about increased traffic.
- Unsuitable access lane without footways, streetlamps or bus stops and often blocked in winter.
- Concern that on-street parking will occur during inclement weather and at night posing a safety hazard to other users.
- Consider suggestion that the number of staff on site will not exceed 6 is unrealistic – 20 is more realistic.
- No play area.
- No storage provision for outdoor recreational equipment
- Garden will effectively become a car park for staff and visitors.
- Concern about impact of potential illumination to parking areas
- Inadequate office/meeting space.
- Privacy concerns with glazed games room (within main arched opening) facing onto the lane.
- Unacceptable disturbance, noise and light pollution on tranquil rural location
- Quiet rural setting in remote location that is inappropriate for a commercial business
- Concerns about impacts upon the private spring water system which has been granted solely for domestic properties and may not cope with increased use.

17. The supporters points counter each of the objector's and summarised are;

- Note the change of use is still residential.
- Highways dep't raises no objections – no pedestrian/vehicular accidents on Derbyshire Level in the last 16 years.
- Only once in last 16years has the road been cut off due to bad weather as local farmer clears the road.
- Water supply is not a planning matter – owner of spring has not objected.
- Prior to current couples residency there were 5 persons resident at Moorfield Barn.
- Disabled access is available if required down the ramped drive to the proposed classroom.

Main Policies

18. Relevant Core Strategy policies: GSP1 -3, DS1.
19. Relevant Local Plan policies: DMT6, DMT8, DMC3

National Planning Policy Framework

20. The National Planning Policy Framework (NPPF) has been revised (2019). The Government's intention is that the document should be considered as a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. In particular Paragraph 172 states 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.
21. In the National Park the development plan comprises the Authority's Core Strategy 2011 and the May 2019 Adopted Development Management Policies. 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 government guidance in the NPPF with regard to the issues that are raised.

Development Plan

22. 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.
23. Core Strategy policy DS1 outlines the Authority's Development Strategy and in principle allows for conversion or change of use for housing, community facilities and business uses including visitor accommodation, preferably be re-use of traditional buildings. It provides a list of 'named settlement' where there is scope to maintain and improve the sustainability and vitality of communities.
24. Development Management Policy DMC3 requires development to be of a high standard that respects, protects, and where possible enhances the natural beauty, quality and visual amenity of the landscape, including the wildlife and cultural heritage that contribute to the distinctive sense of place. It also provides further detailed criteria to assess design and landscaping, as well as requiring development to conserve the amenity of other properties.
25. Development Management Policy DMT8 states that off-street parking for residential development should be provided unless it can be demonstrated that on-street parking meets highways standards and does not negatively impact on the visual and other amenity of the local community. It notes that the design and number of parking spaces must respect the valued characteristics of the area, particularly in conservation areas.
26. Policy DMT6 limits business parking to need and seeks limited provision in line with the scale of development and taking account of the its location and visual impact.

Assessment

27. The supporting statement explains the proposed use would be for a care home with up to 5 children in residence along with their carers. Each would have their own room and share communal facilities such as lounge and kitchen and effectively live together with their carers as a single household. The agent notes that many local planning authorities view this type of use as not representing a material change of use and therefore not requiring planning permission; however the application has been submitted to provide certainty for business reasons and for the residents of the

property.

28. A further supporting statement from the applicant briefly sets out some of the national background to the care system and explains that the applicant is a small provider in the local area who is responding to meet some of that need expressed by local authorities to them for more spaces. It makes clear they offer care places to local authorities nationally although care is offered to more local authorities where this would be appropriate.
29. Children would range in age between 8 and 17 and would attend local schools or be schooled in-house as appropriate. Carers would not 'live-in' but would rotate on a shift basis with other carer's ensuring that at least two adults would be present at all times. In discussions the operator has explained that although a maximum of five has been applied for, typically the maximum number of children would be 4 with the 5th space being kept spare and seen as an occasional maximum for short periods. Furthermore, given the nature of activities undertaken such as away trips and outdoor activities, the operator explains that often on-site numbers will typically be lower. The applicant has explained that the application site has been chosen precisely because the location, in open countryside on the edge of the Park, is ideal to access and utilise existing local and regional resources, including the National Park, facilities which have proven therapeutically beneficial to a substantial number of children over the course of the last 20 years of the business.
30. S.55(2)(f) of the Town & Country Planning Act 1990 in general terms, permits changes in the use of buildings or other land, from one use to another where the uses are in the same class. So for example, a change of use from Class C3(a) to a use under Class C3(b) would not require planning permission.

Class C2 of the Order reads:

C2 Residential Institutions

Use of the provision of residential accommodation and care to people in need of care (other than a use within class C3 (dwelling houses)).

Use as a hospital or nursing home

Use as a residential school, college or training centre.

Class C3 of the Order reads:

Class C3 Dwellinghouses

Use as a dwellinghouse(whether of not as a sole or main residence) by -

(a) a single person or by people to be regarded as forming a single household;

(b) not more than six residents living together as a single household where care is provided for residents; or

(c) not more than six residents living together as a single household where no care is provided (other than a use within class C4)

31. Article 2 of the Order defines 'Care' for the purposes of Class C2 and C3 as 'personal care for people in need of such care by reasons of old age, disablement, past or present dependence on alcohol or drugs or past or present mental disorder and in Class C2 also includes the personal care of children and medical care and treatment.
32. The requirements of Class C3(b) are that there are no more than six residents living together as as single household where care is provided for residents. The application does not suggest that the child residents require 'care' under the definition above. On this basis the proposed use is considered a C2 use (which under the definition includes the personal care of children)..
33. Changes of use between class C2 and C3 do not always require planning permission

where the changes are not material. However, in this case it is concluded that there would be material changes and conditions are proposed to control these (specifically in relation to parking and access and lighting). Therefore the change of use requires planning permission.

Principle of the use of the building as a care home

34. Core Strategy policy DS1: Development Strategy allows in principle for the change of use of existing traditional buildings to housing and business uses in the open countryside. For business development in the open countryside policy E2 sets out the principles such proposals must take account of, essentially directing uses to sustainable locations and stating in E2C that business uses in an isolated existing building in the open countryside will not be permitted. Although the dwelling is located in a less sustainable location being in the open countryside, it is not regarded as an isolated location being just outside the town of Glossop and its transport links.
35. Moorfield Barn is already in use as a dwelling which is a Class C3 (a) use as defined in the Town and Country Planning (Use Classes) Order 1987. The change in use to a children's home for up to five children, would be to a use falling within Class C3 (b). As both uses fall within the same use class, The Town and Country Planning (Use Classes) Order 1987 states such a change is not to be regarded as development and therefore does not require planning permission. The agent recognises this but states that in this case the applicant has formally applied for planning permission to secure a development consent for business reasons and therefore in determining this application the presence of the clear fall-back position has to be afforded substantial weight.
36. Given the application building is already in use as a dwelling and the presence of the clear fall-back position relating to the permitted change of use, it is considered that the principle of the development is acceptable, and a close fit within our policies.

Detailed design considerations

37. Development Management Policy DMC3: Siting, design and landscaping, requires a high standard of detailed treatment for all new development.
38. The submitted plans show that the change in use would be achieved within the existing building; the only external change being four new doors/windows in the existing openings to the storage area below the rear patio. These new doors/windows would also normally fall within Permitted Development limits but in any case, subject to details, would represent an enhancement opportunity over the existing 'temporary' style solid boarded panels. No precise details of the frames and their material have been included with the application at this stage and hence in order to ensure the setting of the barn is conserved a condition requiring prior agreement over the precise details is recommended.

Access and parking considerations

39. The house is already served by a number of parking spaces and garaging. There are two spaces to the south and four immediately to the north of the barn accessed directly off Derbyshire Level. In addition there is a separate access and drive which could accommodate several more cars on the way down to the current storage/garaging under the patio.
40. It is concluded therefore that although some potential garaging space would be lost in this proposal, more than ample off street parking remains available. In the unlikely event of more being needed, there is opportunity in the screened garden for more

spaces to be accommodated without harm to the wider landscape. Furthermore emerging visibility from all accesses is clear given the presence of the wide roadside verge in the vicinity of the house.

41. The Highway Authority comment that the exit visibility is acceptable and the parking space available acceptable to accommodate the likely parking requirements of the unit. Consequently they have raised no objections to the proposal, subject to conditions in any consent covering provision and maintenance of visibility splays from the accesses and maintenance of the space within the site for the parking and manoeuvring of staff and visitors vehicles.
42. There are therefore no access or parking objections to the proposal.

Amenity considerations

43. The principal elevation of Moorfield Barn fronts almost directly onto the road at the front but has a large private garden to the rear at a lower level and surrounded by mature boundary planting screening it from public views. There would be no changes to the public elevations of the dwelling facing the highway and therefore no change to the level of privacy and amenity the dwelling currently enjoys.
44. The nearest neighbouring dwelling is Moorfield Farm which is situated on the other side of Derbyshire level to the north east with its front elevation some 65m away. A further cottage, Moorfield Cottage abuts the farmhouse on its north side. Given the distance apart and their relationship to the application dwelling, it is considered neither property would experience any material change to the amenity they currently enjoy as a result of the physical changes to the barn. There will be potential for greater comings and goings by staff than for use as private dwelling however this is considered unlikely to have any adverse impact upon neighbours given the scale and the relationship between the property's. Furthermore the likely maximum number of children present on site should the children's home go ahead is not considered to be so materially different from that potentially associated with a 4/5 bedroom dwelling as to cause harm to neighbouring amenity have any other adverse impact on the character of the area.

Other considerations

45. The property is understood to be fed by a spring. Whilst the concerns expressed by neighbouring objectors is noted, the proposed use of the property will remain as a dwelling and therefore water use would be so similar to existing as to likely make no material difference to the spring. Furthermore as the supporter notes we have had no objection from the owner of the spring and in any case the objectors concerns about water supply/permits are not a planning matter.

Conclusion

46. The use of the property as a children's home is development requiring planning permission and the alterations proposed to facilitate the change require permission. The development is acceptable on merits subject to the above conditions. The change of use would result in no changes to the public elevations and new windows/doors will enhance the rear elevation. There is ample parking for staff and visitors along with a large private garden providing suitable amenity space, the balance of this provision can be secured by condition. Subject to conditions there would be no adverse highway impacts or harm for neighbouring amenity or indeed for the character of the locality. Whilst it is acknowledged that the location is not the most sustainable, it is nevertheless close to Glossop; a fact which coupled with the business requirement for a rural location and the provision of the care facility itself means that, on balance, the proposal

would result in a suitable use within adopted policies for the building and its location.

Human Rights

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

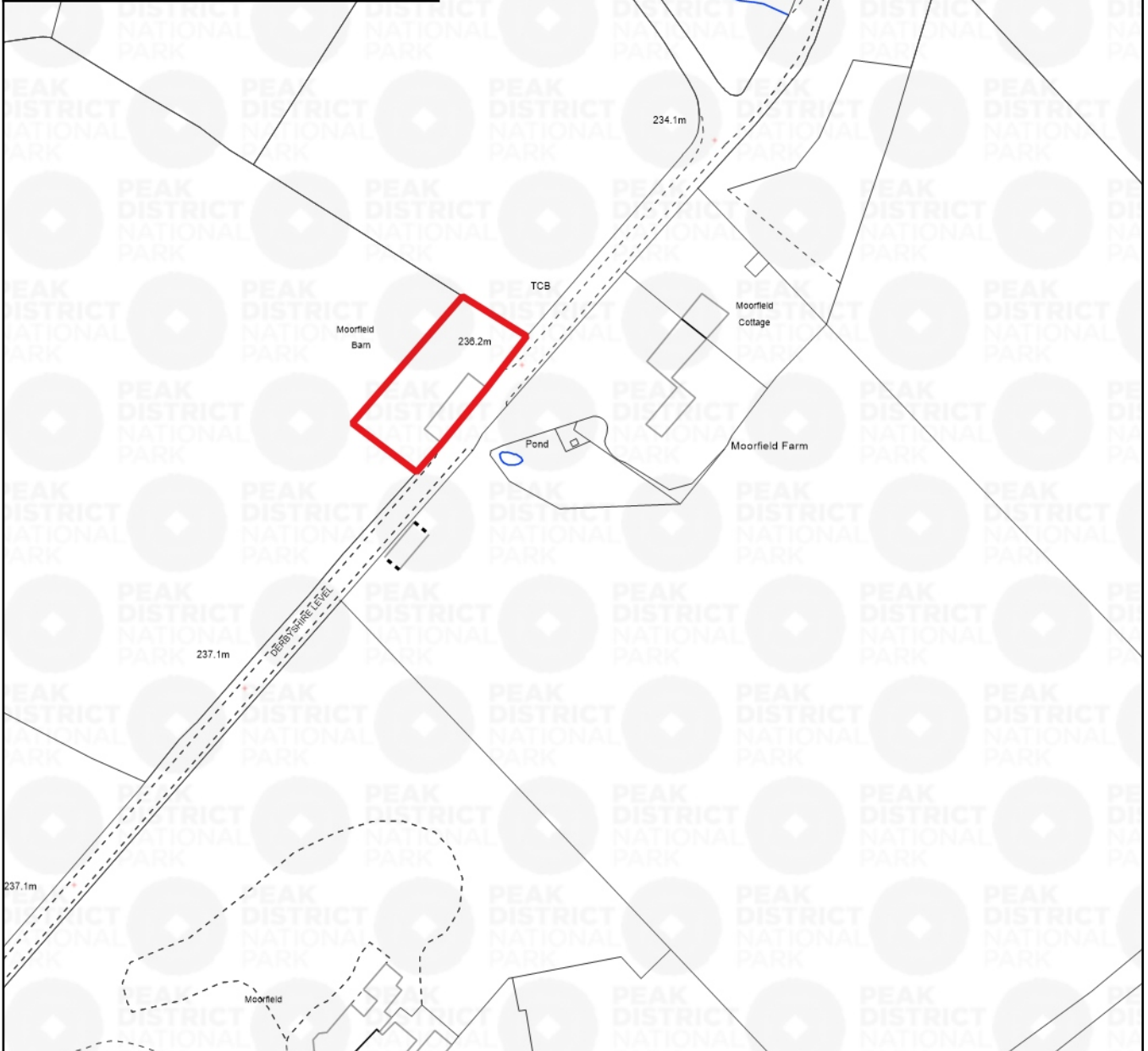
List of Background Papers (not previously published)

48. Nil


Report Author: John Keeley, Planning Manager - North



1:2000



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Committee Date:	13th September 2019	Title: Moorfield Barn Derbyshire Level Glossop	 PEAK DISTRICT NATIONAL PARK
Item Number:	Item 8		
Application No:	NP/HPK/0619/0622		
Grid Reference:	404786, 392851		

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9. DISCHARGE OF CONDITION 4 ON NP/HPK/0217/0140, CHANGE OF USE TO 3 OPEN MARKET DWELLINGS AT HURST WATER TREATMENT PLANT, DERBYSHIRE LEVEL, GLOSSOP (NP/DIS/0519/0555, P.8289, 405202 / 393910, 08/03/201/AM)

APPLICANT: Paul Milner

Site and Surroundings

1. The application site includes the former water works building and its curtilage and is located approximately 1.7km to the east of Glossop. Glossop lies outside of the National Park, with Hurst Road, 180m to the west of the site indicating the boundary line at the nearest point. The site is separated from the edge of Glossop by open fields and the Glossop and District Golf Course and is therefore considered to be in open countryside.
2. The site is dominated by a substantial building which was erected in 1960 to serve the former Hurst Reservoir. This use ceased following the decommissioning and removal of the reservoir. The building measures 23m by 7m with a further single storey flat roofed section measuring 21m by 5.2m and almost covering the whole of the front elevation. The building is constructed from gritstone, with the main part under a shallow pitched roof. The building is currently being converted to three dwellings.
3. The nearest neighbouring properties are the buildings relating to the golf club to the north west and two domestic properties located to the south east and adjacent to the application site. Access to the building is via the existing private way which serves the golf club and the neighbouring dwellings.

Proposal

4. The discharge of condition no.4 on planning permission NP/HPK/0217/0140, which granted planning permission for the conversion of the former water works building to three open market dwellings. Condition 4 stated:
5. *“Notwithstanding the approved plans, prior to the erection/provision of any doors and windows a detailed scheme for their external finish, including glazing type, framing, glazing bars, and any proposed changes to sizes, shall be submitted to and approved in writing by the National Park Authority. The development shall thereafter be carried out in accordance with the approved specification and shall be permanently so maintained.”*
6. The reason for the condition was: *“In the interests of the character and the appearance of the development.”*
7. The submitted plans showed that the building would be converted to create the proposed three dwellings. New window and door frames would be installed within the existing openings, four new door openings would be created on the rear elevation. A number of roof-lights were also proposed but these were amended by planning condition.

RECOMMENDATION:

That the application to discharge the condition be REFUSED for the following reason:

The design of the windows and doors does not respect or reflect the original character of the former water treatment works and is considered to be cause unacceptable harm to the character and appearance of the building, contrary to policies GSP1, GSP3, and DMC3 and the design principles of the Design Guide.

Key Issue

- Whether the development under construction achieves a design that conserves the character and appearance of the building.

History

8. 2018-19: Work has commenced on site and the windows and doors that have been installed have not been approved, together with other departures from the approved plans. Officers have been in correspondence with the applicant to express their concern that they do not respect the original character and appearance of the building. Officers have met with him to discuss these departures but he has submitted this application to seek retrospective approval of the door and window details.
9. 2018: NP/DIS/1018/0978 Application for Discharge of conditions including condition 4. Discharged in part, but not including condition 4. The decision letter said:
10. *“Condition 4
A plan a 1:100 scale has been submitted showing the proposed window and door design along with a photograph of an uPVC frame. The submitted plan is not accurate and the proposed window and door details are not drawn at the correct scale. The proposed uPVC horizontal frames / glazing bars would have a width of 0.3m which is not acceptable. Furthermore no detail has been provided how the proposed frames would be joined to the concrete mullions and whether horizontal frames would be required. It is noted that on site a number of the concrete mullions have been removed and uPVC frames have been installed, it is not clear how it is proposed to re-instate concrete mullions to these openings. The proposals for the doors show glazed sliding doors and a single uPVC door within glazing. This does not reflect the approved plan and is not an appropriate design for the approved dwellings.*
11. *The submitted details are therefore not considered to be an appropriate design and the Authority therefore **does not agree to discharge condition 4 at this time.***
12. *Officers recommend that accurate and detailed scale drawings are submitted as part of any new application to agree details and that the design for the window should include slender horizontal frames with any vertical elements hidden behind or within reinstated concrete mullions to reflect the character of the original windows”.*
13. 2017: NP/HPK/1017/1118 Application for variation of conditions: approved in part, but permission was not granted to vary condition 4. The delegated officer report said:
14. *“The submitted plans are simple and light on detail. Further, they show that uPVC frame/glazing bars would have a width of 30cm. This is far too wide to appear acceptable. It is also not clear how the glazing would be joined to the concrete surrounds - presumably further frames around the edges would be required but have not been shown. In addition, plans for the doors have not been provided.*
15. *The same design as that now submitted was approved on a previous scheme that permitted the conversion of the building to offices. However, that scheme was not taken forward and so the Authority now has the opportunity to secure accurate plans and more appropriate details. It is therefore recommended that this condition is retained as previously worded.”*
16. 2017: NP/HPK/0217/0140: Planning permission granted for change of use to 3 no. open market dwellings.

17. 2016: NP/HPK/0916/0875: Planning permission refused for change of use to 3 no. affordable dwellings.
18. 2015: NP/HPK/1114/1162: Planning permission granted conditionally for conversion of building into Class B1 managed office space comprising of 12 office units and associated parking.
19. 2014: NP/HPK/0514/0493: Demolition of water works building and change of use for the stationing of caravans for occupation by gypsy-traveller site, with associated development including hard standing, utility building and external lighting, refused.
20. Appeal against the 2013 decision for change of use to a dwelling dismissed.
21. 2013: NP/HPK/0513/0441: Change of use from former waterworks to dwelling including partial demolition and re-modelling of building, refused.
22. 2012: NP/HPK/0312/0239: Change of use of building to dwelling and office, refused.
23. 2011: NP/HPK/0811/0831: Change of use of building to dwelling and commercial office, refused.
24. Appeal against a 1998 decision for change of use to a dwelling dismissed.

Consultations

25. No consultations as this is an application to discharge a condition

Main Policies

26. Relevant Core Strategy policies: GSP1, GSP3, DS1, L1, L2 and HC1
27. Relevant Local Plan policies: LC4, LC17, LC18, LC24, LT11 and LT18

National Planning Policy Framework

28. The National Planning Policy Framework (The Framework) is a material consideration which carries particular weight where a development plan is absent, silent or relevant policies are out of date.

Paragraph 55 of the Framework says that housing should be located where it will enhance or maintain the vitality of rural communities. New isolated homes in the countryside should be avoided unless there are special circumstances.

Paragraph 115 of the Framework says that great weight should be given to conserving landscape and scenic beauty in National Parks and that the conservation of wildlife and cultural heritage are important considerations and should also be given great weight. Paragraph 115 refers to the National Parks and the Broads Circular which states that Government Policy is that the National Park should encourage affordable housing to meet local need and that the Parks are not suitable locations for unrestricted housing and therefore does not provide general housing targets.

Development Plan

29. Policy HC1 of the Core Strategy sets out the Authority's approach to new housing in the National Park; policy HC1(C) I and II say that exceptionally new housing will be permitted in accordance with core policies GSP1 and GSP2 if it is required in order to achieve

conservation and/or enhancement of valued vernacular or listed buildings or where it is required in order to achieve conservation or enhancement within designated settlements.

Development Management DPD Policy DMC3 states that where development is acceptable in principle, it will be permitted provided that its detailed treatment is of a high standard that respects, protects and where possible enhances the natural beauty, quality and visual amenity of the landscape, including the wildlife and cultural heritage that contribute to the distinctive sense of place. Particular attention will be paid to siting, scale, form, mass, levels, height and orientation in relation to existing buildings, settlement form and character, and the degree to which buildings and their design, details, materials and finishes reflect or complement the style and traditions of the locality as well as other valued characteristics of the area.

Wider Policy Context

30. The Authority's adopted Design Guide (2007) is also relevant in regard to detailed design guidance.

Assessment

31. The key issue in this application is whether the windows and doors that have been installed conserve or enhance the character and appearance of the building. The application is for the discharge of a condition attached to the planning permission granted in 2017 for the conversion of the former water treatment works to three open market dwellings, but work has commenced on site without the condition being discharged and following two applications for either variation or discharge of the condition that have explicitly not agreed the window and door design. Although officers have delegated authority to determine applications for the discharge of conditions, given Members involvement in the decision to accept the principle of residential development of this building, it is considered appropriate to bring this application to Committee for determination.
32. The application site is considered to be within open countryside as it is separated from the edge of Glossop by open fields and the Glossop and District Golf Course. As the planning history demonstrates, proposals to convert the building to open market dwellings have been refused planning permission by the Authority in the past and subsequent appeal were dismissed. At that time, the Authority and the Inspector were of the view that the building did not represent a valued vernacular building, and as such it did not comply with the policy criteria of HC1 that would justify an exceptional permission for conversion to an open market dwelling.
33. However, in 2016 Planning Committee considered a scheme for conversion to three dwellings in 2016. Whilst the application was refused, Members were of the view that the building did represent a valued vernacular building, being a good example of the water-related industrial heritage of the area. Consequently, although the application was refused, conflict with policy HC1 was not stated as a reason for refusal in the final decision. Members also considered that this is a relatively sustainable location, close to the edge of Glossop, and that, as such, it accorded with the principles in the National Planning Policy Framework. A subsequent application to convert the building into three open market dwellings was therefore submitted and approved in 2017. That application included a number of historic records relating to the building, explaining the importance of the reservoir and treatment plant in securing Glossop's water supply in the 1960s so officers accepted that the building is of some local historical significance. In the report for that application, in which the officers recommended approval, there were a number of references to the historic interest and character of the building and the need to retain this

34. The report noted that external changes to the building were “*generally minor in nature*”, including the addition of some new door openings. It was accepted that these were necessary to facilitate the conversion of the building and that they did not have a significant impact on the building’s overall character and appearance. The number of roof-lights were reduced by a planning condition
35. The report concluded that as further alteration or extension of the building would be likely to have an adverse impact on its industrial character and appearance, which was the primary reason for the support of the application, permitted development rights for alterations or extension of the dwellings should be removed by a planning condition.
36. Work has commenced on site and windows and doors have been installed. These are of the design and appearance that officers consider to be inappropriate and unsympathetic to the original character and appearance of the building. All the original windows and doors have been removed, together with the concrete mullions there were in the majority of the windows. The new windows and doors are dark blue uPVC and of a completely different pattern of sub-division and opening as compared to the original windows and doors. In addition to this, three new windows have been installed at first floor level on the front elevation, in place of the approved roof-lights. The new windows are relatively small, but squat and do not reflect the predominantly tall appearance of most of the original windows.
37. Officers have written to the applicant and have met with him to discuss the windows and doors but have been unable to resolve this matter. The applicant considers that officers are treating the building as though it is a listed building or a heritage asset, whereas he considers that the character and appearance of the building is of no real significance and that the main reason that Members originally supported the conversion of the building was for its historic interest. Officers consider that this is an incorrect interpretation of the justification for approving the conversion of the building to open market dwellings as an exception to policy. Their understanding is that Members considered the building to be of local historical interest as part of the water gathering history of the area and that the character and appearance of the building reflected the particular style of Water Board buildings in the area from that period. It was built in natural stone, with distinctive window detailing - relatively small paned metal windows in pronounced cast concrete surrounds with mullions in most of the tall windows. The scheme that has been carried out to date has completely destroyed this original, distinctive appearance. Whilst officers understood that the doors and windows were to be replaced, they would have expected a replacement window detail that more closely reflected and respected the original character of the building. The windows that have been installed are therefore considered to be inappropriate and unsympathetic and that the three unauthorised first floor windows also detract from the character and appearance of the building by virtue of their location, proportions and detailing.
38. In the application to discharge the condition and to retain the installed doors and windows the applicant explains why he has carried out the work. He explains that many of the cast concrete mullions were cracked and needed to be removed and that many of the windows only had frames with openers where required, all other glazing had no side framing and was directly putty fixed into concrete. He says that reframing the windows in heritage aluminium would have made the window (especially an opening window) very small. The window would not meet building control specifications for the use of a fire escape and that light levels would be restricted with multiple glazing bars. Due to the financial implication involved casting new mullions for some of the windows the decision was made to fit new slim line plastic frames, with no mullions. He says that the new windows are designed to expose the frame as much as possible, use minimal materials and enhance the light entering the building and that attempts to mimic the design of the original windows were investigated but these designs proved to have too much framing. This would have been very busy in design and would not have provided adequate fire

escapes. The design installed allows for the floors behind to be hidden and keeps the large openings visible.

39. With regard to the three unauthorised first floor windows, the applicant says that installing opening roof-lights would not have provided a means of escape from bedrooms so new window openings have been created to provide bedroom lighting and means of fire escape.
40. Whilst officers acknowledge some of these difficulties and would have been prepared to accept a more modern interpretation of the original design that worked for the new dwelling use, they consider that the installed windows and doors are such a significant departure from the original character of the building that they should not be approved

Impact upon neighbouring properties

41. Concerns were raised by the occupants of the neighbouring property with regard to the impacts of the proposed development. The application site shares a boundary with the neighbouring dwelling. The south east facing gable of the building looks towards the neighbouring property at a distance of approximately 9m (gable to gable) or 4.25m to the boundary. There are windows on this elevation of the former works at ground floor and first floor. Officers considered that if clear glazing was used in windows to this elevation then occupants of the neighbouring property would be likely to suffer a significant loss of privacy due to occupants of the new dwelling being able to look out through the first floor window towards the neighbouring dwelling and its rear garden.
42. It was considered that a scheme for obscure glazing to this elevation would satisfactorily mitigate this potential impact by preventing views into and out of the dwelling from the neighbouring property. A planning condition was imposed on the permission to secure this but this has not yet been complied with. The applicant has advised that he will do so but the window that has been installed is clear-glazed.

Conclusion

43. For the reasons set out above, the scheme that has been submitted and which has been implemented does not respect or conserve the original character and appearance of the building, nor does it protect neighbouring amenity.
44. The application is therefore recommended for refusal.

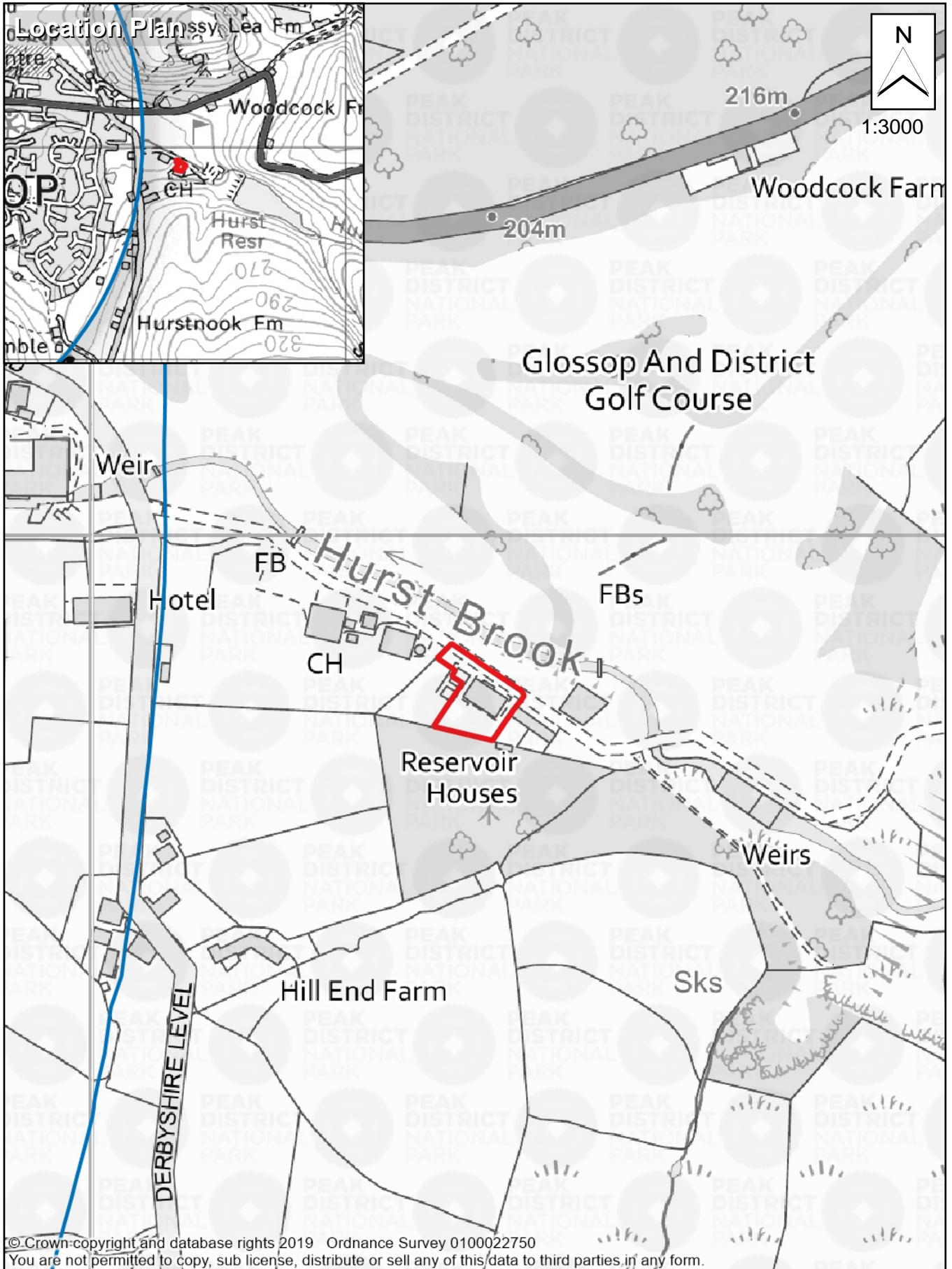
Human Rights

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


List of Background Papers (not previously published)

46. Nil

Report Author: Adam Maxwell, Senior Planner



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Committee Date:	13th September 2019	Title: Hurst Water Treatment Works Derbyshire Level Glossop	 PEAK DISTRICT NATIONAL PARK
Item Number:	Item 9		
Application No:	NP/DIS/0519/0555		
Grid Reference:	405202, 393910		

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10. FULL APPLICATION – ALTERATIONS TO DWELLING INCLUDING PARTIAL CHANGE OF USE TO HOLIDAY ACCOMMODATION, DEMOLITION OF GARAGE, AND CONSTRUCTION OF REPLACEMENT GARAGE WITH ANCILLARY ACCOMMODATION ABOVE – DALE HEAD, LIFFS ROAD, BIGGIN (NP/DDD/0419/0333, MN)

APPLICANT: SIMON JOHNSON AND KATE BUTCHART

Summary

1. The proposed development seeks to remodel the dwellinghouse and to convert part of the dwellinghouse – formerly a barn – to holiday accommodation. It is also proposed to remove the garage currently adjoined to the property and replace this with a larger freestanding garage with accommodation above within the curtilage of the property.
2. Subject to conditions the development would enhance the character of the property, and would provide holiday accommodation in accordance with the Authority's adopted planning policies. It would not result in significant adverse planning impacts.
3. Accordingly, the application is recommended for approval.

Site and surroundings

4. Dale Head is a 19th century former farmstead, originally with a loose courtyard arrangement, with one side of the yard formed of agricultural buildings and the detached farmhouse facing on to the yard from another.
5. The buildings have subsequently been extended and adjoined and taken in to use as a single dwellinghouse. A modern lean-to extension and garaging has also been attached to the southern end of the former barn.
6. The building sits in a large plot to the west of Liffs Road, outside of the village of Biggin.
7. The nearest neighbouring properties are those fronting on to Liffs Road, aligned opposite Dale Head on the eastern side of the road.
8. The site is not within a conservation area.

Proposal

9. Alterations to the house are proposed, including the extension of an existing rear lean-to, alterations to openings, and changes to internal layout. As part of the changes part of the former barn would be converted to a self-contained holiday let unit.
10. Changes to the curtilage and erection of a two storey garage/ancillary accommodation building are also proposed.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions:

1. **3 year implementation period.**
2. **Development to be carried out in accordance with specified amended plans.**

3. Existing garaging to be demolished in accordance with the submitted plans prior to the accommodation in the new garage building being taken in to use.
4. Alterations to openings within the eastern wing of the building to be undertaken prior to its conversion to holiday accommodation.
5. Holiday occupancy restriction and holiday accommodation and main house to be retained as a single planning unit.
6. Restrict further sub-letting of the property including accommodation in new garage.
7. Scheme of archaeological monitoring to be agreed.
8. Scheme of tree planting to be agreed prior to the felling of any trees.
9. Tree works to take place only outside of the bird breeding season.
10. Design of solar panels to be agreed.
11. Hard landscaping details to be agreed.
12. Conditions to secure parking and site access improvements.
13. Conditions to secure architectural detailing and materials.
14. Sample panel for stonework for the garage to be approved.

Key Issues

11. The main planning considerations relevant to this application are:

- The impact of the development on the character and appearance of the building
- Whether the conversion of part of the building to holiday accommodation complies with the Authority's recreation and tourism policies
- The archaeological impacts of the development
- The impact of the development on highway safety
- The impact of the development on neighbouring amenity
- The impact of the development on trees

History

12. In the 1970s the barn and farmhouse were extended and joined by a single storey extension and at this time the barn was taken in to use as part of the house. Later remodelling and extension of the 1970s link during the 1990s took this part of the building up to two storeys.

Consultations

13. **Highway Authority** – No objections subject to no additional commercial letting of the property, and to conditions securing site parking and access improvements.
14. **Parish Council** – Object to the proposal. They are in support of creating a safer entrance to the property and of the internal alterations proposed. However, they have concerns regarding other parts of the proposal, including:
 - Relocating and replacing windows, which they consider not to relate sympathetically to

- the property, which was apparently a former bone mill.
 - The proposed garage is out of keeping with the area and the character of the building due to the levels of glazing.
 - They also note the location of the garage as being an issue, but do not provide reasons for this.
15. **PDNPA Archaeologist** – *“The buildings at the site were first converted in the 1970s, and have undergone considerable alteration, and much of the historic interest they once had has been lost. I therefore have no comments on the changes to the buildings. The groundworks associated with the development, particular those to the east of the buildings, which are required for the construction of the garage, the entrance and access, landscaping and associated services, has the potential to encounter and destroy belowground archaeological remains related to the development of Biggin and Biggin Grange in the medieval period. This would result in permanent and irreversible harm to the archaeological interest and evidential value of the site.*
16. *Should the proposed development be considered acceptable with respect to planning balance, then this harm needs to be addressed through a conditioned scheme of archaeological monitoring, recording and investigation, in accordance with the NPPF.”*
17. **PDNPA Tree Conservation Officer** – The property is not in a Conservation area and there are no TPO’s within the site. As per the report submitted most of the trees are of low to relatively value except for one pine tree, which is moderate. The loss of the trees would have a short term effect on the landscape but future planting of new and native species would mitigate for the trees removal in the longer term. Would like to see a plan of the proposed replanting secured by condition.

Representations

18. Two letters of representation have been received.
19. One of these advises that they have no objections to the proposal.
20. The other objects to the proposal on the following grounds:
- The new garage building would be directly in front of their lounge window, and would be too large and would reduce their privacy due to the arrangement of openings
 - The increased traffic levels generated by the development would reduce highway safety
 - The loss of trees
21. The objection letter also advises that they would not wish to see the site driveway be re-located to be in front of their property. This does not form part of the current proposal.

Main policies

Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L2, L3, and RT2.

Relevant Development Management Plan policies: DMC3, DMC5, DMH7, DMT8.

National planning policy framework

22. In the National Park the development plan comprises the Authority’s Core Strategy 2011 and the Adopted Development Management Policies. 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 government guidance in the NPPF with regard to the issues that are raised.

Development plan

23. Core Strategy polices 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. Core Strategy policy GSP4 highlights that the National Park Authority will consider using planning conditions or obligations to secure the achievement of its spatial outcomes.
24. Core Strategy policy DS1 outlines the Authority's Development Strategy, and in principle permits the conversion of buildings to provide visitor accommodation.
25. Core Strategy policy RT2 says that proposals for hotels, bed and breakfast and self-catering accommodation must conform to the following principles:
 - A. The change of use of a traditional building of historic or vernacular merit to serviced or self-catering holiday accommodation will be permitted, except where it would create unacceptable landscape impact in open countryside. The change of use of entire farmsteads to holiday accommodation will not be permitted.
 - B. Appropriate minor developments which extend or make quality improvements to existing holiday accommodation will be permitted.
 - C. New build holiday accommodation will not be permitted, except for a new hotel in Bakewell.
26. Core Strategy policy L3 requires that development must conserve and where appropriate enhance or reveal significance of archaeological, artistic or historic asset and their setting, including statutory designation and other heritage assets of international, national, regional or local importance or special interest.
27. Core Strategy policy CC1 requires development to make the most efficient and sustainable use of land and resources, to take account of the energy hierarchy, to achieve the highest standards of carbon reduction and water efficiency, and to be directed away from flood risk areas.
28. Core Strategy policy CC2 states that proposals for low carbon and renewable energy development will be encouraged provided that they can be accommodated without adversely affecting landscape character, cultural heritage assets, other valued characteristics, or other established uses of the area.
29. Development Management Policy DMC3 requires development to be of a high standard that respects, protects, and where possible enhances the natural beauty, quality and visual amenity of the landscape, including the wildlife and cultural heritage that contribute to the distinctive sense of place. It also provides further detailed criteria to assess design and landscaping, as well as requiring development to conserve the amenity of other properties.

30. Development Management Policy DMC5 provides detailed advice relating to proposals affecting heritage assets and their settings, requiring new development to demonstrate how valued features will be conserved, as well as detailing the types and levels of information required to support such proposals. It also requires development to avoid harm to the significance, character, and appearance of heritage assets and details the exceptional circumstances in which development resulting in such harm may be supported.
31. Development Management Policy DMH7 addresses extensions and alterations to dwellings, stating that these will be permitted provided that the proposal does not:
- detract from the character, appearance or amenity of the original building, its setting or neighbouring buildings; or
 - dominate the original dwelling particularly where it is a designated or non-designated cultural heritage asset; or
 - amount to the creation of a separate independent dwelling; or
 - Create an adverse effect on, or lead to undesirable changes to, the landscape or any other valued characteristic.
32. Development Management Policy DMT8 states that off-street parking for residential development should be provided unless it can be demonstrated that on-street parking meets highways standards and does not negatively impact on the visual and other amenity of the local community. It notes that the design and number of parking spaces must respect the valued characteristics of the area, particularly in conservation areas.

Assessment

Principle

33. Alterations and extensions to dwellinghouses – including new ancillary buildings - are acceptable in principle under the provisions of policy DMH7.
34. In terms of the proposed holiday let use, policy RT2 supports the conversion of buildings to holiday accommodation only where they are of historic or vernacular merit.
35. The part of the building proposed to be converted to holiday accommodation was formerly a barn, and was converted to additional living accommodation in the 1970s. It is historic, having been present on the site since at least 1880.
36. The Authority's Archaeologist identifies the buildings as being of only low historic interest however, due to having undergone extensive conversion and alteration. We agree that the conversion to domestic accommodation did, regrettably, result in a significant loss of its vernacular and agricultural character.
37. The current proposal includes reversing many of these domestic alterations however and, on the basis of this and the buildings age, it is considered to have sufficient historic and vernacular interest to comply with policy RT2.

Design – alterations to openings in the dwellinghouse

38. The dwellinghouse comprises a former farmhouse and former barn. Previously separate adjacent buildings, they were joined together by extensions that were approved when the barn was taken in to use as additional accommodation in the 1970s, and again in the 1990s.
39. The conversion of the barn in the 1970s resulted in a significant loss of character. This is principally due to the additional of multiple large, domestic openings to the building,

including double and triple casement windows and a large bay window. Plans from the time of the works show the previous openings to be fewer and much smaller, as would be typical of such a building.

40. The joining together of the buildings has also resulted in some harm to their appearance and legibility as previously separate buildings of different function – although the 1990s alterations to the 'link' extension (which increased it to two storeys in height) did at least serve to bring its appearance more in line with the parent buildings.
41. The current application seeks to improve the appearance of the building by reversing a number of the alterations made in the 20th century, and also proposes making some contemporary alterations.
42. The alterations to the front elevation of the western wing of the building are limited to fully glazing what is currently a door set within a large opening, and dropping the cill of an existing window to convert it to a door opening. These are small changes that would have a low impact on the building's appearance.
43. To the front elevation of the eastern wing (i.e. the former barn), the arrangement of openings would be altered to reflect a more agricultural appearance. The casement and bay windows are proposed to be removed and simpler, more modest openings are proposed in their place.
44. Whilst this results in something of a pastiche of the former barn that may not be appropriate on a better preserved heritage asset, it is considered that in this case it marks a significant enhancement to the appearance of the property and re-introduces a distinction between the character of the farmhouse and former barn.
45. A similar approach has been taken to the treatment of the rear elevation of the former barn –with the exception of the introduction of a two storey glazed opening. Whilst simple in form and detail, this contemporary intervention is not otherwise reflective of the buildings former character or general solidity.
46. However, it has been positioned approximately on the junction of the original barn and the 1970s/1990s extension, which has been built on to the northern end of it. As such, it serves to help visually distinguish the historic and more modern development.

Design – extension to dwellinghouse

47. It is proposed to extend the existing lean-to the rear of the western wing of the building, continuing it along its current line. This would remain subordinate to the house and follow a traditional form.
48. In terms of its detailed design, a fully glazed corner is proposed to this part of the building. This is not reflective of the overall solidity of the building, but is limited to a subordinate section of the building and to the rear, where it has less impact on the property's overall appearance.

Design – demolition of garage and new replacement building

49. The removal of the current garage from the site would represent a significant enhancement to its appearance. It is at odds with the former agricultural character that other parts of the proposal seek to restore, and due to its positioning it is at odds with the linear form of this part of the building.
50. A new, larger replacement garage building is proposed which would also include living

accommodation ancillary to the main house at first floor level. This is acceptable in principle under the Authority's policies. It would not be in line with policy for this to be used for holiday letting and this can be controlled by condition.

51. In terms of its form the building is broadly typical of local outbuildings, being rectangular, one-and-a-half storey, and with an external stair. It is also proposed to be stone built with a slate roof, reflecting the local building traditions.
52. At first floor the western gable would be entirely glazed to afford views out across the fields. This glazing would be recessed well back behind the stone walls forming the front and rear of the building. At the pre-application stage we advised that it would be preferable for the building to take a more traditional appearance and, whilst some changes have been made to its design, this element does still complicate the appearance of the building and is a non-traditional element in an otherwise traditionally detailed building.
53. Changes within the curtilage include creating a new hardstanding area behind the former barn to provide access to the new ancillary building and a parking and turning area. Details for the surfacing of this area have not been provided, but could be reserved by condition if permission was granted to ensure an appropriate appearance.
54. The area to the front of the building would be re-laid as a large paved area. The area is currently broken up by paths and planting and the proposed works here would result in some enhancement, better reflecting the former yard arrangement that would be typical of I-shaped farmsteads.

Design – in summary

55. Many parts of the proposed works would serve to improve the character and appearance of the property – the improvement to the arrangement and type of openings, the changes to the layout of the property's curtilage, and the demolition of the attached garage building.
56. The large glazed areas, in isolation, would be unlikely to be supported though. It does help that and that the contemporary glazing is carried throughout the proposal in several places (on the extension, rear elevation of barn, and the new outbuilding) to help it appear a considered part of the design, but it nevertheless does not reflect or respond to the building's character.
57. The applicants' agent has been clear that they wish to maintain these elements to secure light in to the building though, and so we must consider the scheme as a whole.
58. Taking account of the significant enhancements proposed elsewhere, it is considered that these alterations can be supported in this instance as the scheme as a whole still conserves the character and appearance of the building as the enhancement outweighs the compromises of the modern glazing, complying with policies L3, DMC3, DMC5, and DMH7.
59. In order to help ensure that the benefits of the overall scheme are realised – and that the less desirable elements are not undertaken in isolation – it would be necessary to secure phasing of the development by condition, requiring the demolition of the garage to be undertaken prior to the new ancillary accommodation being brought in to use.
60. Further, because the view that the former barn is suitable for conversion to holiday accommodation rests upon the enhancements to its appearance being undertaken it would also be necessary to secure these prior to the building being taken in to use as

holiday accommodation. This could be secured by condition.

Impacts on the character and appearance of the landscape

61. The property is visible from outside of the site, most closely from Liffs Road when approaching from the north and south.
62. In these views the main property would have an improved appearance if the development was carried out.
63. The new building would be read as a typical stone outbuilding, as the contemporary glazed element would not be apparent from these directions.
64. The development would therefore conserve the landscape character of the area as required by policies L1, and DMC3.

Archaeological impacts

65. The Authority's archaeologist advises that the site is of archaeological interest, and has potential for below ground archaeological remains related to the development of Biggin and Biggin Grange in the medieval period. They note that in the surrounding fields there are various earthworks and boundary features of likely medieval date, associated with either the Grange or the medieval hamlet at Biggin (first documented in 1233). These linear earthworks likely represent boundaries marking the edge of the grange, the extent of the open fields associated with the village, and some of them may define the extent of the medieval road. These linear earthwork features have been recorded on a number of archaeological surveys in the 1990s and 2000s.
66. On this basis the Archaeologist advises that the groundworks associated with the development, particular those to the east of the buildings, which are required for the construction of the garage, the entrance and access, landscaping and associated services, has the potential to encounter and destroy belowground archaeological remains related to the development of Biggin and Biggin Grange in the medieval period.
67. They advise that this would result in harm to the archaeological interest and evidential value of the site and therefore advise that if the development is approved that the archaeological impacts detailed above be addressed through a conditioned scheme of archaeological monitoring, recording and investigation.
68. In weighing the conclusions of the Archaeologist, we must also consider the benefits of the development – notably the improvements that would be made to the appearance of the building and its setting. We must also acknowledge that the archaeological impacts – if they were to occur – would not result in the complete loss of archaeological interest or understanding of the area as the potentially present features identified by the Archaeologist as being of interest are also present in the fields around the site.
69. On balance, we consider that subject to conditions securing the appropriate recording of any encountered below ground archaeology the planning gains that the development would deliver would outweigh the archaeological harm in this instance.

Amenity impacts

70. The proposed holiday let unit would share the access and amenity space of the main house. Due to its relationship with the main house there is also the potential for overlooking and a loss of privacy for the occupiers of both. It would therefore be necessary to ensure that the holiday accommodation and house remained as a single

planning unit so that the owners retain control over these potential impacts.

71. A neighbour has raised concerns regarding the potential for their property to be overlooked from the windows of the new ancillary/garage building. The closest of the neighbouring houses on the other side of Liffs Road is 24 metres from the nearest point of the proposed building however. Given these distances and the proposed uses of the buildings there is no concern that the development would prejudice the privacy or other amenity of any nearby residents, complying with policy DMC3.

Highway impacts

72. The use of part of the dwellinghouse as a holiday let unit would introduce further traffic movements to the site – something to which the highway authority initially objected due to the site's substandard access.
73. However, as the applicants' appointed highway consultant subsequently pointed out, it is likely that up to three rooms in the property could be let out on a bed and breakfast basis without a material change of use of the building having occurred – and therefore without planning permission or other control by the highway authority.
74. On that basis, the highway authority have removed their objection subject to the improved access and visibility shown on the proposed plans being achieved, and subject to any permission preventing the commercial letting of further rooms within the building.
75. The site includes ample parking space for the proposed development.
76. We have no other highway safety or amenity concerns regarding the proposal and therefore conclude that the development would have acceptable highway impacts and would comply with DMT8, subject to the conditions recommended by the highway authority being imposed.

Tree impacts

77. The construction of the new ancillary/garage building and landscaping works proposed require the felling of a number of trees.
78. The submitted tree survey identifies these as being generally low value specimens, and recommends mitigating planting is undertaken. The Authority's tree conservation officer has reviewed the proposal and is satisfied that the trees affected are not significant specimens and that impacts would be acceptable subject to securing a scheme of replacement planting. This could be secured by condition if permission was granted.

Climate change

79. The general upgrading of the building with modern window openings is likely to improve its thermal efficiency, helping improve energy efficiency and reduce carbon emissions as planning policy requires of new development.
80. In addition, solar panels are proposed to the roof slope of the new ancillary/garage building. This is welcomed, with planning policy encouraging the provision of renewable energy measures where they can be accommodated without adverse planning impacts. Subject to an appropriate design the panels would not result in harm to the appearance of the built environment – being positioned on a building of contemporary appearance and stood separate from the traditional buildings on the site. They would also be seen in very limited wider view, conserving the character and appearance of the landscape in the locality.

Conclusion

81. We conclude that as amended the proposal will enhance the character and appearance of the building and its setting and that the proposed development and uses accord with adopted planning policy in other regards, subject to conditions.
82. The level of archaeological harm identified is considered to be outweighed by the overall enhancements to the character and appearance of the building that the development would result in.
83. There are no other policy or material considerations that would indicate that planning permission should be refused.
84. We therefore recommend the application for conditional approval.

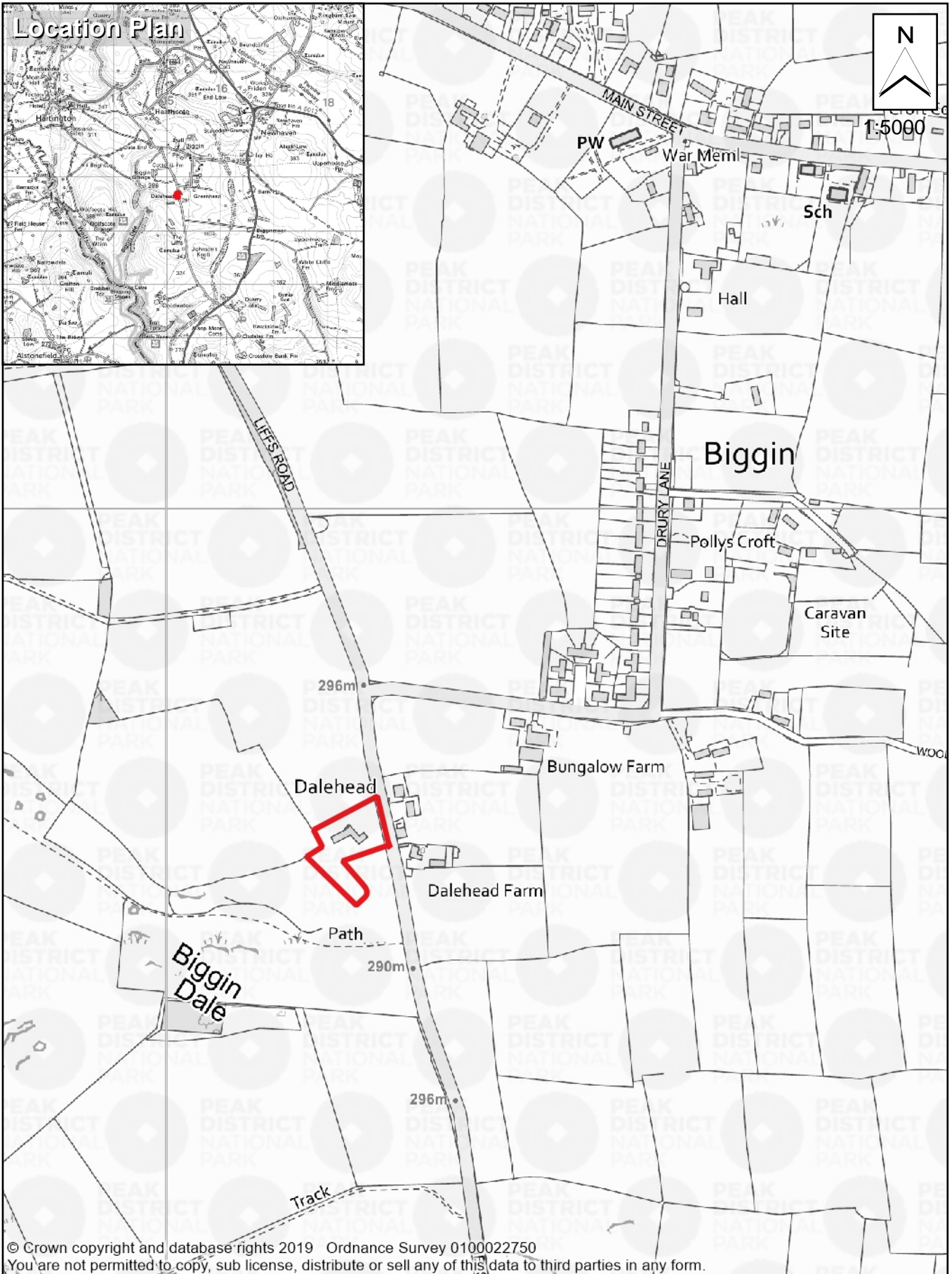
Human Rights


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

List of Background Papers (not previously published)

86. Nil

Report Author: Mark Nuttall, Senior Planner (South)



Committee Date:	13 September 2019	Title: Dale Head Biggin	 PEAK DISTRICT NATIONAL PARK
Item Number:	Item 10		
Application No:	NP/DDD/0419/0333		
Grid Reference:	415176, 358693		

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11. FULL APPLICATION – RESIDENTIAL CONVERSION AND MINOR EXTENSION - FORMER PRIMITIVE METHODIST CHAPEL, EAST BANK, WINSTER (NP/DDD/0619/0663, MN)

APPLICANT: MESSRS HOLLIDAY AND HARTLEY

Summary

1. The proposed development seeks to convert a Grade II listed former chapel to a dwellinghouse, which the applicants intend to initially operate as a holiday let property.
2. Subject to conditions the conversion would conserve the heritage interest of the building in accordance with the Authority's adopted planning policies.
3. Further, and taking account of the current lawful use of the building, the development would not result in other adverse planning impacts.
4. The application is recommended for approval.

Site and surroundings

5. The property is located in the south west of Winster village, occupying a hillside position.
6. The former Primitive Methodist Chapel is a Grade II listed building. It was built in 1823 and enlarged in 1850.
7. It is constructed from coursed rubble limestone with gritstone dressings, under a Welsh slate roof. Access is from doors on the eastern elevation and the building has large arched-top cast iron windows to the northern and eastern elevations. A small lean-to is present on the south east corner of the building. It is unclear if this is part of the original building, but it appears on historic maps from 1877 and may be earlier still.
8. The building is generally a single volume space with raked seating, raising to the rear, and fixed pews. It was partially sub-divided at the East end in the 1980s.
9. There is no vehicular access to the property. It is accessible only from footpath network that runs between the road of East Bank to the south and an unnamed road to the north.
10. Other than from these footpaths in close proximity to the site, the building is seen in few public views, with other buildings and the topography of the land obscuring it from wider view.
11. The building has an associated yard enclosed with railing fence to the eastern side. There is an area of ground in the same ownership set at a lower level to the northern side of the building, which is currently somewhat overgrown. The grounds also further extend to the south of the building, with three yew trees present at the eastern edge of this land.
12. Neighbouring properties are present to each side of the building, with those to the north in particular being set at a much lower level due to the sloping hillside.
13. The site is within the Winster conservation area.

Proposal

14. To convert the former chapel to a single open market dwellinghouse. This includes alterations to the building and grounds, and a small extension to the building. The applicant advises that they would initially intend to let the property as a single unit of holiday accommodation before later taking it in to full time residential use.

RECOMMENDATION:

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

1. The development hereby permitted shall be begun within 3 years from the date of this permission.
2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted plans.
3. Notwithstanding the submitted proposed plans and details, the arch-headed windows to the north and east elevations shall only be replaced on a like for like basis.
4. Prior to the occupation of the dwellinghouse or the replacement of the arch-headed windows in the northern elevation details of how views out of these windows are to be obscured shall be submitted to and agreed in writing by the Authority. Thereafter, the dwellinghouse shall not be occupied until the measures as approved have been fully implemented, and the obscuring shall be so maintained throughout the lifetime of the development.
5. Prior to the occupation of the dwellinghouse details of the proposed holly hedge, including spacing of plants and extent of the hedgerow, shall be submitted to and approved in writing by the Authority. Thereafter the dwellinghouse shall not be occupied until the approved hedgerow has been planted. Any plants dying within the first five years of planting shall be replaced by same type and size within the next planting season.
6. The hedgerow approved under Condition 6 shall be allowed to grow to a height of 1.8m and shall thereafter be maintained between 1.8m and 2m in height throughout the lifetime of the development.
7. Notwithstanding the submitted plans, the proposed flue that projects through the roof of the main body of the building shall be omitted from the development.
8. Details on how the cement mortar will be removed from walls; and details of the proposed mortar mix(es) including aggregate /sand type and colour, and the proposed joint profile shall be submitted to and approved in writing by the Authority, prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.
9. Full details of the two rooflights proposed within the single storey annexes shall be submitted to and approved in writing by the Authority, prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.

10. Details of the slate vent and its position shall be submitted to and approved in writing by the Authority, prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.
11. The new downpipes shall be cast iron and their finish shall match the other rainwater goods on the building. The downpipes shall not be fixed to the quoins unless otherwise agreed in writing by the Authority.
12. Details of the proposed stone repairs and making good walls following the removal of modern features, including identification of the masonry to be repaired/ replaced and the repair methods and materials proposed, shall be submitted to and approved in writing by the Authority, prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.
13. The new exterior lights shall not be fixed to the keystones above the door.
14. Details of the weather strips proposed to the existing doors shall be submitted to and approved in writing by the Authority, prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.
15. Full details of all new exterior doors, including design, materials, dimensions, frames, finish, new thresholds, door furniture, shall be submitted to and approved in writing by the Authority, prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.
16. Full details of the new window opening, surround (lintel and cill), and window, including design, dimensions, glazing bars, glazing type, mouldings, finishes and window furniture, shall be submitted to and approved in writing by the Authority, prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.
17. Full details of the alterations proposed to the brick lined openings within the west elevation shall be submitted to and approved in writing by the Authority, prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.
18. Full details of the proposed facing materials for the extension, including samples of the proposed roof coverings and stone, shall be submitted to and approved in writing by the Authority, prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.
19. Details of the boiler flue proposed within the west elevation of the extension, including exact position, dimensions, materials and finish(es), shall be submitted to and approved in writing by the Authority, prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.
20. Details of the new doorway and door to replace the modern window within the west elevation of the existing single storey annex shall be submitted to and approved in writing by the Authority, prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the

approved details.

21. All new pipework shall be run internally.
22. Details of the proposed repair and redecoration of the historic railings at the east end of the site shall be submitted to and approved in writing by the Authority prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.
23. Details of the new external lantern shall be submitted to and approved in writing by the Authority, prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.
24. Other than that shown on the approved plans there shall be no external lighting within the application site area.
25. Details of the metal screen proposed along the south-east retaining wall shall be submitted to and approved in writing by the Authority prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.
26. Full details of the gate, new steps and handrail proposed at the north-east side of the site shall be submitted to and approved in writing by the Authority, prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.
27. Details of all facing materials proposed for the air source heat pump enclosure, including roof coverings, walling, doors and rainwater goods, shall be submitted to and approved in writing with the Authority prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.
28. Prior to any works commencing a construction management plan shall be submitted to and approved in writing by the Authority. Details shall include routes for construction traffic, parking/turning for construction traffic, storage of plant and materials, pedestrian and cyclist protection, and proposed temporary traffic management.
29. Development shall proceed only in complete accordance with the submitted protected species report.
30. The proposed planting shall be undertaken in the first planting season following the felling of the yew tree.
31. Any works within the root protection areas of the two retained yew trees shall be undertaken only in accordance with the requirements of BS5837 (British Standard for Trees in relation to design, demolition and construction – Recommendations)
32. 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.**
- b) **No development shall take place other than in accordance with the archaeological Written Scheme of Investigation approved under part (a).**
- c) **The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological Written Scheme of Investigation approved under part (a) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.**

Key Issues

The main planning considerations relevant to this application are:

- Whether the loss of the building as a community facility is acceptable;
- Whether the property is suitable for conversion to a dwellinghouse under the Authority's housing policies;
- The impact of the development on the significance, character and appearance of the listed building;
- The impacts of the development on the amenity of nearby residential properties;
- The impacts of the development on highway safety and amenity.

History

15. 2018 – Planning and associated listed building consent applications submitted for conversion of building to dwellinghouse – withdrawn prior to determination due to the need to carry out further ecological and arboricultural surveys.

Consultations

16. **Highway Authority** – *“Given the previous use of the site, it is not envisaged that a single dwelling will increase the traffic generation associated with the building. Therefore, whilst the site is not accessible for refuse/emergency vehicles (which I presume will be consulted separately) there's no objections purely from a highway safety viewpoint.*
17. *Whilst there is no vehicular access / parking facility currently associated with the site, it seems a small vehicle could physically drive down the narrow alley leading down to the site from East Bank (presumably without the need for planning permission). In order to prevent this from occurring, the Highway Authority recommends the existing gateway into the site be reduced in width to a pedestrian gate only as the potential vehicular access route is narrow, steep and has severely restricted emerging visibility onto East Bank.*
18. *Due to the location of the site, it is recommended a construction management plan or construction method statement is submitted and approved prior to any works*

commencing to ensure the construction phase is carried out in a safe and efficient manner. Details should include routes for construction traffic, parking/turning for construction traffic, storage of plant and materials, pedestrian and cyclist protection, proposed temporary traffic management etc.”

19. **Parish Council** – Whilst the council wishes to see the historic asset preserved they object to the proposal on the following grounds:

- The loss of a further community asset within the parish would be deeply regrettable. Whilst it is acknowledged attempts were made by the former owner (the Methodist Church) to secure another community use for the property, these endeavours failed, possibly due to existing public meeting facilities within Winster. The Parish Council pursued the possibility of taking part of some of garden area of the chapel, by way of a gift to the village for the loss of the community use. The garden would have been used as community allotment, however, agents acting on behalf of the Methodist Church persuaded the owner to dispose of the chapel and garden as one lot and the opportunity was lost. As the application fails to offer something back to the community of Winster, the parish council considers the application is contrary to Core Strategy Policy HC4C.
- Parking standards for five bedroom houses require a minimum of three spaces. Clearly this is unachievable and will lead to additional on street parking on streets already congested. This will undoubtedly lead to unlawful driving and parking on greenspace at Winster Common.
- The lack of turning/storage space at the site will lead to problems with access and egress for construction traffic and delivery vehicles, resulting in congestion.
- The yew tree proposed for removal must be protected and retained as a feature of the former use of the building and for its appearance within Winster Conservation Area. The three new deciduous trees - *Fagus Sylvestris* 'Purpurea Pendula' proposed to be planted on the southern boundary are considered unsuitable specimens for this location due to potential size, dense canopy and low arching branches.
- The roof of the chapel is a prominent feature and the rooflights proposed in the main building and extension should be omitted due to their prominence from public vantage points, significant harmful effect of the listed building and detracting from the appearance of the Conservation Area.
- Winster is currently saturated with holiday lets and second homes; this has a harmful effect on the local community and further threatens the sustainability and vibrancy of the village.
- Waste collection from similar type businesses in Winster is often problematic.
- If permission is granted, permitted development rights must be withdrawn to prevent the introduction of garden sheds, summerhouses and other paraphernalia.
- If permission is granted, the public footpath to the east of the chapel must remain unobstructed on its lawful alignment at all times. The right of way shall not be stopped up or diverted without due legal process.

20. **Authority's Conservation Officer** – Detailed comments provided. The conservation officer is broadly in support of the development and proposed use for the building, but

recommends a number of changes to elements of the proposal and the reserving of some details. These are referenced as applicable in the assessment section of the report below. 31 conditions are recommended. The full comments can be viewed on the Authority's website.

21. **Authority's Senior Archaeologist** – Advises that the proposed development is likely to encounter archaeological evidence within the structure of the historic building, below ground within and possibly outside the chapel, and that this will result in permanent and irreversible loss of archaeological evidence and harm to the historic and archaeological interest of the chapel building and site. They conclude that if the proposals be considered acceptable with respect to planning balance, they would recommend that the impacts detailed above be mitigated through a conditioned scheme of building recording and archaeological monitoring. Wording for such a condition is suggested. The full comments can be viewed on the Authority's website.
22. **Authority's Ecologist** – No response at time of writing.
23. **Historic England** – *“Based on the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation adviser.”*
24. **Natural England** – No objection.

Representations

25. 13 letters of representation has been received. 12 object to the proposal whilst one welcomes the proposal in principle, whilst still highlighting areas of concern. The grounds for objection and concern are:
 - The village already has too much holiday accommodation, which is detrimental to the local community
 - The site has no parking or vehicular access and the proposed use would generate increased volumes of traffic, resulting in increased problems with parking and congestion, which is already a problem in the area.
 - Access to the site for construction works is restrictive, and would be likely to lead to further highway disruption and potential damage to property on approach to the site.
 - Engineering works associated with levelling the ground within the building are likely to be noisy and disruptive and potentially damaging to property due to the hard rock in to which the chapel is built.
 - Noise during construction works
 - Noise generated by guests staying at the property if it is operated as a holiday let.
 - The proposal does not address the need for affordable housing in the locality.
 - Concerns that the 'gennels' around the building may be used for vehicular access to the site.
 - Waste collections cannot be made directly from the site due to the lack of vehicular access, leading to the possibility of waste build up on the site and odours.
 - The yew tree to be felled is an important part of the setting of the building.
 - The proposed rooflights detract from the buildings appearance.
 - The proposed house is too large/has too many bedrooms.
 - Noise from the air source heat pump.
 - Loss of privacy for neighbouring properties due to the potential for overlooking from both inside the building and from the curtilage of it.
 - A plaque on the east wall of the chapel advises that the remains of the Rev George Booth are buried close by, and it is unclear how this would be dealt with if they were to be uncovered.

- The proposed interior design shows little sympathy for the layout or materials typical of a Victorian chapel.
- Risk of falling from garden area on to the lower gardens of the properties to the north, with drops of up to 2m.
- Risk of flooding to the neighbours to the north due to the location of the proposed soakaway.
- Light pollution from the building's windows

Main policies

26. Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L2, L3, and HC1.
27. Relevant Development Management Plan policies: DMC3, DMC5, DMC8, DMC10, DMT8.

National Planning Policy Framework and National Planning Practice Guidance

28. In the National Park the development plan comprises the Authority's Core Strategy 2011 and the Adopted Development Management Policies. 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 government guidance in the NPPF with regard to the issues that are raised.
29. Paragraph 196 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
30. Paragraph 189 advises that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.
31. 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.
32. Paragraph 15 of the Conserving and Enhancing the Historic Environment section of the NPPG states that it is important that any new use of a heritage asset is viable, not only for the owners benefit, but also for the future conservation of the asset: a series of failed ventures could result in a number of unnecessary harmful changes being made to the asset.
33. It notes that if there is only one viable use, that use is the optimum viable use. If there is a range of alternative economically viable uses, the optimum viable use is the one likely to cause the least harm to the significance of the asset. The optimum viable use may not necessarily be the most economically viable one.

34. It further states that harmful development may sometimes be justified in the interests of realising the optimum viable use of an asset, notwithstanding the loss of significance caused, and provided the harm is minimised.

Development plan

35. 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. Core Strategy policy GSP4 highlights that the National Park Authority will consider using planning conditions or obligations to secure the achievement of its spatial outcomes.
36. Core Strategy policy DS1 outlines the Authority's Development Strategy, and in principle permits the conversion of buildings to provide visitor accommodation.
37. Policy HC1 of the Core Strategy sets out the Authority's approach to new housing in the National Park in more detail; policy HC1(C) I and II say that exceptionally new housing will be permitted in accordance with core policies GSP1 and GSP2 if it is required in order to achieve conservation and/or enhancement of valued vernacular or listed buildings or where it is required in order to achieve conservation or enhancement within designated settlements.
38. Policy HC4 addresses the provision and retention of community services and facilities. In relation to proposals to change the use of buildings or sites which provide community services and facilities to non-community uses it states that applications must demonstrate that the service or facility is:
- no longer needed; or
 - available elsewhere in the settlement; or
 - can no longer be viable.
39. It also states that wherever possible, the new use must either meet another community need or offer alternative community benefit such as social housing. Evidence of reasonable attempts to secure such a use must be provided before any other use is permitted.
40. Core Strategy policy CC1 requires development to make the most efficient and sustainable use of land and resources, to take account of the energy hierarchy, to achieve the highest standards of carbon reduction and water efficiency, and to be directed away from flood risk areas.
41. Core Strategy policy CC2 states that proposals for low carbon and renewable energy development will be encouraged provided that they can be accommodated without adversely affecting landscape character, cultural heritage assets, other valued characteristics, or other established uses of the area.
42. Core Strategy policy L2 states that development must conserve and enhance any sites,

43. Core Strategy policy L3 requires that development must conserve and where appropriate enhance or reveal significance of archaeological, artistic or historic asset and their setting, including statutory designation and other heritage assets of international, national, regional or local importance or special interest.
44. Development Management Policy DMC3 requires development to be of a high standard that respects, protects, and where possible enhances the natural beauty, quality and visual amenity of the landscape, including the wildlife and cultural heritage that contribute to the distinctive sense of place. It also provides further detailed criteria to assess design and landscaping, as well as requiring development to conserve the amenity of other properties.
45. Development Management Policy DMC5 provides detailed advice relating to proposals affecting heritage assets and their settings, requiring new development to demonstrate how valued features will be conserved, as well as detailing the types and levels of information required to support such proposals. It also requires development to avoid harm to the significance, character, and appearance of heritage assets and details the exceptional circumstances in which development resulting in such harm may be supported.
46. Development Management Policy DMC7 addresses development affecting listed building, advising that applications for such development should be determined in accordance with policy DMC5 and address how their significance will be preserved. It goes on to detail specific aspects of development that will not be supported when dealing with applications affecting listed buildings. It advises that the only exceptions to this are where any resulting harm is less than substantial in terms of impact on the character and significance of the Listed Building and its setting; and where it is also off-set by the public benefit from making the changes, including enabling optimum viable use, and net enhancement to the Listed Building and its setting.
47. It also states that where change to a Listed Building is acceptable, an appropriate record of the building will be required to a methodology approved in writing by the Authority prior to any works commencing.
48. Policy DMC8 states that applications for development in a Conservation Area, or for development that affects its setting or important views into, out of, across or through the area, should assess and clearly demonstrate how the character or appearance and significance of the Conservation Area will be preserved or enhanced.
49. Development Management Policy DMC13 addresses the protection of trees, woodland or other landscape features put at risk by development.
50. It states that planning applications should provide sufficient information to enable their impact on trees, woodlands and other landscape features to be properly considered in accordance with 'BS5837: 2012 Trees in relation to design, demolition and construction – Recommendations' or equivalent. It states that trees and hedgerows, including ancient woodland and ancient and veteran trees, which positively contribute, either as individual specimens or as part of a wider group, to the visual amenity or biodiversity of the location will be protected. Other than in exceptional circumstances development involving loss of these features will not be permitted.
51. It also specifies that development should incorporate existing trees, hedgerows or other landscape features within the site layout and that where this cannot be achieved the onus is on the applicant to justify the loss of trees and/or other features

as part of the development proposal.

52. Finally, it states that trees, woodlands and other landscape features should be protected during the course of the development.
53. Development Management Policy DMC10 addresses conversion of heritage assets, permitting this where the new use would conserve its character and significance, and where the new use and associated infrastructure conserve the asset, its setting, and valued landscape character. It also notes that new uses or curtilages should not be visually intrusive in the landscape or have an adverse impact on tranquility, dark skies, or other valued characteristics.
54. Development Management Policy DMT8 states that off-street parking for residential development should be provided unless it can be demonstrated that on-street parking meets highways standards and does not negatively impact on the visual and other amenity of the local community. It notes that the design and number of parking spaces must respect the valued characteristics of the area, particularly in conservation areas.

Assessment

The principle of the loss of a community facility

55. It is helpful to consider the current lawful use of the building in the first instance. The building was most recently in use as a place of worship, and we are not aware of it having been in any other use.
56. There are a number of other uses that fall within the same Use Class as places of worship that could take place in the building without the need for planning permission. Such uses include a nursery school, training centre, or health centre/clinic.
57. Any of these would represent a community facility, and adopted planning policy seeks to retain community facilities.
58. The application advises that the former use of the building as a chapel ceased in 2013, at which point the congregation had reduced to only four people. It had clearly reached a point of being unsustainable, and the Methodist Circuit decided to dispose of the building.
59. In 2014 it was offered to the Local Parish Council and Community Groups but they did not take it on, according to the submitted information. The Parish Council did express an interest in taking on part of the land associated with the Chapel for use as allotment, but the Methodist Church were not prepared to split the site. Splitting the site may feasibly have resulted in reducing interest and viable uses for the chapel, and jepodised its future. It would still have left the building without a new custodian or viable use.
60. The application includes an 'Alternative Uses Feasibility Study', which considers other potential community uses of the building. It considers uses including community storage, cinema, hall, post office, performance space, events space, and sports room but notes that the village already has an Institute to accommodate such uses and that it is not of such size to support two village halls. As discussed above, it also points out that the building was not taken on by the community when it was offered to them.

61. Issues of financial viability and site access also render many of these uses unviable. Others would appear to require greater alteration to the building than conversion to a single house would too, which would be undesirable from a heritage perspective.
62. The building was advertised for auction in 2016, but was withdrawn shortly before the auction took place due to the emergence of information relating to a potential burial within the grounds or building (these enquiries ultimately led to no evidence of the burial being found).
63. Whilst the auction did not take place, the property was still advertised in the lead up to the auction and this did not result in any enquiries for the building that led to its sale.
64. The building was subsequently re-advertised and put up for auction in 2018, where it was purchased by the applicant.
65. The submission advises that conversion to affordable housing would be unviable given the size of the building. This is a reasonable conclusion given that the size would be too large to accommodate a single affordable unit, and subdivision in to more than one unit would require such a degree of internal subdivision to have unacceptable heritage impacts.
66. On the basis of this information, the attempts to find another community use for the building, and of the marketing of the property that have taken place since 2014 it is accepted that reasonable attempts have been made to sell or dispose of the building as a community facility, as required by policies HC4 and DMS2.
67. The conversion of the building to another use is therefore acceptable in principle.

The principle of conversion of the building to open market housing

68. The building is a listed building and therefore a designated heritage asset, and so its conversion to housing is acceptable in principle under the provisions of Development Plan policies HC1 and DMC10 – providing that conversion is required for the building's conservation.
69. As detailed above, conversion to affordable housing would not conserve the building's significance as well as conversion to an open market dwelling would, because it would require subdivision in to more than one unit, further dividing the single open space that is characteristic of the use of the building as a chapel. It would also be likely to require more external subdivision to provide separate garden areas.
70. Having established that other community uses are also either not viable or required by the community, it is accepted that open market housing is required for the buildings conservation and enhancement in accordance with policy HC1.
71. It is inescapable that conversion of the building to a dwellinghouse would result in some degree of harm to its significance, resulting from the removal of internal features and alteration to the single open space within that would be necessary for any such conversion.
72. The NPPF is clear that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

73. The optimum use of the building would be the use for which it was built, as a place of worship. That use is no longer sustainable however. The costs of the necessary repair and restoration works would not be small and it is unlikely that an owner could be found who is prepared to make such investment on the basis that the building stand empty and offers no financial return. The current use is therefore not a viable one.
74. As discussed above, other lower intensity uses that may have lower impacts on the buildings heritage significance have been concluded to be unviable and on this basis it is accepted that the conversion of the building to an open market dwelling represents its optimum viable use in accordance with the NPPF.

Impacts of the proposed works on the significance, character and appearance of the building

Building alterations

75. A black powder-coated stainless steel flue, rising approximately 800mm high from the roof, is proposed at the east end of the south roof pitch. The flue forms part of a wood-burner proposed at first floor level within the main body of the chapel. The roof is one of the most prominent features of the chapel and the Authority's conservation officer advises that this modern addition will detract from the appearance of the roof and the front elevation of the property. It would be out of keeping with the buildings character, and its omission would not prejudice the potential conversion of the building. It is therefore recommended that this be omitted if permission is granted.
76. Two rooflights are proposed within the south roof pitch. These rooflights appear unnecessary to facilitate the conversion, as a window opening is proposed within the apex of the west gable to light the bedroom, and the other serves a stairwell. Given this and that the conservation officer considers that these would harm the buildings appearance it is recommended that these rooflights are omitted if permission is granted.
77. Rooflights are also proposed within the roof of the south annex and within the roof of the proposed extension. These roofs are much less prominent than the main roof of the building, and form a subordinate part of the building. On this basis, their impact is much less, although the Authority's conservation officer advises that it would be preferable to have smaller rooflights and positioned slightly lower down the roof pitch. These details could be reserved by condition.
78. A roof slate vent is proposed to ventilate the en-suite proposed within the roof space. Details of the vent type and its exact position have not been provided. It is anticipated that a vent of a type and position that conserve the buildings appearance can be agreed, and so these details could be reserved by condition.
79. The existing cast iron rainwater goods are to be overhauled, with new cast iron downpipes to the south-west and north-west corners of the property. Subject to reserving details of the new downpipes, including fixing method and finishes, these would be in keeping with the building and would conserve its significance and appearance.
80. Localised stone repairs and repointing is proposed. Subject to materials and details of how these works would be undertaken being reserved by condition, these works would be acceptable.
81. The existing electric meter box to the front elevation of the property would be removed. This would enhance the significance of the listed building.

82. Whilst not shown on the plans, the submitted supporting documentation refers to the introduction of a date-stone within the east elevation. The Authority's conservation officer advises that this will blur the archaeology of the structure, add unnecessary clutter and disrupt the symmetry to the elevation and should be omitted from the scheme. This could be secured by condition.
83. It is proposed to replace the existing modern lights over the doorways with new coach lamps, which will have a neutral impact on the significance of the listed building, providing that the new lights are not fixed to the keystones above the door.
84. The existing doors to the main body of the building are to be retained with the addition of weather-strips. The retention of the traditional doors is welcomed, and details of the proposed weather-strips could be reserved by condition if permission was granted.
85. Secondary glazing is proposed to the interior face of the fanlights above the doors, and the conservation officer advises that this will not harm the significance of the listed building subject to details of their appearance and fixing being reserved by condition.
86. The entrance door to the south outshot, which is a modern framed door with glazing to the upper quarter, is proposed to be replaced. There is no objection to replacing this modern door but the conservation officer advises that the door design proposed is not appropriate, and that a more traditional boarded door design be employed. Details of the proposed door could be reserved.
87. The windows in the east and north elevations are large arch-headed windows. They are timber framed and single glazed with cylinder glass (a type of hand-blown glass). The submitted supporting information estimates these to date from the 1850s.
88. Structural movement within the building has damaged the windows and the timber frames are in poor condition, and it is proposed to replace them with new timber frames that incorporate double glazed units.
89. The Authority's conservation officer advises that the main significance of the listed chapel is its external shell and that this should be protected in order for the heritage asset to retain sufficient significance to remain on the national statutory List. They advise that unsympathetic alterations to the existing window design and the removal of the historic fabric they contain could therefore tilt this proposal to 'substantial harm'.
90. On this basis they advise against the use of double glazing, and that the windows should be replaced like for like. They recommend that secondary glazing could be employed to address energy efficiency concerns, potentially with sliding panels to allow access to opening lights within the outer windows if necessary.
91. The loss of the historic fabric and traditional treatment of the windows would be regrettable. The conversion necessitates the loss of the historic internal features of interest of the building – namely the raked pews – and so the shell is almost all that remains of the listed qualities of the building. The windows are a key part of the significance of this shell, and their loss to a more modern design would have a harmful effect on the overall significance of the building.
92. Whilst the applicants agent has advised that double glazing is necessary for reasons of energy efficiency, other options are available that would result in less harm to the

buildings significance. Even if that was not the case, there is no evidence to indicate that the conversion would be unviable or the property unliveable if single glazing was to be used.

93. On this basis it is recommended that if permission is granted, a condition is imposed to permit only the like for like replacement of these windows, and that if secondary glazing is required that details be agreed with the Authority prior to its installation.
94. To the west elevation it is proposed to unblock a former first floor doorway, which the Authority's conservation officer advises will result in little harm to the significance of the listed building. There is therefore no objection to this work subject to details including design, frames, threshold, door furniture and finish(es) being reserved by condition if permission is granted.
95. A new circular window is proposed within the apex of the west gable, serving a bedroom. The conservation officer has no objection to the principle of a new window in the position proposed, which is reasonable necessary to provide some natural light to the bedroom. They strongly recommend that a different window design is employed however, because the proposed one is discordant with the rudimentary character of the back elevation. This could be secured by condition if permission was granted.
96. The single glazed windows within the south elevation are to be retained and secondary glazing introduced, although drawings P/03B, P/06A and P/07B incorrectly annotate the windows in the south elevation as double glazed. The retention of these windows and introduction of secondary glazing would conserve the buildings significance, and a condition to agree details of the secondary glazing and to clarify that the windows be retained as single glazed could be imposed if permission was granted.
97. A single storey extension is proposed to the south elevation, adjoining the west elevation of the existing lean-to. Subject to details, the proposed extension will not harm the significance of the listed building as it follows the simple form of the lean-to and is modest in size and design.
98. The siting a boiler flue within the west elevation of the new extension is sympathetic as it would not harm any historic fabric and the position is discreet.
99. Subject to conditions to secure the detailing of the extension, and how it would join on to the main chapel, the extension would conserve the character and appearance of the listed building.

Curtilage

100. In addition to the enclosed hardstanding in front of the chapel, the overgrown land to the north and south of the building are proposed to be taken in to use as garden.
101. Refurbishment of the railings around the property and removal of a section of modern railings is proposed and would conserve the building's significance and appearance. A new screen is proposed to replace the modern railings to be removed, but details of this have not been provided and so would require reserving by condition.
102. A new access is proposed in the railings to the northern side of the yard, with new steps to lead down to what would be part of the property's garden, and a new gate in the railings would be formed from the removed section of them. This access is

necessary for safe and convenient access to this part of the property, and subject to an appropriately detailed design it would not detract from the setting of the building. Details of the gate and steps would require reserving to ensure this.

103. A new lantern is proposed over the entrance gates to the site, where one was previously positioned. No detail of the former light has been provided, and so it is recommended that details of the proposed light be reserved by condition if permission is granted in order to ensure that any replacement is appropriate in appearance.

104. A replacement pedestrian gate is proposed within the south-west boundary. The current arrangement is crude and there is no objection to the principle of this work, subject to details of the proposed gate and gate-piers /posts being reserved.

105. A new bin store, steps to the garden, and a path along the southern perimeter of the chapel are proposed. The bin store has been positioned discreetly and in principle these works would conserve the setting of the building. Details of the treatment and appearance of the bin store, steps and paths would need to be secured by condition to ensure that they were in keeping with their setting.

Summary of design matters

106. In summary, the building is currently in a dilapidated state and the proposed conversion would reinstate it in a sympathetic manner. As a result, subject to the conditions detailed above, the development would conserve the significance, character and appearance of the building subject to conditions. Subsequently it would also conserve the appearance of the locality, including the conservation area. The development therefore complies with policies L3, DMC3, DMC5, DMC7, DMC8, and DMC10.

Amenity impacts

107. Most of the properties immediately adjacent to the chapel already suffer some degree of overlooking, due to the sloping topography of the village in this location, the historic tightly grouped nature of the buildings, and the network of public footpaths weaving between them.

108. The current lawful use of the building itself would not result in any significant further loss of privacy to these properties. This is because the windows in the building are all set high above the internal floor level, preventing views out.

109. Use of the land to the north of the building would have some impact on the amenity of neighbours to the north due to being significantly elevated above these properties and immediately abutting their gardens, with no screening between it and the neighbours.

110. It is unclear whether this land currently forms part of the building's curtilage, as there is no direct access to it from the building or paved yard. In any case, such use would be likely to be infrequent based on the current lawful use of the building, minimising the loss of privacy it would cause to the neighbours.

111. In contrast, the proposed use has the potential to significantly reduce their privacy if not properly controlled.

112. The main factor causing this is the introduction of a first floor within the building. This affords the occupiers views out of the windows in the northern, southern, and eastern sides of the building.
113. In the case of the northern windows in particular, these views are directly towards the rear elevations of the neighbours in this direction, at a distance of approximately 16 metres and substantially elevated above them.
114. The application proposes planting a mature hedgerow along the northern boundary of the site to prevent overlooking of the neighbours from both the proposed garden and from within the building.
115. Providing that it includes suitably mature planting and is maintained, this would prevent overlooking from the garden towards neighbours to the north. It does not appear to extend sufficiently to entirely enclose this side of the garden as presently proposed however. A revised alignment could be secured by condition to address this if necessary.
116. The hedge would not, however, entirely prevent overlooking from inside the building, as views would still be possible above the hedgerow. We have discussed this matter with the applicant's agent during the course of the application, and they are amenable to providing obscure glazing to the windows internally to such a height that prevents this overlooking. This would need to comprise either directly obscuring the glass in the windows, or installing a screen of secondary glazing comprising obscure glass.
117. Subject to a condition to secure this, overlooking of the neighbours in this direction would be avoided.
118. If permission is granted it is therefore recommended that details of this obscuring are reserved by condition to ensure that the method secured conserves the listed building whilst also having sufficient permanence to protect the neighbours' amenity.
119. Views from inside the building towards the neighbours to the east (Stepney House and Carpenters Cottage) are at a greater distance (approximately 25 metres from the internal viewing point to the nearest wall of a neighbouring property) and the building is less elevated above these neighbours.
120. There would be some overlooking of part of these properties garden from the paved area in front of the chapel, which could be used as garden space. The area of garden that this would overlook is not currently private and is open to view from the adjacent footpath network – and could of course be viewed from the paved area under another current lawful use of the building, albeit with a likely lower regularity
121. Given these circumstances, the development is not considered to have a significant impact on the amenity of these neighbours.
122. There would be very limited scope for any overlooking of the neighbouring property to the south from within the building due to levels differences – with the windows in the northern elevation facing out in to what would be the northern area of the property's garden.
123. The neighbour to the west would also not suffer any significant overlooking, due to the limited openings to this side of the building, and the distance between the buildings.

124. Several representations have raised concerns regarding potential noise and disturbance that could arise from the proposed use – most notably if it is operated as a holiday let.
125. It is considered that use of the building as a single unit of holiday accommodation would not be likely to lead to significantly more disturbance than could be the case from its permanent occupation as a single dwelling, given that the size of the building and number of bedrooms proposed would restrict the number of occupants.
126. In terms of residential occupation in general, the local area is already residential in make-up, with properties positioned closely together, as noted previously. On that basis, the introduction of one further residential property would not have any significant impact on noise generation or disturbance in the area.
127. Further, use as a permanent dwelling or as holiday accommodation would result in less disturbance than some of the other uses that the building could currently be put to without planning permission – such as a nursery or clinic, which would both attract significantly more trips to the site. Whilst it is accepted that these are unlikely to be viable long-term uses for the building, they cannot be ruled out and do represent an option for any owner.
128. A new soakaway for rainwater is proposed within the northern part of the garden, close to the neighbouring property. A neighbour has raised concerns that due to the difference in levels this could result in water discharging on to their property. We agree that this element of the proposal should be revisited, with either a re-sited soakaway or diversion to the sewer being considered. This could be secured by condition if permission was granted.
129. Overall, and subject to conditions as discussed above, the development would conserve neighbouring amenity in line with policy DMC3.

Highway impacts

130. The highway authority have stated that given the previous use of the building it is not envisaged that conversion to a single dwellinghouse would increase the traffic generation associated with it.
131. Some objectors advise that because the chapel use has ceased this argument is not applicable.
132. In practice, officers agree that the chapel use is very unlikely to resume – the former use was found unviable and the building has in any case since been sold by the Methodist Circuit.
133. As noted previously though, there are also a number of other uses that fall within the same Use Class as places of worship that could take place in the building without the need for planning permission. Such uses include a nursery school, training centre, or health centre/clinic.
134. As established earlier in the report, such uses have not come forward for the building and are unlikely to be viable in the longer term, but that is not to say that they can be ruled out. We must consider the differences between the current and proposed lawful use of a building when assessing any change of use application, and so the highway authority are correct to factor this in to their considerations.
135. It is accepted that any new use would generate more traffic than the current use (i.e.

no use), but the proposed use remains less intensive than the potential lawful uses of the building from a highway perspective, and is likely to be the least intensive viable use of the building from this same perspective.

136. The highway authority also advise that whilst there is no vehicular access or parking associated with the site, it seems a small vehicle could physically drive down the narrow alley leading down to the site from East Bank, harming highway safety due to poor exit visibility and gradient. In order to prevent this from occurring, they recommend that the existing gateway into the site be reduced in width to a pedestrian gate only to prevent parking at the site.
137. The existing gated access is not wide enough for a typical car to enter and park within the site however, and so such a condition would have heritage harm (altering historic setting) without serving any notable highway safety benefit. It is therefore recommended that such a condition is not imposed.
138. Due to the location of the site, the highway authority recommended a construction management plan is submitted and approved prior to any works commencing. This is an area of significant concern for objectors, because the site is not accessible to vehicles and because the internal works proposed to the building are substantial.
139. The applicant is obviously aware of the restricted site access, and the application indicates that they intend to store materials in a farmer's field away from the site and that construction will be undertaken using small sections of material to overcome the access restrictions. We agree with the highway authority that that this could be addressed by agreeing details of routes for construction traffic, parking/turning for construction traffic, storage of plant and materials, pedestrian and cyclist protection, and any necessary proposed temporary traffic management. A condition is therefore recommended to secure this in the event of permission being granted.
140. We have no other highway safety or amenity concerns regarding the use of the site as a dwellinghouse and therefore conclude that the development would have an acceptable impact on highway safety.
141. Given the current lawful use of the site on-street parking associated with the development would meet highways standards as well as the current use and would not negatively impact on the visual and other amenity of the local community more than the current lawful use. The development therefore also complies with DMT8.

Ecological and tree impacts

142. There is a bat roost within the building's roof space and the proposal and submitted ecological report propose creation of a bat loft within the roof void. The report concludes that this would mitigate any loss of habitat arising from the development.
143. The submitted report also recommends a new bat ridge tile access point to allow bat access and egress. Two types of tile access are proposed, and the Authority's conservation officer recommends that the one that does not require raising the roofs ridge tiles is pursued, as this would have less impact on the appearance of the building.
144. Subject to securing the recommended bat mitigation and enhancement measures discussed above the proposal would conserve the ecological interests of the site as required by policy LC2.
145. The proposal would also effect one of the 3 yew trees sited adjacent to the building,

requiring its removal. A tree report has been submitted, and the Authority's tree conservation officer agrees with its findings – that the loss of the tree would be mitigated by the proposed replacement planting. They also advise that any works within any trees root protection areas be carried out in accordance with the requirements of BS5837 (British Standard for Trees in relation to design, demolition and construction – Recommendations). This could be secured by condition.

146. Subject to conditions securing this and the recommended replacement planting the impacts of the development on tree interests are concluded to be acceptable in accordance with policy DMC13.

Archaeological impacts

147. The Authority's archaeologist advises that the proposed development is likely to encounter archaeological evidence within the structure of the historic building, below ground within and possibly outside the chapel, through the required groundworks (works to the internal floors; for underfloor heating; for the rear extension, new drainage and service runs, tree removal etc.) and changes to the fabric of the chapel (loss of the pews, removal of the floors etc.).
148. They advise that this will result in permanent and irreversible loss of archaeological evidence and harm to the historic and archaeological interest of the chapel building and site.
149. They conclude that should the proposals be considered acceptable in the light of the advice from the Authority's Conservation Officer and with respect to planning balance, the archaeological and historic impacts detailed above should be addressed through a conditioned scheme of archaeological works to record and monitor the building and works.
150. In terms of the planning balance, the scheme would result in the significant planning benefit of bringing the building back in to a viable use, which would serve to secure its repair and maintenance.
151. Given the level of archaeological harm identified, we conclude that these benefits would outweigh the archaeological harm in this instance.

Sustainable building and climate change

152. The introduction of energy efficiency measures within listed buildings and their settings can be difficult without harm to their significance. In this case, the double glazed windows proposed would have energy efficient benefits, but an unacceptable level of harm on the buildings significance.
153. Renewable energy measures have also been considered though, and air source heating is proposed. This would be contained in a new, small stone-built enclosure within the garden. The plant within a stone built enclosure with doors and its positioning mean that it would not result in any significant disturbance to neighbouring properties. The modest stone structure would also not harm the setting of the listed building, subject to details of all facing materials and how the pipework would enter the building being reserved by condition.
154. These measures improve the environmental credentials of the building and the development it concluded to comply with policies CC1 and CC2.

Conclusion

155. Subject to conditions the proposal will conserve the significance, character and appearance of the building, neighbouring amenity, highway safety, and the ecological interests of the site in accordance with policies L2, L3, DMC3, DMC5, DMC7, and DMC10.

156. There are no other policy or material considerations that would indicate that planning permission should be refused.

157. The application is recommended for conditional approval.

Human Rights

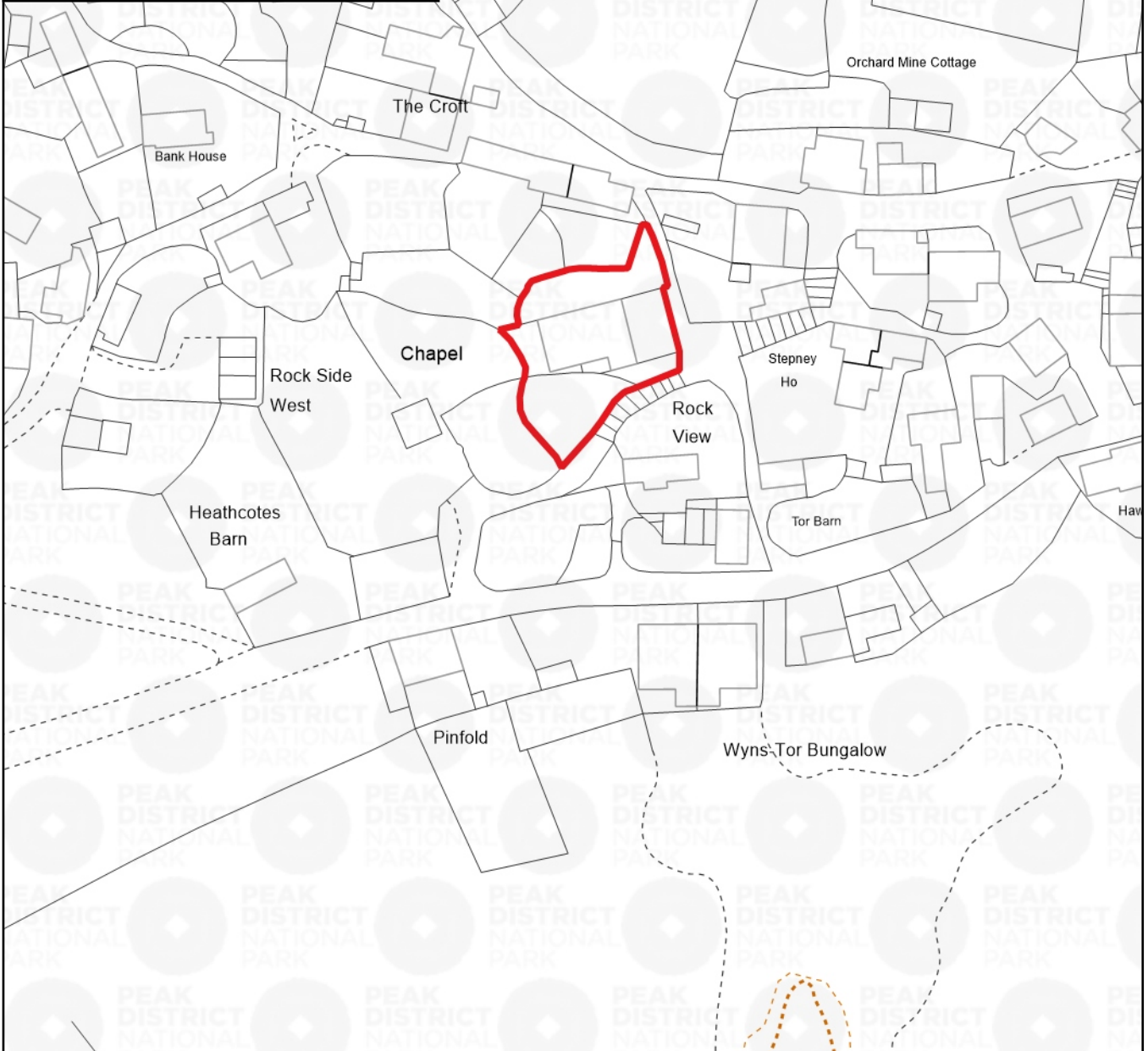
158. Any human rights issues have been considered and addressed in the preparation of this report.

List of Background Papers (not previously published)


Nil

Report Author: Mark Nuttall, Senior Planner (South)

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Committee Date:	13th September 2019	Title: Former Primitive Methodist Chapel East Bank Winster	 PEAK DISTRICT NATIONAL PARK
Item Number:	Items 11 & 12		
Application No:	NP/DDD/0619/0663 & NP/DDD/0619/0665		
Grid Reference:	424033, 360387		

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12. FULL APPLICATION – LISTED BUILDING CONSENT FOR THE RESIDENTIAL CONVERSION AND MINOR EXTENSION - FORMER PRIMITIVE METHODIST CHAPEL, EAST BANK, WINSTER (NP/DDD/0619/0665, MN)

APPLICANT: MESSRS HOLLIDAY AND HARTLEY

Summary

1. The proposed development seeks to convert a Grade II listed former chapel to a dwellinghouse, which the applicants intend to initially operate as a holiday let property.
2. Subject to conditions the conversion would conserve the heritage interest of the building in accordance with the Authority's adopted planning policies.
3. The application is recommended for approval.

Site and surroundings

4. The property is located in the south west of Winster village, occupying a hillside position.
5. The former Primitive Methodist Chapel is a Grade II listed building. It was built in 1823 and enlarged in 1850.
6. It is constructed from coursed rubble limestone with gritstone dressings, under a Welsh slate roof. Access is from doors on the eastern elevation and the building has large arched-top cast iron windows to the northern and eastern elevations. A small lean-to is present on the south east corner of the building. It is unclear if this is part of the original building, but it appears on historic maps from 1877 and may be earlier still.
7. The building is generally a single volume space with raked seating, raising to the rear, and fixed pews. It was partially sub-divided at the East end in the 1980s.
8. There is no vehicular access to the property. It is accessible only from footpath network that runs between the road of East Bank to the south and an unnamed road to the north.
9. Other than from these footpaths in close proximity to the site, the building is seen in few public views, with other buildings and the topography of the land obscuring it from wider view.
10. The building has an associated yard enclosed with railing fence to the eastern side. There is an area of ground in the same ownership set at a lower level to the northern side of the building, which is currently somewhat overgrown. The grounds also further extend to the south of the building, with three yew trees present at the eastern edge of this land.
11. Neighbouring properties are present to each side of the building, with those to the north in particular being set at a much lower level due to the sloping hillside.
12. The site is within the Winster conservation area.

Proposal

13. The application seeks listed building consent for works to facilitate conversion of the former chapel to a single open market dwellinghouse. This includes alterations to the building and grounds, and a small extension to the building.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions:

- 1. The development hereby permitted shall be begun within 3 years from the date of this permission.**
- 2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted plans.**
- 3. Notwithstanding the submitted proposed plans and details, the arch-headed windows to the north and east elevations shall only be replaced on a like for like basis.**
- 4. Prior to the installation of any secondary glazing to the internal face of the arch-headed windows in the north or east elevations full details of the proposed glazing shall be submitted to and agreed in writing by the Authority, prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.**
- 5. Prior to the occupation of the dwellinghouse or the replacement of the arch-headed windows in the northern elevation details of how views out of these windows are to be obscured shall be submitted to and agreed in writing by the Authority, prior to the commencement of this work. Thereafter, the dwellinghouse shall not be occupied until the measures as approved have been fully implemented, and the obscuring shall be so maintained throughout the lifetime of the development.**
- 6. Notwithstanding the submitted plans, the proposed flue that projects through the roof of the main body of the building shall be omitted from the development.**
- 7. (i) Details on how the cement mortar will be removed from walls; and
(ii) details of the proposed mortar mix(is) including aggregate /sand type and colour, and the proposed joint profile**

shall be submitted to and agreed in writing by the Authority, prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.
- 8. Full details of the two rooflights proposed within the single storey annexes shall be submitted to and agreed in writing by the Authority, prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.**
- 9. Details of the slate vent and its position shall be submitted to and agreed in writing by the Authority, prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.**

10. The new downpipes shall be cast iron and their finish shall match the other rainwater goods on the building. The downpipes shall not be fixed to the quoins unless otherwise agreed in writing by the Authority.
11. Details of the proposed stone repairs and making good walls following the removal of modern features, including identification of the masonry to be repaired/ replaced and the repair methods and materials proposed, shall be submitted to and agreed in writing by the Authority, prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.
12. The new exterior lights shall not be fixed to the keystones above the door.
13. Details of the weather-strips proposed to the existing doors shall be submitted to and agreed in writing by the Authority, prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.
14. Full details of all new exterior doors, including design, materials, dimensions, frames, finish, new thresholds, door furniture, shall be submitted to and agreed in writing by the Authority, prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.
15. Full details of the new window opening, surround (lintel and cill), and window, including design, dimensions, glazing bars, glazing type, mouldings, finishes and window furniture, shall be submitted to and agreed in writing by the Authority, prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.
16. Full details of the alterations proposed to the brick lined openings within the west elevation shall be submitted to and agreed in writing by the Authority, prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.
17. Details of the secondary glazing proposed to the windows within the south elevation and the fanlights in the east elevation shall be submitted to and agreed in writing by the Authority, prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.
18. Full details of the proposed facing materials for the extension, including samples of the proposed roof coverings and stone, shall be submitted to and agreed in writing by the Authority, prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.
19. Details of the boiler flue proposed within the west elevation of the extension, including exact position, dimensions, materials and finish(es), shall be submitted to and agreed in writing by the Authority, prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.
20. Prior to the commencement of the works, details on how the Reverend George Booth's commemorative plaque will be protected throughout the duration of the alterations shall be submitted to and agreed in writing by the Authority, prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.

21. **Details of the doorway and door proposed between the chapel and outshot shall be submitted to and agreed in writing by the Authority, prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.**
22. **Full details of all new floor structures (ground, first and second), including the method of fixing the floors at first and second floors to the existing building shell and cross-sections of the proposed floor structures, shall be submitted to and agreed in writing by the Authority, prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.**
23. **A section (drawing) showing how the new partitions will relate to the west roof truss, annotated with the proposed detailing, shall be submitted to and agreed in writing by the Authority, prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.**
24. **Details of the new doorway and door to replace the modern window within the west elevation of the existing single storey annex shall be submitted to and agreed in writing by the Authority, prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.**
25. **Details on how the proposed roof structure and walls of the new extension will be attached to the south elevation of the chapel, including the abutment detail between the roof of the new extension and the chapel wall, shall be submitted to and agreed in writing by the Authority, prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.**
26. **Details on any treatments / finishes proposed to the exterior (south) wall of the chapel that will become enclosed within the new extension shall be submitted to and agreed in writing by the Authority, shall be submitted to and agreed in writing with the Authority, prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.**
27. **Notwithstanding the submitted plans, prior to any retaining structures being introduced to any walls a detailed justification and full details of the proposed works shall be submitted to the Authority and no such works shall commence until a decision in writing has been issued by the Authority in relation to the works. Should the justification and details be accepted, the works shall not commence until they have been approved in writing by the Authority. Should the justification and/or details not be approved by the Authority then the works shall not proceed.**
28. **Details of the proposed tanking system and lime plaster finish, proposed to the north, south and west walls, shall be submitted to and agreed in writing by the Authority, prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.**
29. **Details on any alterations and strengthening of the existing ceiling shall be submitted to and agreed in writing by the Authority prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.**

30. Details of the proposed works to the underside of the roof (ceiling to the second floor) shall be submitted to and agreed in writing by the Authority prior to commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.
31. Details of all new staircases shall be submitted to and agreed in writing by the Authority prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.
32. All new pipework shall be run internally.
33. Details of the proposed repair and redecoration of the historic railings at the east end of the site shall be submitted to and agreed in writing by the Authority prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.
34. Details of the new external lantern shall be submitted to and agreed in writing by the Authority, prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.
35. Details of the metal screen proposed along the south-east retaining wall shall be submitted to and agreed in writing by the Authority prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.
36. Full details of the (1) gate, (2) new steps and (3) handrail proposed at the north-east side of the site shall be submitted to and agreed in writing by the Authority, prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.
37. Details of all facing materials proposed for the air source heat pump enclosure, including roof coverings, walling, doors and rainwater goods, shall be submitted to and agreed in writing with the Authority prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.
38. 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.b) No development shall take place other than in accordance with the archaeological Written Scheme of Investigation approved under condition (a).

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

Key Issues

The Authority must, by virtue of S16 of the Listed Buildings Act 1990 pay special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

History

14. 2018 – Planning and associated listed building consent applications submitted for conversion of building to dwellinghouse – withdrawn prior to determination due to the need to carry out further ecological and arboricultural surveys.

Consultations

15. **Highway Authority** – No highway objections to listed building consent application.
16. **Parish Council** – Whilst the council wishes to see the historic asset preserved they object to the proposal on the following grounds:
- The loss of a further community asset within the parish would be deeply regrettable. Whilst it is acknowledged attempts were made by the former owner (the Methodist Church) to secure another community use for the property, these endeavours failed, possibly due to existing public meeting facilities within Winster. The Parish Council pursued the possibility of taking part of some of the garden area of the chapel, by way of a gift to the village for the loss of the community use. The garden would have been used as a community allotment, however, agents acting on behalf of the Methodist Church persuaded the owner to dispose of the chapel and garden as one lot and the opportunity was lost. As the application fails to offer something back to the community of Winster, the parish council considers the application is contrary to Core Strategy Policy HC4C.
 - Parking standards for five bedroom houses require a minimum of three spaces. Clearly this is unachievable and will lead to additional on street parking on streets already congested. This will undoubtedly lead to unlawful driving and parking on greenspace at Winster Common.
 - The lack of turning/storage space at the site will lead to problems with access and egress for construction traffic and delivery vehicles, resulting in congestion.
 - The yew tree proposed for removal must be protected and retained as a feature of the former use of the building and for its appearance within Winster Conservation Area. The three new deciduous trees - *Fagus Sylvestris* 'Purpurea Pendula' proposed to be planted on the southern boundary are considered unsuitable specimens for this location due to potential size, dense canopy and low arching branches.
 - The roof of the chapel is a prominent feature and the rooflights proposed in the main building and extension should be omitted due to their prominence from public vantage points, significant harmful effect of the listed building and detracting from the appearance of the Conservation Area.
 - Winster is currently saturated with holiday lets and second homes; this has a harmful effect on the local community and further threatens the sustainability and vibrancy of the village.
 - Waste collection from similar type businesses in Winster is often problematic.

- If permission is granted, permitted developments rights must be withdrawn to prevent the introduction of garden sheds, summerhouses and other paraphernalia.
 - If permission is granted, the public footpath to the east of the chapel must remain unobstructed on its lawful alignment at all times. The right of way shall not be stopped up or diverted without due legal process.
17. **Authority’s Conservation Officer** – Detailed comments provided. The conservation officer is broadly in support of the development and proposed use for the building, but recommends a number of changes to elements of the proposal and the reserving of some details. These are referenced as applicable in the assessment section of the report below. 31 conditions are recommended. The full comments can be viewed on the Authority’s website.
18. **Authority’s Archaeologist** – Advises that the proposed development is likely to encounter archaeological evidence within the structure of the historic building, below ground within and possibly outside the chapel, and that this will result in permanent and irreversible loss of archaeological evidence and harm to the historic and archaeological interest of the chapel building and site. They conclude that if the proposals be considered acceptable with respect to planning balance, they would recommend that the impacts detailed above be mitigated through a conditioned scheme of building recording and archaeological monitoring. Wording for such a condition is suggested. The full comments can be viewed on the Authority’s website.
19. **Authority’s Ecologist** – No response at time of writing.
20. **Historic England** – *“Based on the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation adviser.”*
21. **Ancient Monuments Society** – Advise that they raised no objection to the previous (withdrawn) application, and that they see no reason to change their minds now. They advise that, if anything, the scheme is better than it was – but still combines a bold internal “intervention” with retention of what makes the chapel special in terms of fabric and character and its role in the landscape.

They note that they continue to feel that the new circular or oculus window is in character and that the rooflights are so small as to have no appreciable visual effect.

They also note that the application has attracted opposition but that this appears to centre almost entirely on the use and its repercussions. They state that their role is limited to judging the scheme on its conservation merits – and on that they believe it is an excellent, audacious scheme which deserves to be built.

Representations

22. 11 letters of representation has been received. 10 object to the proposal whilst one welcomes the proposal in principle, whilst still highlighting areas of concern. The grounds for objection and concern are:
- The village already has too much holiday accommodation, which is detrimental to the local community
 - The site has no parking or vehicular access and the proposed use would generate increased volumes of traffic, resulting in increased problems with parking and congestion, which is already a problem in the area.
 - Access to the site for construction works is restrictive, and would be likely to lead to further highway disruption and potential damage to property on approach to the site.

- Engineering works associated with levelling the ground within the building are likely to be noisy and disruptive and potentially damaging to property due to the hard rock in to which the chapel is built.
- Noise during construction works
- Noise generated by guests staying at the property if it is operated as a holiday let.
- The proposal does not address the need for affordable housing in the locality.
- Concerns that the 'gennels' around the building may be used for vehicular access to the site.
- Waste collections cannot be made directly from the site due to the lack of vehicular access, leading to the possibility of waste build up on the site and odours.
- The yew tree to be felled is an important part of the setting of the building.
- The proposed rooflights detract from the buildings appearance.
- The proposed house is too large/has too many bedrooms.
- Noise from the air source heat pump.
- Loss of privacy for neighbouring properties due to the potential for overlooking from both inside the building and from the curtilage of it.
- A plaque on the east wall of the chapel advises that the remains of the Rev George Booth are buried close by, and it is unclear how this would be dealt with if they were to be uncovered.
- The proposed interior design shows little sympathy for the layout or materials typical of a Victorian chapel.
- Risk of falling from garden area on to the lower gardens of the properties to the north, with drops of up to 2m.
- Risk of flooding to the neighbours to the north due to the location of the proposed soakaway.
- Light pollution from the buildings windows

Main policies

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

24. Relevant Development Management Plan policies: DMC3, DMC5, DMC7, DMC10

National Planning Policy Framework and National Planning Practice Guidance

25. In the National Park the development plan comprises the Authority's Core Strategy 2011 and the Adopted Development Management Policies. 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 government guidance in the NPPF with regard to the issues that are raised.
26. Paragraph 196 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
27. Paragraph 189 advises that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with

archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

28. 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.
29. Paragraph 15 of the Conserving and Enhancing the Historic Environment section of the NPPG states that it is important that any new use of a heritage asset is viable, not only for the owners benefit, but also for the future conservation of the asset: a series of failed ventures could result in a number of unnecessary harmful changes being made to the asset.
30. It notes that if there is only one viable use, that use is the optimum viable use. If there is a range of alternative economically viable uses, the optimum viable use is the one likely to cause the least harm to the significance of the asset. The optimum viable use may not necessarily be the most economically viable one.
31. It further states that harmful development may sometimes be justified in the interests of realising the optimum viable use of an asset, notwithstanding the loss of significance caused, and provided the harm is minimised.

Development plan

32. 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. Core Strategy policy GSP4 highlights that the National Park Authority will consider using planning conditions or obligations to secure the achievement of its spatial outcomes.
33. Core Strategy policy DS1 outlines the Authority's Development Strategy, and in principle permits the conversion of buildings to provide visitor accommodation.
34. Core Strategy policy L3 requires that development must conserve and where appropriate enhance or reveal significance of archaeological, artistic or historic asset and their setting, including statutory designation and other heritage assets of international, national, regional or local importance or special interest.
35. Development Management Policy DMC3 requires development to be of a high standard that respects, protects, and where possible enhances the natural beauty, quality and visual amenity of the landscape, including the wildlife and cultural heritage that contribute to the distinctive sense of place. It also provides further detailed criteria to assess design and landscaping, as well as requiring development to conserve the amenity of other properties.
36. Development Management Policy DMC5 provides detailed advice relating to proposals affecting heritage assets and their settings, requiring new development to demonstrate how valued features will be conserved, as well as detailing the types and levels of information required to support such proposals. It also requires development to avoid

harm to the significance, character, and appearance of heritage assets and details the exceptional circumstances in which development resulting in such harm may be supported.

37. Development Management Policy DMC7 addresses development affecting listed building, advising that applications for such development should be determined in accordance with policy DMC5 and address how their significance will be preserved. It goes on to detail specific aspects of development that will not be supported when dealing with applications affecting listed buildings. It advises that the only exceptions to this are where any resulting harm is less than substantial in terms of impact on the character and significance of the Listed Building and its setting; and where it is also offset by the public benefit from making the changes, including enabling optimum viable use, and net enhancement to the Listed Building and its setting.
38. It also states that where change to a Listed Building is acceptable, an appropriate record of the building will be required to a methodology approved in writing by the Authority prior to any works commencing.
39. Development Management Policy DMC10 addresses conversion of heritage assets, permitting this where the new use would conserve its character and significance, and where the new use and associated infrastructure conserve the asset, its setting, and valued landscape character. It also notes that new uses or curtilages should not be visually intrusive in the landscape or have an adverse impact on tranquility, dark skies, or other valued characteristics.

Assessment

Impacts of the proposed works on the significance, character and appearance of the building

External

40. A black powder-coated stainless steel flue, rising approximately 800mm high from the roof, is proposed at the east end of the south roof pitch. The flue forms part of a wood-burner proposed at first floor level within the main body of the chapel. The roof is one of the most prominent features of the chapel and the Authority's conservation officer advises that this modern addition will detract from the appearance of the roof and the front elevation of the property. It would be out of keeping with the buildings character, and its omission would not prejudice the potential conversion of the building. It is therefore recommended that this be omitted if permission is granted.
41. Two rooflights are proposed within the south roof pitch. These rooflights appear unnecessary to facilitate the conversion, as a window opening is proposed within the apex of the west gable to light the bedroom, and the other serves a stairwell. Given this and that the conservation officer considers that these would harm the buildings appearance it is recommended that these rooflights are omitted if permission is granted.
42. Rooflights are also proposed within the roof of the south annex and within the roof of the proposed extension. These roofs are much less prominent than the main roof of the building, and form a subordinate part of the building. On this basis their impact is much less, although the Authority's conservation officer advises that it would be preferable to have smaller rooflights and positioned slightly lower down the roof pitch. These details could be reserved by condition.
43. A roof slate vent is proposed to ventilate the en-suite proposed within the roof space. Details of the vent type and its exact position have not been provided. It is anticipated

- that a vent of a type and position that conserve the buildings appearance can be agreed, and so these details could be reserved by condition.
44. The existing cast iron rainwater goods are to be overhauled, with new cast iron downpipes to the south-west and north-west corners of the property. Subject to reserving details of the new downpipes, including fixing method and finishes, these would be in keeping with the building and would conserve its significance and appearance.
 45. Localised stone repairs and repointing is proposed. Subject to materials and details of how these works would be undertaken being reserved by condition, these works would be acceptable.
 46. The existing electric meter box to the front elevation of the property would be removed. This would enhance the significance of the listed building.
 47. Whilst not shown on the plans, the submitted supporting documentation refers to the introduction of a date-stone within the east elevation. The Authority's conservation officer advises that this will blur the archaeology of the structure, add unnecessary clutter and disrupt the symmetry to the elevation and should be omitted from the scheme. This could be secured by condition.
 48. It is proposed to replace the existing modern lights over the doorways with new coach lamps, which will have a neutral impact on the significance of the listed building, providing that the new lights are not fixed to the keystones above the door.
 49. The existing doors to the main body of the building are to be retained with the addition of weather-strips. The retention of the traditional doors is welcomed, and details of the proposed weather-strips could be reserved by condition if permission was granted.
 50. Secondary glazing is proposed to the interior face of the fanlights above the doors, and the conservation officer advises that this will not harm the significance of the listed building subject to details of their appearance and fixing being reserved by condition.
 51. The entrance door to the south outshot, which is a modern framed door with glazing to the upper quarter, is proposed to be replaced. There is no objection to replacing this modern door but the conservation officer advises that the door design proposed is not appropriate, and that a more traditional boarded door design be employed. Details of the proposed door could be reserved.
 52. The windows in the east and north elevations are large arch-headed windows. They are timber framed and single glazed with cylinder glass (a type of hand-blown glass). The submitted supporting information estimates these to date from the 1850s.
 53. Structural movement within the building has damaged the windows and the timber frames are in poor condition, and it is proposed to replace them with new timber frames that incorporate double glazed units.
 54. The Authority's conservation officer advises that the main significance of the listed chapel is its external shell and that this should be protected in order for the heritage asset to retain sufficient significance to remain on the national statutory List. They advise that unsympathetic alterations to the existing window design and the removal of the historic fabric they contain could therefore tilt this proposal to 'substantial harm'.
 55. On this basis they advise against the use of double glazing, and that the windows should be replaced like for like. They recommend that secondary glazing could be

employed to address energy efficiency concerns, potentially with sliding panels to allow access to opening lights within the outer windows if necessary.

- The loss of the historic fabric and traditional treatment of the windows would be regrettable. The conversion necessitates the loss of the historic internal features of interest of the building – namely the raked pews – and so the shell is almost all that remains of the listed qualities of the building. The windows are a key part of the significance of this shell, and their loss to a more modern design would have a harmful effect on the overall significance of the building.
56. Whilst the applicants agent has advised that double glazing is necessary for reasons of energy efficiency, other options are available that would result in less harm to the buildings significance. Even if that was not the case, there is no evidence to indicate that the conversion would be unviable or the property unliveable if single glazing was to be used.
- On this basis it is recommended that if permission is granted a condition is imposed to permit only the like for like replacement of these windows, and that if secondary glazing is required that details be agreed with the Authority prior to its installation.
57. To the west elevation it is proposed to unblock a former first floor doorway, which the Authority's conservation officer advises will result in little harm to the significance of the listed building. There is therefore no objection to this work subject to details including design, frames, threshold, door furniture and finish(es) being reserved by condition if permission is granted.
58. A new circular window is proposed within the apex of the west gable, serving a bedroom. The conservation officer has no objection to the principle of a new window in the position proposed, which is reasonable necessary to provide some natural light to the bedroom. They strongly recommend that a different window design is employed however, because the proposed one is discordant with the rudimentary character of the back elevation. This could be secured by condition if permission was granted.
59. The single glazed windows within the south elevation are to be retained and secondary glazing introduced, although drawings P/03B, P/06A and P/07B incorrectly annotate the windows in the south elevation as double glazed. The retention of these windows and introduction of secondary glazing would conserve the buildings significance, and a condition to agree details of the secondary glazing and to clarify that the windows be retained as single glazed could be imposed if permission was granted.
60. A single storey extension is proposed to the south elevation, adjoining the west elevation of the existing lean-to. Subject to details, the proposed extension will not harm the significance of the listed building as it follows the simple form of the lean-to and is modest in size and design.
61. The siting a boiler flue within the west elevation of the new extension is sympathetic as it would not harm any historic fabric and the position is discreet.
62. Subject to conditions to secure the detailing of the extension, and how it would join on to the main chapel, the extension would conserve the character and appearance of the listed building.

Interior

63. The only historic fixtures and features that survive within the chapel comprise the pews and a commemorative plaque dedicated to a former minister, the Reverend George Booth.
64. The tiered pews that ascend the west side of the chapel were introduced as part of the 1890s refurbishment. The Authority's conservation officer advises that the pews are late Victorian but that their arrangement is more akin to earlier chapels and this appears to be an unusual feature.
65. As historic features, the removal of the pews will harm the significance of the listed building but it is accepted that this work is necessary to enable the proposed use – they take up much of the floorspace of the building and cannot be readily integrated in to the conversion. It is therefore recommended that in order to mitigate the harm, a full photographic record should be carried out of the pews, prior to removal if permission is granted. This could be secured by condition.
66. Whilst the main significance of the listed building is contained in its exterior, the single volume spaces internally also make a contribution. The proposal would reinstate the single volume space to the east end of the chapel, removing the modern partitions, which is welcomed.
67. The proposed layout has been designed to be a clearly contemporary intervention, and allows the single-volume space to be partially retained and avoids floors that would cut across the arch-headed windows, helping to maintain the integrity of these features.
68. It has also been designed to distance the first floor away from the windows to minimise potential overlooking of neighbouring buildings. This is discussed in more detail in the 'Amenity Impacts' section of the report, below.
69. The Authority's conservation officer raises no objections to the layout, subject to full details of any ceiling alterations and all new floor structures (ground, first and second) being reserved by condition.
70. Some alteration to a roof truss at the western end of the building is proposed to facilitate the introduction of the second floor bedroom. The conservation officer queries the impacts of this on the structural integrity of the roof and if any other works will be required to compensate this alteration. It is therefore recommended that details of these works are reserved by condition, to ensure that they are both fit for purpose and minimise any impact on historic fabric.
71. The application also proposes a damp-proofing system to address longstanding damp issues that have arisen due to the higher external ground level to the southern side of the building. It is accepted that this is necessary, and the proposed works have been designed to be reversible. Therefore, subject to details of the proposed tanking system, including any proposed sumps, boarding and finishes being reserved, there is no objection to these works.
72. Proposed plan P/07B indicates that a retaining structure may be required to an internal wall face. No further detail or justification has been provided for these works, presumably because until the pews are removed it is unclear what may be required. It would therefore be necessary to reserve consideration of this intervention by condition if permission was granted.

73. A new doorway and door are proposed between the main building and lean-to, which the conservation officer advises would not harm the significance of the listed building, subject to details being reserved by condition.

Curtilage

74. In addition to the enclosed hardstanding in front of the chapel, the overgrown land to the north and south of the building are proposed to be taken in to use as garden.
75. Refurbishment of the railings around the property and removal of a section of modern railings is proposed and would conserve the buildings significance and appearance. A new screen is proposed to replace the modern railings to be removed, but details of this have not been provided and so would require reserving by condition.
76. A new access is proposed in the railings to the northern side of the yard, with new steps to lead down to what would be part of the property's garden, and a new gate in the railings would be formed from the removed section of them. It is accepted that this access is necessary for safe and convenient access to this part of the property, and subject to an appropriately detailed design it would not detract from the setting of the building. Details of the gate and steps would require reserving to ensure this.
77. A new lantern is proposed over the entrance gates to the site, where one was previously positioned. No detail of the former light has been provided, and so it is recommended that details of the proposed light be reserved by condition if permission is granted in order to ensure that any replacement is appropriate in appearance.
78. A replacement pedestrian gate is proposed within the south-west boundary. The current arrangement is crude and there is no objection to the principle of this work, subject to details of the proposed gate and gate-piers /posts being reserved.
79. A new bin store, steps to the garden, and a path along the southern perimeter of the chapel are proposed. The bin store has been positioned discreetly and in principle these works would conserve the setting of the building. Details of the treatment and appearance of the bin store, steps and paths would need to be secured by condition to ensure that they were in keeping with their setting.

Archaeological impacts

80. The Authority's archaeologist advises that the proposed development is likely to encounter archaeological evidence within the structure of the historic building, below ground within and possibly outside the chapel, through the required groundworks (works to the internal floors; for underfloor heating; for the rear extension, new drainage and service runs, tree removal etc.) and changes to the fabric of the chapel (loss of the pews, removal of the floors etc.).
81. They advise that this will result in permanent and irreversible loss of archaeological evidence and harm to the historic and archaeological interest of the chapel building and site.
82. They conclude that should the proposals be considered acceptable in the light of the advice from the Authority's Conservation Officer and with respect to planning balance, the archaeological and historic impacts detailed above should be addressed through a conditioned scheme of archaeological works to record and monitor the building and works.

83. In terms of the planning balance, the scheme would result in the significant planning benefit of bringing the building back in to a viable use, which would serve to secure its repair and maintenance.

84. Given the level of archaeological harm identified, we conclude that these benefits would outweigh the archaeological harm in this instance.

Conclusion

85. Subject to conditions the proposal will conserve the significance, character and appearance of the listed building, as required by the Act and policies L3, DMC3, DMC5, DMC7, and DMC10.

86. There are no other policy or material considerations that would indicate that consent should be refused.

87. The application is recommended for conditional approval.

Human Rights

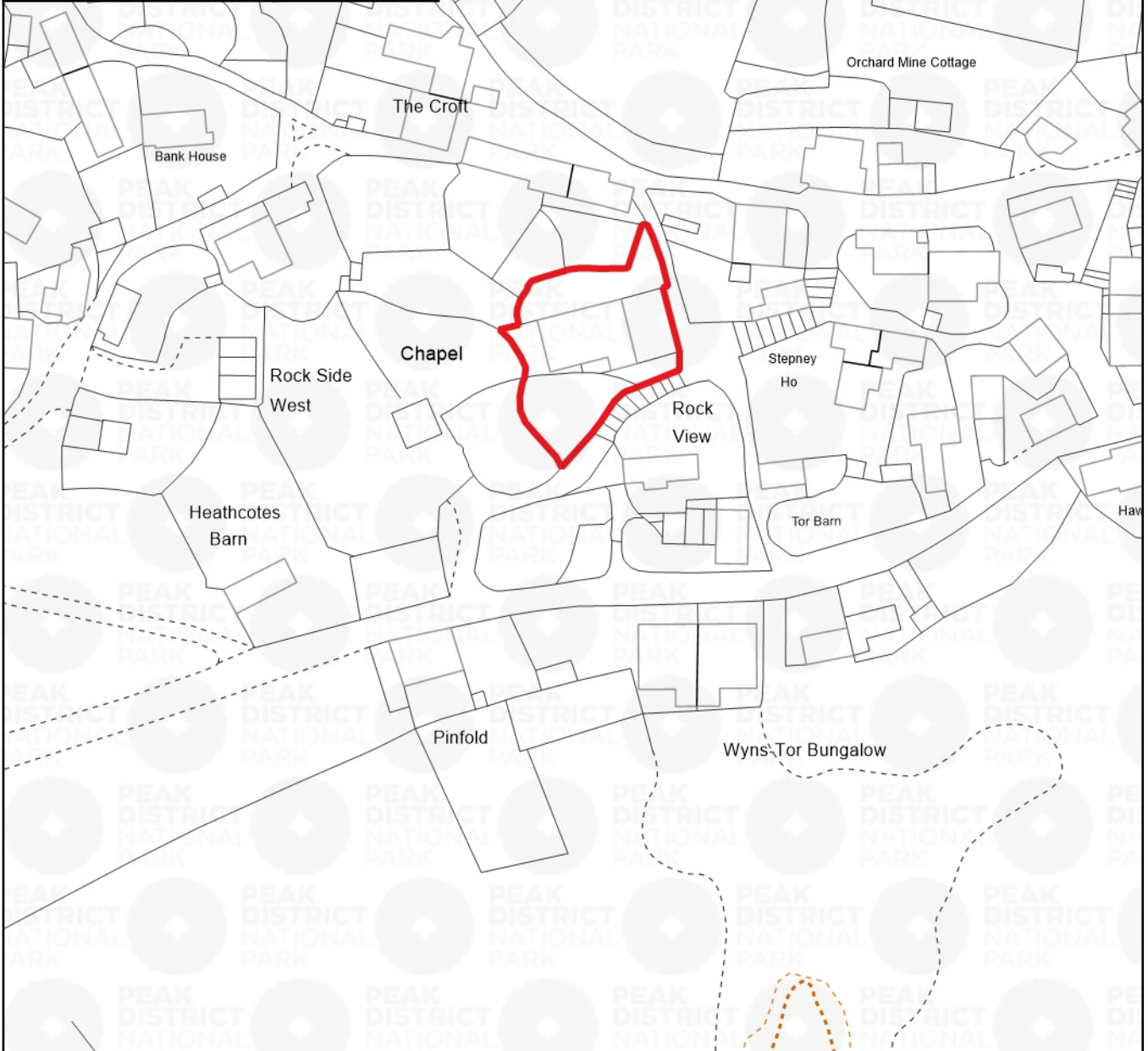
88. Any human rights issues have been considered and addressed in the preparation of this report.

List of Background Papers (not previously published)


Nil

Report Author: Mark Nuttall, Senior Planner (South)

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Committee Date:	13th September 2019	Title: Former Primitive Methodist	 PEAK DISTRICT NATIONAL PARK
Item Number:	Items 11 & 12	Chapel	
Application No:	NP/DDD/0619/0663 & NP/DDD/0619/0665	East Bank	
Grid Reference:	424033, 360387	Winster	

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13. S.73 APPLICATION FOR THE VARIATION OF CONDITION 2 ON NP/HPK/0299/021 AT LADYCROFT BARN, THORNHILL, BAMFORD (NP/HPK/0419/0393/ALN)

APPLICANT: MRS WENDY VICKERS

Summary

1. As a holiday cottage, Ladycroft Barn is meeting one of the National Park's statutory purposes in providing opportunities for the understanding and enjoyment of special qualities. As an open market dwelling the property would not contribute to National Park purposes. Furthermore adopted policies seek to maximise opportunities for the provision of affordable housing to meet the established housing needs of local people by requiring that holiday conditions are replaced by a local needs occupancy restriction. The proposals would not comply with policy DMR3 because the applicant is not in housing need. The proposals are therefore recommended for refusal.

Site and Surroundings

2. Ladycroft Barn is located on the northern edge of the hamlet of Thornhill, on the eastern side of Townhead Lane, an unclassified cul de sac that leads northwards from the centre of the settlement. The area in question is known as 'Town Head'.
3. A terrace of three dwellings sits at right angles to the highway (1, 2 and 3 Townhead), and Ladycroft Barn is attached to the east facing gable end of no. 3.
4. It is a one and a half storey traditional barn that was converted to a single unit of holiday accommodation following planning permission in 1999. The applicant lives at Town Head Farm, a detached dwelling situation some 14m to the south of the former barn.
5. The application site and the whole of 'Town Head' is within the Thornhill Conservation Area. A public right of way runs directly to the north of the barn, running in a west-east direction. A further public right of way runs westwards from Townhead Lane towards Abney.
6. For clarity Thornhill is not a 'named settlement' within Core Strategy policy DS1 for planning policy purposes.

Proposal

7. This is a section 73 application which seeks to remove condition no.2 from planning approval ref NP/HPK/0299/021. Condition 2 reads:
8. *'This permission relates solely to the use of the premises hereby approved for short-let holiday residential use ancillary to Townhead Farm. The property shall not be occupied by any one person for a period exceeding 28 days in any calendar year. The existing house and the approved holiday accommodation shall be maintained as a single planning unit'*
9. The reason for the condition states *'Permission has been granted in accordance with policy RT3 of the Structure Plan which permits the conversion of traditional buildings to holiday accommodation. Conversion to a permanent dwelling would be contrary to the Structure Plan policies'*.
10. The application form states that the applicant is looking to future and her retirement and would like to be able to sell Townhead Farm and live in Ladycroft Barn as her permanent

residence.

RECOMMENDATION:

That the application be REFUSED for the following reasons:

The proposals would not comply with Development Management policy DMR3 (ii) because the applicant wishes to occupy the dwelling but is not in housing need as specified in Development Management policies DMH1 and DMH1. Consequently the dwelling unit cannot be tied by legal agreement to occupancy by those in housing need.

Key Issues

Principle of use of the property as an open market dwelling.

History

April 1999 – planning permission granted for conversion of barn to holiday cottage.

July 1996 – planning permission granted for extension to dwelling at Townhead Farm.

January 1993 – planning permission granted for extension to dwelling at Townhead Farm.

January 1965 – planning permission granted for extension to dwelling at Townhead Farm.

Consultations

Highway Authority – no objections

District Council – no response

Parish Council – no objections

Representations

Six letters of support have been received from local residents making the following points (in summary):

- Townhead Farm is too large for one person and it makes sense for the applicant to downsize.
- Other family members live at Townhead which would be beneficial to the applicant in her retirement.
- Local residents should be supported as much as visitors.
- The proposals would free up a family sized property for another family to move into.
- Proposals would benefit village life.
- Too many visitors and holiday rentals is unsustainable and detrimental to the village.

Main Policies

Relevant Core Strategy policies: GSP1, DS1, HC1, RT2

Relevant Local Plan policies: DMR3, DMH1, DMH2, DMT3, DMT8, DMC3

National Planning Policy Framework

11. The National Planning Policy Framework (NPPF) has been revised (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. In particular Paragraph 172 states 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.
12. In the National Park the development plan comprises the Authority's Core Strategy 2011 and the Adopted Development Management Policies. 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 government guidance in the NPPF with regard to the issues that are raised.

Development Plan

13. 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.
14. Core Strategy policy DS1 outlines the Authority's Development Strategy and in principle allows for conversion or change of use for housing, community facilities and business uses including visitor accommodation, preferably be re-use of traditional buildings. It provides a list of 'named settlement' where there is scope to maintain and improve the sustainability and vitality of communities.
15. Core Strategy policy HC1 states that provision will not be made for housing solely to meet open market demand. Exceptionally new housing (whether newly built or from re-use of existing buildings) can be accepted where it addresses eligible locale need, provides for key workers or is required in order to achieve conservation and/or enhancement of valued vernacular building or in settlements listed in DS1.
16. Development Management policy DMR3 states that outside settlement listed in policy DS1, for existing holiday accommodation, the removal of any condition that stipulates either months of occupation or occupation of no more than 28 days per annum by any one person will be permitted provided that:
 - i. There would no adverse impact on the valued characteristics of the area or residential amenity; and
 - ii. The dwelling unit is tied by legal agreement to occupancy in perpetuity by those in housing need and having the required local connection as specific in policies DMH1 and DMH2; and
 - iii. The size of the dwelling unit is within that specified in policy DMH1 or of a size that can be reasonably rented or part owned.

17. Development Management Policy DMC3 requires development to be of a high standard that respects, protects, and where possible enhances the natural beauty, quality and visual amenity of the landscape, including the wildlife and cultural heritage that contribute to the distinctive sense of place. It also provides further detailed criteria to assess design and landscaping, as well as requiring development to conserve the amenity of other properties.
18. Development Management Policy DMT8 states that off-street parking for residential development should be provided unless it can be demonstrated that on-street parking meets highways standards and does not negatively impact on the visual and other amenity of the local community. It notes that the design and number of parking spaces must respect the valued characteristics of the area, particularly in conservation areas.

Assessment

19. Principle of the use of the building as an open market dwelling.
20. Ladycroft Barn was converted to a single, 2-bed unit of holiday accommodation following planning permission in 1999. The conversion appears to have been carried out in accordance with the approved plans and has been let out by the applicant as a holiday cottage since that time.
21. The applicant lives at Townhead farm which is located across the yard, some 14m to the south of the holiday cottage. As her retirement approaches she would like to move into Ladycroft barn as her permanent residence and sell Townhead on the open market. Consequently it is proposed to lift the condition that restricts occupancy to holiday use and which requires Ladycroft Barn and Townhead Farm to remain as a single planning unit.
22. The overarching Core Strategy housing policy HC1 allows for housing where it is required in order to achieve conservation and/or enhancement of a valued vernacular building. Had Ladycroft not been converted to a holiday cottage, then proposals for conversion to an open market dwelling would be likely to be compliant with HC1 as the building is considered to be a heritage asset and conversion would be necessary to sustainably retain the building in the long term. However, as the conversion works have now been carried out and the building is in a good state of repair there is now no conservation benefit to be gained and therefore the proposals do not accord with HC1 C.
23. Consequently the starting point for the consideration of this application is Development Management policy DMR3. This allows for the removal of holiday occupancy conditions provided that (i) there would be no adverse impact on the character of the area or residential amenity; (ii) the dwelling would be restricted to local people in housing need and (iii) the size of the dwelling is within that specific in policy DMH1.
24. In respect of subsection (i) of DMR3, there would no changes to the external appearance of the building and there is a modest residential curtilage to the north and south of the property. Consequently there would not be an adverse impact on the character of the area. There would be no impact upon the residential amenity of other three properties in the terrace over and above the existing use as a holiday cottage. Townhead Farm is located to the south but there are few openings on the rear (north) elevation and it is physically offset to the west such that if the property were an open market dwelling and no longer in the control of Townhead Farm, there would be no significant impact on the residential amenity of either property.

25. With regards to subsection (ii) the internal floorspace of Ladycroft Barn is approximately 92.2sqm which is below the 97sqm upper limit for an affordable dwelling within policy DMH1.
26. The main issue for consideration is subsection ii) which effectively requires that if we allow the holiday occupancy condition to be lifted, the property should instead become an affordable local needs dwelling with occupancy restricted by means of a section 106 legal agreement to local people in housing need. The supporting text to policy DMR3 explains that the reasoning behind this is that *'the recycling of these houses into this sector helps address local problems of affordability and reduces the pressure to build further dwellings.'* Essentially the policy is acknowledging that land upon which to build new affordable housing is in short supply in the National Park and that therefore any opportunities to provide local needs housing should be taken. While ever the property is a holiday cottage, it is meeting one of the National Park purposes in providing opportunities for understanding and enjoyment. As an open market dwelling it would not.
27. The applicant was born in Thornhill and has lived there all her life. Consequently she meets the 'local criteria' set out in policy DMH2. A supporting letter states that she is finding it increasingly difficult to maintain the farmhouse and its large garden and associated land. Whilst we recognise these difficulties, unfortunately the applicant is not in housing need because she is not currently living in accommodation that is *'overcrowded or otherwise satisfactory'* as defined in para.s 6.20 and 6.21 of the Development Management policy supporting text. Unsatisfactory accommodation is considered to be accommodation that is too small or unsatisfactory in the view of the Housing Authority. Townhead Farm is a three-bedroomed detached property with a large garden and 1 acre of land. The house appears to be in good condition and is not lacking in any basic facilities. It is clearly not too small for the applicant as a single person. The applicant has submitted a letter explaining that she has some health problems. However no evidence of disablement has been submitted or evidence that the house could not be adapted to meet her ongoing needs.
28. Essentially the applicant is reaching retirement and wishes to plan for the future by 'downsizing'. In the recently adopted Development Management Plan (paras 6.28-6.29) the Authority has recognised that as some people get older they may desire to move to smaller properties and remain in and contribute to the communities where they have lived. It acknowledges that reasons for this may vary from decreased mobility and a practical difficulty in managing and adapting the current home to meet changed needs, to the need to release capital to support their old age. The policy document makes it clear however that wherever possible *'downsizing should be met through the existing housing stock and that 'the Authority will need to be persuaded that homeowners have no alternatives available to them on the open market that can meet their changed circumstances. This means that an applicant should provide evidence of their search for housing on the market at the time of submitting a planning application.'*
29. The applicant has not carried out a search for other suitable housing within the Parish or and adjacent Parish. The supporting letter explains that her sister and other family members live at Townhead and she wishes to continue to live close to them so that they can support her in her retirement. Consequently she does not wish to live elsewhere in the Parish or an adjacent Parish.
30. Whilst we appreciate the desire to live close to other family members, this does not constitute a *housing need* as set out in the policies. Whilst supporters have stated that the proposals would 'free up' Townhead Farm to be lived in by a family, there is no control over occupancy on the property and therefore there is no guarantee that if sold it would be occupied either by a family or as a permanent dwelling.

31. We have made a suggestion to the applicant that given her very local and family connections to Thornhill specifically, she could offer to sign a legal agreement committing to affordably secure the property for people who meet the Authority's local occupancy criteria, after her occupation comes to an end. While not strictly in line with policy, this would meet policy objectives in the long term by securing the property for local residents in future. However, the applicant does not wish to enter into such an agreement and seeks an open market property.

32. In conclusion the proposals are contrary to adopted policies HC1 and DMH2 .

Other Considerations

33. There is parking space for two vehicles on a surfaced area to the south of the barn and the Highway Authority has raised no objections with regard to the access to the site. The proposals would therefore be served by a safe and suitable access and adequate off street parking in accordance with policies DMT3 and DMT8.

Conclusion

34. At present, as a holiday cottage, Ladycroft Barn is meeting one of the National Park's statutory purposes in providing opportunities for understanding and enjoyment. As an open market dwelling the property would not contribute to National Park purposes. Furthermore adopted policies seek to maximise opportunities for the provision of affordable housing to meet the established housing needs of local people by requiring that holiday conditions are replaced by a local needs occupancy restriction. The proposals would not comply with policy DMR3 because the applicant is not in housing need. The proposals are therefore recommended for refusal.

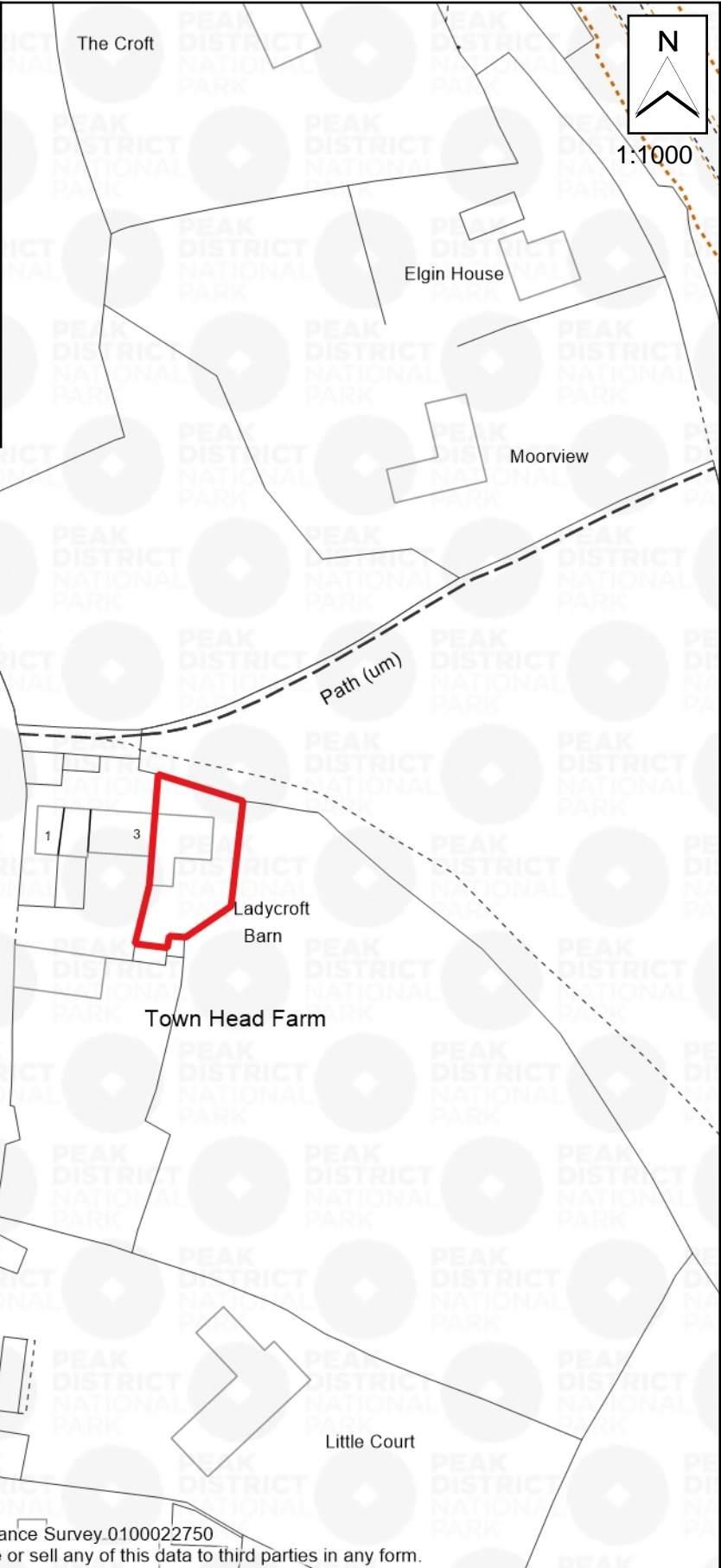
Human Rights

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


List of Background Papers (not previously published)

Nil

Report Author: Andrea Needham, Senior Planner



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Committee Date:	13th September 2019	Title: Ladycroft Barn Thornhill Bamford	 PEAK DISTRICT NATIONAL PARK
Item Number:	Item 13		
Application No:	NP/HPK/0419/0393		
Grid Reference:	419744, 383691		

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14. FULL APPLICATION – CONVERSION OF EXISTING BUILDING WITHIN THE CURTILAGE OF A DWELLING HOUSE TO FORM LIVING ACCOMMODATION FOR ANCILLARY USE OF THE MAIN DWELLING - RETAINING 1 STABLE, EQUIPMENT STORE AND TACK ROOM WITHIN THE APPLICATION BUILDING – LANE FARM, BAR ROAD, CURBAR (NP/DDD/0419/0378, JF)

APPLICANT: MR & MRS J WARREN

Summary

1. The proposed development seeks to convert a former barn to living accommodation for ancillary use of the main dwelling.
2. Subject to conditions the development would conserve the character of the building, would provide ancillary accommodation in accordance with the Authority's adopted planning policies, and would not result in adverse planning impacts.
3. Accordingly, the application is recommended for approval.

Site and surroundings

4. The building subject to the development proposal is a modestly sized former barn located to the South of the village of Curbar, in a Conservation Area.
5. The property is a single storey natural stone structure, with a pitched tiled roof and timber windows and doors. A series of timber barn doors are situated to the southern front elevation, with glazing behind. A small stable is attached to the western side of the property, and incorporates timber boarding and a catslide roof. Solar panels are attached to the northern rear elevation.
6. Access to the building is via a track to the north of the property, leading from Bar Road. A parking area is situated to the north of the structure, and the main dwelling on the site is situated to the north of this.
7. The main dwelling on the site is a substantial stone farmhouse with garages. A horse riding arena is situated to the north east of this, and further stables are situated to the south east of the site.

Proposal

8. Conversion of existing building within the curtilage of a dwelling house to form living accommodation for ancillary use of the main dwelling - retaining 1 stable, equipment store and tack room within the application building.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions:

1. **3 year implementation period.**
2. **Development to be carried out in accordance with specified amended plans.**
3. **Ancillary domestic use only and tied to Lane Farm.**
4. **No use of the building for holiday or other letting.**

5. **Tack room, equipment store and stable for equestrian use only.**
6. **New door to be in timber and recessed to match.**
7. **Permitted Development Rights removed.**
8. **Area shown for parking, garaging, circulation and standing of vehicles being provided prior to use**

Key Issues

- Whether the building is suitable for conversion
- The impact of the development on the character and appearance of the building
- The landscape impact of the development
- The highways impact of the development

History

1988 – WED1088524 – Reinstatement of vehicular access – Approved

1989 – WED1188567 – Alterations and extensions to dwelling – Approved

1989 – WED0289085 – Erection of stable block – Approved

1991 – WED0291104 – Formation of horse menage – Refused

1991 – WED0291103 – Erection of hay barn – Approved

1996 – DDD1096405 – Demolition and rebuilding of porch; and erection of conservatory – Refused

1996 – DDD0896356 – New Menage & Landscaping – Approved

1996 – DDD0896333 – Extension to hay barn – Approved

1999 – DDD0999433 – Erection of conservatory – Approved

2001 – DDD1001470 – Conversion of stable block to small private therapy centre and covered garden – Refused and dismissed on appeal

2003 – DDD1202613 – Conversion of stable to therapy centre and home office – Approved

2004 – NP/DDD/0704/0764 – Extension to dwelling – Withdrawn

2005 – NP/DDD/0205/0169 – Extension to dwelling – Approved

2009 – NP/DDD/0709/0590 – Erection of dwelling – Refused

2014 – NP/DDD/1213/1137 – Retention and alteration of stable building – Approved

2016 – NP/DDD/0616/0526 – Application to increase the size of an existing horse exercise ménage and associated works – Approved

Consultations

9. Highway Authority – No objections subject to area shown for parking, garaging, circulation and standing of vehicles being provided prior to use.
10. Parish Council – Object to the plans because they feel that the proposals would lead to an increase in activity on the site, a loss of stabling creating a further demand for outbuildings, and highway safety concerns.

Representations

11. One letter of support has been received in relation to this application. Representations have been received from a Parish Councillor, raising the same concerns as those highlighted by the Parish Council.

Main policies

12. Relevant Core Strategy policies: GSP1, GSP3, L1, L3
13. Relevant Development Management Plan policies: DMC3, DMC8, DMH5, DMT2, DMT7

National planning policy framework

14. 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.
15. The National Planning Policy Framework (NPPF) has been revised (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. In particular Paragraph 172 states 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.
16. In the National Park the development plan comprises the Authority's Core Strategy 2011 and the Adopted Development Management Policies. 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 government guidance in the NPPF with regard to the issues that are raised.

Development plan

17. 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.

18. 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.
19. 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.
20. Policy L3 states that development must conserve and enhance any asset of archaeological, architectural, artistic or historic significance or its setting that has statutory designation or registration or is of other international, national, regional or local significance.

Development Management Policies

21. Development Management Policy DMC3 requires development to be of a high standard that respects, protects, and where possible enhances the natural beauty, quality and visual amenity of the landscape, including the wildlife and cultural heritage that contribute to the distinctive sense of place. It also provides further detailed criteria to assess design and landscaping, as well as requiring development to conserve the amenity of other properties.
22. Development Management Policy DMC8 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 significance of the Conservation Area will be preserved or enhanced.
23. DMH5 states that the conversion of an outbuilding close to a dwelling, to ancillary dwelling use will be permitted provided that: (i) it would not result in an over-intensive use of the property, an inadequate standard of accommodation or amenity space, or create a planning need for over intensive development of the property at a later date through demand for further outbuildings; and (ii) the site can meet the parking and access requirements of the proposed development; and (iii) the new accommodation provided would remain within the curtilage of the main house, accessed via the same access route, sharing services and utilities, and remain under the control of the occupier of the main dwelling.
24. Development Management Policy DMT2 emphasises the importance of safe access to developments.
25. Development Management Policy DMT7 states that off-street parking for residential development should be provided unless it can be demonstrated that on-street parking meets highways standards and does not negatively impact on the visual and other amenity of the local community. It notes that the design and number of parking spaces must respect the valued characteristics of the area, particularly in conservation areas.

Assessment

Principle

26. Policy DMH5 states that the conversion of an outbuilding close to a dwelling, to

ancillary dwelling use will be permitted provided that it would not result in an over-intensive use of the property. The property is situated close to the main dwelling at Lane Farm, and the site and building in question are large enough to prevent an over-intensive use.

27. The proposed plans would provide an adequate standard of accommodation or amenity space adhering to Policy DMH5.
28. The building has been converted for use ancillary to the main dwelling for conversion to a therapy centre and home office in 2003. The plans would not be over intensive development of the property now or at a later date through demand for further outbuildings
29. The accommodation provided would remain within the curtilage of the main house, would be accessed via the same access route, sharing services and utilities, and would remain under the control of the occupier of the main dwelling.
30. The building is relatively modern and is not a heritage asset, though it has been constructed from traditional materials in part. It's retention by allowing ancillary use is acceptable. The adjoining stable would not be suitable for conversion. As such, a condition should be imposed restricting this to equestrian use only.
31. The proposed alterations include the replacement of a glazed door with a fixed timber barn-style door, the slight raising of the internal floor level, the conversion of existing rooms to a sitting room, kitchen/diner, bedroom and bathroom, and the introduction of a small section of internal wall. Given that very few alterations are proposed to facilitate the proposed plans, I consider the principle of use as ancillary accommodation to be justified.
32. The approval for conversion to a therapy centre and home office in 2003 was a personal consent. As such, the building should have been returned to use as a stable and any current ancillary residential use may be unauthorised. Nevertheless, the principle of conversion to ancillary domestic accommodation is in accordance with policy.

Character/Landscape

33. Policies L1 and L3 state that development must conserve and enhance valued landscape character and any asset of archaeological, architectural, artistic or historic significance. Policies DMC3 and DMC8 state that development should conserve the surrounding landscape and preserve the Conservation Area.
34. As previously stated, very few alterations are proposed to facilitate the proposed plans. There would therefore be no additional impact from a character or landscape perspective.

Amenity

35. Policies GSP3, DMC3, and DMH5 indicate that development should not result in any adverse impact on amenity and the living conditions of communities
36. The proposed conversion and alterations would not result in any significant adverse impact on neighbouring properties. The alterations relate to an existing structure that has already been converted, and there are no other properties situated in close proximity. As such, the plans would result in no issues in terms of overlooking, overshadowing or an overbearing impact for neighbours. This is a large site with ample

outdoor amenity and parking space, so the proposed plans would not result in overdevelopment.

Highways

37. Policies DMT3 emphasises the importance of safe access and appropriate parking provision.
38. The proposed plans indicate that a parking space would be allocated to the front of the property, with no other alterations in terms of access or parking.
39. DCC Highways was consulted on the application and raised no objections. The following comments were made:
40. 'The Highway Authority requested further information from the applicant to address concerns regarding access visibility and whether or not this proposal would result in an intensification of vehicular activity. The previously approved use of the proposal site is a therapy centre and office; the Highway Authority raised no objection when this use class was proposed under ref NP/DDD/1202/613.
41. With this in mind, it is unlikely that this current proposal would result in an increase in vehicular activity over what could occur under the existing approved use class, which satisfies the Highway Authority's previously raised concerns. Accordingly, there are no highway objections and the following condition should be included with any consent given:
42. 1. Before the unit is brought into use, the area shown on the approved plans as reserved for parking, garaging, circulation and standing of vehicles shall be provided in accordance with the approved details. Thereafter the area shall be used for those purposes only and maintained free from any impediment to its designated use.
43. In addition to the above conditions, the following notes should be appended to any consent for the applicant's information:- The application site is affected by a Public Right of Way (Footpath/ Bridleway number ...[Parish] on the Derbyshire Definitive Map). The route must remain unobstructed on its legal alignment at all times and the safety of the public using it must not be prejudiced either during or after development works take place'.
44. The comments from DCC Highways are accepted. The use of the building as a therapy centre and office in the past resulted in no highways objection, and the proposed plans would result in any additional vehicular movements. There would be no further impact in terms of highway safety. Ample parking is available on site, and I consider that the imposition of the suggested parking condition is justified.

Representations

45. As a result of consultation, one letter of support has been received in relation to this application. Curbar Parish Council objected to the plans because they feel that the proposals would lead to an increase in activity on the site, a loss of stabling creating a further demand for outbuildings, and highway safety concerns. A further representation was received from a Parish Councillor, raising the same concerns as those highlighted by the Parish Council.

Conclusion

46. The proposed amended plans are appropriate in terms of principle, scale, form and materials, subject to the imposition of conditions. No harm would arise from the the conversion which is of a quality appropriate for conversion, and the alterations would result in no adverse impact to the appearance of the existing structure or the surrounding Conservation Area.
47. The application is acceptable in terms of amenity, parking and highway safety, subject to the imposition of conditions. It is necessary to impose a condition restricting occupation_to ancillary use tied to Lane Farm, as the creation of a separate independent dwelling would be contrary to policy. It is also necessary to remove Permitted Development Rights, to prevent any inappropriate alterations.
48. Therefore in the absence of any other material considerations the proposals are considered to be acceptable and in accordance with the development plan and accordingly are recommended for approval.

Human Rights

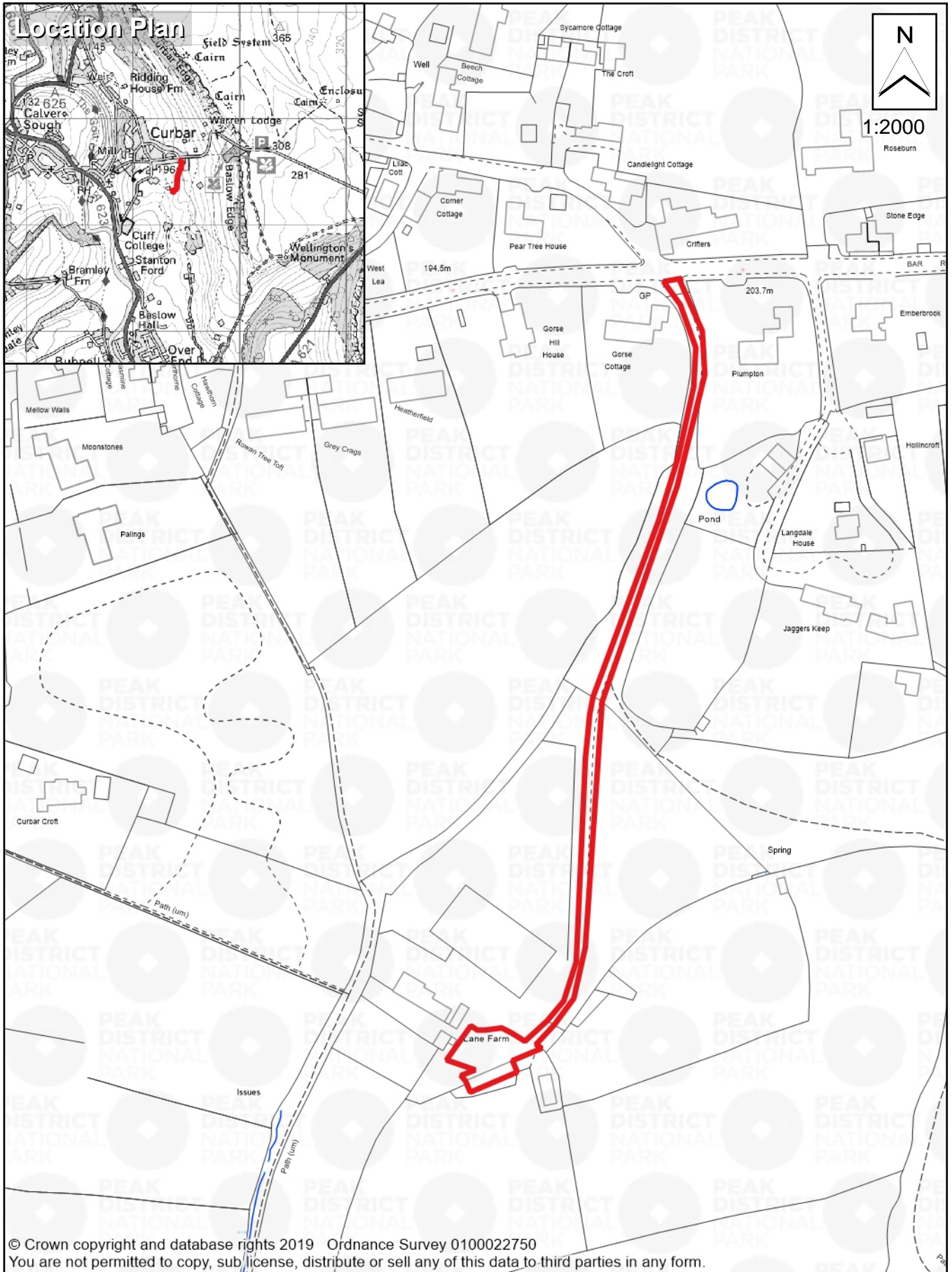
Any human rights issues have been considered and addressed in the preparation of this report.


List of Background Papers (not previously published)

Nil

Report Author: Joe Freegard, Planner (North)

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Committee Date:	13th September 2019	Title: Lane Farm Bar Road Curbar	 PEAK DISTRICT NATIONAL PARK
Item Number:	Item 14		
Application No:	NP/DDD/0419/0378		
Grid Reference:	425340, 374344		

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15. FULL APPLICATION - CHANGE OF USE AND CONSRUCTION OF A STABLE TO HOUSE TWO HORSES / PONIES AT THE COTTAGE IN THE DALE, WENSLEY DALE, WENSLEY. (NP/DDD/0519/0486 SC)

APPLICANT: MR BEN GELSTHORPE

Summary

1. The application seeks permission for the change of use of the agricultural land and the erection of a stable building for private and personal equestrian use. The key planning considerations are the potential effect on the Conservation Area, neighbour amenity and highway safety. The impacts would be acceptable subject to appropriate conditions, therefore recommended for approval.

Site and Surroundings

2. The development site subject of this application is a parcel of enclosed land of approximately 0.47 hectares and located on the south western outskirts of Wensley village. The site is accessed through an existing field gate and descending along an unnamed track from the Square; the track is a Public Right of Way (PRoW). The nearest neighbouring dwelling is Honey Bee Cottage, situated around 70m to the west of the development, with the applicant's property lying a further 20m beyond this. Another PRoW runs in a north south direction between the site and the neighbouring garden at Honey Bee Cottage. The development site lies within the Conservation Area of the village.

Proposal

3. Planning consent is being sought to change the use of the land and erect a stable building to house two horses/ponies. The building would be sited in the north eastern corner of an existing walled area of land, and constructed of natural gritstone under a blue slate roof. Internally the space would provide separate space for two horses/ponies.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions:

- 1 **The development hereby permitted shall be begun within 3 years from the date of this permission.**
- 2 **The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted details and plans, subject to the following conditions:**
- 3 **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no gates, fences, walls or other means of enclosure, floodlights or any other form of external lighting, horse jumps, field shelters or other ancillary buildings shall be erected or placed within the red edged application site, without the prior written consent of the National Park Authority.**

- 4 Prior to the erection of the external walls of the building, a sample panel of natural gritstone of at least 1.0 metre square shall be constructed on the site. The Local Planning Authority shall be informed on the completion of the sample panel, which shall then be inspected and approved in writing by the Local Planning Authority. All subsequent walling shall match the approved sample panel in terms of stone colour, size, texture, coursing and pointing, subject to whatever reasonable modifications maybe specifically required in writing by the Authority. If necessary, the Authority shall request the construction of another sample panel incorporating the required modifications.
- 5 The roof shall be clad with Natural Blue Slate.
- 6 The external doors and windows shall be of timber construction.
- 7 All window and doorframes shall be recessed 100mm from the external face of the wall.
- 8 All external timberwork shall be vertically boarded which shall be stained or painted a dark brown and permanently so maintained.
- 9 All pipework, other than rainwater goods, shall be internal within the building.
- 10 The stable building hereby approved shall be used solely for the stabling of horses of the occupiers of 'The Cottage in the Dale', Wensley and their immediate family only and shall not be used for any commercial purposes such as riding school/livery at any time during the lifetime of the development hereby permitted.
- 11 No development shall take place until a detailed landscaping scheme for the rebuilding/repairing of the drystone walling along the northern and eastern boundaries (adjacent to the proposed stable building) of the development site and tree and shrub planting to supplement any existing, is submitted for written approval by the National Park Authority. Thereafter, the walling shall be repaired within an agreed timescale and the approved tree and shrub-planting element shall be carried out in accordance with agreed details during the first available planting season (Nov-March) following the commencement of works to the site. Any trees or plants, which die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species or in accordance with an alternative scheme previously agreed in writing by the National Park Authority.
- 12 No development shall commence until a management scheme/timetable for the disposal of any waste associated with the use of the stables has been submitted to and approved by the National Park Authority. Once agreed the scheme shall be carried out in full accordance with the approved details.
- 13 Prior to the stables being used for the stabling of horses, a scheme shall be provided for the capture and use of rainwater.

Key Issues

4. Whether the stables and their use would have a detrimental impact on the character and appearance of the Conservation Area, the privacy and amenity of neighbouring dwellings and highway safety.

History

5. No previous history relating to the development site, other than pre-application advice resulting in the current application being proposed.

Consultations

6. Highway Authority - *No objections on the basis the stables are justified and that they are strictly for private, domestic use only – no business or commercial activities, riding school or third party stabling etc.*
7. Parish Council - ... *'has concerns that this Application does not address the Animal Welfare aspects of the land in question. Also access to the proposed stables could be problematical for a horse-box etc'.*

Representations

8. Three letters of representation have been submitted. Relevant planning concerns raised are summarised as followed:
 - The proposed building is close to the boundary; it could affect the roots of planting, and may remove support of land if excavations go below the contours of the site.
 - Parking and access concerns.
 - Impacts on Public Rights of Way.
 - Concerns over running as an equestrian business.
 - The application does not show any storage information where feed, tack or horsebox would be housed.

National Planning Policy Framework

9. 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.
10. The National Planning Policy Framework (NPPF) has been revised (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.
11. In particular, paragraph 172 states 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. Whilst 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.

12. In the National Park, the development plan comprises the Authority's Core Strategy 2011 and the new Development Management Policies (DMP), adopted May 2019. 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

Core Strategy

13. GSP1, GSP2 - *Securing National Park Purposes and sustainable development & Enhancing the National Park*. These policies 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.
14. GSP3 - *Development Management Principles*. 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.
15. DS1 - *Development Strategy*. States, Supports recreation and tourism development in principle in the open countryside.
16. L3 - *Cultural Heritage assets or archaeological, architectural, artistic or historic significance*. Explains that development must conserve and where appropriately enhance or reveal the significance of historic assets and their setting. Other than in exceptional circumstances, development will not be permitted where it is likely to cause harm to the significance of any cultural heritage asset or its setting.
17. L1 - *Landscape character and valued characteristics*. Seeks to ensure that all development conserves and enhances valued landscape character and sites, features and species of biodiversity importance.

Development Management Policies

18. DMC3 - *Siting, Design, layout and landscaping*. Reiterates that where developments are acceptable in principle, Policy requires that design is to high standards and where possible enhances the natural beauty, quality and visual amenity of the landscape. The siting, mass, scale, height, design, building materials should all be appropriate to the context. Accessibility of the development should also be a key consideration.
19. DMC5 - *Assessing the impact of development on designated and non-designated heritage assets and their setting*. The policy provides detailed advice relating to proposals affecting heritage assets and their settings, requiring new development to demonstrate how valued features will be conserved, as well as detailing the types and levels of information required to support such proposals. It also requires development to avoid harm to the significance, character, and appearance of heritage assets and details the exceptional circumstances in which development resulting in such harm may be supported.
20. DMC8 - *Conservation Areas*. States, that applications for development in a Conservation Area, or for development that affects it's setting or important views into or out of the area, across or through the area should assess and clearly demonstrate how the existing character and appearance of the Conservation Area will be preserved and, where possible, enhanced. Applications should also be determined in accordance with

policy DMC5 taking into account amongst other things, form and layout, street pattern scale, height, form and massing, local distinctive design details and the nature and quality of materials.

21. DMH7 - *Extensions and alterations*. States that extensions and alterations to dwellings will be permitted provided that the proposal does not detract from the character, appearance or amenity of the original building, its setting or neighbouring buildings.
22. DMR4 - *Facilities for keeping and riding horses*. Accepts that horse riding is an appropriate activity as part of the quiet enjoyment of the National Park and supports development relating to the provision of facilities for the keeping of and riding of horses provided certain criteria are met.

Supplementary Planning Documents

23. The Authority has adopted three separate supplementary planning documents (SPD) that offers design guidance on householder development namely the Design Guide, the Building Design Guide and the Detailed Design Guide on Alterations and Extensions. The latter offering specific criteria for assessing the impacts of householder development on neighbouring properties.

Assessment

24. The new Development Plan Policies support the facilities for keeping and riding horses, with the preceding text suggesting, that whilst planning permission is not normally required for grazing horses, the construction of stables will. It also recognises that the popularity of such recreation creates pressure for stabling in places where it is not always easy to find a good design and fit with the valued characteristics of the landscape, particularly where these are relatively open. Moreover, experience has shown that where stables are built to a high standard there can be subsequent pressure for conversion to domestic use. As such, it is considered that simpler construction methods offer a more functional solution, although the acceptability of individual designs will depend always on the character and appearance of the surrounding area.

Principle of the development

25. In this case Policy DS1 states, that development for recreation and tourism in all settlements and in the open countryside will be acceptable in principle. Whilst DMR4 accepts that horse riding, is an appropriate activity as part of the quiet enjoyment of the National Park and supports development relating to the provision of facilities for the keeping of and riding of horses.

Siting, design and materials of the proposed stable building

26. In siting terms, the stable building would be positioned towards the north eastern corner of the plot and close to existing boundary walling, albeit some of this walling is in need of rebuilding and repair. With regard to the size, massing and design, the proposed structure would be single storey measuring 7m in length x 4m in width x 4m to the ridge, which in massing terms would not appear unduly intrusive in this corner location, particularly against the backdrop of the rising land behind and the group of trees/shrubs immediately to the east. The building itself would be constructed in a traditional manner, with materials consisting of gritstone for the walling, under a natural blue slate roof, together with gritstone quoins and door surrounds. The stable doors would be of vertical timber construction. In this case, subject to rebuilding/repair of the adjacent drystone walling and all external timberwork being stained or painted a recessive colour, the proposed stable building by virtue of its siting, design and use of materials is

considered an acceptable development, according with policies DMC3 & DMR4 respectively.

Impact on the Conservation Area and the wider locality

27. Applications for development within a Conservation Area (CA), which this proposed development would be, should assess and clearly demonstrate how the significance of the CA will be preserved or enhanced. Whilst the site can be clearly seen from the adjacent track and nearby public footpaths, the building would be located in the least intrusive location within a corner of the plot and set against a backdrop of rising land to the rear (north) and a copse of mature trees and hedging on the eastern boundary, therefore appearing visually less intrusive from these vantage points. A landscaping condition is recommended, requiring some further tree/shrub planting to help partially screen the building from open view, particularly when approaching the development along the adjacent track. In addition, the stables would be constructed in the local vernacular, with materials such as natural gritstone for the walls under a natural Blue Slate roof. With a condition requiring the rebuilding/repair of a section of drystone walling, offering some enhancement, the scheme would help conserve the valued character and appearance of the CA. Consequently, the scheme is considered acceptable in conservation and landscape terms, according with policies L1, DMC5 & DMC8 in these respects.

Amenity impact on neighbouring property

28. The nearest neighbouring property is Honey Bee Cottage, which lies approximately 70m to the west of the proposed building. Whilst the boundaries of Honey Bee Cottage and the development site are closer, there is an intervening PRow between and some mature hedging. Due to the intervening distance, combined with the position and small scale of the stable building, it is considered this would ensure that the proposal would not harm the amenity or quiet enjoyment of the occupants of this neighbouring dwelling or any other neighbouring dwellings within the locality. It is considered that the use of the land for equestrian use at a scale that is just for the private enjoyment of residents of the host dwelling, and not for commercial purposes, would not lead to noise or disturbance that would cause any harm to nearby residents. Consequently, the proposal is considered to accord with policies GSP3 & DCM3 in respect of the impact on the residential amenity of neighbouring occupiers.

Highway & Access matters

29. The site is accessed through an existing field gate, and along a descending track from the Square; the track is a Public Right of Way (PRow). The existing enclosed land is then entered through an existing field gate immediately off the unnamed track, where there is ample space for any private vehicle to park and manoeuvre, as well as space to provide for any horsebox/trailers, which the applicant has stated would be used infrequently due to the small-scale use of the land. In this case, the Highway Authority have no objections subject to the use remaining private and ancillary. Therefore, the scheme is considered acceptable in highway terms, according with policy DMT8, in particular.

Environmental management

30. The applicant has stated that he has an agreement with a neighbouring farmer for the removal of animal waste on a bi-weekly basis or as and when necessary. This disposal would be by traditional muck spreading. In addition, rainwater could be harvested from the roof for drinking water and general cleaning; reducing the requirement of mains water and this can be controlled by condition.

Other Issues

31. A main objection has been a concern for the well-being of the animals. Whilst this is not a planning matter, there is legislation and codes of practice aimed at the welfare of horses and ponies. These would require the applicant to ensure that any horse or pony for which they are responsible, whether on a permanent or a temporary basis: would have a suitable environment to live in, have a healthy diet and amongst other things are able to behave normally.

Conclusion

32. The proposed design of the building is simple and appropriate for equestrian activity and considered commensurate in size for the proposed use, would be in a location that is close to boundary walling and tree cover and uses an existing access. The use of traditional building materials and a recessive brown colour for any external timberwork would limit the potential impact of the building on the immediate and wider landscape. In addition, due to the distance between the development and the nearest neighbouring dwelling, it is considered there are no amenity issue on neighbouring residential dwellings arising from the intended use. Furthermore, should it be required, there is ample room within the site to accommodate parking and manoeuvring associated with the stable use. Consequently and with a landscaping scheme being submitted and agreed, it is concluded that the proposed development is an appropriate form of rural activity, supported within policy, therefore recommended for approval subject to appropriate conditions.

Human Rights

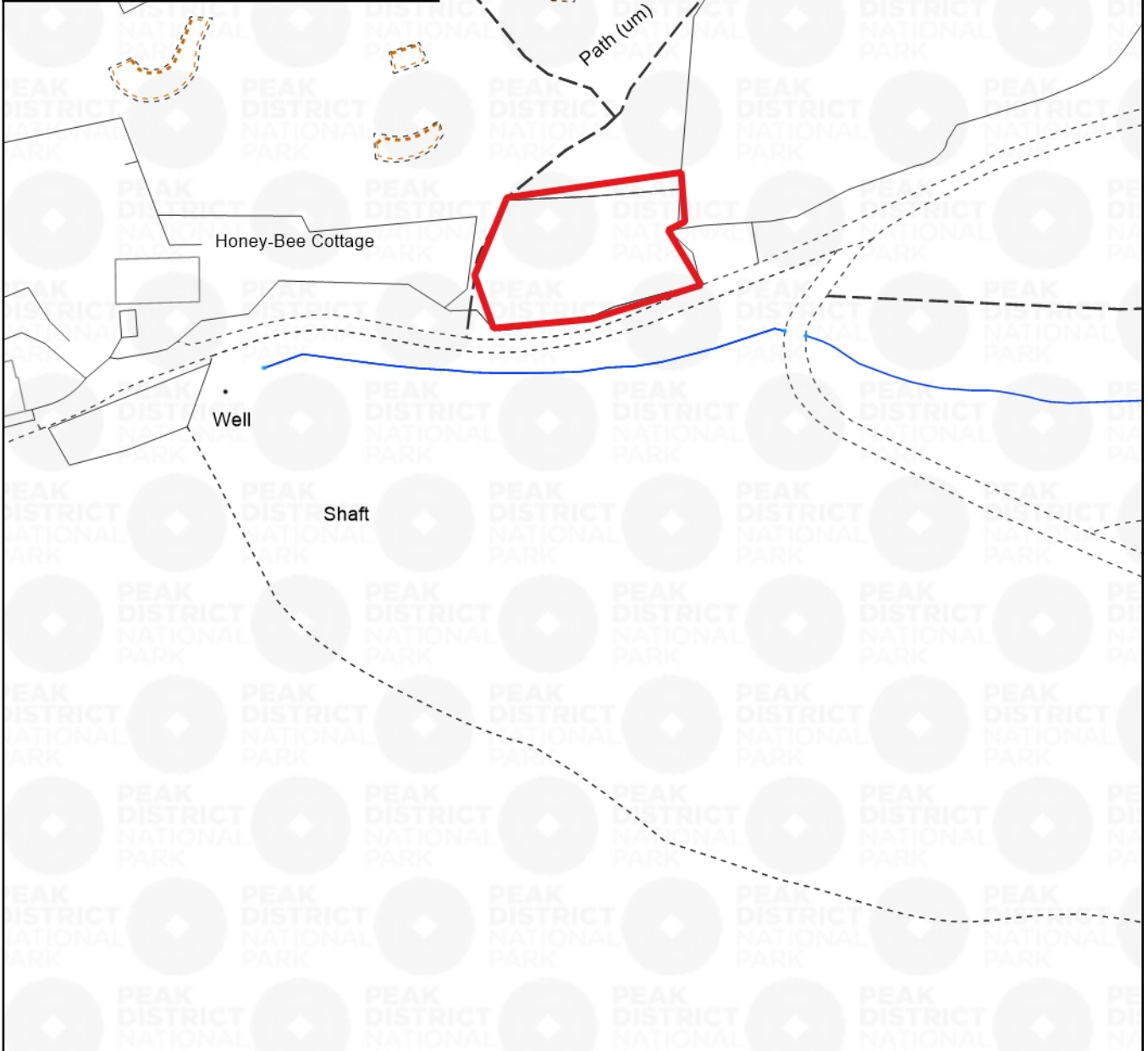
33. Any human rights issues have been considered and addressed in the preparation of this report.

List of Background Papers (not previously published)


34. Nil

Report Author: Steve Coombes - Planner.

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Committee Date:	13th September 2019	Title: The Cottage in the Dale Wensley	 PEAK DISTRICT NATIONAL PARK
Item Number:	Item 15		
Application No:	NP/DDD/0519/0486		
Grid Reference:	426157, 360969		

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16. 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/CEC/1118/1097 3227473	Erection of orangery at Sherrow Booth Manor, Pott Shrigley	Written Representations	Delegated
NP/CEC/118/1098 3227469 (Listed Building)	Erection of orangery at Sherrow Booth Manor, Pott Shrigley	Written Representations	Delegated
NP/SM/0119/0006 3230835 (Listed Building)	Demolition of unsafe red brick garden wall at the rear of the property and replace with stone wall. Replacing of metal steps at rear of property with stone steps at Bank House, Market Place, Longnor	Written Representations	Delegated
NP/SM/0119/0005 3230833	Demolition of unsafe red brick garden wall at the rear of the property and replace with stone wall. Replacing of metal steps at rear of property with stone steps at Bank House, Market Place, Longnor	Written Representations	Delegated
NP/DDD/0519/0450 3232976	Removal of condition on application 0918/0855 at Primrose Cottage, Windmill, Great Hucklow	Written Representations	Delegated

2. APPEALS WITHDRAWN

There have been no appeals withdrawn during this month.

3. APPEALS DECIDED

The following appeals have been decided during this month.

<u>Reference</u>	<u>Details</u>	<u>Method of Appeal</u>	<u>Decision</u>	<u>Committee/ Delegated</u>
NP/DDD/0117/0012 3225375	Proposed pedestrian/vehicular access and driveway at 3 Wheatlands Lane, Baslow	Householder	Dismissed	Delegated

The Inspector considered that the proposal would pose an unacceptable risk to users of the highway, and also conflicted with Policy DMT3 which, amongst other things, seeks to ensure that new development does not compromise highway safety. The appeal was therefore dismissed.

NP/DDD/0119/0060 3227894	Proposed demolition of existing single storey flat roof extension, to be replaced with a two storey side extension at Bramblegate, Tidesell Lane, Eyam	Householder	Dismissed	Delegated
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The Inspector considered that the proposal would compete visually with the host dwelling and that the character and appearance of the conservation area would not be preserved. The appeal was dismissed.

NP/DDD/1118/1035 3226248	Proposed two storey rear extension at Netherwheel Farm, The Jarnett, Flagg	Householder	Dismissed	Delegated
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The Inspector considered that the proposal would have a significant adverse effect on the character and appearance of the host property and the wider area, thereby failing to conserve the landscape and scenic beauty of the National Park. The appeal was therefore dismissed.

ENF 10/0189(A) 3225375	Material change of use of land to a mixed use comprising agriculture, single dwelling house, holiday accommodation and as a venue for wedding events and functions at Fox Holes Farm, Hoar Stones Road, Low Bradfield	Informal Hearing	Dismissed and Enforcement Notice Upheld	Delegated
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The Inspector considered that the extent of the use of the land exceeded the 28 days permitted in a year and that the use was not permitted development. The Inspector also felt that there was a considerable and unacceptable problem with noise and disturbance to nearby residents with noise being generated by events, together with the great harm that is caused to the significance and setting of the listed building, as well as the character and appearance of the surrounding area. The appeal was dismissed and the enforcement notice upheld.

NP/DDD/1118/1030 3221678	Erection of timber shed and associated works on land adjacent to Beech House, Coombs Road, Bakewell	Written Representations	Dismissed	Delegated
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The Inspector considered that the proposal would fail to preserve the character and appearance of the conservation area as well as the valued landscape of the National Park. The proposed development would also appear as an incongruous building, causing harm to the setting of the immediate and wider area. The appeal was therefore dismissed.

4. **RECOMMENDATION:**

That the report be received.