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Peak District National Park Authority Tel: 01629 816200 E-mail: customer.service@peakdistrict.gov.uk Web: www.peakdistrict.gov.uk Aldern House, Baslow Road, Bakewell, Derbyshire. DE45 1AE



Our Ref: A.1142/2414

Date: 3 December 2020



NOTICE OF MEETING

Meeting: Planning Committee

Date: Friday 11 December 2020

Time: **10.00 am**

Venue: Webex - Virtual Meeting

(Joining instructions will be sent to Authority Members separately)

SARAH FOWLER CHIEF EXECUTIVE

In response to the Coronavirus (Covid -19) emergency restrictions, all meetings of the Authority and its Committees will take place using video conferencing technology.

You can watch our meetings live on YouTube using the following link:

https://www.youtube.com/user/peakdistrictnpa/live

Members of the public who have given notice may still speak at this meeting for three minutes. Please call 01629 816352 for more information.

Link to meeting papers:

https://democracy.peakdistrict.gov.uk/ieListDocuments.aspx?MId=2392



AGENDA

- 1. Roll Call of Members Present, Apologies for Absence and 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.
- 2. Minutes of previous meetings held on 30 October and 6 November 2020 (Pages 7 22)
- 3. Urgent Business
- 4. Members Declarations of Interest

Members are asked to declare any disclosable pecuniary, personal or prejudicial interests they may have in relation to items on the agenda for this meeting.

5. Public Participation

To note any questions or to receive any statements, representations, deputations and petitions which relate to the published reports on Part A of the Agenda.

- 6. Major Application Improvements and expansion of the existing car park associated with Chatsworth House, together with the creation of a new access road via a spur off the existing a619/a621 roundabout East of Baslow (NP/DDD/1018/0911, ALN) (Pages 23 - 50) Site Plan
- 7. Full Planning Application Installation of a 15M high slimline lattice mast on a concrete base accommodating 3 no. antennas and 2 no. 600MM transmissions dishes. The proposal also involves the installation of 3 no. home office equipment cabinets, contained within a foul weather enclosure: 1 no electrical meter cabinet; 1 no generator and 1 no pole mounted 1200MM satellite dish within a 10MX10M compound surrounded by a 1.8M high mesh compound fence on Land at Cliffe House Farm, High Bradfield, NP/S/0720/0610 JK. (*Pages 51 - 64*) Site Plan
- 8. Full Application Removal of existing 24M airwave tower and replacement with a 35M tower with attached antennae and dishes for airwave, the ESN (EAS) and SRN networks. At ground level, additional cabins/cabinets will be positioned on the old and new tower bases, along with a standby generator. A separate VSAT dish enclosure will be established 100M to the south west of the main compound at Airwave Telecommunications Tower at Snake Pass Clearing, Snake Road, Bamford (NP/HPK/1020/0947, JK.) (*Pages 65 74*) Site Plan

- 9. Full Application Alterations to property and change of use of buildings to holiday, bed and breakfast, and office use. Construction of plant room, waste treatment plant, ancillary garden buildings, and ground source heat pump. Alterations to site access. Landscaping and other works incidental to the proposed development at Stanton Old Hall, Stanton Old Hall Lane, Congreave (NP/DDD/1218/1134, MN) (Pages 75 98) Site Plan
- 10. Listed Building Consent -Alterations to property and change of use of buildings to holiday, bed and breakfast, and office use. Construction of plant room, waste treatment plant, ancillary garden buildings, and ground source heat pump. Alterations to site access. Landscaping and other works incidental to the proposed development at Stanton Old Hall, Stanton Old Hall Lane, Congreave (NP/DDD/1218/1142, MN) (Pages 99 116) Site Plan
- 11. Outline Application Proposed erection of 2 local needs self build affordable homes at driveway between Greystones & Jesmond, Tideswell (NP/DDD/0820/0723, AM) (Pages 117 - 130) Site Plan
- 12. Full Application Remodel and extension of existing dwelling at White Edge, The Bent, Curbar NP/DDD/0920/0844 JK (Pages 131 146) Site Plan
- 13. Household Application Re-roof and conversion of existing garage to teenagers / granny flat demolition of existing canopy roof and replacement with new extension. Rear external canopy to provide covered space and log-store. New open carport to accommodate three car spaces at Rowan Tree Toft, Bar Road, Curbar, S32 3YB (NP/DDD/0520/0408, AM) (*Pages 147 154*) Site Plan
- 14. Full Application For the demolition of Hillcroft and a garage. Replacement with a new dwelling and double garage at Hillcroft, Sherwood Road, Tideswell, Buxton (NP/DDD/0720/0609 SPW) (Pages 155 - 170) Site Plan
- 15. Full Application Proposed agricultural cubicle building to house and feed livestock at Priestcliffe Hall Farm, Priestcliffe Road, Priestcliffe (NP/DDD/0820/0711 TM) (Pages 171 - 180) Site Plan
- 16. S73 Application For the variation of Condition 2 on WED0882270 at Wheston Bank Farm, Wheston Bank, Tideswell, Buxton (NP/DDD/0820/0731 SPW) (Pages 181 - 190) Site Plan
- 17. Full Application Proposed extension to menage for private use at Manor House Farm, School Road, Wetton (NP/SM/0920/0866, ALN) (Pages 191 -200) Site Plan
- Advertisement Consent Application Fitting of two new extraction grilles at 1-3 Market Place, Market Place, Bakewell (NP/DDD/0620/0549 TM) (Pages 201 - 210) Site Plan

- 19. Advertisement Consent Replacement of five signs at Field head Information Centre, Edale (NP/HPK/0120/0016.DH) (Pages 211 - 218) Site Plan
- 20. Head of Law Report Planning Appeals (A.1536/AMC) (Pages 219 220)

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 Committee 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 Committee 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 on the website <u>http://democracy.peakdistrict.gov.uk</u>

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 on the Authority's website.

Public Participation and Other Representations from third parties

In response to the Coronavirus (Covid -19) emergency our head office at Aldern House in Bakewell has been closed. Therefore all meetings of the Authority and its Committees will take place using video conferencing technology. Public participation is still available using a telephone connection 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 http://www.peakdistrict.gov.uk/looking-after/about-us/have-your-say or on request from the Democratic and Legal Support Team 01629 816362. email address: democraticandlegalsupport@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 12 noon on the Wednesday preceding the Friday meeting.

Recording of Meetings

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

The Authority will make a digital sound recording available after the meeting which will be retained for three years after the date of the meeting.

General Information for Members of the Public Attending Meetings

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To: Members of Planning Committee:

Chair:	Mr R Helliwell
Vice Chair:	Mr K Smith

Cllr W Armitage	Cllr P Brady
Cllr M Chaplin	Cllr D Chapman
Cllr A Gregory	Ms A Harling
Cllr A Hart	Cllr I Huddlestone
Cllr A McCloy	Cllr Mrs K Potter
Cllr K Richardson	Miss L Slack
Cllr G D Wharmby	

Other invited Members: (May speak but not vote)

Mr Z Hamid

Prof J Haddock-Fraser

Constituent Authorities Secretary of State for the Environment Natural England This page is intentionally left blank



MINUTES

Meeting:	Planning Committee
Date:	Friday 30 October 2020 at 10.00 am
Venue:	Webex - Virtual Meeting
Chair:	Mr R Helliwell
Present:	Mr K Smith, Cllr W Armitage, Cllr P Brady, Cllr M Chaplin, Cllr D Chapman, Ms A Harling, Cllr I Huddlestone, Cllr Mrs K Potter, Cllr K Richardson and Miss L Slack
Apologies for absence:	Cllr A Gregory, Cllr A Hart, Cllr A McCloy, Cllr G D Wharmby, Mr Z Hamid and Prof J Haddock-Fraser

93/20 ROLL CALL OF MEMBERS PRESENT, APOLOGIES FOR ABSENCE AND MEMBERS DECLARATIONS OF INTEREST

Item 6

Mr R Helliwell had received emails from Mr M Milinkovic & Mr T Thompson (CPRE) regarding this application.

Mr K Smith, Ms L Slack, Mr M Chaplin had received an email from Mr M Milinkovic.

Cllr D Chapman had visited the site with the Moors for the Future Team but had not formed a view on the application. He had also received an email.

Cllr I Huddleston declared a prejudicial interest as he was a member of the Local Access Forum and will leave the meeting during this discussion.

94/20 URGENT BUSINESS

There was no urgent business.

95/20 PUBLIC PARTICIPATION

Seven members of the public had given notice to speak under the public participation at meetings scheme.

96/20 FULL APPLICATION - ERECTION OF 3 AFFORDABLE LOCAL NEED DWELLINGS ON LAND OFF HARDY LANE, TIDESWELL (NP/DDD/0620/0548, JK)

The Chair and Vice Chair of Committee had visited the site on the previous day.

The Planning Officer introduced the report and updated the committee as the Protected Species and Bat Survey had been received shortly before the committee meeting but it had not changed the recommendation of the report. An amendment was required to reason 5 for refusal to show that the information had been received.

A change was required to paragraph 114 of the report to remove the word 'not' from the first sentence .

The following spoke under the Public Participation at Meetings Scheme:

• Mr Robert Hopkins, ELLERT, Applicant – video presentation

The recommendation to refuse the application subject to changes to reason 5 was moved.

Members noted that there was a need for affordable housing in Tideswell but that the site of the application was not suitable.

The motion to refuse the application subject to changes to reason 5 was seconded, put to the vote and carried.

RESOLVED:

That the application be REFUSED for the following amended reasons:

- Significant harm to TPO protected trees from the construction of houses within the root protection areas and underneath canopies resulting in the immediate and unnecessary loss of one tree and immediate damage to remaining protected trees contrary to Policies GSP1 -3 DMC11, DMC13, & L1. This would be highly likely to result in dieback, or death of the trees along with likely significant pressure from future residents for removal or lopping of trees if the development were to proceed.
- 2. The proposed layout and the design of the houses, does not adequately reflect the established pattern of development in the locality and would harm the valued character and appearance of the local built environment and the streetscene and the setting of the adjacent listed buildingcontrary to Polices GSP1-3 & DMC11, DMC3 DMC5 and DMC7.
- 3. The significant harm to local biodiversity contrary to Policy GSP1-3, DMC1 from the immediate loss of the Lime Tree, the loss of semi natural green space and the adverse impact of the development on the remaining protected trees some or all of which would suffer immediate and longer term damage which would shorten their lifespan and likely result in pressures for removal/and/or significant alteration to their crowns from any future residents were the development to go ahead.
- 4. Harm to the significance of the Conservation Area from the loss and damage of the protected trees and the poor layout/design which is not outweighed by the public benefit arising from the limited provision of affordable housing contrary to Policies DMC5 and 8.
- 5. The submitted Tree Report does not meet the required standard as it contains a significant error in tree identification along with other inaccuracies. Furthermore the plans are incompatible with recommendations of the tree

report most notably in respect of proposing strip foundations contrary to the report's recommendations.

97/20 FULL APPLICATION - SEMI SUBTERRANEAN OUT-BUILDINGS IN THE REAR GARDEN INCLUDING CREATION OF GARDEN TERRACE AT THE MOUNT, THE HILLS, BRADWELL (NP/DDD/1219/1340, CW)

The Chair and Vice Chair of the Committee had visited the site on the previous day.

The Planning Officer introduced the report and asked Members to note that a parking space which had been part of the application had now been removed.

The recommendation to approve the application was moved and seconded.

Members requested information regarding the Parish Council's objections to the development with regard to over development of the site. The Planning Officer confirmed that to the amendments to the scheme addressed their concerns relating to parking.

The Planning Office confirmed that the Conservation Officer's concerns had been addressed by the withdrawal of the parking space and amendments to the glazing and installation of balustrades on the terrace to the rear of the property.

The motion to approve the application subject to an additional condition regarding removal of waste from the site was put to the vote and carried.

RESOLVED:

To APPROVE the application subject to the following conditions:

- 1. 3 year implementation period.
- 2. Development to be carried out in accordance with specified plans proposed side North ref.105 Rev A, proposed side south ref. 106 Rev A and proposed rear east ref 104 Rev C.
- 3. All new stonework shall be natural limestone faced, coursed and pointed to match the existing stonework of the house.
- 4. The new doors shall be recessed by 150mm from the external face of the stonework.
- 5. The new doors to be provided in aluminium colour, to be approved in writing by the Authority prior to installation.
- 6. The new door openings shall each be fitted with a natural gritstone lintel.
- 7. The railing shall be painted dark grey and permanently so maintained
- 8. The glazing shall be provided in transparent glass with no mirror finish applied.
- 9. A scheme for removal of waste from the site will be agreed.

Footnote: No permission granted for the front parking space which is omitted for the proposal

98/20 OFFER OF SECTION 106 AGREEMENT OBLIGATION IN RELATION TO ENFORCEMENT ACTION AGAINST THE CREATION OF A SURFACED TRACK ON LAND AT MICKLEDEN EDGE, MIDHOPE MOOR, BRADFIELD

The Director of Conservation and Planning introduced the report and clarified that the reason for the report was that Officers do not have the authority to agree a S106 obligation if it is not part of a planning application. The S106 offer set out in the report was a response to an Enforcement Notice to remove the track and an appeal by way of public inquiry.

The following spoke under the Authorities Public Participation Scheme:

- Mr M Milinkovic, Objector statement read out by Democratic Services
- Mr S Rippon, Objector statement read out by Democratic Services
- Mr T Thompson, Objector statement read out by Democratic Services
- Mr D Sissons, Objector live telephone call
- Mr H Folkard, Supporter statement read out by Democratic Services
- Mr Bob Berzins, Supporter statement read out by Democratic Services

Cllr D Chapman left the meeting at 11.35

There was a temporary break in the meeting at 11.45 for 5 minutes due to technical issues.

Members agreed with the proposed action. Although there was a likelihood of some further delay in securing removal of the track matting, this was acceptable in that the proposed terms would provide more certainty of outcome and likely save costs,

A motion to approve the Officer recommendations as set out in the report was moved.

Cllr M Chaplin declared a personal interest as he knew Mr Berzins and had discussed the matter with him around 15 months ago but had not pre-determined his view.

The motion to approve the officer recommendation as set out in the report was seconded, put to the vote and carried.

Cllr K Potter left the meeting at 11.55

RESOLVED:

- That the offer of a section 106 obligation in respect of the Appeal relating to the creation of a track, Midhope Moor, Langsett (PINs ref no: APP/M9496/C/18/3215789) be accepted, subject to the omission of the clause requiring the Authority to waive its power to decline to determine a future application.
- 2. The detailed wording of the section 106 obligation to be delegated to the Director of Conservation and Planning in consultation with the Head of Development Management, and the Head of Law.

99/20 MONITORING AND ENFORCEMENT ANNUAL REVIEW - OCTOBER 2020 (A.1533/AJC)

The Monitoring and Enforcement Team Manager introduced the report and updated Members on the current issues regarding vacant posts and the impact of COVID-19. He reported that targets had not been reached, largely because of staff vacancies in 2020. At the beginning of the year the targets had been increased based on previous performance but the vacant posts and the restrictions due to the pandemic had meant the targets had not been attainable.

The Monitoring and Enforcement Team Manager gave more details on specific cases and also those that were now waiting for appeal decisions.

Members expressed concerns of the impact of missing targets particularly on the landscape and the reputation of the Authority and asked if it would be suitable for the Landscape KPI to include a target for Planning Enforcement.

The Head of Development Management confirmed that discussions were in early stages on merging the National Park Management Plans and Corporate Strategy KPIs and that the comments of members would be reported to the Strategic Leadership Team as part of these discussions.

A motion to continue the meeting beyond three hours was put to the vote and carried.

Members thanked the Monitoring and Enforcement Team for the work they have continued to do during the recent difficult circumstances.

RESOLVED:

To note the report.

The meeting ended at 1.10 pm

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MINUTES

Meeting:	Planning Committee
Date:	Friday 6 November 2020 at 10.00 am
Venue:	Webex - Virtual Meeting
Chair:	Mr R Helliwell
Present:	Mr K Smith, Cllr W Armitage, Cllr P Brady, Cllr M Chaplin, Cllr D Chapman, Ms A Harling, Cllr A Hart, Cllr I Huddlestone, Cllr A McCloy, Cllr Mrs K Potter and Miss L Slack
Apologies for absence:	Cllr A Gregory, Cllr K Richardson and Cllr G D Wharmby.

100/20 ROLL CALL OF MEMBERS PRESENT, APOLOGIES FOR ABSENCE AND MEMBERS DECLARATIONS OF INTEREST

Item 5

Cllr P Brady declared a personal interest as he was acquainted with Mr & Mrs Colley and knew Mrs McIntyre's family.

Item 6 and 7

Mr K Smith declared a personal interest as he is a member of the Council for British Archaeology but had no input to their response to this item.

Item 10

All Members declared an interest as the application was made by the National Park Authority

101/20 MINUTES OF PREVIOUS MEETING OF 9TH OCTOBER 2020

The minutes of the Planning Committee held on 9 October 2020 were approved as a correct record.

102/20 URGENT BUSINESS

There were no items of urgent business.

103/20 PUBLIC PARTICIPATION

Five members of the public made representations to the Committee.

104/20 FULL APPLICATION - REMOVAL OF SOME ANIMAL ENCLOSURES, DEMOLITION OF TICKET OFFICE, REMOVAL OF OVERSPILL CAR PARKING, ERECTION OF ONE RESIDENTIAL DWELLING, INSTALLATION OF PACKAGE TREATMENT PLANT, CHANGE OF USE OF LAND AROUND THE SITE TO RESIDENTIAL, REINSTATEMENT OF PARKLAND, WORKS OF HARD AND SOFT LANDSCAPING AND OTHER WORKS INCIDENTAL TO THE APPLICATION AT CHESTNUT CENTRE, SHEFFIELD ROAD, CHAPEL-EN-LE-FRITH, (NP/HPK/0420/0298 AM)

The Chair and Vice Chair of the Committee had visited the site on the previous day.

The Planning Officer introduced the item and confirmed that the plans had been amended to reduce the amount of glazing and that a licence would be sought from Natural England in relation to the bats that are located in the ticket office which is proposed to be demolished.

The following addressed the Committee under the Public Participation at Meetings Scheme:

- Ms Betty Colley, Objector live telephone call
- Mr Charlie Heap, Son of Applicant, Supporter video presentation
- Mr Paul Holden, Architect, Supporter audio presentation
- Ms Caroline McIntyre, Agent, Supporter video presentation

Members expressed concerns regarding the development outside the settlement area, Officers confirmed that as the development would enhance the National Park it would be in accordance with policy HC1. The legal agreement and conditions set out in the report would ensure the impact of the development on the landscape was acceptable.

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

The Head of Development Management confirmed that further discussions would take place regarding the material used for the entrance roof as Members were concerned regarding the impact of the black roof as specified in the application and this would be covered by an amendment to condition 18. Members were happy to delegate the discussions regarding the colour of the roof material to Officers.

The motion to approve the application subject to conditions and a S106 agreement was voted on and carried.

RESOLVED:

That subject to prior entry into a S.106 legal agreement to control the use of the land to be returned to pasture and to ensure that the ticket office building and animal enclosures shall be demolished and fully removed from the site before the first occupancy of the dwelling the application be APPROVED subject to the following conditions or modifications.

- 1. Statutory three year time limit for implementation.
- 2. In accordance with specified amended plans.
- 3. No development shall commence until detailed scheme of finished floor levels and finished ground levels on site (including above the dwelling) are approved.

4.

- 5. Agreement of construction compound, parking and storage before any other development commences.
- 6. Agreement of detailed landscaping plan (including tree and shrub species, roof planting and management, walls, gates, ha-ha and hardstanding). Implementation before first occupation of the development.
- 7. Development to be carried out in accordance with protected species report.
- 8. No works to commence the demolition or removal of animal enclosures to take place other than in accordance with an approved Construction Environment Management Plan which shall have first been submitted and approved in writing.
- 9. No works to demolish or remove ticket off building or animal enclosures to take place within bird breeding season or summer roosting season (March to September).
- 10. Detailed scheme of ecological enhancement measures to be agreed and implemented before first occupation of the development.
- 11. Management plan for the removal or management of Schedule 9 non-native species on site to be agreed and implemented before the first occupation of the development.
- 12. 12. No external lighting other than in accordance with approved scheme.
- 13. Ground source heat pump to be installed in accordance with details to be approved before the first occupancy of the development hereby approved and no other heating system be introduced for the life of the development without prior approval.
- 14. Package treatment plant to be installed in accordance with details to be approved before the first occupancy of the development hereby approved.
- 15. Electric vehicle charging points to be installed in accordance with details to be approved before the first occupancy of the development hereby approved.
- 16. Parking and bin storage areas to be laid out and constructed prior to first occupation of the development.
- 17. Design details including finish and colour of metal sheeting, doors, windows, fascia and natural gritstone sample panel.
- 18. Remove domestic permitted development rights for hardstanding, outbuildings, gates, fences, walls or other means of enclosure.
- 19. Restrict domestic curtilage to area shown on the approved plan only.
- 20. Underground services
- 105/20 FULL APPLICATION CONVERSION OF THE LARGE BARN TO ONE RESIDENTIAL DWELLING, CONVERSION OF THE SMALL BARN TO ANCILLARY ACCOMMODATION / HOLIDAY ACCOMMODATION TO CHESTNUT FARMHOUSE, INTERNAL AND EXTERNAL WORKS TO THE BARNS AND HOUSE, CHANGE OF USE OF THE ASSOCIATED LAND TO RESIDENTIAL, WORKS OF HARD AND SOFT LANDSCAPING, CAR PARKING, AND OTHER WORKS INCIDENTAL TO THE APPLICATION PROPOSALS AT CHESTNUT CENTRE, SHEFFIELD ROAD, CHAPEL-EN-LE-FRITH, (NP/HPK/0420/0301 AM)

The Chair and the Vice Chair of the Committee had visited the site on the previous day.

The Planning Officer covered both items in one introduction and asked for Members to consider an amendment to the planning application recommendation to secure the prior

receipt of a unilateral obligation to control the use and maintenance of the Quaker burial ground by the owners of the barn conversion.

Following concerns raised by Members the following further conditions were proposed:

- Following comments from the Council for British Archaeology regarding the modern beams a record of the internal features to be undertaken before they are lost.
- Soil vent pipes to be set internally
- Provision of a plan to ensure the management of waste material on site.

The recommendation for approval subject to amended conditions was moved and seconded put to the vote and carried.

RESOLVED:

That subject to the prior receipt of a unilateral undertaking to control the use and ownership of the Quaker Burial Ground as a heritage asset, the application be APPROVED subject to the following conditions or modifications.

- 1. Statutory three year time limit for implementation.
- 2. In accordance with specified amended plans.
- 3. Implementation of tree protection measures before any other development commences.
- 4. Agreement of construction compound, parking and storage before any other development commences.
- 5. Agreement of detailed landscaping plan (including tree and shrub species, walls, gates and hardstanding). Implementation before first occupation of the development.
- 6. Development to be carried out in accordance with protected species report and details of enhancement measures for bats and birds to be agreed and implemented before first occupation of the development.
- 7. Management plan for the removal or management of Schedule 9 non-native species on site to be agreed and implemented before the first occupation of the development.
- 8. Agreement of external lighting scheme prior to installation.
- 9. Electric vehicle charging points to be installed before first occupation of the development in accordance with details to be agreed.
- 10. Parking and bin storage areas to be laid out and constructed prior to first occupation of the development.
- 11. Notwithstanding approved plans, no permission is granted for roof light to farmhouse. The existing roof light shall not be replaced other than in accordance with revised plans showing a single conservation roof light which shall have first been submitted to and approved by the National Park Authority.
- 12. Notwithstanding approved plans the window to elevation 04 of building C (opening C-W11 on drawing PL-234) shall not be installed other than in accordance with revised plans (including frame design, opening mechanism and obscure glazing) which shall have first been submitted to and approved by the National Park Authority.
- 13. No works to expose the fireplace within the small barn shall be undertaken other than in accordance with a method statement, which shall have first been submitted to and approved in writing. Thereafter, full details of new fireplace and associated works to be agreed in writing.

- 14. Minor design details including: window and door finishes and furniture; rainwater goods; soil vent pipes (to be internal); flues and vents and floor finishes.
- 15. Restrict occupancy of small barn to ancillary or holiday accommodation ancillary to the farmhouse.
- 16. Remove domestic permitted development rights for hardstanding, outbuildings, gates, fences, walls or other means of enclosure.
- 17. Restrict domestic curtilages to areas shown on approved plans.
- 18. Prior to removal of current internal modern features a record will be made before they are lost.
- 19. Soil vent pipes to be set internally.
- 20. A plan to be agreed for a scheme for any retention of waste material on site.
- 21. Provision of a written scheme of investigation for removal of the steel roof supports.
- 106/20 LISTED BUILDING CONSENT CONVERSION OF THE LARGE BARN TO ONE RESIDENTIAL DWELLING, CONVERSION OF THE SMALL BARN TO ANCILLARY ACCOMMODATION / HOLIDAY ACCOMMODATION TO CHESTNUT FARMHOUSE, INTERNAL AND EXTERNAL WORKS TO THE BARNS AND HOUSE, CHANGE OF USE OF THE ASSOCIATED LAND TO RESIDENTIAL, WORKS OF HARD AND SOFT LANDSCAPING, CAR PARKING, AND OTHER WORKS INCIDENTAL TO THE APPLICATION PROPOSALS AT CHESTNUT CENTRE, SHEFFIELD ROAD, CHAPEL-EN-LE-FRITH, (NP/HPK/0420/0302 AM)

This item was discussed by Members as part of agenda item 6.

An additional condition was agreed relating to the removal of the modern features as per the request of the Council for British Archaeology.

The recommendation for approval subject to an additional condition was moved and seconded put to the vote and carried.

RESOLVED:

That the application be APPROVED subject to the following conditions or modifications.

- 1. Statutory three year time limit for implementation.
- 2. In accordance with specified amended plans.
- 3. Agreement of external lighting scheme prior to installation.
- 4. Notwithstanding approved plans, no permission is granted for roof light to farmhouse. The existing roof light shall not be replaced other than in accordance with revised plans showing a single conservation roof light which shall have first been submitted to and approved by the National Park Authority.
- 5. Notwithstanding approved plans the window to elevation 04 of building C (opening C-W11 on drawing PL-234) shall not be installed other than in accordance with revised plans (including frame design, opening mechanism and obscure glazing) which shall have first been submitted to and approved by the National Park Authority.
- 6. No works to expose the fireplace within the small barn shall be undertaken other than in accordance with a method statement, which shall have first

been submitted to and approved in writing. Thereafter, full details of new fireplace and associated works to be agreed in writing.

- 7. Minor design details including: window and door finishes and furniture; rainwater goods; soil vent pipes (to be internal); flues and vents and floor finishes.
- 8. Submission of a written scheme of investigation prior to removal of current internal steel roof supports.

107/20 HOUSEHOLD APPLICATION - PROPOSED DWELLING EXTENSION AND ASSOCIATED WORKS AT 1, HORSEDALE, BONSALL, DE4 2AY (NP/DDD/0320/0275, LB)

The Chair and Vice Chair of Committee had visited the site the previous day.

The Planning Officer introduced the item. Since the publication of the report, there had been some discussion regarding if the rear-part of the house is an extension or part of the original building but this did not change the recommendation as set out in the report.

Discussions with the applicant had resulted in some changes to the original application but the scale and mass of the proposed extension did not respect the original form of the property and would cause harm in a conservation area.

The following addressed the committee under the Public Participation at Meetings Scheme:

• Nick Marriott, Agent – Video Presentation

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

RESOLVED:

That the application be REFUSED for the following reason:

1. The proposed development, by virtue of the scale, form, massing and design fails to harmonise with or adequately respect the character and appearance of the existing dwelling. As such the development proposals are not sensitive to the locally distinctive building traditions or the valued characteristic of the National Park. The development would therefore also result in harm to the historic character of the Bonsall conservation area. The proposal is contrary to the National Planning Policy Framework, the Core Strategy Policies GSP1, GSP2, GSP3, DS1 and L1 and the Development Management Policies DMC3 and DMC8.

108/20 FULL APPLICATION - PROPOSED FACILITIES FOR HAYFIELD FOOTBALL AND COMMUNITY SPORTS CLUB AT LAND OFF BANK VALE ROAD, HAYFIELD (NP/HPK/0320/0284 AM)

The Chair and Vice Chair of Committee had visited the site the previous day and had viewed the area from the road.

The Planning Officer introduced the item and informed Members that some amendments had been made to the original submission to simplify the plans. The building would be restricted to use as a class E building and no increase in traffic was expected.

Page 6

The Planning Officer suggested an additional condition to require the removal of the shipping containers currently on the site, to be removed before the development is brought into use.

The recommendation to approve the application with additional conditions was moved.

Members were assured that the siting of the building close to the housing estate was the best location and that the layout of the building and the location of the main entrance helped the design to minimise noise.

The motion to approve the application with an additional condition was seconded, put to the vote and carried.

RESOLVED:

That the application be APPROVED subject to the following conditions or modifications.

- 1. Statutory three year time limit for implementation.
- 2. In accordance with specified amended plans.
- 3. Implementation of tree protection measures before any other development commences.
- 4. Provision of widened access prior to any other development commencing (other than implementation of tree protection measures).
- 5. Agreement and implementation of construction compound, parking and storage before any other development commences.
- 6. Agreement of detailed landscaping plan (including replacement tree planting, car park surfacing and hardstanding). Implementation before first occupation of the development.
- 7. Development to be carried out in accordance with protected species report and outside of breeding bird season (March to September).
- 8. Detailed scheme of ecological enhancement measures to be agreed and implemented before first occupation of the development.
- 9. No external lighting other than in accordance with approved scheme.
- 10. Air source heat pump to be installed in accordance with details to be approved before the first occupancy of the development hereby approved.
- 11. Solar photovoltaic panels and battery storage system to be installed in accordance with details to be approved before the first occupancy of the development hereby approved.
- 12. Electric vehicle charging points and secure cycle storage to be installed in accordance with details to be approved before the first occupancy of the development hereby approved.
- 13. Design details including narrower front porch element, natural gritstone sample panel and blue slate roof. Obscure glazing to windows.
- 14. Restrict use to assembly and leisure only notwithstanding the Use Class Order.
- 15. Underground service
- 16. Two shipping containers currently on site to be removed prior to the development being brought into use.

There was a short break for lunch between 12.50 and 13.10

Cllr A Hart, Cllr D Chapman and Cllr Mike Chaplin left the meeting at 12.50

109/20 FULL APPLICATION - CONSTRUCTION OF A TIMBER FRAMED PORCH BETWEEN THE HOUSE AND THE BARNS TO CREATE A MORE PRACTICAL ENTRANCE AT HAYES FARM, LONGNOR (NP/SM/0420/0373 TM)

The Planning Officer introduced the report.

Members agreed that the application had a good design which could easily be removed if required.

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

RESOLVED:

That the application be APPROVED subject to the following conditions or modifications:

- 1. 3 year implementation period.
- 2. The development shall not be carried out other than in complete accordance with the specified amended plans.
- 3. All timber shall be painted a dark recessive colour.
- 4. Climate change mitigation measures to be implemented

110/20 ADOPTION OF PEAK DISTRICT NATIONAL PARK AUTHORITY RESIDENTIAL ANNEXES SUPPLEMENTARY PLANNING DOCUMENT (IF)

The item was introduced by the Head of Policy & Communities. Supplement to DMH5 of the Local Plan. Planning Committee had approved a draft of the document in March 2020 and a consultation had been carried out during the intervening months. Some changes had been made and were highlighted in red in Appendix A of the report.

Members asked if the Peak Park Parishes Forum (PPPF) had been consulted regarding the development of the document and also the NFU.

Officers confirmed that the secretary of PPPF and representatives from Parish Councils had been involved in the consultation and that PPPF had not shown an interest in being involved. Although the NFU had not been consulted local planning agents had been involved as they were most likely to use the guidance.

The Chair requested a change to the wording to point 5.2 on page 17 of the Appendix A of the report from 'expect' to 'should' to cover all points.

The recommendation as set out in the report was moved, seconded, put to the vote and carried.

RESOLVED:

- 1. That the Peak District National Park Authority adopts and publishes the Residential Annexes Supplementary Planning Document (SPD).
- 2. That any final amendments to the SPD resulting from this Committee be delegated to the Director of Conservation and Planning in consultation with the Chair and Vice Chair of Planning Committee prior to publishing.

Cllr P Brady asked for his vote against the resolution to be recorded.

111/20 HEAD OF LAW REPORT - PLANNING APPEALS (A1536/AMC)

The Head of Development Management introduced the report and outlined the information regarding the decisions of the Planning Inspector.

Members thanked the Enforcement, Planning and Legal Teams for their work noting the number of Enforcement Notices that had been upheld on appeal.

RESOLVED:

The report was noted.

The meeting ended at 1.55 pm

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6. MAJOR APPLICATION: IMPROVEMENTS AND EXPANSION OF THE EXISTING CAR PARK ASSOCIATED WITH CHATSWORTH HOUSE, TOGETHER WITH THE CREATION OF A NEW ACCESS ROAD VIA A SPUR OFF THE EXISTING A619/A621 ROUNDABOUT EAST OF BASLOW (NP/DDD/1018/0911, ALN)

<u>APPLICANT</u>: MR STEVE PORTER – CHATSWORTH HOUSE TRUST

<u>Summary</u>

 The application seeks to reconfigure and extend the main visitor car park at Chatsworth and create a new arm and link road to the roundabout to the north of the Estate. In the planning balance, subject to conditions, including that there be no public parking below the Bastion Wall over and above the 3 major 'events,' the public benefits of the scheme would outweigh the harm, such that this major development is recommended for approval.

Background

- 2. This application was considered by the Planning Committee on 8 November 2019. The application was deferred for further discussions between the applicant and Planning Officers on a strategic approach to transport and visitor management, the impact of the proposals on the historic parkland and landscape, particularly the impact of the removal of trees, and the impact and benefits of the proposals on local communities.
- 3. Following the meeting officers encouraged the applicant to withdraw the application pending further discussions with regard to the issues raised above and for consideration of an amended scheme. However the applicant has made it clear that they wish the current proposals to be determined and have now provided additional information to try to address the points raised by Members. A summary of the information submitted is as follows:
 - Environmental Policy Statement outlines wider measures to reduce carbon emission across the Estate and a section focusing on the car park proposals.
 - Document named 'Responses to PDNPA Request for Additional Information' includes details about the benefits to Baslow Residents of the new access road and an amended plan to show additional planting to the south of Heathylea Wood.
 - Further document named 'Responses to Members Request for Additional Information' including reasons for a continued desire to provide overflow parking below the Bastion Wall; a summary of the impact on trees; confirmation that electric charging points will be provided; confirmation that a Travel Plan has been submitted; explanation that based on a 2013 Lidar survey, the overflow parking areas relate the least sensitive areas of archaeology.
- 4. An assessment of this information is provided at each relevant section of the report.

Site and Surroundings

5. Chatsworth House is a stately home situated on the eastern edge of the National Park, approximately 4km north east of Bakewell. It is a grade I listed building and the 765 hectare park and garden in which it sits is included on the Historic England register of parks and gardens at grade I. The Estate is a major tourist destination within the National Park, attracting around 640,000 visitors to the house and garden each year.

- 6. The main access to Chatsworth House is via Paines Bridge on an unclassified road that links to the B6012 to the south east. Access can also be gained via the Golden Gates from the A619 to the north although this is usually closed to the public.
- 7. The application site edged red encompasses two locations: an area that includes the existing main visitor car park to the north of Chatsworth house; and an area on the south side of the 'Golden Gate' roundabout on the northern boundary of the parkland. The two sites are linked by an existing private parkland drive known as the 'North Drive'
- 8. There are a number of other listed buildings in close proximity to the car park. These include the Stables (grade I), North Lodges (grade I), game larder (grade II), James Paine's three arched bridge (grade I), and the terrace walls to the west of the house (known as the Bastion Walls) (Grade II). To the south of the roundabout are the Golden Gates and Lodges (Grade II).
- 9. The existing car park has developed and expanded incrementally over a number of years and currently can accommodate approximately 675 vehicles.

Proposal

- 10. This is a major planning application which seeks planning permission for two areas of development as follows:
- 11. To reconfigure and extend the main visitor car park to increase capacity by 30% from approximately 675 spaces to 895 spaces (plus 13 coach bays). The main elements of the scheme are as follows:
 - Re-configuration and resurfacing of the existing car park area to provide more formalised parking bays (including 40 disabled spaces).
 - Expansion of the car park to the north, west and east of the existing footprint to increase capacity.
 - Creation of a more level surface by 'cutting' material from the southern area and 'filling' within the northern area.
 - Creation/retention of a green 'picnic area' around the veteran trees in the centre of the site.
 - Relocation of ticket kiosks to the entrance to the northern zone of the car park, with a one-way system into and out of the car park.
 - Bollards, kiosks and temporary fences removed from the North Lodge car park and area of hardstanding reduced.
 - Removal of row of car parking spaces directly in front of the principle (west) elevation of the Stables.
 - Relocation of coach parking bays to the northern edge of the car park.
 - Creation of dedicated footpath links from the car park to the house/stables.
 - Widening of the access road to the west of the car park.
 - Dedicated bus stop and 15 secure cycle racks. Electrical charging points.

To create a fourth arm to the southern side of the roundabout to the east of Baslow. The main elements of the scheme are as follows:

- New arm of the south side of the roundabout including realignment of the existing arms.
- New access road from the roundabout through the woodland to the south and across an area of parkland to link with the existing access track to the south of the Golden Gates.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions:

- 1. 3 years implementation period
- 2. Adopt amended plans
- 3. Once the new car park is first brought into use, no public overflow parking shall take place between the Bastion Wall and the River Derwent (in the area marked green on the attached plan) over and above the operational days of the three major events RHS flower show (5 days per year), Country Fair (3 days per year) and Horse Trials (3 days per year)
- 4. Once the new access road is first brought into use, the existing Golden Gates access shall no longer be used for access to the Estate by the general public or delivery vehicles.
- 5. The proposed access off A619 shall not be taken into use until the modifications to the roundabout have been fully completed, generally in accordance with the application drawing, but fully in accordance with a detailed scheme first submitted to and approved in writing by the Local Planning Authority in consultation with the Highways Authority.
- 6. The proposed turning area demonstrated on the application drawings for the northern access road shall remain available for use at all times.
- 7. In association with Condition 5 an 'Access and Signage Strategy' shall be submitted prior to the new access being taken into use, detailing the proposed operation of the new access and restrictions to the existing 'Golden Gates' access for approval. Once approved the proposed access shall be operated in accordance with the proposed Strategy unless otherwise agreed in writing.
- 8. Recommendations at section 6 of submitted Arboricultural Assessment by the 'Tree and Woodland Company' and advice in the Arboricultural Advice note (July 2019) by Anderson Tree Care to be fully adhered to.
- 9 Hard and soft landscaping scheme (including details of all surfacing; new railings to top of earthwork feature, fencing and details of supplementary planting to south of Heathylea Wood) to be submitted agreed and thereafter implemented.
- 10 Management plan for the ongoing management of Heathy Lea Wood to be submitted and agreed and thereafter implemented. Precise details of number and location of trees to be felled to be submitted and agreed.
- 11 Approved works to create an improved environment for the ancient trees in the centre of site to be completed before the extended part of the new car park is first brought into use.
- 12 Lighting scheme to be submitted and agreed.

- 13 Removal of car parking in front of the stable block and works and improvements to the northern forecourt to be carried out in full accordance with the approved plans before the extended part of the new car park is first brought into use.
- 14 Surface water drainage scheme to be submitted and agreed.
- 15 Archaeological scheme of works to be submitted, agreed and implemented for works to create the new access road and the car park.
- 16 Action Plan and Marketing and Monitoring measures set out in the submitted Travel Plan to be fully adhered to.
- 17 Recommendation at section 4 of the submitted bat survey by Peak Ecology to be fully adhered to. Location of proposed bat boxes to be submitted and agreed.
- 18 Recommendations in section 4 of the submitted badger survey by Peak ecology to be fully adhered to including that works to the western access road shall be carried out between 1 July to 31st November.
- 19 Full details of signage to be submitted and agreed including number, location, design and finish. Thereafter scheme to be implemented.
- 20 Full details of all service routes including ducting, power and water supply to be submitted and agreed.
- 21 Details of any CCTV installations to be submitted and agreed.
- 22 Details of size, design and materials of construction of ticket kiosks to be submitted and agreed.
- 23 Details of final profile and any adjacent earthwork profiling for the new road to be submitted and agreed.
- 24 Modern track to south of Baslow Lodges to be removed and footprint laid to park grassland before the new driveway is first brought into use.
- 25 Access and signage strategy to be submitted and agreed.
- 26 Full details of earthwork feature between the Stable Bank and the car park to be submitted and agreed.

Key Issues

- Need for the proposed development.
- Impact on the setting of heritage assets and landscape character
- Ecological impacts
- Impact on arboricultural interest
- Archaeological impacts
- Flood Risk and Drainage issues
- Traffic impacts
- Overflow parking and broader sustainability principles.

<u>History</u>

- 12. There is a detailed and extensive planning history for development on the Estate but in relation to the specific application site:
- 13. October 2017 pre-application enquiry submitted with regard to the current proposals.
- 14. April 2018 (Enq ref 32709) formal EIA screening request submitted for the current proposals. The Authority came to the view that the development does not constitute EIA development

Consultations

- 15. Highway Authority 'Whilst the introduction of the additional arm to the roundabout is generally supported in principle the Highway Authority would prefer to see the use of this arm become a more regular access to the premises. Without an expectation of emerging vehicles, drivers on the roundabout could potentially start to ignore the arm, on the assumption that it is never used. Use of the existing Golden Gate access could be downgraded and limited to pedestrians/cyclists only with all vehicles using the new access, It is noted that following discussion with the Highway Authority a turning area has been demonstrated in front of the new gates the remove the need to vehicles to reverse onto the roundabout – whilst demarked as 'extant of highway works' this area would remain private. The proposals include the provision of a significantly increased number of parking spaces which would not suggest a sustainable development. Whilst there may be planning policy issues in relation to the provision of more parking with no associated development, it is assumed that with the inefficient use of unmarked parking area, that some of this parking already occurs, albeit in a more ad-hoc overspill arrangement.' Recommends conditions that the access is not brought into use until after the modifications to the roundabout have been implemented; the turning area to remain available at all times; Access Strategy to be submitted and agreed and the new parking areas to remain ancillary to and in association with Chatsworth House.
- 16. District Council no response
- 17. Baslow Parish Council 'The Parish Council support the application as long as it removes traffic from Baslow and to enable this, the new access should remain open all the time and not just during events. No traffic from Bakewell or Manchester direction should be re-routed through Baslow but continue to use the existing main entrance. Is the roundabout layout the best for traffic flow or should the exits be more evenly spaced?'
- 18. Historic England 'The new submission includes a revised design and access statement and a transport strategy. We welcome an holistic approach to the management of vehicles across the Estate but remain concerned that the sustainable limits of visitor parking and events in the Park have not been tackled more robustly. Whilst it evidently desirable that the public enjoy this exceptional place, its ability to absorb this much interest without being itself consumed is necessarily finite. The overall carrying capacity of the estate and the attritional effect of parking upon the significance of the Grade I Park and associated listed buildings remains of concern. In addition to the intrusion of parking in key views and upon the appreciation of the House in its designed setting we are particularly concerned at the impact of parking on earthwork and buried archaeological remains which contribute to the significance of the Grade I registered park and other assets.
- 19. As set out in the submitted additional information the scheme now offers a clear reduction in non-event days on which parking will occur on the grass below the Bastion Wall (i.e. in the principal view of the House). What is now offered is a limit of ten days per a year

in addition to those days upon which 'events' occur. This limit is a benefit to the conservation and experience of the House in its parkland setting and can be set alongside the reduction in parking impact upon the Grade I Listed former stables by virtue of the parking being set back from the existing line and the benefits offered to veteran trees. These heritage benefits should however be weighed against the impacts of the new parking and access works themselves, including the archaeological impacts of the new roadway at the northern end of the Park.

- 20. Were that your authority were minded to grant consent for the scheme as now proposed it should secure the benefits offered by the use of robust conditions to planning consent addressing the following issues:
 - a. A)That the applicant be restricted to X number of days per a calendar year in which vehicles may be parked or events held on the ground below the Bastion Wall so as to give certainty as to the overall impact upon the significance of the Grade I Listed House and Registered Park permitted. (where X is calculated by the Local Planning Authority from the data submitted in the applicant's Design and Access Statement.)
 - b. B) That the applicant shall not permit vehicles to be parked in Chatsworth Park in conditions or in a manner likely to result in damage to archaeological earthworks or buried remains, so that the significance of the Grade I Park and the setting of the Listed Buildings may be preserved.
- 21. With regard to the sufficient assessment of the likely impact of construction works upon archaeological remains and the mitigation of archaeological impacts more broadly we refer you to the advice of the National Park Senior Conservation Archaeologist.'
- 22. Gardens Trust 'It is clear from the documents submitted with this application that the current parking arrangements are insufficient and unsatisfactory, leading to the unwelcome build up of traffic, congestion in Baslow, possible damage to the Grade I Three Arch Bridge, as well as occasional overflow parking to the west of the house. The GT welcomes the careful consideration given to overcoming these problems. We feel that the new entrance off the A619, the removal of pay kiosks from the north front, the resulting improvements in traffic flow and the increase of pay kiosks at the northern end of the car park extension will outweigh the less than substantial harm caused to the setting and significance of the Grade I RPG.'
- 23. Environment Agency no comments to make.
- 24. Lead Local Flood Authority 'After review of the submitted FRA the LLFA would require some clarification on the proposed Car Park aspect of the development. In terms of the proposed run-off rate the applicant has indicated that a 30% betterment on the existing situation will be provided. The LLFA would expect a discharge rate close as reasonably practical to the greenfield run off rate, this would be in line with S3 of DEFRAs Non-statutory technical standards for sustainable drainage systems. Currently this appears not to be the case. The applicant is proposing to discharge surface water to 2 existing culverts, however it is unclear if there is sufficient capacity to accept additional flows and what the current condition of the culverts are. It is noted that attenuation storage shall be provided by geo-cellular storage, however it appears the applicant has not fully considered a range of SuDs features. The LLFA would expect full consideration for a whole range of SuDs features.'
- 25. Natural England no objections

- 26. Authority's Ecologist (in summary) following completion of activity surveys during the course of the application, no objections with regard to potential impacts on bats. Any lighting scheme will need to be designed to be minimal and low level to ensure minimal impact on bat foraging use across the site, dark space and tree habitats. Still raises concerns with regard to the impacts of works to the car park on veteran trees, and that the proposed enhancements to the veteran trees resource would not outweigh the removal of trees, and severance of woodland. No objections with regard to impact on fungi. With regard to badgers, requires clarity on the location of the road widening to ensure that works are not within a 30m buffer zone of an identified sett. Following receipt of further information, is satisfied that the proposals would be unlikely to affect great crested newt. The new access road off the roundabout will result in severance of semi-natural broadleaved woodland. Notes that the surrounding woodland plantation will receive additional management to improve its structure and diversity though selective thinning and understorey planting. Requests that this secured by means of a condition.
- 27. Authority's Archaeologist (in summary) the groundworks required to create the car park and the access road will result in direct and irreversible harm to features of archaeological interest, where they survive, and cause harm to the archaeological interest of the site as a whole. Taking into account the nature and significance of these features is confident that should this aspect of the development be deemed to be acceptable, the impacts can be appropriately mitigated by a conditioned scheme of archaeological work. Has concerns with regard to the long term sustainability of the proposed parking strategy because of the cumulative impact of parking within the parkland in areas with extant archaeological earthworks. Parking over earthworks, particularly when the ground is wet/saturated, could result in harm to the earthwork remains. Concerns about the level of public benefit the development would achieve without the removal of car parking below the Bastion Wall. If areas of archaeological earthworks are used to ease pressure on the use of the Bastion Wall, then the harm will be displaced elsewhere rather than removed. If the application is deemed to be acceptable, recommends conditions for:
 - Restricting the number of days that events can be held or cars can be parked below the Bastion Walls.
 - Ensuring that there is no parking in the parkland within areas of archaeological works.
 - An archaeological scheme of work for the new access road and car park.
- 28. Authority's Landscape Architect no landscape visual objections to the proposed alterations to the car park. Welcomes the arboriculture report it is 'very clear and gives good recommendations for tree protection and management of existing and proposed trees.' Raises some detailed queries with regard to some detailed elements of the car park design.
- 29. Authority's Conservation Officer A full car parking strategy which removes overflow car parking in front of the Bastion Wall, as requested by the Authority and Historic England at the pre-application stage, has not been provided. Car parking in this location has a negative impact on the setting of the Grade I listed Chatsworth House, Grade II listed Bastion Wall and other associated designated heritage assets, causing less than substantial harm to their significance. Parking on the grass in front of the Bastion Wall also risks long-term harm to the fabric of the Grade I Registered Park and Garden in this exceptionally sensitive location. As noted by Historic England, without a full car parking strategy which addresses, and resolves this issue, I would not support approval of the proposed improvements and expansion of the car parking.

- 30. Authority's Tree Conservation Officer no objections. The 'betterment works' provide exceptional reasons, which is to improve the root environment of the exiting veteran trees and would not result in the loss or deterioration of irreplaceable habitats.
- 31. Authority's Transport Planner 'Overall, I believe that the revised Chatsworth Park Travel Plan fulfils the requirements of a Travel Plan, for a development of this scale, and in this location. The Travel Plan sets out a measured approach to managing car-borne access, and the impact of that access on the site. It also indicates an intent to increase the proportion of visits that are made by public transport and other more sustainable transport options. This is set against a stated objective (8) of stabilising visitor numbers to the site. In combination, the travel plan objectives should reduce the overall number of car-borne journeys for both staff and visitors.
- 32. The Travel Plan sets appropriate targets, along with opportunities to monitor the effectiveness of the actions in meeting them. It also demonstrates an ability to respond to evidence of the success or failure of any particular action. This flexible approach should offer best the opportunities to achieve targets and deliver objectives.
- 33. The applicant has taken the previous advice offered and used it to produce a suitable travel plan that I believe is in accordance with the Peak District National Park Core Strategy Policy T2F.'

REPRESENTATIONS

- 34. Three letters of objection from Friends of the Peak District/CPRE have been received over the course of the application. In summary the letter raise objections to the proposed car park extension, to any parking below the Bastion Wall and to the proposed new access road. They support the improvement to the existing car park. Points raised include:
- Measures to encourage sustainable travel are insufficient. The submitted Travel Plan continues to meet demand for car parking instead Chatsworth should use current parking capacity as a demand management tool to reduce car dependant trips and increase incentives to use bus, car share and cycle.
- Since the application was submitted climate change has development to an existential threat and emergency it is imperative that traffic reduction should be implemented urgently and Chatsworth should play its part.
- New access track would lead to loss of boundary mixed woodland, 6 trees and a strip of medieval and post medieval field system and tracking, the impact of which is considered permanent and irreversible by the PDNPA.
- With the North Drive in place traffic impacts would occur regularly on two routes. This would spread the cumulative impacts of moving traffic across a wider area detracting from the landscape, visual enjoyment and cultural heritage. The benefits have not been adequately demonstrated.
- Concerns about impacts of overflow parking.
- 35. Seven individuals have written in to object (one individual wrote three letters). The letters raise the following points (in summary):
 - Application narrowly focuses on, without question, on meeting and increasing demand for car-based visitor travel. Instead the proposals should manage demand. Increasing supply will worsen problems in years to come.
 - Climate change and localised pollution impacts are ignored.
 - The applicant wishes event parking to set aside as a separate issue but it is not.

- Use of the north drive as a main access would ruin the peaceful aspect of the parkland, it is currently only used for events.
- If the north access is used regularly by vehicles, it would not be useable by families with small children, wheelchair users etc.
- The applicant needs to look at the bigger picture proposals offer short term solution by increasing car park capacity. The problem will then need to re-visited again before long.
- Chatsworth should look at off-site parking and ride and real incentives to use public transport.
- Application does not uphold Chatsworth's so called 'green credentials'.
- New spur to roundabout will create gridlock in Baslow as those leaving the Estate will have priority over those leaving Baslow.
- No account taken of existing car parks at Calton Lees, the garden centre and the farmshop. A shuttle bus operates from Calton Lees over the Xmas period but this is not mentioned. Use of Calton Lees could ease pressure on areas near the house.
- No analysis of the impact of additional traffic when approaching the Estate from the A6 through Rowsley.
- Applicant makes much of the benefit of moving car parking way from the stables but then the whole area in front of the stables is used for a market over the Xmas period.
- Applicant has provided much detail with regard to its carbon footprint in recent applications for solar panels but fails to do so on this major application.
- 36. One letter of support has been received from 'Marketing Peak District and Derbyshire' on the grounds that the proposals would improve accessibility to the Estate by private and public transport; would encourage visitors to stay longer and increased their spending; and the road would improve traffic flows, reduce congestion and benefit the wider economy.

Main Policies

- 37. Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L1, L2, L3, RT1, CC1, T1, T2, T3, T7
- 38. Relevant Local Plan policies: DMC3, DMC5, DMC7, DMC9, DMC11, DMC12, DMC13, DMT3, DMT2, DMT7
- 39. 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.

National Planning Policy Framework

40. 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.

- 41. Para 172 of the NPPF states the great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks. The scale and extent of development within these designated areas should be limited. Planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest.
- 42. National policies with regard to promoting sustainable transport are set out in chapter 9 of the NPPF. Para 102 states that transport issues should be considered at an early stage so that: the potential impacts of development on transport networks can be addressed; opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised ; opportunities to promote walking, cycling and public transport use are identified and pursued; the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.
- 43. Para 108 states that in assessing applications for development, appropriate opportunities to promote sustainable transport modes can be or have been taken up, given the type of development and its location; safe and suitable access to the site can be achieved for all users; and any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
- 44. Para 109 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 45. With regard to the historic environment para 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. Para 195 states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm.

Development Plan

46. In the National Park, the development plan comprises the Authority's Core Strategy 2011 and the Development Management Polices (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.

Core Strategy

- 47. Policy GSP1 E states that in securing national park purposes major development should not take place within the Peak District National Park other than in exceptional circumstances. Major development will only be permitted following rigorous consideration of the criteria in national policy. GSP2 states that opportunities should be taken to enhance the valued characteristics of the National Park. This is expanded in policy L1 which relates directly to enhancement of landscape character, L2 to sites of biodiversity and geodiversity importance and policy L3 relating to the conservation and enhancement of features of archaeological, architectural, artistic or historic significance.
- 48. Core Strategy policy T1 seeks to encourage sustainable transport and reduce the need to travel through giving priority to conservation and enhancement; encouraging modal shift to sustainable transport and minimizing traffic impacts within environmentally sensitive locations.
- 49. Core Strategy policy T2 C states that no new road schemes will be permitted unless they provide access to new businesses or housing development or there are exceptional circumstances. Those road schemes (including improvements) that fall outside of the Planning Authority's direct jurisdiction will be strongly resisted except in exceptional circumstances.
- 50. T3 seeks to achieve high quality design in transport infrastructure. T7 states that nonresidential parking will be restricted in order to discourage car use and will be managed to ensure that the location and nature of car and coach parking does not exceed environmental capacity. New non-operational parking will normally be matched by a reduction of related parking spaces elsewhere and wherever possible it will be made available for public use.
- 51. Policy CC1 states that development must make the most efficient and sustainable use of land, buildings and natural resources, taking into account the energy hierarchy and achieving the highest possible standards of carbon reductions and water efficiency. CC1. B says that development must be directed away from flood risk areas, and seek to reduce overall risk from flooding within the National Park and areas outside it, upstream and downstream.
- 52. Policy RT1 states that the National Park Authority will support facilities which enable recreation, environmental education and interpretation, which encourage understanding and enjoyment of the National Park, and are appropriate to the National Park's valued characteristics. Opportunities for access by sustainable means will be encouraged. New provision must justify its location in relation to environmental capacity, scale and intensity of use or activity, and be informed by the Landscape Strategy. Where appropriate, development should be focused in or on the edge of settlements. In the open countryside, clear demonstration of need for such a location will be necessary.

Development Management Policies

53. Policy DMC3 expects a high standard of design that respects, protects and where possible enhances the natural beauty, quality and visual amenity of the landscape.

- 54. Development Management policy DMC5 states that applications affecting a heritage asset should clearly demonstrate its significance including how any identified features will be preserved and where possible enhanced and why the proposed works are desirable or necessary. Development of a heritage asset will not be permitted if it would result in harm to, or loss of significance character and appearance unless the harm would be outweighed by public benefit. DMC8 states that planning applications involving a Registered Park and Garden and/or its setting will be determined in accordance with policy DMC5.
- 55. DMC7 aims to ensure that development preserves the character and significance of listed buildings.
- 56. DMC11 seeks to achieve net gains to biodiversity or geodiversity as a result of development. DMC12 aims to safeguard sites, features or species of biodiversity interest.
- 57. DMC13 states, amongst other things 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.
- 58. DMT3 states, amongst other things that where new transport related infrastructure is developed, it should be to the highest standards of environmental design and materials and in keeping with the valued characteristics of the National Park. Development, which includes a new or improved access onto a public highway, will only be permitted where, having regard to the standard, function, nature and use of the road, a safe access that is achievable for all people, can be provided in a way which does not detract from the character and appearance of the locality and where possible enhances it.
- 59. DMT7 states that new or enlarged visitor car parks will not be permitted unless a clear, demonstrable need, delivering local benefit, can be shown. Where new or additional off-street visitor parking is permitted, an equivalent removal of on-street parking will usually be required. In considering proposals for new or enlarged car parks in the Natural Zone and in Conservation Areas, the developer is expected to have assessed alternative sites located in a less environmentally sensitive location, capable of being linked to the original visitor destination either by a Park & Ride system or right of way.
- 60. DMT2 seeks to achieve any local road improvements in a way that does not cause harm to the landscape. Schemes with the sole purpose of increasing capacity of the network will not be permitted.

<u>Assessment</u>

Whether the proposals represent major development

- 61. In terms of the Town and Country Planning (Development Management Procedure) Order 2010 the current proposals represent 'major development' as the application site edged red extends to more than 1 hectare (in fact it extends to 5.6 hectares). In planning policy – both national and local – the term major development is also referenced. Specifically paragraph 172 of the NPPF and Core Strategy policy GSP1 seek to resist 'major development' in National Parks in all but exceptional circumstances and where it can be demonstrated that they are in the public interest.
- 62. Para 131 of the Authority's Development Management policy document provides clarity on the issue. It points out that 'Footnote 55 of the NPPF (2019) states, 'whether a proposal is 'major development' is a matter for the decision maker, taking into account

its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.' In making this assessment close regard should therefore be had to the impact of a scheme on the special qualities of the National Park utilising the Landscape Strategy and other tools advocated by this document.'

63. In this case the application site is located within the Chatsworth Parkland, which is a highly sensitive landscape in that it is a grade I Registered Park and Garden and there are numerous listed buildings and undesignated heritage assets within the vicinity of the site. In addition, Chatsworth is an extremely popular tourist destination, with the park and gardens holding a central place in the history of English landscape design. Taking into account this sensitive setting and the significant operational development that is proposed, the view is taken that the proposals do indeed constitute major development within the National Park. Planning permission should therefore only be granted if it is considered that exceptional circumstances exist and that the proposals would be in the public interest. The public interest benefits that would arise are discussed further in the relevant section of the report below.

Whether the principle of the proposed development is acceptable.

- 64. With regard to the proposed car park extensions, Core Strategy policy T7 and Development Management polices DMT7 together make it clear that new or enlarged visitor car parks will not be permitted unless a clear, demonstrable need, delivering local benefit, can be shown. Furthermore policies T2 and DMT2 seek to resist new local road schemes unless there are exceptional circumstances and provided they do not cause harm to the landscape.
- 65. Consideration with regard to the impact of the proposals on the significance of the identified cultural heritage assets; on archaeology; and on ecology interests including trees are crucial to the determination of this application.
- 66. The acceptability of the principle of the development in this instance therefore rests upon a balanced view being taken as to whether or not any harmful impacts from the introduction of a major form of development would be outweighed by public benefits. This analysis will take into account the 3 criteria that para 172 of the NPPF refer to with regard to assessing major development in National Parks i.e.
 - The need for the development, including in terms of any national considerations, and the impact of permitted it, or refusing it, upon the local economy;
 - The cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
 - Any detrimental effect on the environment, the landscape and recreational opportunities and the extent to which that could be moderated.
- 67. The report will look at need, then the physical impacts of the development and finally the broader issues of overflow parking and sustainable development and will seek to provide a 'planning balance' between them.

Issue 1: Need for the proposed development

- 68. Car park re-configuration/extension
- 69. The application is accompanied by a Design, Planning and Access Statement, a Transport Assessment and a Travel Plan. These documents explain that the main car park at Chatsworth House is used to park general visitors to the property, numbering on average 24,700 to 26,000 cars per month during the open season between April and

December. When the House and Gardens are closed numbers per month average between 6000 and 6,500. In addition the car park is used by staff, volunteers and contractors, together with coaches.

- 70. The information provided demonstrates that the main car park (675 spaces) is frequently unable to meet regular demand for parking spaces leading to overflow car parking on grassed areas within the parkland. The locations used vary depending on weather and ground conditions but the most frequently used are the 'Helipad' (south east of the house) and 'below the Bastion Wall' (in front of the principal elevation of the house). These provide 250 and 350 extra spaces respectively. In 2017 there were also 32 days (excluding the 3 major 'events') upon which parking demand exceeded the 1275 parking spaces provided by all these areas and on those days further overflow parking takes place on areas of parkland the north of the house.
- 71. In addition to what the Estate describes as these 'general operational days' (which include the Christmas period) Chatsworth also runs three large scale events, which attract very high demand for parking. It is stated that each event has an individual plan for parking associated with it. The events include The Horse Trials (3 days in May), the RHS Flower show (5 days in June) and the Country Fair (3 days in September). The Horse Trials attract approximately 8000 vehicles, the RHS 23,000 vehicles and the Country Fair 16,000 vehicles.
- 72. It is stated that Chatsworth has undertaken an exercise to consider various options, including moving parking further away from the House to a new location. The Estate considers that whilst the benefits to heritage assets would be clear, a completely new car park with capacity to hold 700 cars would need to be created with service links to the House and the potential impacts on the parkland and potentially on local villages would be significant. It is stated that a Park and Ride scheme at Barbrook (on the north side of the site of the old walled garden at Home Farm just south of Baslow) was considered but this was discounted for a number of reasons including the planning policy issues of constructing a large new car park, the prominence and harm of a car park in this location, build and operational costs and lack of enthusiasm by visitors to use Park and Ride (as evidenced by visitor comments when a shuttle bus was operated during the Christmas markets).
- 73. Consequently the Estate has decided to focus on improving/expanding the existing car park and the application seeks to create an extra 220 parking spaces to meet demand, by a combination of the reconfiguration of the existing car park and by extension into the adjacent parkland. It is states that there a number of issues relating the existing parking arrangements as follows:
 - There are no defined parking bays leading to inefficient use of the space and sometimes resulting in parking on grass.
 - Parking surfaces are poor and badly eroded due to lack of effective drainage systems.
 - The sloping ground and loose surfacing compromises safe access and leads to negative customer feedback.
 - The car park arrangements impacts on the health of veteran trees as well as the setting of the House.
 - There is no formal traffic flow and limited signage creates conflict between vehicles entering and exiting as well as conflict between vehicles and pedestrians.
 - Public bus stop facilities are basic and there are poor pedestrian links to the visitor entrances.

74. Our view is that the issues with the layout, surfacing and traffic flow with regard to the existing car park are recognised and in principle (subject to consideration of impact on heritage assets, ecology, archaeology etc.) the rationalisation and improvement of this area is welcomed. However, the expansion of the car park is less clearly supported by policy. With regard to potential alternative schemes/sites, there have been no detailed pre-application discussions with regard to these and so it is difficult to come to a view on their acceptability.

New access road link

- 75. The Design and Access Statement states that the proposals for the new north access have been brought about by a number of issues. As there is a weight limit on Paines Bridge, (on the main access to the south of the house), delivery vehicles and heavy traffic particularly during events are directed through the Golden Gates on the northern boundary of the parkland. The gates (Grade II listed) have recently been refurbished and there have been issues with damage to the gates by delivery vehicles/HGVs etc. The existing junction between the driveway and the A619 east of Baslow has limited visibility to the west which raises safety issues. When this drive is used at times of high traffic demand, temporary traffic lights have to be deployed on the A619, leading to tailbacks into Baslow village. It is stated that the new arm off the roundabout will negate the need for traffic lights and will enable traffic to flow more freely on entering/exiting Chatsworth. The new access road, which by-passes the Golden Gates will reduce any potential direct impact on their significance.
- 76. Whilst new road schemes are usually resisted, in this case, only the new arm onto an existing roundabout (within the highway verge) would become part of the public highway. Beyond the highway boundary to the south the new road would be a private access road only and consequently, subject to an assessment of the impacts on traffic flows within the local area and physical impacts such as impacts on landscape character, heritage assets, ecology and archaeology it is considered in principle that the proposals can be compliant with T2 and DMT2.

Issue 2: Impact on the setting of heritage assets and landscape character

Car park re-configuration/extension

- 77. There would no impact upon the fabric of any of the heritage assets at Chatsworth as the proposals relate only to groundworks and operational development in and around the car park. However, there is clearly potential for the proposals to impact upon the setting of the various assets including grade I listed buildings which are of exceptional national importance.
- 78. There would be some heritage benefits to the scheme. At present there is a row of parking spaces placed directly to the west of the grade I listed stable block. When looking along the formal approach to the stables from the west, the parked vehicles intrude into the view of the northern corner of the building, causing harm to its setting. The submitted plans show that this row of parking spaces would be removed and the area returned to grass. Because of the levelling works that would be carried out within the car park a 'ha ha' embankment feature would be created to define the edge of the car park at this point. Subject to agreement of any fencing to be erected on top of the embankment it is considered that the feature would be a natural looking feature that would also help to screen the cars to the north.
- 79. At present there is a clutter of pay kiosks, temporary fencing and general activity of vehicles manoeuvring directly in front (to the north of) the grade I listed North Lodges and the grade I listed House. By moving the pay kiosks to the north side of the car park this

will reduce the clutter and the movement of vehicles in this area and parts of the currently wide expanse of hardstanding would be returned to grass in a style more reflective of the historic layout.

- 80. Removing coach parking from along the access road to the south of the car park would also enhance the setting of the House, Stables and Game Larder.
- 81. There is potential impact by virtue of the proposed 'levelling' works which seek to create a more level surface by 'cutting' material from the southern half of the existing car park and using that material to 'fill' in the newly extended northern area. The existing car park is situated on land that slopes quite steeply upwards from west to east as well as upwards from north to south. This respects the surrounding topography in that Chatsworth is set into the valley side to the north of the river Derwent and has itself been constructed on a raised platform. An overly engineered, level surface would appear at odds with these natural surroundings. Sections have been provided during the course of the application which demonstrate that there would still be an 11m fall across the 170 width of the car park from east to west and 15m fall across the 250m length from south to north. Consequently whilst the overall surface would be more even, the car park as regraded would still on the whole be sympathetic with the prevailing levels in the area.
- 82. The existing surface to the car park is a poor and un-bound light coloured gravel material that causes harm to the setting of the listed building. It is proposed to use a bitumen surface with a decorative gravel top dressing in a manner used elsewhere on the Estate. Subject to agreeing a sample the proposed this would be an enhancement.
- 83. A full heritage, landscape and visual impact assessment was submitted with the application. In deferring the application members asked for more clarity in the report with regard to landscape impacts. A total of twenty viewpoints (near, middle and long distance views) were analysed in the assessment. In the shorter range views (i.e. from within and directly adjacent to the car park) the report assesses the residual impact as beneficial because of removing car parking from the stable bank and removing clutter and improving the environment of the forecourt. Officers concur with this conclusion. In middle distance views, for example from road and parkland across the river to the west, the report assess the residual impact as broadly low to neglible (after mitigation). The is because whilst the car park will still be a visible feature from these views, the proposed additional tree planting to the south of the car park would reduce the visual impact.
- 84. Whilst we agree with this assessment in terms of long term impacts, in the short to medium terms the loss of existing trees, in addition to the engineering and surfacing works that will take place, means that the car park is likely to be more prominent and therefore more harmful in views across the parkland from the south and the west until the additional replacement tree planting proposed (101 trees in total) is mature enough to provide an effective screen.
- 85. In longer distance views e.g. from the parkland to the north and from 'The Stand' to the north east, residual impact is assessed as being negible to low (after mitigation) because existing parkland trees and woodland screen already screen views towards the site and the additional tree planting would provide further cover in the longer term. We agree with this assessment.
- 86. The main area where harm would be caused would be by the loss of approx. 0.24 ha of the grade I registered parkland to car parking, mainly to the north and east of the existing car park. To the east the area in question is part of a grassed embankment that separates the car park from the 'Farmyard' area and to the north it is an area of parkland grass and mature trees . A significant number of trees (35 in total) would be felled (the impact of this is assessed later in the report) within this area and the areas in question

would be levelled and hard surfaced. Officers concur with the submitted Landscape Impact Assessment that the proposals would cause less than substantial harm to the significance of the grade I Registered Park and Garden. The NPPF makes it clear that great weight should be given to conserving heritage assets and that any harm should require clear and convincing justification.

New Road Link

- 87. There would no physical impact on the fabric of any listed buildings. However the proposals have the potential to impact upon the historic parkland and the setting of the Grade II listed Golden Gates Lodges. The submitted Heritage, Landscape and Visual Impact Assessment analyses 11 viewpoints (from within the parkland and from public access routes outside). In views from the parkland to the east and from the North drive itself, this is currently an area of open parkland. In these views the report assesses the visual impacts of the road itself as being low to negligible. The road surface would be perceptible in these views as would the increase in vehicle movements along the road. However the report states that existing and proposed tree planting will provide screening for some sections. The report also recommends minor earthwork profiling adjacent to the road to reduce visibility. This suggestion does not appear to have been incorporated into the submitted plans but could be required by condition.
- 88. At the north entrance to the estate a belt of woodland trees known as Heathy Lea Wood defines the northern boundary of the designed landscape and provides an effective screen from the public highway. A 22m wide strip of this woodland would be removed to create the new access road (although the remaining plantation would still be an effective boundary). When the previous application was deferred members asked for more information on the impacts of the loss of the woodland. The Landscape and Visual Impact Assessment states that impacts would be low to negligible provided that the new access drive is not located on the same alignment as the A621 and that the route curves to prevent open views along the drive into the park. In fact, as submitted the plans show that the new road would be on the same alignment as the A621 and while the road would curve slightly, it is likely that there would be views into the parkland from the road and vice versa. A revised plan has been submitted which explains that the presence of a Severn Trent major pipeline prevents moving the road to the west and moving to the east would lead to more loss of parkland trees. The plan suggests that more tree planting is provided adjacent to the southern boundary of Heathylee Wood to screen views. Clearly as the road itself cannot be planted with trees, there is still likely to be a corridor through which views can be obtained, however we consider that careful and selective planting slightly further into the parkland would provide an effective visual buffer (whilst still maintaining the open parkland character). This is important in order to maintain the sense of containment of the Parkland, which is a key characteristic in this area. This can be required by condition as part of an agreed landscaping scheme.
- 89. There would some loss of parkland grassland and individual trees which would represent a permanent change to the surface along the line of the new driveway and the fact that there would be two exit/entry drives at this location rather than one as historically designed. This would result in less than substantial harm to the significance of the grade I Registered Park and Garden and to the setting of the grade II Lodges by the addition of a second driveway close to it.

Issue 3: Ecological Impacts

90. An ecological appraisal and fungi survey were submitted with the application and during the course of the application a badger survey and bat surveys have been submitted.

- 91. The submitted surveys identified two trees with bat roosting potential which were to be felled as part of the proposed development. As a result the Authority requested that activity/emergence surveys were undertaken. These have been completed and the Authority's ecologist is satisfied that there would be no adverse impacts on bats subject to the recommendations of the reports being adhered to and a lighting scheme to be agreed in order to ensure minimal impact on bat foraging use across the site, dark space and tree habitats.
- 92. There are no objections with regard to impact on fungi or great crested newt. A badger survey was submitted during the course of the application and we are satisfied that the proposals would not adversely affect local badger populations.
- 93. The new access road off the roundabout will result in severance of semi natural broadleaved woodland. The Authority's ecologist notes that the surrounding woodland plantation will receive additional management to improve its structure and diversity though selective thinning and understorey planting as mitigation and requests that this is secured by means of a condition.
- 94. Subject to conditions it is considered that the proposals would not adversely affect the ecological interests listed above in accordance with Core Strategy policy L2.

Issue 4: Arboricultural Considerations

- 95. Paragraph 175 of the NPPF states that development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists.
- 96. An arboriculture Impact Assessment has been submitted with the application. This explains that there are large number of trees within the application site, with a total of 88 trees and 9 groups of trees in the visitor car park and 21 trees, 5 groups of trees and one area of woodland within the site for the new access routes. A high number of these are categorised as high and moderate quality and represent a significant asset to the landscape.
- 97. The proposals would have a significant impact on trees. A total of 35 trees would be felled at the visitor car park, consisting of 20 Category B trees (mature trees of moderate quality) and 15 Category C trees (trees of low quality). At the north access a corridor of woodland 22m wide (0.14ha in area) would be removed together with 11 individual trees (4 category B and 7 category C). The trees to be removed are all within the footprint of the existing and extended car park. The trees on the banking to west of the car park will all be retained.
- 98. The Arboricultural Assessment concludes that the loss of trees (in particular the 16 Category B (moderate quality) oaks at the car park) would have a detrimental impact on the landscape value and associated tree benefits in the immediate vicinity of the site, but concludes that the impact would not be significant given that other existing mature tree cover will be retained. A total of 101 new trees would be planted within and to the south and north of the car park.
- 99. As an enhancement measure the scheme proposes to retain, protect and enhance the 21 Category A veteran trees at the car park. Of those trees there is a group of 3 ancient trees within a central grassed picnic area and two veteran oak pollards located within the car park near the picnic area that have been heavily compromised by surfacing and parking within their entire root zone.

- 100. It is proposed to increase the green buffer zone around these trees by restoring the compacted ground to grassland and where surfacing is to be retained, the existing compacted surface would be removed, the tree roots protected with webbing and the new permeable surface installed.
- 101. During the course of the application the Authority's ecologist raised concerns with regard to the impacts of parking space within the extended car park on the eastern boundary. Two ancient trees sit on the grass banking above the car park and to date there has been no incursion into their root zones. As submitted the plans showed the introduction of parking space within the root protection zones which would cause harm to the trees contrary to the NPPF. As a result, and following negotiations, amended plans have now been received showing the parking spaces within these root zones removed and replaced with parking spaces on the road spur up to the farmyard instead.
- 102. The proposed north-south access road in this area would also have impacted on the root zones and so this has been shifted slightly to the west. Whilst this brings the road closer to veteran trees to the west than previously proposed, the new roadway would still be further away from the trees than exists at present so there would still be an overall enhancement.
- 103. As amended the Authority's Tree Conservation Officer is satisfied that the proposals would enhance the environment for the veteran trees. Nonetheless the proposals would result in the loss of a significant number of trees overall, which weighs against the proposals in the planning balance.

Issue 5: Archaeological Considerations

- 104. A detailed Heritage Assessment has been submitted which addresses impact on archaeological remains. Both the site of the car park remodelling and extension and the proposed northern access road are sites of archaeological and historic interest and contain extant earthwork features and predicted below ground archaeological remains. The report states that is has been informed by previous archaeological investigations within the car park and wider landscape at Chatsworth. A total of 57 features of archaeological interest have been identified from field survey, the analysis of Lidar data and from aerial photographs. These features include the remains of former medieval and post-medieval field systems, the route of the 1759 turnpike road from Baslow to Chesterfield, along with the location of former drives and landscape features including the game larder compound to the north-east of the House and the potential site of the former ice-house.
- 105. The gradual development of the car park during the second half of the 20th century has resulted in a section of landscape that is apparently devoid of archaeological features. However, the Assessment states that it has not been possible to confirm with confidence whether there are any surviving remains below the existing ground surface. The formation of a new access road in the north parkland will involve the loss of a strip of the medieval and post-medieval field system and its associated trackways.
- 106. The Authority's senior archaeologist concludes that both the proposed northern access and the works to the car park will result in permanent and irreversible harm to known and predicted archaeological features. However, taking account the nature and significance of these features, and the fact that many of them are predicted, rather than known features, she is confident that this harm can be appropriately mitigated by a scheme of archaeological survey and monitoring secured by condition.
- 107. The scheme will need to include:

- Topographic survey of the affected earthwork features.
- Strip, map and record exercise of the areas with highest impact or greatest sensitivity the deeper cut areas, the deeper excavation for the attenuation tanks and in the area of the predicted ice house.
- Archaeological monitoring of the shallower cut areas where in proximity to known or predicted archaeological features.
- Archaeological monitoring of the groundworks and trenches required for drainage and services where they are located in proximity to known or predicted archaeological features.
- 108. The Archaeologist does express concerns however about the cumulative impact of overflow parking in the parkland, on archaeological features and this is discussed later in the report.

Issue 6: Flood Risk and Drainage Issues

- 109. A flood risk assessment has been submitted with the application. This confirms that both sites are within flood risk zone 1 (low risk of flooding) and therefore the Sequential Test is deemed to have been addressed and the Exception Test need not be applied.
- 110. The report states that disposal of surface water from the refurbished car park via infiltration (the preferred option within the Planning Policy Guidance) is not practicable due to underlying ground conditions and also the steeply sloping nature of the site. Surface water attenuation storage will be provided via below ground geo-cellular crates, which will include petrol, oil and grit separators in the interest of pollution control. At present there is no interception of surface water run-off and so the proposals would represent a betterment on the existing situation with regard to the potential for pollution of the water environment.
- 111. A number of comments were made by the Local Lead Flood Authority on the proposals and the engineers who compiled the flood risk assessment have responded. We are satisfied that subject to a condition to submit and agree full details of the drainage scheme, the proposals accord with Development Management policy DMC14 in respect of pollution and disturbance and addresses the requirements of CC1 with regard to flooding.

Issue 7: Traffic Impacts

- 112. A transport assessment has been submitted with the application which analysis the impacts of the proposed development on the local highway network.
- 113. The report explains that the main vehicular access to the estate is from the B6012 from where visitors enter and exit the main car park via Paine's Bridge. A secondary vehicular access is provided to the north of the Estate via a junction located 110m to the west of the A619/A621 three-arm roundabout. This leads to the Golden Gates, which are open and used by general traffic only during large events. At present, due to restricted visibility and difficulty in accommodating right turning traffic, temporary traffic lights are used to control traffic flow at busy times. This can lead to traffic tailbacks along the A619.
- 114. The assessment states that the proposed new arm to the roundabout and the new access road will be used at peak times and during large events (i.e. not every day). The intention is that traffic from the Estate can exit without travelling through the village of Baslow and without the need for temporary traffic lights as at present. Through modelling of existing and predicted traffic growth the report concludes that all four arms of the roundabout would operate within capacity during a future year 2023.

- 115. Consequently the report concludes that the residual traffic impacts of the proposed development are not considered to be severe within the context of the NPPF and therefore the highway impacts are acceptable.
- 116. When members deferred the application in November 2019 they asked for further information with regard to the impact of the roundabout on the residents of Baslow. Since then the applicant has provided a further summary of the traffic modelling data which confirms that the roundabout will operate within its capacity and with only minimal queues during the Saturday peak hour. The report indicates that at the peak hour on the busiest Saturday, only 1.4 vehicles would be queuing on the A619 west arm (the road from the roundabout back into Baslow). The Transport Assessment also emphasises that the predictions and assessment has been undertaken based on traffic flows for the busiest peak hour on the busiest Saturday (when the RHS flower show was underway) and that therefore there is confidence that the roundabout would remain free flowing during large events and busy periods. Throughout the remainder of the year, traffic flows at the roundabout would clearly be lower.
- 117. We are satisfied that these predictions are likely to be accurate. Some objectors have expressed concerns that vehicles exiting the Estate on the new arm of the roundabout would have priority over those leaving Baslow and therefore congestion could still occur within the village. Whilst this point is noted, is not borne out by the modelling in the Transport Assessment and it is also true that the Estate could open the Golden Gates and allow traffic to use the substandard existing access at any time without any control from the Authority. The new arrangement would negate the requirement for temporary traffic lights and overall the proposals are likely to result in more free flowing traffic to the amenity of local residents.
- 118. At the committee meeting in November 2019 some members asked why the new access road could not be open for use at all times. This is a guery that was also raised by Baslow Parish Council and the Highway Authority. If the new access road were available for use at all times, then clearly this would mean that traffic entering and exiting the Estate from the north would not have to travel through Baslow village at any time, and this would provide a greater degree of benefit to the amenity of local residents. The issue is, however, that if the access road were open permanently, we consider that there is a high possibility that the new road would be used by through traffic heading from the north (A619 Chesterfied and A623 Sheffield) to the A6 and the south (Matlock). Rather than being a means of access for visitors to the Estate, the road would effectively become a new highway carrying general traffic. This would in turn lead to more traffic in the parkland and across the narrow Paines Bridge. It would be difficult to control this through signage and any proposals for traffic control, for example by means of a kiosk close to the new junction with the roundabout, could lead to tail backs. If the new access were to become a general purpose road then this would be contrary to policies T2 and DMT2, which seek to resist new local road schemes.
- 119. The applicant has also emphasised that they wish maintain access for most visitors via the normal west drive as this gives the historically correct and impressive first view of the house in its setting.
- 120. Our view remains that in terms of highway impacts, overall the proposals would benefit highway users, visitors to the Estate and local residents by facilitating more free flowing traffic at the busiest times.

121. A condition to submit and agree an Access and Signage Strategy to agree the operation of the new access and any restrictions to access to Golden Gates as suggested by the Highway Authority is considered to be necessary.

Issue 8: Overflow Parking and wider sustainability issues

- 122. One of the main concerns raised by consultees (including Historic England and the Authority's archaeologist and conservation officer) and by objectors is the wider sustainability credentials of the proposals and in particular the continued proposals to make use of the wider parkland for overflow car parking, despite the proposed increase in capacity of the car park by 220 spaces.
- 123. For clarity, the Authority has never come to the view that the events (other than the RHS which is run by an outside organisation) or the use of the parkland for overflow parking constitutes 'development' because it is considered to be ancillary and incidental to the main use of Chatsworth House as a stately home and major visitor attraction.
- 124. Core Strategy policy T1 states that conserving and enhancing the National Park's valued characteristics will be the primary criterion in the planning and design of transport and its management but also states that modal shift to sustainable transport will be encouraged. T2 F states that Travel Plans will be used to travel.
- 125. In deferring the application in November 2019 the Members asked for more clarity around the production of a Travel Plan. We can confirm that a Travel Plan has been submitted. The Authority's Transport Planner has confirmed that the Travel Plan sets out a measured approach to managing car-borne access, and the impact of that access on the site. It also indicates an intent to increase the proportion of visits that are made by public transport and other more sustainable transport options. This is set against a stated objective (8) of stabilising visitor numbers to the site. The response states that In combination, the travel plan objectives should reduce the overall number of car-borne journeys for both staff and visitors.
- 126. Notwithstanding these measures, the Estate proposes that the main mode of transport to the Estate will continue to be by car and their overall approach is to continue to try to meet demand. Objectors feel that the Travel Plan measures do not go far enough and that the Estate should instead use current capacity as a demand management tool.
- 127. Following comments by Members at the November 2019 Planning Committee, about a more strategic approach to traffic and visitor management, the Estate has chosen not to provide a more detailed analysis of other options and schemes for traffic and visitor management. It takes the view that the current proposals represent that only viable scheme and wishes to pursue it as submitted. The applicant has, however submitted an 'Environmental Policy Statement'. This outlines wider measures to reduce carbon emission across the Estate and also contains a section focusing on the car park proposals and how the Estate feels the development would achieve its environmental objectives. It outlines an existing commitment to finding ways to reduce vehicle numbers through a 'Responsible Visitor Charter' (which encourages visitors to car share or come by alternative means of travel including public transport, walking and cycling) and a 'Visitors and Sustainability Programme' which has involved setting up an internal working group with the aim of achieving short, medium, and long term targets for reducing car visits e.g. working with transport operators to increase coach trips by 15% over 10 years; reducing barriers to and enhancing the use of public transport to increase use by 10% over 10 years; increasing park and rid uptake by 20% over 10 years; increasing bicycle trips by 5% in 4 years; and increasing staff members using non-car methods by 5% in 10 years). Nonetheless as stated above the proposals remain as before, and revolve around the creation of additional parking capacity (and thereby reducing the

frequency with which overflow parking takes place on grass). A further response by the applicant emphasises that Chatsworth does not wish to increase visitor numbers but seeks to maintain current levels while reducing environmental impact and improving visitor experience.

- 128. Our view is that the whilst the Estate is making efforts to promote a shift to public transport, the approach taken with the current application, to focus on the expansion the car parking facilities does conflict with the thrust of the Authority's policies with regard to sustainable transport. The proposals are for major development within the National Park and should only be accepted in exceptional circumstances if there are definite and meaningful public benefits that clearly outweigh any harm. One of the main ways in which this can be achieved is by addressing the impacts of overflow parking.
- 129. As stated above, as well as the main car park, at busy times the Estate uses the 'Helipad' (which can accommodate 250 vehicles) and the area in front of the Bastion Wall (which can accommodate 350 vehicles). Information provided suggests that cars were parked below the Bastion Wall on 53 days (outside of the main 3 events) On 32 days of the year demand outstrips these areas too and further overflow parking takes place in areas to the north of the House. The Design and Access Statement states that the proposed increase in capacity of the existing car park by 220 spaces will lead to a reduction in the need to utilise the grass below the Bastion wall on 'operational days', which is welcomed. However the proposals are still to retain some overflow parking in this area.
- 130. The impacts of overflow parking has been an identified issue at Chatsworth for some time and at the pre-application stage the need to try to address the issue, particularly with regard to parking in the most harmful area below the Bastion Wall, was emphasised. As stated by Historic England parking in this area is intrusive and harmful to key views and upon the appreciation of the House in its designed setting and also harmful to earthwork and buried archaeological remains which contribute to the significance of the Grade I registered park and other assets. Indeed the Estate's own Parkland Management Plan (2013) acknowledges that parking in this areas has a 'high visual. landscape and archaeological impact so an alternative solution must be found'. We therefore consider that continued use of this area for parking, on top of the events that already take place in and have an impacts on the area is not acceptable. Development Management policy DMT7 makes it clear that where visitor parking is permitted, an equivalent removal of on-street parking will usually be required. As this is not feasible in this location, an equivalent removal of harmful overflow parking in this area is considered to be a reasonable alternative.
- 131. To be clear, initially the application requested the use of the area below the Bastion Wall for parking on 28 days a year over and above the three main events. This was reduced to 10 days during the course of the application. The RHS show (which was granted planning permission in 2016) is open to the public for three days in June. However the information submitted with that planning application stated that there is a substantial 'setting up and taking down' period so that the total time that there is activity and visual intrusion in front of the House's principle elevation is 45 days in total. The Horse Trials (3 days) and Country Fair (3 days) are mainly located to the west of Paine's Bridge but car parking can take place in front of the Bastion Wall.
- 132. The applicant has made it clear that it does not agree to such a condition. In fact since the application was deferred in 2019, a document provided by the Estate has clarified that in fact 29 days of overflow parking in front of the Bastion Wall would be required. The extra 19 days are needed, it says, for potential use during the Christmas market season, depending on weather conditions. It is considered that a further 19 days on top of the already substantial figure during the event days would be excessive, very difficult to enforce and harmful to the significance of the Registered Park and Garden and Grade

I listed House. A condition that limited parking to 29 days would be so difficult to enforce that it would not meet the tests for planning conditions set out in the National Planning Policy Guidance. The benefits of removing parking from this area (other than for limited days during the major events) are clear. A condition that requires no public parking in this area over and above the 3 events is considered to be reasonable, enforceable, related to the development and otherwise in accordance with the tests.

- 133. We remain of the view that the condition is essential in order to demonstrate the enhancement which is the exceptional circumstance required for major development, to ensure compliance with policies T7, L3 and DMT7 and to ensure that the public benefits clearly outweigh the harm that has been identified.
- 134. The Authority's archaeologist and Historic England have also expressed concerns about the impacts of overflow parking on archaeological remains in other areas of the parkland, as well as below the Bastion Wall. Since the previous committee meeting in November 2019 the Estate has provided an extract from a Lidar survey of the parkland, carried out in 2013 and have emphasised that this shows that the overflow parking areas are the least sensitive in terms of archaeology. Whilst this point is acknowledged, this does not of course mean that there are no impacts and in fact the plan produced does show features within some of the overflow areas. This is a wider issue for the Estate to address. However on balance, given that overflow parking can take place without permission at present, it is considered that the proposed restriction of parking below the Bastion Wall only, is the limit to which the Authority can reasonably restrict overflow parking such that the public benefits on the whole outweigh the harm brought about by this particular planning application.

Conclusion

- 135. In conclusion, there are a number of public benefits associated with this application. They include the removal of parking from the west of the stables; improvement to the layout and appearance of the north forecourt; improvements to the environments of very important ancient trees; improvements to the visitor experience of those visiting Chatsworth and the surrounding parkland and potential improvements to traffic congestion issues in an around Baslow. On the other hand, there are areas where harm has been identified. These include the loss of parts of the grade I park and garden, the loss of 35 trees (including 16 mature oak trees) and an area of woodland and impacts on archaeological features. On balance, we consider that the benefits would only outweigh the harm if the wider impacts of overflow parking are significantly addressed by removing the most harmful parking from beneath the Bastion Wall in order to ensure that visitors can continue to enjoy the important grade I heritage asset within its designed landscape and wider setting.
- 136. We have considered whether it would be acceptable for each of the two elements of the scheme to be developed independently from each other, or whether in fact one is reliant on the other. We consider that the benefits to local residents of the new access link outweigh the harm identified within the Parkland and so this element of the scheme would be acceptable in its own right. The development of the car park is not necessary to make the road link acceptable. Likewise, we do not consider that the proposed car park extension is likely to lead to such increases in overall number of visitor to the Estate (provided that parking beneath the Bastion Wall is restricted), that it is essential that the road link goes ahead at the same time. The car park element of the scheme can be justified in the planning balance independently of the new access. Consequently we do not consider that there needs to be any phasing or other control over the timing of the works.

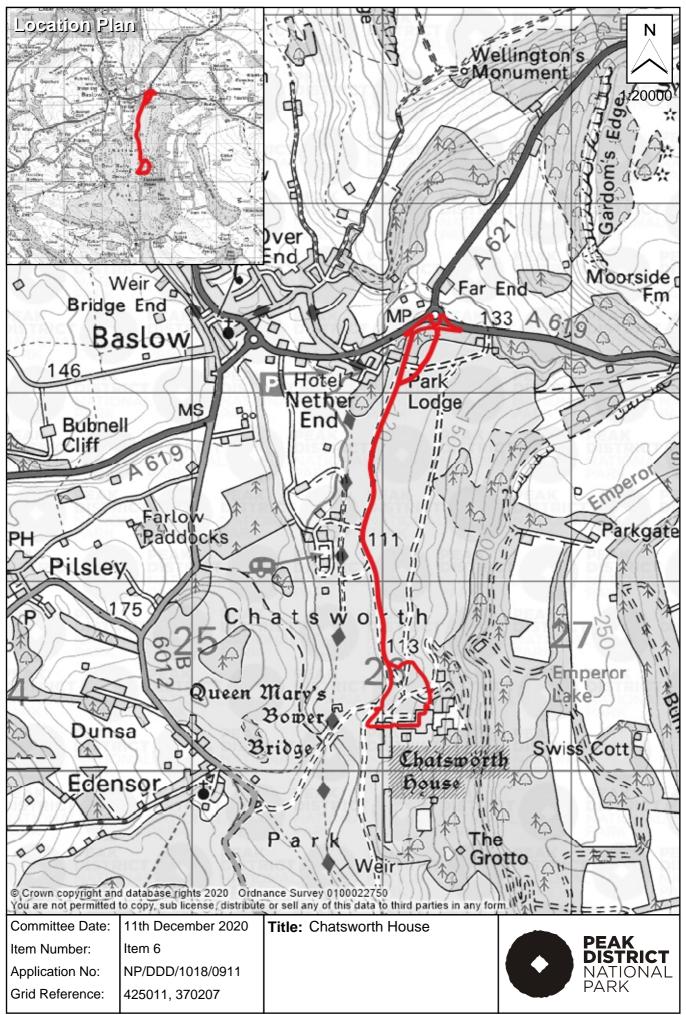
137. We are satisfied that subject to such conditions (and the other conditions outlined above) the proposals would be in the public interest and would meet the tests for major development set out in the NPPF and adopted development plan policies. The application is recommended for approval.

Human Rights

- (i) Any human rights issues have been considered and addressed in the preparation of this report.
- (ii) List of Background Papers (not previously published)
- (iii) Nil

Report Author: Andrea Needham, Senior Planner

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7. FULL PLANNING APPLICATION: INSTALLATION OF A 15M HIGH SLIMLINE LATTICE MAST ON A CONCRETE BASE ACCOMMODATING 3 NO. ANTENNAS AND 2 NO. 600MM TRANSMISSION DISHES. THE PROPOSAL ALSO INVOLVES THE INSTALLATION OF 3 NO HOME OFFICE EQUIPMENT CABINETS, CONTAINED WITHIN A FOUL WEATHER ENCLOSURE; 1 NO ELECTRICAL METER CABINET; 1 NO GENERATOR AND 1 NO POLE MOUNTED 1200MM SATELLITE DISH WITHIN A 10MX10M COMPOUND SURROUNDED BY A 1.8M HIGH MESH COMPOUND FENCE ON LAND AT CLIFFE HOUSE FARM HIGH BRADFIELD, NP/S/0720/0610 JK.

APPLICANT: THE HOME OFFICE

<u>Summary</u>

- 1. The application is for a new telecommunications base station to provide emergency services and other telecommunications coverage in an area with no coverage.
- 2. Plans show the proposed physical works comprising the mast, cabinets and compound are identical to those in the 2019 planning application refused on grounds of landscape harm and the fact that the public benefits from the proposal did not outweigh that harm. That proposal relied on woodland to screen the development which lay outside the ownership and control of the applicant, as does the current scheme.
- 3. The key difference between that 2019 refusal and the current application is that we now have a Woodland Management Plan for the surrounding trees. As these still remain outside of the application site area and the control of the applicant it is proposed that the plan be delivered via a Planning Obligation under the Planning Act.
- 4. The Obligation would be in the form of a Unilateral Undertaking and secure long term control over the immediate surrounding trees which provides essential screening of the equipment compound and lower half of the mast, without which the development could not be accepted.
- 5. Whilst the mast would still have a landscape impact this would be mitigated by the existing landscaping and the additional planting already conditioned to be provided to screen a new agricultural shed under construction across the drive. We consider the residual visual impact would be outweighed by the considerable public benefits of the proposal and therefore the development would accord with our policies. It is recommended for approval subject to the prior submission of a signed Unilateral Undertaking and subject to conditions set out below.

Site and Surroundings

- 6. The application site is located at Cliffe House Farm which lies in the open countryside on the northern slope of the Loxley Valley, approximately 1.1km to the south east of High Bradfield Village and some 870m to the north of Damflask Reservoir.
- 7. The farm comprises of a relatively recently erected large modern agricultural building, the excavation for further large building, and a smaller range of older sheds. The building group sits in an elevated position close to the edge of an escarpment on the hillside. Immediately to the south of the agricultural buildings are two detached dwellings, Hill Top and the original Cliffe House Farmhouse, both now in separate ownership from the working farm. These are the nearest dwellings and are approx. 130 and 150m south of the application site.

- 8. 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 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 drive also forms the access to the application site.
- 9. The proposed site for this telecommunications base station is a 10m x 10m square of land on the west of the farm access drive and adjacent to an existing earth mound and planting which runs along the edge of the escarpment. The site of the new building currently under construction lies to the east of the access track and opposite the mast site. Additional planting already approved as part of the mitigation for the new agricultural shed is to be planted on land immediately to the north, south and across the drive from the mast site.
- 10. From the west the land falls away from the farm group and on this side the buildings which make up the farm 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.
- 11. To the south east across the open arable field and around 250m away from the site is a further residential property, Fair Flatts Farm and its associated Grade II listed barn.

Proposal

- 12. The installation of a 15m high galvanised slimline lattice telecommunications mast on a concrete base within a 10m x 10m compound surrounded by a 1.8m high mesh fence. The mast would accommodate 3 No antennas and 2 No 600mm transmission dishes all for the Home Office to provide radio coverage in the locality for the Emergency Services Mobile Communications Programme.
- 13. The proposal also involves the installation within the compound of a green 'foul weather enclosure' or cabinet (2025m long by 2.75m wide by 2.45m high) which would house 3 no Home Office equipment cabinets. There would also be a small green coloured electrical meter cabinet; a green coloured generator housing (1.75m long by 0.84m wide by 1.55m high), a pole mounted 1200mm diameter satellite dish and a lattice metal overhead gable support gantry between the main cabinet and the mast. The application states that all equipment can be painted to the Local Planning Authority's requirements.
- 14. The application red line site area comprises only of the 10m x10m compound.
- 15. The application is supported by the following documents/reports all of which are available along with the plans to be viewed in full on the Authority's website.
 - A Declaration of Conformity with International Commission on Non Ionizing Radiation Protection Public Exposure Guidelines.
 - A woodland management plan for the area around and including the application site, all of which is outside the ownership and control of the applicant. The area of the woodland management plan is to be included within a Section 106 Planning Obligation and a draft has been prepared.
 - Supporting technical information in map form showing predicted radio coverage with and without the mast.
 - Supplementary supporting information covering how the application addresses the previous reasons for refusal and detailing pre-application and community consultation.

- Photomontages of the proposed installation
- A technical summary.

RECOMMENDATION:

That subject to the prior submission of a signed Planning Obligation in the form of a Unilateral Undertaking, securing control and long term management of the adjoining woodland in accordance with the submitted Woodland Management Plan, the application be APPROVED subject to the following conditions:

- 1. Statutory 3 year time period for commencement.
- 2. Carry out in accordance with submitted plans subject to the following conditions and or modifications;
- 3. The whole of the installation, including mast, dishes and any support poles, cable gantry shall be pre-coloured prior to erection/installation in a dark green colour and having a matt finish
- 4. Remove when no longer required for telecommunications purposes
- 5. Carry out in full accordance with the woodland management plan.

Key Issues

- 16. The impact of the development upon the scenic beauty and other valued characteristics of the National Park.
- 17. Whether the need for the development, notably emergency services cover, outweighs any harm identified and taking into account the economic and social benefits of the development.

<u>History</u>

- 18. 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.
- 19. 2015: NP/S/1214/1273: Planning permission refused for the erection of two further large 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.
- 20. 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. It was refused on grounds of the 'significant harmful impact upon the scenic beauty of the landscape and upon the setting of Castle Hill (scheduled monument) and the cottage and barn at Fair Flatts Farm' (listed barn) and that the likely significant economic and social benefits by facilitating the provision of mobile communications to the local community, would not outweigh the harm.

- 21. 2016: NP/S/0316/0281: Planning permission refused for the erection of an agricultural building and associated tree planting scheme on land immediately north of the building approved in 2012. A subsequent appeal was allowed in 2017 and the development is now under construction.
- 22. 2019: NP/S/0519/0475: Planning permission refused for the erection of 15m high lattice tower supporting three antenna and two dishes, the erection of an equipment store and ancillary development. Those comprised three Home Office equipment cabinets, contained within a foul weather enclosure; one electrical meter cabinet; one generator and one pole mounted 1200mm satellite dish all within a 10mx10m compound surrounded by a 1.8m high mesh compound fence. Essentially the physical works in that refusal were identical to the current application, however with no land owned or controlled at the site the applicant could not guarantee essential screening provided by adjacent trees would be kept or maintained.
- 23. 2020 Pre-application discussions with the applicant provide support for the proposal in principle subject to control being gained over the necessary woodland planting alongside which provides essential screening; planning obligation recommended if purchase was not an option.

Consultations

- 24. Highway Authority No response to date.
- 25. City Council No response to date.
- 26. Bradfield Parish Council: "Would not support this application in its current form. Councillors consider the mast to be too tall making it visible from a considerable distance in a rural area. Councillors feel the suggested galvanised surface would not blend in with the existing farm buildings and a more suitable colour should be considered should the mast be deemed essential and the application granted, dark grey or black would be more appropriate. The fence height suggested is also considered to be excessive."

Representations

27. None at time of report drafted.

National Planning Policy Framework (NPPF)

- 28. 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.
- 29. 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.

- 30. In relation to telecommunications development, Paragraph 112 of the framework document sets out the objectives of the Communications Infrastructure. It states that 'advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being'. Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections.
- 31. 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".
- 32. In the National Park, the development plan comprises the Authority's Core Strategy 2011 and the Development Management Polices (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

- 33. 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.
- 34. 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.
- 35. 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.
- 36. L3 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.
- 37. Policy CC1 states that development must make the most efficient and sustainable use of land, buildings and natural resources.

Development Management Policies

38. The supporting text in the Development Management DPD includes a section on telecommunications development. This states:

- 39. 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.
- 40. 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.
- 41. 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.
- 42. 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.
- 43. 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 DMC7).

44. 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.

The Code of Best Practice on Mobile Network Development in England (2016)

45. The Code of Best Practice provides guidance to mobile network operators, their agents and contractors and equally to all local planning authorities in England.

<u>Assessment</u>

Applicants supporting explanation/background to the proposal

- 46. The new blue light radio service, to be known as the Emergency Services Network (ESN), will be delivered across England, Scotland and Wales. This Government programme seeks to replace the existing Airwave blue-light communications system with a 4G platform.
- 47. ESN will provide a high-quality service that makes full use of the latest 4th generation (4G) technology 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. Most of the UK will be covered directly by the existing mobile telecommunications operator EE who are in the process of upgrading their commercial networks to deliver ESN.
- 48. Largely because of demographics and geography, there exists a number of areas in the country which have not been populated with mobile communications infrastructure. One such area lies in the vicinity of High Bradfield and is to be addressed by this application. These 'not-spots' are addressed by a project called the Extended Area Services (EAS) project. 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 coverage exists.
- 49. 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.
- 50. 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.

- 51. The proposed site that is subject of this application is required to provide continuous coverage to the village of High 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 for Moors Rescue Teams and all minor roads and surrounding area within the coverage footprint.
- 52. The supporting statement explains the site has been chosen "as it is located in a secluded location adjacent to mature trees and proposed bunding. These mature trees and bunding will provide some vertical emphasis whilst also offering a clear unobstructed view to much of the surrounding area." It explained further that "Due to the topography of the search area, there are few opportunities of providing a radio base station in this area. Indeed, this would be the only suitable option."
- 53. The lattice design can accommodate the equipment required by the Home Office with the capacity to accommodate additional users in the future.

Principle of Development

- 54. This application is a resubmission seeking to address the reasons for refusal in the 2019 scheme and is identical to that scheme in proposing a 15m 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.
- 55. 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 National Planning Policy 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.
- 56. There are no objections in principle to the development and it is therefore considered that the main consideration 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

- 57. 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 properties at Cliffe House Farm and the intervening buildings there are no concerns that the proposal would have a harmful impact upon the privacy, security or amenity of neighbouring properties.
- 58. The proposal is also some distance from the listed barn at Fair Flatts Farm with the approved large new building and planting associated intervening in between which would largely hide the installation over time. The Planning Inspector concluded, when allowing the large shed development that although seen from the listed barn the shed would not harm its setting and was therefore acceptable. In this case the mast would have a far

smaller and visually lightweight profile and at this distance we conclude it would have a neutral impact and therefore preserve the setting of the listed barn.

- 59. The main issue is therefore landscape impact. The application is supported by plans and photomontages to illustrate the likely visual impact of the proposed mast. The application also includes a list of alternative sites which were considered but which were discounted for one or more of a number of reasons. We accept the conclusion that the application site represents the best available option considering the necessary coverage requirement, a technically feasible site and the landscape impact.
- 60. 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.
- 61. The application site sits on top of a steeply sloping hillside on the northern side of Loxley Valley, and will be viewed in the context of the Cliffe House Farm and its large agricultural sheds which form the base of an extensive arable farming enterprise. The farm business is currently being expanded with a further large new building under construction just a few metres east of the access drive and the application site.
- 62. The proposed mast would have a maximum height of 15m above the adjacent ground level. The proposed structure would be taller than the adjacent earth mound and existing tree planting (approximately 8 m high) so around 7m will be clearly visible above the trees. The mast proposed is the slimmest lattice structure and would be the lowest height possible when balanced against the need for coverage. By their very nature telecoms masts need to be placed on high ground to maximise coverage, provide line of sight links back to the network of other sites and minimise the number of structures that would otherwise be required.
- 63. The application is accompanied by photomontages which illustrate the likely visual impact of 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, the distance involved and the background hillside, in the views from Loxley Road and Kirk Edge Road the impact would be more significant. It is clear that by virtue of the height of the proposed structure it would be visually prominent in these viewpoints 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 in the background as well as in time the new planting associated with the recently approved new building, but nonetheless, the mast would still be visually prominent.
- 64. This proposal is however no different to most other mast sites in that a proportion of the mast top and the antenna will stick up and be visible above the trees and will therefore 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 includes the 'Sheffield country walk' circular route which is well used by local people and by visitors to the National Park.
- 65. The visual impact can be mitigated by ensuring the mast and all equipment is coloured a matt dark green. Additionally, over time of course the adjacent trees would grow up slowly to further screen more of the mast height, reducing the landscape harm. Currently however none of this planting or the new planting for the agricultural shed is under the

ownership or control of the applicant so cannot be guaranteed to be in place or managed effectively during the lifetime of the proposed telecommunications site.

- 66. Whilst the new trees to be planted in connection with the new agriculture shed are secured by planning condition these will take some time to grow. The semi/mature tree cover immediately to the west of the proposed compound which provides the key screening is not, and therefore the applicants, in recognition of the landscape impact and following the steer given to them in the pre-application advice have submitted a woodland management plan which seeks to maintain and enhance the existing immediate tree cover through careful management and new planting. This will be secured via a Unilateral Undertaking signed by the applicants and the landowner. A draft has been produced and the final wording is expected to be agreed very shortly.
- 67. We do consider this to be an appropriate mechanism to secure the necessary control to achieve long term retention and enhancement of the trees and their essential screening effect for the development. This now represents a significant mitigating factor in the applications favour that can be given weight in the planning balance and is the key difference from the last refusal.
- 68. However even with the tree screening the mast would be a clearly visible structure in the landscape which from some viewpoints would have a harmful impact upon the scenic beauty of the National Park. In time of course, the management of the adjacent woodland will help mitigate the visual impact which will be further reduced as the tree planting going in to screen the new shed matures. The residual 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

- 69. Along with the weight that can now be attached to the screening and management plan there are significant public benefits arising from the proposal both at a local and national level as a result of the provision of such critical infrastructure for the benefit of the blue light services. The site would also provide EE with the option of commercial mobile coverage is an area where there is currently no mobile coverage.
- 70. We recognise that both of these would be significant public safety, economic and social benefits for members of the public living and working within the affected area. This weighs heavily in favour of the development and in our judgement outweighs the residual landscape impact.

Conclusion

- 71. 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. We agree it is the only location to meet the required coverage and has been designed to be the lowest height and slimmest structure to meet the need. Mitigation in the form of colouring and the securing of the management plan to maintain and enhance the adjacent woodland will offset much of the landscape concern.
- 72. 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.

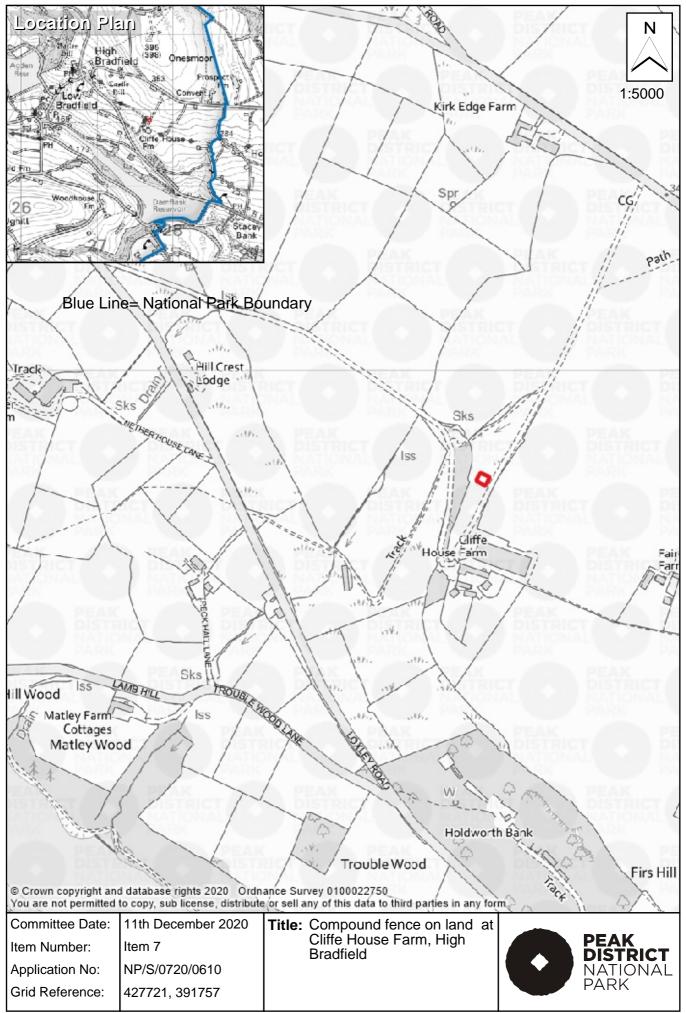
- 73. These benefits weigh heavily in favour of the development and we conclude the remaining landscape harm is outweighed by the benefits of approving the proposal.
- 74. It is therefore considered that for the above reasons the proposed development is complaint with Core Strategy policies GSP1, GSP3, L1, L3 and Development Management DPD policy DMU4.
- 75. It is therefore recommended for approval subject to the prior submission of the final signed Planning Obligation and to the above conditions

Human Rights

- 76. Any human rights issues have been considered and addressed in the preparation of this report.
- 77. List of Background Papers (not previously published)
- 78. Nil

Report author: John Keeley – Planning Manager: North Team

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8. FULL APPLICATION: REMOVAL OF EXISTING 24M AIRWAVE TOWER AND REPLACEMENT WITH A 35M TOWER WITH ATTACHED ANTENNAE AND DISHES FOR AIRWAVE, THE ESN (EAS) AND SRN NETWORKS. AT GROUND LEVEL, ADDITIONAL CABINS/CABINETS WILL BE POSITIONED ON THE OLD AND NEW TOWER BASES, ALONG WITH A STANDBY GENERATOR. A SEPARATE VSAT DISH ENCLOSURE WILL BE ESTABLISHED 100M TO THE SOUTH WEST OF THE MAIN COMPOUND AT AIRWAVE TELECOMMUNICATIONS TOWER AT SNAKE PASS CLEARING SNAKE ROAD BAMFORD NP/HPK/1020/0947, JK

APPLICANT: AIRWAVE SOLUTIONS LTD

1. Summary

- 2. The application site is an existing telecommunications mast site off the A57 Snake Pass road and within a coniferous plantation with maturing tree averaging 24m high.
- 3. The proposal is to replace the existing 24m high telecoms mast with larger 35m one to enable mast sharing with additional antenna and transmission dishes installed above the tops of the trees.
- 4. The upgrade will provide essential coverage for the new blue light Emergency Service Network and will also bring mobile coverage to the local community and other users of the area where there is currently no service.
- 5. Long term control over the surrounding trees which provide essential screening is necessary and a Planning Obligation in the form of a Unilateral Undertaking is suggested to achieve this.
- 6. Subject to the prior receipt of a signed obligation and the following conditions we consider the increased scale of mast and the associated equipment can be accommodated satisfactorily within the coniferous plantation without harm to landscape and accordingly approval is recommended.

7. Site and Surroundings

- 8. The application site is an existing Airwave telecommunications base station with a 24m high lattice mast and stone equipment building located at the northern end of the Snake Valley, approximately 400m north-west of the Snake Pass Inn.
- 9. It lies to the east of the A.57 and is set back 50m from the road within coniferous woodland managed by Forestry England and is accessed off an existing forestry clearing which has a double gated entrance off the A57. A public footpath heads south-east from these gates. Trees surrounding the mast have grown in the last 20 years since the mast was first erected from some 15m to 20m tall.

10. Background

- 11. Airwave Solutions Ltd currently operate the UK wide emergency services network until the expiry of their operating licence. The existing tower at Snake Pass Clearing is integral to their network and will remain so for several years to come.
- 12. The Emergency Services Mobile Communications Programme (ESMCP) is the Home Office led programme responsible for the new Emergency Services Network (ESN). It aims to provide a 4G integrated voice and broadband data communications service for the blue light services. ESN has initially been deployed by enhancing an existing

commercial network configured to give the three emergency services priority over other users. This proposal, like the other committee item for the mast above High Bradfield is for the Extended Area Services (EAS) which is to provide additional infrastructure to extend the ESN into primarily remote and commercially unviable areas where little or no mobile network coverage exists. The Home Office EAS team have identified this existing Airwave tower as a site share opportunity.

13. <u>Proposal</u>

- 14. The removal of the existing 24m Airwave tower and replacement with a 35m lattice tower upon which will be attached antennae and dishes for Airwave, the ESN (EAS) and the Shared Rural Networks (SRN). 3 No. Existing Airwave antenna would be installed at 26m above ground level (AGL) 2 No. ESN (EAS) panel antenna and 2 No. 600mm diameter dishes at 35m AGL and 3 No. antenna at 31m AGL for the shared rural network (to provide the public and local community with access to 4G coverage).
- 15. At ground level, the existing fenced compound would be extended and additional cabins/cabinets be positioned on the old and new tower bases, along with a standby generator. A separate fenced enclosure housing a 1.2m diameter satellite dish is proposed 100m to the south-west of the main compound to obtain the required clear line of site through the tree cover to function.
- 16. The tower is proposed to have a plain galvanised steel finish with the ability to be painted subject to planning condition requests. The steel cabins and cabinets would be coloured dark green (RAL6009).

17. <u>RECOMMENDATION</u>:

- 18. That, subject to the prior submission of a Planning Obligation under S106 of the Planning Act (Unilateral Undertaking) which secures the retention and management of the trees immediately surrounding the site throughout the lifetime of the development, the application be APPROVED subject to the following conditions;
 - 1. Statutory 3 year time period for commencement.
 - 2. Carry out in accordance with the submitted plans subject to the following conditions and or modifications;
 - 3. The whole of the installation, including mast, antenna, dishes and any support poles, cable gantry and fencing shall be pre-coloured prior to erection/installation in a dark green colour (RAL6009) with a matt finish
 - 4. Remove when no longer required for telecommunications purposes
 - 5. All new access tracks, resurfacing and repair of existing tracks to be carried out with natural crushed gritstone only.

19. <u>Key Issues</u>

- 20. Whether the principle of the proposed development is acceptable.
- 21. The impact of the development upon the scenic beauty and other valued characteristics of the National Park.

22. Whether the need for the development, notably emergency services cover, outweighs any harm identified and taking into account the economic and social benefits of the development.

23. <u>Relevant Planning History</u>

24. 2001 – Approval for telecommunications base station with 25m mast for Airwave. Conditions required the equipment to be all dark green and be made available for use by all emergency services and for no other purpose. Conditions also required the installation be removed if trees within a 30m radius of the site are substantially removed and also that it is removed when no longer required for telecoms purposes.

25. Consultations

26. <u>Highway Authority</u>: No objections on the basis that the proposals will not result in an intensification in use of the existing access to the public highway.

27. <u>Representations</u>

- 28. One letter has been received from the National Trust which makes the following summarised comments;
- 29. Recognises need to provide improved network coverage and therefore do not object to the principle of the development.
- 30. Request that the Authority ensures that the height is the minimum necessary to achieve the required coverage, particularly if the adjacent trees are likely to be felled in future.
- 31. Screening is entirely dependent on the felling regime employed within the forestry plantation. Clear felling could result in a very stark view of the lattice tower and therefore request that a planning condition or agreement is used, if possible, to secure the future management of this woodland and prevent clear felling.
- 32. Also request that the colour of all equipment is secured by planning condition and suggest a dark green colour and if upper sections will significantly exceed the height of adjacent trees and will skyline in views then another colour may be preferable.

33. National Planning Policy Framework (NPPF)

- 34. 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.
- 35. 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.

- 36. In relation to telecommunications development, Paragraph 112 of the framework document sets out the objectives of the Communications Infrastructure. It states that 'advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being'. Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections.
- 37. 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".
- 38. In the National Park, the development plan comprises the Authority's Core Strategy 2011 and the Development Management Polices (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.

39. Main Development Plan Policies

- 40. Core Strategy
- 41. 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.
- 42. 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.
- 43. DS1 *Development Strategy*. Sets out that most new development will be directed into named settlements.
- 44. 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.
- 45. L3 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.
- 46. Policy CC1 states that development must make the most efficient and sustainable use of land, buildings and natural resources.
- 47. Development Management Policies
- 48. The supporting text in the Development Management DPD includes a section on telecommunications development. This states:

- 49. 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.
- 50. 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.
- 51. 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.
- 52. 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.

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.

53. The Code of Best Practice on Mobile Network Development in England (2016)

- 54. The Code of Best Practice provides guidance to mobile network operators, their agents and contractors and equally to all local planning authorities in England.
- 55. 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.
- 56. 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.
- 57. In the National Park, the development plan comprises the Authority's Core Strategy 2011 and the Development Management Polices (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.

58. Assessment

59. Principle of Development

- 60. Proposed is the upgrading of an existing telecommunications site with a taller mast to carry additional antenna for the benefit of the emergency services network and which would also provide coverage for the local community, visitors and travellers along this stretch of the A 57 road. A mast share although requiring a raised mast height avoids the need for further masts in the vicinity which would otherwise be required.
- 61. Relevant policies in the development plan offer support in principle for the erection of new or improved 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 National Planning Policy 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.
- 62. The need for coverage of the immediate local area proves the need for a mast in this location and that in this case a mast share is the most appropriate solution to provide the necessary service and meet policy. There are therefore no objections in principle to the development and it is considered that the main issue is the impact of the proposed development upon the valued characteristics and landscape of the National Park and whether the visual impact of the mast would be outweighed by the public benefits.

63. Design and Appearance

- 64. The proposed mast is a lightweight tapered lattice style, typical for these installations and entirely appropriate in this context. Given the site is within mature coniferous woodland a dark green colour with a matt finish would minimise the visual impact such that from any public views through the trees from the road of footpath it would not be noticeable.
- 65. The existing Airwave antenna are slim and would be located below the tree height, only the EAS and SRN antenna with the associated dishes would have to be located above the treeline in order to function. The ground level equipment cabinets would all be contained within a modest extension of the existing compound surrounded by a matching 1.8m high chain link fence. We suggest that in any approval these along with the mast itself and all associated antenna, dishes and support structures are all conditioned to be coloured dark green to minimise their visual impact. On this basis there are no objections to the design or appearance of the mast and its extended compound.
- 66. A satellite dish is also needed to link the site to the wider network and due to the thickness and height of surrounding trees at the mast site itself this needs to be sited some distance away from the mast to achieve a suitable line of site to the satellite. Hence a separate small fenced compound to house this 1.2m diameter dish is also proposed. Subject to this installation all being coloured dark green we have no objections to the design and siting of this dish.

67. Landscape Impacts

- 68. Whilst the top of the new mast would protrude above the trees, it would have a proportionally similar impact to that the current mast had when first approved back in 2001 now the trees have grown. It would not skyline from any public vantage points and would be seen against the backdrop of the dark green tree-covered hillside. Whilst sometimes a second mast can be an alternative and less intrusive option, in this well treed landscape a mast share can be easily accommodated and hidden amongst the trees. We consider that on this site a single higher mast remains the least intrusive option for covering this upper section of the A.57 in the Snake Valley.
- 69. The mast is only acceptable in this location because of the screening provided by the dense coniferous tree cover which being part of a managed plantation is therefore subject to felling and replanting on a cyclical basis. 20years ago when the first mast was approved the Authority's practice was to impose a condition requiring removal of the mast should the adjacent screening trees be removed. In this case a 30m diameter buffer was conditioned and in order to protect the future of the existing mast the applicants will no doubt already have negotiated some form of agreement with Forest England to retain the tree-cover through long-term management.
- 70. Such a condition would not meet today's legal test for conditions and thus for the Authority to properly secure the retention of the screening, without which we could not support the proposal, any current agreements the applicants have with Forestry England will need to be brought into a Planning Obligation to identify an appropriate block of trees to be retained and managed throughout the lifetime of the development.
- 71. Subject to the prior submission of such a suitably worded obligation under S106 of the Planning Act and subject to the above mentioned conditions we consider the minimal landscape impact of the mast would be acceptable and in any case any slight adverse visual impact would be more than outweighed by the public benefits of the service.

72. Amenity Impact

73. The nearest properties are located at the Snake Inn complex 400m south and out of sight of the mast, so we consider are not affected by the development other than in a positive way from improved mobile communication.

74. Highway Impact

75. The access exists and is wide enough for use by large forestry vehicles. It has good visibility and is therefore acceptable for both any construction vehicles and thereafter once built the level of traffic associated with the site would be the occasional maintenance visit. There are therefore no highway concerns over the access and traffic implications of the proposal.

76. Conclusion

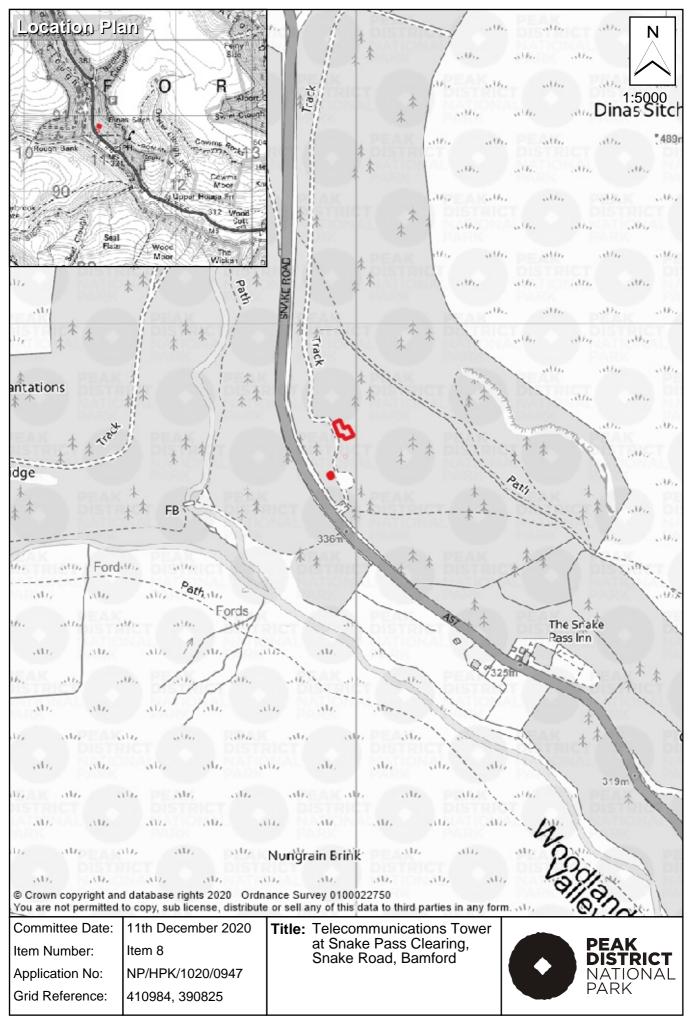
- 77. The site is an existing telecommunications site which is capable of accommodating the larger mast as a shared site. The upgrade will provide essential coverage for the new blue light Emergency Service Network and will also bring much needed mobile coverage to the local community and other users of the area where there is currently no service.
- 78. We consider the proposed mast and the associated equipment can be accommodated satisfactorily within this coniferous plantation without harm to landscape provided long term control over the surrounding trees which provide essential screening for the site is secured via a suitably worded Planning Obligation and subject to all the site being coloured dark green with a matt finish and accordingly approval is recommended.

79. Human Rights

- 80. Any human rights issues have been considered and addressed in the preparation of this report.
- 81. List of Background Papers (not previously published)

82. Nil

83. Report author: John Keeley – North Area Planning Team Manager.



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9. FULL APPLICATION – ALTERATIONS TO PROPERTY AND CHANGE OF USE OF BUILDINGS TO HOLIDAY, BED AND BREAKFAST, AND OFFICE USE. CONSTRUCTION OF PLANT ROOM, WASTE TREATMENT PLANT, ANCILLARY GARDEN BUILDINGS, AND GROUND SOURCE HEAT PUMP. ALTERATIONS TO SITE ACCESS. LANDSCAPING AND OTHER WORKS INCIDENTAL TO THE PROPOSED DEVELOPMENT. STANTON OLD HALL, STANTON OLD HALL LANE, CONGREAVE (NP/DDD/1218/1134, MN)

APPLICANT: MR AND MRS MARK AND NIKI RAMSDEN

Summary

- 1. The proposed development seeks to restore the listed buildings on the site whilst introducing some new uses in to them.
- 2. Subject to conditions the proposed works would conserve the heritage interest of the buildings in accordance with the Authority's adopted planning policies and national legislation.
- 3. The changes of uses proposed also accord with adopted policy, and the impacts associated with these new uses are compatible with the buildings and site, subject to conditions.
- 4. There are no further material considerations which would indicate that permission for the development should be refused.
- 5. Accordingly, the application is recommended for approval. The scope of the proposed works is broad, resulting in the need for a large number of conditions many to ensure that matters of detailed design conserve the buildings' significance.

Site and surroundings

- 6. Stanton Old Hall is a historic farmstead located in open countryside at Congreave, approximately one kilometre north-north-east of Stanton in Peak village. It occupies an elevated and isolated position on the south side of a valley, above the River Wye. The farmstead is accessed off a dog-leg bend along Old Hall Lane.
- 7. The property is Grade II listed and has a 17th century core, but may incorporate earlier fabric as documentary evidence suggests it has earlier origins. The east and central bays of the Hall are the oldest and these comprises a two and ½ (garret) storey structure, single cell deep with a two bay lobby entrance plan form. The front elevation of the Hall faces south. The property was extended to the west in the late 18th century and a series of alterations and remodelling were carried out over the following two centuries. It appears that the north-east wing was added at the beginning of the 20th century, on the same footprint of an earlier wing. During the second half of the 20th century a number of unsympathetic and unauthorised works were carried out to the property.
- 8. The west end of the principal building is connected to a 19th century stable-block via a two storey link.
- 9. A detached barn of T-plan form stands to the south-west of the Hall. These structures appear to date from the 19th century. In the 1930s, the internal fittings of the ancillary buildings were stripped and their external shells altered.
- 10. The pigsty to the south-east of the Hall, more recently used as a store, was constructed

in the late 19th century.

- 11. The buildings on the site are constructed from locally derived gritstone with gritstone dressings. Stone slate or blue slate cover their gabled roofs. The different types of fenestration reflect the different building types, ages and adaptation.
- 12. The buildings are laid out in a loose courtyard arrangement with the yard (now a lawn), to the south-east.
- 13. Land falls to the north and north-east of the site, with the building levels following the topography.
- 14. East of the Hall are two rectangular fields; the south one was formerly an orchard.
- 15. The site is outside of any designated conservation area.
- 16. The property has no immediate neighbours.
- 17. The applicant has a lease on the property from Haddon Estate, who own it.

Proposal

- 18. This application seeks permission for various alterations to the Hall, the agricultural buildings within its curtilage, and its setting including the provision of some new ancillary buildings within the curtilage. Some changes to the scope of works have been made during the course of the application. As amended, the works comprise:
- Internal works to the main house, including repairs, some alterations to internal features, and alteration to some external openings, and use of three bedrooms for bed and breakfast accommodation.
- Replacement of the link between the main house and stable building with a contemporary link.
- Internal layout changes to the attached former stable building, and external alterations including re-opening a former doorway and replacement of rooflights. It was originally proposed to convert this space to 3 holiday let units, including the introduction of an additional floor within the existing shell. This part of the proposal has since been omitted.
- Conversion of western section of freestanding barn to office (first floor) and domestic storage (ground floor). It was originally proposed to convert both the first floor and some of the ground floor to office use. This has since been reduced to occupy only the first floor.
- Conversion of eastern section of freestanding barn to one-bed holiday let.
- Construction of underground plant room behind southern corner of freestanding barn.
- Installation of ground source heating to field to the south of the property.
- Changes to site access and parking area.
- Provision of part-underground tractor/machine store. During the course of the application proposals to add a wooden greenhouse, summerhouse, and garden pergola were added to the proposals.

• Installation of a package treatment plant.

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 and amended plans, subject to the following further conditions and modifications.
- 3. The development hereby approved shall be maintained as a single planning unit. The office space shall not be used for any other purposes. The store shall only be used as a store for domestic purposes.
- 4. The recommendations of the submitted protected species survey shall be followed at all times throughout the course of the development
- 5. The supplied grassland method statement shall be followed throughout and following the installation of the ground source heating system
- 6. Prior to the installation of the package treatment plant, details of the route and method of installation of all associated pipework shall be submitted to and approved in writing by the Authority. Thereafter the development shall proceed only in accordance with the approved details.
- 7. All retained trees shall be protected throughout the duration of works.
- 8. (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 Authority in writing, and until any pre-start element of the approved scheme has been completed to the written satisfaction of the Authority. The scheme shall include an assessment of significance and research questions; and

The programme and methodology of site investigation and recording;

The programme for post investigation assessment;

Provision to be made for analysis of the site investigation and recording;

Provision to be made for publication and dissemination of the analysis and records of the site investigation;

Provision to be made for archive deposition of the analysis and records of the site investigation;

Nomination of a competent person or persons/organization undertake the works set out within the Written Scheme of Investigation.

- a. (b) No development shall take place other than in accordance with the archaeological Written Scheme of Investigation approved under condition (a).
- b. c) Within a period of 12 weeks from completion of the development the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological Written Scheme of Investigation approved under condition (a) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

- 9. Prior to the installation of any external lighting a scheme of such lighting shall be submitted to and approved in writing by the Authority. Thereafter the development shall proceed only in accordance with the approved details.
- 10. Unless otherwise approved in writing by the Authority, the development shall not be commenced until a detailed scheme of highway improvement works for the provision of improved passing opportunities on Old Hall Lane, together with a programme for the implementation and completion of the works, has been submitted to and approved in writing by the Authority. No part of the development shall be brought into use until the required highway improvement works have been constructed in accordance with the approved details. For the avoidance of doubt the developer will be required to enter into a 1980 Highways Act S278 Agreement with the Highway Authority in order to comply with the requirements of this Condition.
- 11. Before any other operations are commenced, the existing northern vehicular access shall be modified to Old Hall Lane and provided with a minimum width of 4.25m (0.5m added if bounded on one side, 1.0m if bounded on both sides), together with provision of a kerb line along the site frontage, located, designed, laid out, constructed and provided with 2.4m x 25m visibility splays in either direction, all as agreed in writing with the Authority, the area in advance of the sightlines being maintained throughout the life of the development clear of any object greater than 1m in height (0.6m in the case of vegetation) relative to adjoining nearside carriageway channel level. For the avoidance of doubt the developer will be required to enter into a 1980 Highways Act S278 Agreement with the Highway Authority in order to comply with the requirements of this Condition.
- 12. The proposed access drive to Old Hall Lane, the subject of the condition above, shall be no steeper than 1 in 15 for the first 10m from the nearsidehighway boundary.
- 13. There shall be no gates or other barriers within 5m of the nearside highway boundary and any gates shall open inwards only.
- 14. The premises, the subject of the application, shall not be taken into use until space has been provided within the application site in accordance with the application drawings (ref: LU/*CE/100/17123/F) for the parking and manoeuvring of residents' and visitors' vehicles (including secure cycle parking), laid out, surfaced and maintained throughout the life of the development free from any impediment to its designated use.
- 15. At the commencement of operations on site (excluding demolition/ site clearance), space shall be provided within the site curtilage for storage of plant and materials, site accommodation, loading and unloading of goods vehicles, parking and manoeuvring of site operatives and visitors vehicles, laid out and constructed in accordance with detailed designs to be submitted in advance to the Local Planning Authority for written approval and maintained throughout the contract period in accordance with the approved designs free from any impediment to its designated use.
- 16. The premises, the subject of the application shall not occupied until a bin store has been provided adjacent to the roadside, so bins can be stored clear of the public highway on collection day.
- 17. Measures recommended with the submitted Travel Plan shall be implemented

prior to the holiday let and Bed & Breakfast uses commencing.

- 18. Prior to any demolition of the existing link extension an assessment of the significance of the lower part of the south facing retaining wall shall be undertaken. Full details of this assessment and any proposed alteration to the south elevation of the new link extension required to accommodate its retention (should that prove necessary) shall be submitted to and approved in writing by the Authority prior to the demolition of the existing link extension. Thereafter the development shall proceed only in accordance with the approved design.
- 19. Prior to the construction of the new link extension full details of the proposed junction between it and the host buildings (including appearance, materials, and fixings) shall be submitted to and approved in writing by the Authority. Thereafter the development shall proceed only in accordance with the approved details.
- 20. Prior to the replacement or installation of any new windows or doors and notwithstanding the submitted plans in the case of the bi-fold doors proposed in the north elevation of the Hall and the pitching window and double width opening to the west gable end of the former stable full details of their design (including glazing, frame profiles, any glazing bars, opening details, furniture, finish, fixings, and new cills and lintels where applicable) shall be submitted to and approved in writing by the Authority. Thereafter the development shall proceed only in accordance with the approved details.
- 21. The conversion of the internal recess in the west wall of the south projecting gable of the Hall in to a window shall be omitted from the development.
- 22. Any new stonework or pointing required as a result of changes to the arrangement of external rainwater goods and other pipework shall match the existing.
- 23. Prior to the installation of any flues, extracts, or vents of any kind full details of their routing, design, and positions shall be submitted to and approved in writing by the Authority. Thereafter the development shall proceed only in accordance with the approved details.
- 24. Prior to the construction of the new opening (emergency exit) between bedroom 4 and the new link extension details of the opening (including door lintel, framework, and any steps) shall be submitted to and approved in writing by the Authority. Thereafter the development shall proceed only in accordance with the approved details.
- 25. The glazed panes to the roof of the former stable building shall be either retained, replaced like-for-like, or replaced with an industrial type rooflight, details of which shall be submitted to and approved in writing by the Authority prior to installation. Thereafter the development shall proceed only in accordance with the approved details.
- 26. Prior the re-alignment of the rainwater goods attached to the former stable, amended details simplifying the routing shall be submitted to and approved in writing by the Authority prior to installation. Thereafter the development shall proceed only in accordance with the approved details.
- 27. Prior the installation of window (0HS1) amended details that revise its position,

size, and detailing shall be submitted to and approved in writing by the Authority. Thereafter the development shall proceed only in accordance with the approved details.

- 28. The flue proposed to the rear roof slope of the former stable building shall be omitted from the development.
- 29. Prior to the construction of the external staircase to the south east gable of the barn full details of its design, including any proposed handrail, shall be submitted to and approved in writing by the Authority. Thereafter the development shall proceed only in accordance with the approved details.
- 30. Prior to the construction of the plant room a methodology for its construction demonstrating how the structural integrity of the barn shall be conserved both during and following construction, and of a detailed design for the new stone walling, fencing, and any surfacing to the roof shall be submitted to and approved in writing by the Authority. Thereafter the development shall proceed only in accordance with the approved details.
- 31. Prior to its construction full details of the stone boundary treatment proposed adjacent to the north-west site entrance, including wall construction, capping, and any gate posts shall be submitted to and approved in writing by the Authority. Thereafter the development shall proceed only in accordance with the approved details.
- 32. Prior to their construction full details of the stone piers and gates proposed adjacent to the south-west site entrance, including pier construction, and gate design shall be submitted to and approved in writing by the Authority. Thereafter the development shall proceed only in accordance with the approved details.
- 33. Notwithstanding the approved site plans, the gates between the stable building and barn are not approved by this permission.
- 34. Notwithstanding the approved plans, prior to the construction of the garden/tractor store an amended scheme that simplifies the proposed walling and reduces the massing shall be submitted to and approved in writing by the Authority. Thereafter the development shall proceed only in accordance with the approved details.
- 35. Notwithstanding the approved plans, the proposed greenhouse, summerhouse, and pergola shall be omitted from the development.

Key Issues

- 19. The main planning considerations relevant to this application are:
 - Whether the principle of the proposed uses is acceptable
 - Whether the proposals would conserve the significance of the listed buildings and their setting
 - Whether the highway impacts of the development are acceptable

<u>History</u>

2018 – Planning and listed building consent applications submitted for a similar scheme of works, but with a larger area of office space proposed – withdrawn prior to determination.

2015 - Listed building consent granted for repairs to main building

Consultations

Highway Authority – Several consultation response have been provided throughout the course of the application following amendments to the proposals.

Objection was originally raised based on the area of office and amount of holiday accommodation proposed. Both have since been reduced in scale.

In relation to the amended proposals the highway authority noted that Old Hall Lane is a single track road subject to the national speed limit and in the vicinity of the site is a series of s-bends on a relatively steep gradient, with the site remote from nearby settlements and facilities. They advise however that vehicle speeds are low due to the nature of the road at this location and in the absence of any accidents it is considered an objection highway grounds would be difficult to sustain. They recommended a number of further amendments be made to the proposals to further improve highway safety however, including additional parking space within the site, improved visibility from the northern access, installation of a kerbline, and adjustments to the verge to improve opportunities for passing places. Whilst it was suggested that these could be secured by conditions, officers did not have sufficient certainty that they could be achieved to be able to recommend such conditions (if the application was ultimately otherwise supported).

This culminated in the highway authority attending a meeting on site with the applicant and they have subsequently advised that they are satisfied that these measures can be achieved. As a result they recommend that they are secured by conditions, along with a number of more general highway-related conditions.

Parish Council – Raise concerns regarding increased traffic levels from the proposals, and how the site might be operated following any approved change of use after the current lease expires.

The Council also raise some concerns regarding physical works – including the addition of rooflights, provision of the new plant room, addition of a tractor store, and lack of details of proposed external lighting.

They also highlight discrepancies between application documents. These are addressed in the report where relevant and material.

Authority's Conservation Officer – Several detailed consultation responses have been provided throughout the course of the application, along with more informal advice. The conservation officer is broadly in support the development and proposed use for the building, but recommends a number of changes and omissions to elements of the proposal and the reserving of some details. These are referenced as applicable in the assessment section of the report below. The full comments can be viewed on the Authority's website.

PDNPA – Archaeology – Changes to historic fabric will harm the historic interest of the buildings with new openings, blocking up of existing openings, subdivision of spaces, and the introduction of new features and fabric (wood panelling in the Drawing Room, the external steps in the position, but incorrect orientation, of a lost flight on the east elevation of the barn etc. Groundworks for drainage, the water processing plant, new electricity (and other services) and the radial array and flow pipes for the ground source heat pump have the potential to encounter, damage and destroy as yet undiscovered and unrecorded archaeological remains, as do internal groundworks (for repair, underfloor heating) within the historic core and north wing of the Old Hall. This will harm archaeological interest and evidential value of the site, but not the core significance of the site. It is unfortunate that such a large amount of excavation for

the proposed underground plant room extension has already taken place, as this removes any opportunity to consider the possible implications of this aspect of the proposal. Should the proposals be considered acceptable in the light of the advice from the Building Conservation Officer, and from a Planning perspective, I advise that the archaeological impacts of the proposed development detailed above can be adequately addressed through a conditioned scheme of archaeological recording and investigation. The full comments and recommended conditions can be viewed on the Authority's website.

PDNPA – Ecology – Has provided advice in relation to management of grassland to the south of the property that would be affected by the ground source heating installation, including a method statement. Advised that they wished to review an earlier report relating to bat interests prior to providing comment on the submitted bat report. This has not been made available (due to being deemed unnecessary by the inspecting bat consultant on the basis of recent reroofing of the building in question). A response to this from the Authority's Ecologist was requested but has not been received.

PDNPA – Arboriculture – Commented on the scheme as originally submitted, requesting an arboricultural assessment in relation to a package treatment plant that was proposed beneath a mature cherry tree. The package treatment plant has since been relocated outside of the trees root protection area.

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."

Natural England – No objection.

Representations

18 letters of representation has been received. 16 support the proposals whilst 2 object to them.

The grounds for support are:

- The development would save and restore and conserve the dilapidated historic buildings
- The extent of development proposed is necessary for the restorations to be viable
- The buildings should be put to viable use, with farming having ceased at the site many years ago
- The provision of holiday accommodation would support local businesses
- Whilst the passing road is narrow and winding, traffic is slow moving as a result and it is lightly trafficked, and the development would not harm highway safety

The grounds for objection are:

- Additional external lighting would harm the character of the locality
- The development would generate additional noise
- The site is not served by adequate infrastructure to support the commercial development proposed, with the road being narrow and steep, having limited passing opportunities, and having dangerous junctions and corners nearby, and with no footpath.
- Additional traffic on the lane would be dangerous to walkers, horse riders, and cyclists
- The current traffic levels detailed by the submission are exaggerated
- The current use of the site as a farm could be viable
- Some of the proposed alterations would harm the appearance or significance of the listed building
- It is not practical for bed and breakfast or holiday guests to be collected locally and brought to the site, as they would not have access to meals at the site.

- The property has been rented out on a repairing lease for decades without the necessity to change it from a residential property to a business concern
- The changes would have a detrimental impact on the property's quiet location, its setting in the countryside, and its unassuming presence

Main policies

- 20. Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L2, L3, RT2, E2, CC1, CC2.
- 21. Relevant Development Management Plan policies: DMC3, DMC5, DMC8, DMC10, DMC12, DMC13, DMT8.

National Planning Policy Framework and National Planning Practice Guidance

- 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.
- 23. 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.
- 24. 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.
- 25. 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.

Development plan

26. 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.

- 27. Core Strategy policy DS1 outlines the Authority's Development Strategy, and in principle permits the conversion of buildings to provide visitor accommodation and office space.
- 28. Core Strategy policy RT2 says that proposals for hotels, bed and breakfast and selfcatering accommodation must conform to the following principles:
- 29. 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.
- 30. Appropriate minor developments that extend or make quality improvements to existing holiday accommodation will be permitted.
- 31. New build holiday accommodation will not be permitted, except for a new hotel in Bakewell.
- 32. Policy E2 of the Core Strategy addresses business development in the countryside. It states that proposals for business development in the countryside must take account of the following principles:
- 33. Businesses should be located in existing traditional buildings of historic or vernacular merit in smaller settlements, on farmsteads, and in groups of buildings in sustainable locations. However where no suitable traditional building exists, the reuse of modern buildings may be acceptable provided that there is no scope for further enhancement through a more appropriate replacement building.
- 34. On farmsteads, or groups of estate buildings, small scale business development will be permitted provided that it supports an existing agricultural or other primary business responsible for estate or land management. The primary business must retain ownership and control of the site and building, to ensure that income will be returned to appropriate management of the landscape.
- 35. Business use in an isolated existing or new building in the open countryside will not be permitted.
- 36. Proposals to accommodate growth and intensification of existing businesses will be considered carefully in terms of their impact on the appearance and character of landscapes.
- 37. Ancillary retail operations must be small scale and principally offering for sale goods which are produced at the premises.
- 38. 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.
- 39. 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.
- 40. Core Strategy policy L2 states that development must conserve and enhance any sites,
- 41. 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.

- 42. 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.
- 43. 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.
- 44. 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.
- 45. 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.
- 46. 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.
- 47. 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.
- 48. Policy DMC12 addresses sites, features or species of wildlife, geological or geomorphological
- 49. Importance. It states that where these are not internationally or nationally designated sites or protected species development will only be permitted where:
 - (i) significant harm can be avoided and the conservation status of the population of the species or habitat concerned is maintained; and
 - (ii) the need for, and the benefits of, the development in that location clearly outweigh any adverse effect.
- 50. Development Management Policy DMC13 addresses the protection of trees, woodland or other landscape features put at risk by development. 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. Finally, it states that trees, woodlands and other landscape features should be protected during the course of the development.
- 52. 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

Current use of the site

- 53. Whilst the land around Stanton Old Hall continues to be farmed, it is understood that the property has not operated as a working farm for many years. Until the applicants took up the current leasehold from the owner Haddon Estate the property had stood empty for some time, having previously been rented on a 'repair lease' (i.e. a lease where the leaseholder bears responsibility for the repair and maintenance of a property in exchange for a reduced rent).
- 54. It has fallen in to a poor state of repair, with the Estate advising that previous tenants have not put in the level of maintenance that the property requires, and with more significant capital investment now required.
- 55. Although some restoration works to the main house have commenced under a previous listed building consent dating from 2015, the property remains in a generally poor state of repair throughout.
- 56. It appears that the existing farm buildings are no longer suitable for modern agricultural use. The scope for erecting new modern agricultural buildings in the setting of these listed buildings is also extremely limited as it would have a substantial and harmful impact upon their setting. As such, there is little prospect of the site being returned to any significant or viable agricultural use.
- 57. The barn has no viable use and this puts it at risk of further dereliction and, potentially, loss.
- 58. Given its listed status and the contribution that it makes to the significance of the farmstead, the archaeology of the site, the built environment, and the landscape of the area, this would be highly regrettable.
- 59. It is important, therefore, for a viable use for the building to be found and the current application proposes new uses for this building, as well as introducing an additional bed and breakfast use in to part of the main house.
- 60. How each of the proposed uses aligns with adopted planning policy is discussed in the following sections of this report.

The principle of change of use of barn to holiday let

61. Core Strategy policy RT2 supports the change of use of a traditional buildings of historic or vernacular merit to serviced or self-catering holiday accommodation, except where it would create unacceptable landscape impact in open countryside.

- 62. This position is supported by policy DMC10, which addresses conversion of heritage assets. This states that it is necessary for a building to be a heritage asset to be suitable in principle for conversion to a residential use. It permits the conversion of such buildings 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 tranquillity, dark skies, or other valued characteristics.
- 63. In this case, the building proposed for conversion is listed by virtue of it curtilage relationship to the main property. As a result the building is part of a heritage asset of national significance, and its conversion as proposed therefore complies with policies RT2 and DMC10 in principle.

The principle of change of use from barn to office use

- 64. Annotations on the amended plans and documents relating to floor area for conversion to office use are contradictory most likely arising from the fact that the area of office floor space proposed has been reduced, and not all related references have been updated. We have confirmed that only the first floor of the barn is now proposed for conversion to a single unit of office accommodation, and this amounts to 72m². That could be secured by condition if permission was granted.
- 65. The Local Plan generally seeks to steer new business development to settlements rather than the countryside, for reasons of sustainability and landscape impact.
- 66. Policy E2 does make some provision that is relevant in this situation however. It states that for groups of estate buildings small scale business development will be permitted provided that it supports an existing agricultural or other primary business responsible for estate or land management. It notes that the primary business must retain ownership and control of the site and building.
- 67. Whilst the site is currently leased, the buildings would remain in the ownership of the Haddon Estate and the conversion and restoration of the buildings would support the management of the wider estate in the longer term.
- 68. In addition, as only a single unit of office accommodation is proposed this would not become the principal use on the site (as policy E2 seeks to avoid), being small in scale when considering the site as a whole.
- 69. On that basis the office use is concluded to comply with policy E2.
- 70. Following recent changes to the use class order, an office falls within the new E use class. This covers a broad range of commercial, business and service uses. Buildings with established class E use can change use freely within class E without the need for planning permission. Whilst the site is suitable for office use as set out above, because of its remote location it would not be suitable for other uses within class E, such as a retal shop. A condition restricting the use to an office only is therefore recommended.

The principle of change of use of part of the main house to bed and breakfast accommodation

- 71. Core Strategy policy RT2 supports the change of use of a traditional buildings of historic or vernacular merit to bed and breakfast accommodation, except where it would create unacceptable landscape impact in open countryside.
- 72. This position is supported by policy DMC10, which addresses conversion of heritage

assets. This states that it is necessary for a building to be a heritage asset to be suitable in principle for conversion to a residential use. It permits the conversion of such buildings 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 tranquillity, dark skies, or other valued characteristics.

73. In this case, the building is listed. As a result the building is of national significance, and its conversion as proposed therefore complies with policies RT2 and DMC10 in principle.

Intensification of use of the site resulting from the changes of use as a whole

- 74. The lawful use of the site as a whole is as a single dwellinghouse and associated farmstead.
- 75. It is clear that the proposed changes of use would result in an intensification of use of the site. These new uses would though all be contained within existing buildings, not extending the site or resulting in additional buildings that might harm the setting of the listed buildings.
- 76. There are no neighbours that would be adversely affected by the increased intensity of use of the site.
- 77. On this basis, subject to the development conserving the listed building and their settings and conserving highway safety both discussed below it is concluded that the increased intensity of use would not have any adverse planning impacts.
- 78. In terms of noise impacts on the tranquillity and character of the countryside, those associated with the proposed uses would be less likely to generate significant noise than if the property was to be used for its current lawful agricultural use. On that basis there are no concerns regarding noise impacts.

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

<u>Main Hall</u>

- 79. External changes are primarily limited to changes to openings around the buildings, with roof and other repair works having been undertaken pursuant to the listed building consent granted in 2015.
- 80. It was originally proposed to remove a set of French doors to the rear (north) elevation, replacing these with a window. The French doors are a modern intervention and their proposed replacement with a window was welcomed. The amended plans submitted since seek to retain the opening, replacing the doors within it. The existing doors are lawful, having been granted consent by an earlier permission, and as a result an objection to their retention cannot reasonably be upheld. However, the conservation officer advises that the proposed bi-fold doors will harm the building's significance. It is therefore recommended that notwithstanding the submitted plans, details of the new doors would need to be reserved by condition if permission was granted.
- 81. It is proposed to replace a number of windows around the building, to which the Authority's conservation officer has raised no objections subject to detailing, which could be reserved by conditions. It is also proposed to convert what is currently an internal recess in the west wall of the south projecting gable in to a window. Whilst the

application suggests that this may have previously been a window there is no evidence to that effect, and its introduction would result in some minor harm to the buildings archaeology and significance through loss of fabric and loss of legibility of the original function and layout of the property. It is therefore recommended that this proposed intervention be omitted by condition if permission is granted.

- 82. A number of rooflights originally proposed have since been omitted on amended plans, which is welcomed.
- 83. Rationalisation of external pipework is also proposed; this is welcomed subject to any new stonework and pointing that might be required matching the existing; this could be secured by condition if permission was granted.
- 84. Proposed internal alterations have been addressed by the listed building consent application that has been considered in parallel to this planning application.

Replacement link

- 85. There is an existing link between the main hall and the stable building. This is mostly a 20th century addition, which has been constructed from stone with a slate roof. It serves to weaken the historic visual separation of the two buildings.
- 86. It is proposed to demolish this link, and replace it with a fully glazed link. This would much better serve to distinguish the two buildings. The lower part to the south retaining wall of the existing link may have earlier origins, and so it is recommended that a more detailed assessment of this wall is undertaken prior to the link being constructed, as it may be desirable to integrate this in to the new design. This could be secured by condition if permission was granted.
- 87. The link would cut across a former pitching hole opening in the stable wall; however, the same is true of the existing link roofline and so the impact here would be neutral.
- 88. Other matters of details such as the treatment/fixing of the junction between the link and host buildings would also need reserving by condition.
- 89. Proposed internal alterations have been addressed by the listed building consent application that has been considered in parallel to this planning application.

Former stables

- 90. Externally, the changes are generally limited to re-opening former openings, replacement windows, and consolidation of rainwater goods. There are no objections to these works subject to conditions. An unauthorised lean-to to the rear would be demolished, which is welcomed.
- 91. A flue is proposed to project through the rear roof slope of the building. As shown it appears as a tall and modern projection through the roof and we agree with the conservation officer's assessment that this detracts from the building's appearance. It is also unclear whether this represents the size at which it would need to be built, as it appears narrower than would be expected for a flue serving a wood-burning stove. Nevertheless, as shown it would result in unnecessary harm to the building, with the only justification being that the fire provides a centrepiece/focal point of the room it would serve. It is therefore recommended that this be omitted from the scheme by condition if permission is granted.

<u>Barn</u>

- 92. The replacement of windows and doors within existing openings is proposed. The plans originally showed the existing windows incorrectly, but have since been amended. Subject to securing the detailed design of all replacements by condition there is no objection to these works.
- 93. It is proposed to reinstate a former external staircase to a first floor doorway on the south-east end of the building. Subject to an appropriate treatment this would conserve the significance of the building.
- 94. Proposed internal alterations have been addressed by the listed building consent application that has been considered in parallel to this planning application.

<u>Plant room</u>

- 95. A new underground plant room is proposed outside of the south eastern corner of the barn. The excavation to facilitate this has already been undertaken without consent. It would be preferable for the plant room to be located within the ground floor of the barn, avoiding the need for new development in the setting of the listed building.
- 96. The applicant has put forward a number of arguments for the provision of the new below-ground plant room being a better option. Firstly, that according to the submitted heritage assessment the option of installing the plant room in the existing building would cause significant harm to the character of the ground floor of the building and also require damage to be caused to where service runs would break-through the wall and floor fabric. It also notes that there would also be an increased risk of damage from water damage, or fire should a fault occur within the plant room. The latter is true of any use requiring electricity or water supply to the building. The identified harm to the building that would arise from installing plant in the existing building is a material consideration however; feeding pipework in to and out of an entirely new structure would avoid such harm.
- 97. Visually, the impact of the plant room as proposed on the setting of the barn and hall would be small. Due to the rising ground adjacent to the barn the only evidence of the plant room once the land above it is restored would be a new stone-faced wall with door to the south to grant access in to it, and estate fencing above to the raised edges. This would have a very limited impact on the setting of the listed buildings. On that basis the proposals are acceptable.
- 98. This is subject to the submission of a methodology for the construction of the plant room that demonstrates how the structural integrity of the barn would be conserved both during and following construction, and of a detailed design for the new stone walling, fencing, and any surfacing to the roof of the plant room being agreed. These matters could be reserved by condition.

<u>External works - general</u>

99. The application proposes the demolition of the retaining wall opposite the front elevation of the Hall, and rebuilding it like for like. This wall contains a 17th century date-stone, probably re-sited from the house, and other features including the base of a cheese press. The retaining wall was constructed before July 1948 and it forms part of the curtilage of the structure. The listing protection afforded to the principal building therefore extends to the wall. The application does not include a conservation structural engineer's report setting out why the proposed works are necessary; and if the whole of the wall requires dismantling. Without this information, this aspect of the proposed

works cannot be assessed. As a result it is recommended that this element of the works is omitted by condition if permission is granted.

- 100. New boundary treatments and timber gates (to the north of the stable building and south of the barn) are proposed, and raise no objection subject to details being agreed.
- 101. The existing metal fencing and gates between the stable building and barn were installed prior to the current tenant taking occupation of the property and are unauthorised. The submitted site plan shows these retained with alteration to open up a pedestrian access to the southern end, where stone infill currently exists. However, no elevation plans of the gates or proposed modifications have been submitted and so this element of the works cannot be fully assessed, nor could it be properly secured if permission was granted. It is therefore recommended that this element of the scheme be omitted by condition in the event of approval of the application.

External works - Garden buildings

- 102. A garden store is proposed to the eastern edge of the site. The conservation officer advises that it would be preferable to keep all structures close together rather than extending the site in this direction. However, the openings in the ground floor of the barn aren't large enough to allow access for the machinery required and it is difficult to see how a further new building could be more closely related to the hall without having a greater impact on its setting.
- 103. The proposed store is mostly undergrounded. It would benefit from some simplification in terms of its integration and reduction in size, but subject to these being controlled by condition it would have a very low impact on the appearance of the grounds of the property.
- 104. A wooden lean-to greenhouse, Edwardian summerhouse, and green oak pergola are all shown on the proposed site plans, but no elevation plans have been submitted to further show their design. The conservation officer raises concerns that these will detract from the setting of the listed building, but there is insufficient information on which to fully assess them. As a result it is recommended that they are omitted from the development by condition if permission is granted.

External works - Ground source heat pump

105. These works would be set away from the listed building and below ground, having no impact on its significance, according with DMC7. The ecological implications and environmental benefits are discussed in subsequent sections of this report.

Summary of heritage and design matters

106. In summary, the site 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 buildings subject to conditions. The development therefore complies with policies L3, DMC3, DMC5, DMC7, and DMC10.

Landscape impacts

107. The scheme broadly involves works within the shells of the existing buildings and below ground. Changes to the roadside frontage are the only addition that will have particular visibility from outside of the site. The proposal for stone walling and timber gates here would not appear out of keeping with the general locality, subject to appropriate

detailing.

- 108. The installation of external lighting for parking areas or of the buildings in this unlit rural location could harm its character. It would therefore be necessary to secure such lighting by condition if permission was granted.
- 109. Subject to this the development would conserve the character of the landscape as required by policy DMC3.

Amenity impacts

- 110. There are no neighbouring properties adjacent to the site whose amenity could be prejudiced by the proposed development.
- 111. If the site was split into independent planning units following in the event of permission being granted though, amenity issues could arise.
- 112. This is because of the relationship of the buildings to each other. The proximity of the buildings to each other, the position of openings, and the shared access to them means that there would be overlooking between what would be the holiday let, the main house, and the office. This would harm the privacy of the occupiers most notably of the main house. For this reason it would be necessary to secure the development as a single planning unit by condition if planning permission was to be granted.
- 113. Overall, and subject to the condition discussed above, the development would conserve amenity in line with policy DMC3.

Highway impacts

- 114. The highway authority state that Stanton Hall Lane is a single track road subject to the national speed limit and in the vicinity of the site is a series of s-bends on a relatively steep gradient, with the site remote from nearby settlements and facilities. They note that the nature of the surrounding highway network is restricted, but that vehicle speeds are low and there are no accidents recorded for the location.
- 115. Having reviewed the submitted technical transport note, they advise that the proposals may result in an increase in traffic on the basis of 100% occupation of the holiday accommodation and office but that there would be some benefit arising from a reduction in the number of slow moving agricultural vehicles that would come about from removing the agricultural use of the site.
- 116. The submitted supporting documents have some inconsistencies in terms of vehicle movements and parking requirements relating to the proposed office use, with different documents indicating different staffing numbers. However, the highway authority have assessed the proposals based on the size of the office space proposed rather than the applicant's current business or intentions (which could change, of course).
- 117. There are also likely to be occasional vehicular visits to the site relating to servicing of the package treatment plant and back up oil boiler, which are discounted by the submitted transport note. These would be infrequent visits however, and so have no significant bearing on the assessment of highway safety.
- 118. The highway authority raised concerns about the parking and exit visibility arrangements of the development as originally proposed, principally related to the amount of traffic likely to be generated by the size of office space proposed, the positioning of parking to the south of the barn where exit visibility is poor, and in relation

to limited exit visibility from the main site entrance to the north.

- 119. The applicant has subsequently liaised with highway officers at length to amend the proposals to improve highway safety.
- 120. Commenting on the amended plans, and following a recent site meeting with the applicants, the highway authority now advise that the arrangement has been improved, with the size of office being reduced, and changes being made to the position and angle of the main site access and relocation of parking spaces away from the southern barn to this northern area. Having visited the site they are confident that additional necessary measures to further improve visibility from the site access and to improve opportunities for vehicles to pass each other could be secured by conditions.
- 121. In terms of parking provision, the number of spaces proposed was reduced when the proposal was amended to reduce the amount of office space proposed. The highway authority subsequently advised that it was insufficient for the proposed uses, and it has been changed again, now providing the following:
- 122. 2 spaces for the main house (2 bedrooms)
- 123. 3 spaces for the bed and breakfast accommodation within the main house (3 bedrooms)
- 124. 3 spaces for the office unit
- 125. 1 space for the holiday unit (1 bedroom)
- 126. The highway authority have raised no objection to the parking provision as now proposed.
- 127. The highway authority also highlight that whilst it may not be the current owners intention to operate the office as a totally separate office (it is proposed as the base for their own business), an unrestricted permission could allow this and potentially increase traffic to the site. They advise that a condition to secure the site as a single planning unit would reduce the risk of this happening at a later date sufficiently that a highway objection could not be upheld.
- 128. A Travel Plan has also been submitted by the applicant, which details initiatives and targets that will be used to reduce travel to the site by car, including pick-up of guests from local train stations, provision of bikes for communal use, cycle storage, and provision of local travel information to guests. The highway authority advise that their colleagues in the Sustainable Travel team have reviewed the document and conclude it is fit for purpose, recommending that its implementation be secured by condition if permission is granted.
- 129. Clearly, the provisions of this document will not remove all vehicular travel to the site. Whilst those staying in the holiday let unit could be self sufficient – with cooking facilities proposed within the unit – those staying in the bed and breakfast accommodation would not. The applicant advises that they would be able to offer meals to those utilising the bed and breakfast accommodation, but that could not reasonably be controlled. In concluding that it is fit for purpose though, the highway authority recognise that it is likely to help reduce vehicular movements associated with the development.
- 130. Overall, whilst recognising that the development may increase traffic movements at the site, the highway authority consider that a highways objection could not be sustained based on the current level of development and parking proposed, subject to conditions.
- 131. As noted above, one such condition is the need to secure the site as a single planning

unit. As discussed in the amenity section of this report, above, a condition retaining the site as a single planning unit would be required on grounds of amenity if permission was granted anyway, and so the development would comply with the requirements of the highway authority in this regard too.

- 132. In addition to the matter of vehicular use of the highway there are several footpaths that emerge on to the road close to the location of the property, indicating walkers are likely to be present at times on this section of road – although this would be likely to be mostly only for short distances as they cross the road between footpaths. As detailed above however, the highway authority are satisfied that adequate visibility from the site access can be provided to ensure highway safety, and they make no objection to the proposals on the grounds of an increased intensification of use of the road. Therefore there is no objection to the development on grounds of an increased risk to nonvehicular users of the highway.
- 133. Overall, based on the above assessments and subject to the conditions recommended by the highway authority, the development would conserve highway safety and provide sufficient parking levels in accordance with policy DMT8.

Ecological and tree impacts

- 134. A bat survey has been submitted in support of the application.
- 135. It found no evidence of bats roosting in the barn, despite recording bat activity around the buildings. It nevertheless makes recommendations for roosting features to be included in the barn as part of the development, to ensure habitat is available for bats.
- 136. The submitted survey does not deal with the main house and attached stable, which were eliminated from requiring assessment by and April 2018 survey on the basis that those buildings had recently been completely re-roofed.
- 137. The Authority's Ecologist requested details of a previous bat scoping report relating to the main house and stable to be submitted in order to make an assessment of impacts of the proposals. However, as noted above, the submitted survey states that the previous survey ruled out bat roosting in these buildings as they had recently been entirely re-roofed. Further, they would be subject to no further notable works as part of the current proposals, and nor would uses within these buildings change. With that in mind, further comment was requested from the Ecologist but has not been received.
- 138. Overall it is concluded that subject to the recommendations of the submitted bat report being followed, these interests would be protected.
- 139. The Authority's Ecologist has also provided advice in relation to the grassland to the south of the building group, which would be the site for the ground source heating pipes. They have advised that part of this grassland is of high ecological quality. They have prepared a short method statement for works to follow to ensure that this area is sufficiently managed by the proposed works; this could be secured by condition if permission was granted.
- 140. The proposals as originally submitted included the siting of the package treatment plant beneath the canopy of a mature tree at the northern edge of the site. The Authority's Tree Officer advised that they would require an arboricutural assessment and further detail of the installation in order to be able to make an assessment of impacts. The plant has since been moved away from the tree. Of the two feeds to it (from the house and barn), one would also avoid passing close to mature trees. The other would appear to still be routed within the RPA of a mature tree however. In the event of permission

being granted it is recommended that a condition be imposed to submit and agree details of the routing and excavation method of this pipework in order to ensure that it does not result in harm to the tree interests of the site.

- 141. A condition to require tree protection during works should also be imposed if permission is granted, to accord with policy DMC13.
- 142. Subject to the conditions securing the matters above the development is concluded to conserve the ecological and tree interests of the site in accordance with policies L2, DMC12, and DMC13.

Archaeological impacts

- 143. The Authority's Archaeologist advises that changes to historic fabric will harm the historic interest of the buildings with new openings, blocking up of existing openings, subdivision of spaces, and the introduction of new features and fabric. They also advise that groundworks for services have the potential to encounter, damage and destroy as yet undiscovered and unrecorded archaeological remains, as do internal groundworks within the historic core and north wing of the Old Hall. Whilst they advise that this will harm archaeological interest of the site, they conclude that it would not harm its core significance. They conclude that the archaeological impacts of the proposed development detailed above can be adequately addressed through a conditioned scheme of archaeological recording and investigation, should the development be concluded acceptable in the overall planning balance.
- 144. In terms of the planning balance, the scheme would result in the significant planning benefit of repairing and providing long term viability for the buildings, which would serve to secure their repair and maintenance.
- 145. 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

- 146. Because the buildings are listed, there are some limitations on the types of carbon reduction measures that can be introduced; retrospective insulation in particular can harm significant, character and breathability. More efficient modern glazing systems would also be inappropriate.
- 147. Underfloor heating is proposed throughout the property however, which is an efficient form of heating that would reduce energy usage.
- 148. The proposals also make significant provisions for the introduction of renewable energy provision, proposing a ground source heating array as noted earlier in this report. That would meet all of the heating needs for the property, with an oil fuelled boiler installed as a backup only. This would make a significant contribution to reducing the property's carbon footprint.
- 149. Further, the site is currently served by a springwater source, but has no facilities for storing the water or filtration at source. Given the fluctuating nature of springwater supply and the impact of this on pressure and availability, this has implications for water usage at the property, particularly given its size. Rather than moving to a mains water connection though, the application includes facilities for the storage, filtration (in tanks within the plant room) and continued use of the springwater as the property's main water supply. This represents sustainable development, removing the environmental costs associated with the supply and purification of mains water.

150. These measures improves the environmental credentials of the property and the development it concluded to comply with policies CC1 and CC2.

Conclusion

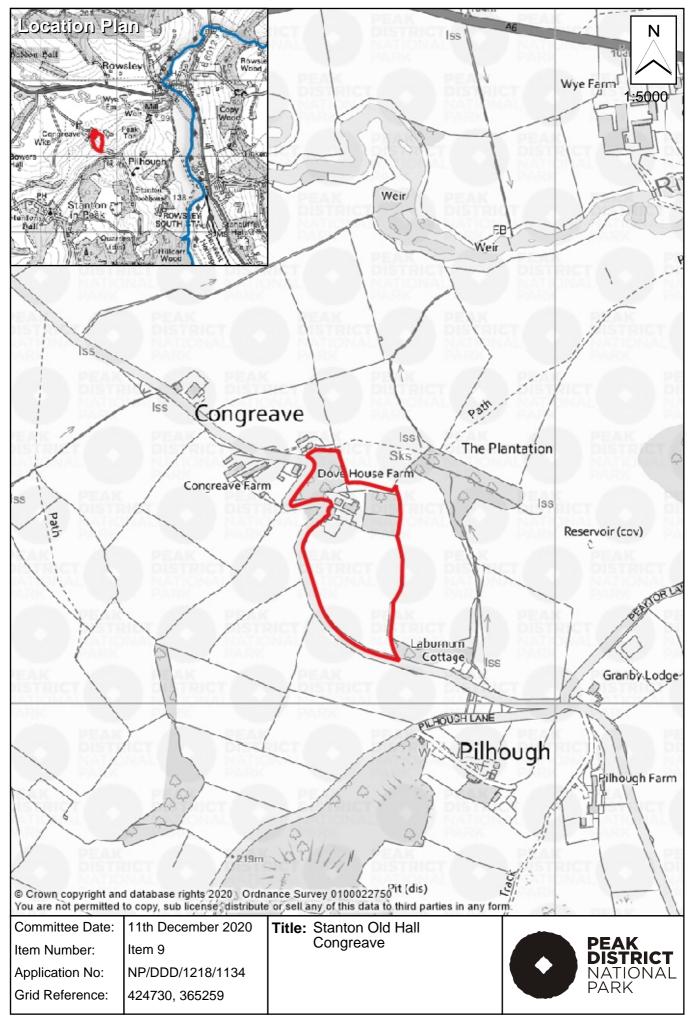
- 151. The buildings have not had a viable use for a number of years, and as a result investment in their upkeep has waned and their condition has deteriorated. Their physical restoration would secure their short-term future, but that is likely to require viable uses within them before being economical. The proposed uses accord with planning policy and provide such viability.
- 152. Further, we conclude that subject to conditions and when taken as a whole the proposal will conserve the significance, character and appearance of the buildings, neighbouring amenity, highway safety, and the ecological interests of the site in accordance with policies L2, L3, DMC3, DMC5, DMC7, and DMC10.
- 153. There are no other policy or material considerations that would indicate that planning permission should be refused.
- 154. We therefore recommend the application for conditional approval.

Human Rights

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

List of Background Papers (not previously published)

- 156. Nil
- 157. Report Author: Mark Nuttall, Senior Planner (South)



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10. LISTED BUILDING CONSENT – ALTERATIONS TO PROPERTY TO FACILITATE CHANGE OF USE OF BUILDINGS TO HOLIDAY, BED AND BREAKFAST, AND OFFICE USE. CONSTRUCTION OF PLANT ROOM, AND WASTE TREATMENT PLANT. STANTON OLD HALL, STANTON OLD HALL LANE, CONGREAVE (NP/DDD/1218/1142, MN)

APPLICANT: MR AND MRS MARK AND NIKI RAMSDEN

Summary

- 1. The proposed works seeks to restore and alter the listed buildings.
- 2. Subject to conditions the proposed works would conserve the heritage interest of the buildings in accordance with the national legislation and the Authority's adopted planning policies relating to heritage assets.
- 3. There are no further material considerations which would indicate that consent for the works should be refused.
- 4. Accordingly, the application is recommended for approval. The scope of the proposed works is broad, resulting in the need for a large number of conditions to ensure that matters of detailed design conserve the buildings' significance.

Site and surroundings

- 5. Stanton Old Hall is a historic farmstead located in open countryside at Congreave, approximately one kilometre north-north-east of Stanton in Peak village. It occupies an elevated and isolated position on the south side of a valley, above the River Wye. The farmstead is accessed off a dog-leg bend along Old Hall Lane.
- 6. The property is Grade II listed and has a 17th century core, but may incorporate earlier fabric as documentary evidence suggests it has earlier origins. The east and central bays of the Hall are the oldest and these comprises a two and ½ (garret) storey structure, single cell deep with a two bay lobby entrance plan form. The front elevation of the Hall faces south. The property was extended to the west in the late 18th century and a series of alterations and remodelling were carried out over the following two centuries. It appears that the north-east wing was added at the beginning of the 20th century, on the same footprint of an earlier wing. During the second half of the 20th century a number of unsympathetic and unauthorised works were carried out to the property.
- 7. The west end of the principal building is connected to a 19th century stable-block via a two storey link.
- 8. A detached barn of T-plan form stands to the south-west of the Hall. These structures appear to date from the 19th century. In the 1930s, the internal fittings of the ancillary buildings were stripped and their external shells altered.
- 9. The pigsty to the south-east of the Hall, more recently used as a store, was constructed in the late 19th century.
- 10. The buildings on the site are constructed from locally derived gritstone with gritstone dressings.
- 11. Stone slate or blue slate cover their gabled roofs. The different types of fenestration reflect the different building types, ages and adaptation.

- 12. The buildings are laid out in a loose courtyard arrangement with the yard (now a lawn), to the south-east.
- 13. Land falls to the north and north-east of the site, with the building levels following the topography.
- 14. East of the Hall are two rectangular fields; the south one was formerly an orchard.
- 15. The site is outside of any designated conservation area.
- 16. The property has no immediate neighbours.
- 17. The applicant has a lease on the property from Haddon Estate, who own it.

Proposal

- 18. This application seeks consent for various alterations to the Hall and agricultural buildings. Some changes to the scope of works have been altered during the course of the application. As amended, the works comprise:
 - Internal works to the main house, including repairs, some alterations to internal features, and alteration to some external openings.
 - Replacement of the link between the main house and stable building with a contemporary link.
 - Internal layout changes to the attached former stable building, and external alterations including re-opening a former doorway and replacement of rooflights. It was originally proposed to introduce an additional floor within the existing shell. This part of the proposal has since been omitted.
 - Works associated with the conversion of the western section of the freestanding barn to office (first floor) and domestic storage (ground floor).
 - Works associated with the conversion of eastern section of freestanding barn to one-bed holiday let.
 - Construction of an underground plant room behind southern corner of freestanding barn.
 - Installation of ground source heating to field to the south of the property.
 - Installation of a package treatment plant.

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 consent.
- 2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted and amended plans, subject to the following further conditions and modifications.
- 3. (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 Authority in writing, and until any pre-start element of the approved scheme has been completed to the written satisfaction of the Authority. The scheme shall include an assessment of significance and research questions; and

The programme and methodology of site investigation and recording; The programme for post investigation assessment;

Provision to be made for analysis of the site investigation and recording;

Provision to be made for publication and dissemination of the analysis and records of the site investigation;

Provision to be made for archive deposition of the analysis and records of the site investigation;

Nomination of a competent person or persons/organization undertake the works set out within the Written Scheme of Investigation.

- a. (b) No development shall take place other than in accordance with the archaeological Written Scheme of Investigation approved under condition (a).
- b. c) Within a period of 12 weeks from completion of the development the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological Written Scheme of Investigation approved under condition (a) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.
- 4. Prior to any demolition of the existing link extension an assessment of the significance of the lower part of the south facing retaining wall shall be undertaken. Full details of this assessment and any proposed alteration to the south elevation of the new link extension required to accommodate its retention (should that prove necessary) shall be submitted to and approved in writing by the Authority prior to the demolition of the existing link extension. Thereafter the development shall proceed only in accordance with the approved design.
- 5. Prior to the construction of the new link extension full details of the proposed junction between it and the host buildings (including appearance, materials, and fixings) shall be submitted to and approved in writing by the Authority. Thereafter the development shall proceed only in accordance with the approved details.
- 6. Prior to the construction of any new staircases full details of their design and construction (including where applicable details of match boarding, stringers, handrails, fixings and any proposed structural alterations) shall be submitted to and approved in writing by the Authority. Thereafter the development shall proceed only in accordance with the approved details.
- 7. Prior to the replacement or installation of any new windows or doors and notwithstanding the submitted plans in the case of the bi-fold doors proposed in the north elevation of the Hall and the pitching window and double width opening to the west gable end of the former stable full details of their design (including glazing, frame profiles, any glazing bars, opening details, furniture, finish, fixings, and new cills and lintels where applicable) shall be submitted to and approved in writing by the Authority. Thereafter the development shall proceed only in accordance with the approved details.
- 8. The conversion of the internal recess in the west wall of the south projecting gable of the Hall in to a window shall be omitted from the development.
- 9. Any new stonework or pointing required as a result of changes to the arrangement of external rainwater goods and other pipework shall match the

existing.

- 10. Prior to the removal or repair of any timber flooring full details of the extent of proposed replacement, the proposed timber and the method of repair shall be submitted to and approved in writing by the Authority. Thereafter the development shall proceed only in accordance with the approved details.
- 11. Prior to the boxing out (false lower ceiling) of any internal ceiling for the concealment of services full details (including sections showing the new lower ceiling in situ and proposed fixing and finishes) shall be submitted to and approved in writing by the Authority. Thereafter the development shall proceed only in accordance with the approved details.
- 12. Prior to the introduction of any stone threshold to the doorway between the Kitchen and Dining Room details of its materials and detailing shall be submitted to and approved in writing by the Authority. Thereafter the development shall proceed only in accordance with the approved details.
- 13. The wood panelling proposed to the walls of the drawing room shall be omitted from the development.
- 14. Prior to the cleaning of concrete from the flagstones in the drawing room and to any replacement of these flagstones details of the proposed cleaning and of the type and appearance of any proposed replacement flags shall be submitted to and approved in writing by the Authority. Thereafter the development shall proceed only in accordance with the approved details.
- 15. Prior to the infilling of the south-east (internal) doorway in the kitchen and notwithstanding the approved plans full details of the proposed treatment and design of the infill shall be submitted to and approved in writing by the Authority. Thereafter the development shall proceed only in accordance with the approved details.
- 16. Prior to the replacement of any ceiling beams in the kitchen a methodology for the proposed works, details of the proposed replacement beams, and details of any necessary making good of walls and ceilings shall be submitted to and approved in writing by the Authority. Thereafter the development shall proceed only in accordance with the approved details.
- 17. Prior to the undertaking of any new finishes to internal walls and ceilings, including the installation of any new skirting boards, details shall be submitted to and approved in writing by the Authority. Thereafter the development shall proceed only in accordance with the approved details.
- 18. Prior to the installation of the new partition walling in bedroom 1 details of its construction and fixing shall be submitted to and approved in writing by the Authority. Thereafter the development shall proceed only in accordance with the approved details.
- 19. Prior to the installation of any flues, extracts, or vents of any kind full details of their routing, design, and positions shall be submitted to and approved in writing by the Authority. Thereafter the development shall proceed only in accordance with the approved details.
- 20. No works to bedroom 4 other than those detailed on the approved floor plans are approved by this consent.

- 21. Prior to the construction of the new opening (emergency exit) between bedroom 4 and the new link extension details of the opening (including door lintel, framework, and any steps) shall be submitted to and approved in writing by the Authority. Thereafter the development shall proceed only in accordance with the approved details.
- 22. Prior to the reconfiguration of the section of staircase serving bedrooms 4 and 5 section plans detailing the arrangement relative to existing floors and ceilings and details of the construction of the new stairs shall be submitted to and approved in writing by the Authority. Thereafter the development shall proceed only in accordance with the approved details.
- 23. The glazed panes to the roof of the former stable building shall be either retained, replaced like-for-like, or replaced with an industrial type rooflight, details of which shall be submitted to and approved in writing by the Authority prior to installation. Thereafter the development shall proceed only in accordance with the approved details.
- 24. Prior the re-alignment of the rainwater goods attached to the former stable, amended details simplifying the routing shall be submitted to and approved in writing by the Authority prior to installation. Thereafter the development shall proceed only in accordance with the approved details.
- 25. Prior the installation of window (0HS1) amended details that revise its position, size, and detailing shall be submitted to and approved in writing by the Authority. Thereafter the development shall proceed only in accordance with the approved details.
- 26. The flue proposed to the rear roof slope of the former stable building shall be omitted from the development.
- 27. The blocking up of the existing (lower) door opening, at the south end of the east elevation of the stable shall be of studwork construction and fixed only to existing mortar joints and finished to match the adjacent wall.
- 28. Prior to the construction of the external staircase to the south east gable of the barn full details of its design, including any proposed handrail, shall be submitted to and approved in writing by the Authority. Thereafter the development shall proceed only in accordance with the approved details.
- 29. Prior to the construction of the plant room a methodology for its construction demonstrating how the structural integrity of the barn shall be conserved both during and following construction, and of a detailed design for the new stone walling, fencing, and any surfacing to the roof shall be submitted to and approved in writing by the Authority. Thereafter the development shall proceed only in accordance with the approved details.
- 30. Prior to the installation of the new partition walling in any part of the barn details of its construction and fixing shall be submitted to and approved in writing by the Authority. Thereafter the development shall proceed only in accordance with the approved details.
- 31. Notwithstanding the approved site plans, the gates between the stable building and barn are not approved by this consent.

- 32. Notwithstanding the approved plans, the proposed greenhouse, summerhouse, and pergola shall be omitted from the development.
- 33. Prior the excavation of any internal floor or the installation of any underfloor heating a detailed plan showing the proposed extent of underfloor heating in each room, a structural assessment supporting the proposals, and a methodology for carrying out the works shall be submitted to and approved in writing by the Authority. The structural assessment shall include details of any necessary consolidation works, and the methodology shall include details of how floors will be lifted, stored and replaced, of how finished floor levels will be retained, of how pipework will be routed through the buildings, and of any new proposed floor coverings. Thereafter the underfloor heating shall be restricted to only the identified areas and shall be installed only in accordance with the approved details.
- 34. Should the excavation of trial pits be required to inform the structural assessment required to support the underfloor heating proposals, the proposed position and methodology of these trial pits shall be submitted to and approved in writing by the Authority prior to their excavation. Thereafter the trial pits shall be undertaken only in accordance with the approved details.

Key Issues

19. 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.

<u>History</u>

2018 – Planning and listed building consent applications submitted for a similar scheme of works, but with a larger area of office space proposed – withdrawn prior to determination.

2015 – Listed building consent granted for repairs to main building

Consultations

Parish Council – Raise concerns regarding increased traffic levels from the proposals, and how the site might be operated following any approved change of use after the current lease expires.

The Council also raise some concerns regarding physical works – including the addition of rooflights, provision of the new plant room, addition of a tractor store, and lack of details of proposed external lighting.

They also highlight discrepancies between application documents. These are addressed in the report where relevant and material.

Authority's Conservation Officer – Several detailed consultation responses have been provided throughout the course of the application, along with more informal advice. The conservation officer is broadly in support the development and proposed use for the building, but recommends a number of changes and omissions to elements of the proposal and the reserving of some details. These are referenced as applicable in the assessment section of the report below. The full comments can be viewed on the Authority's website.

PDNPA - Archaeology - Changes to historic fabric will harm the historic interest of the buildings with new openings, blocking up of existing openings, subdivision of spaces, and the introduction of new features and fabric (wood panelling in the Drawing Room, the external steps in the position, but incorrect orientation, of a lost flight on the east elevation of the barn etc. Groundworks for drainage, the water processing plant, new electricity (and other services) and the radial array and flow pipes for the ground source heat pump have the potential to encounter, damage and destroy as yet undiscovered and unrecorded archaeological remains, as do internal groundworks (for repair, underfloor heating) within the historic core and north wing of the Old Hall. This will harm archaeological interest and evidential value of the site, but not the core significance of the site. It is unfortunate that such a large amount of excavation for the proposed underground plant room extension has already taken place, as this removes any opportunity to consider the possible implications of this aspect of the proposal. Should the proposals be considered acceptable in the light of the advice from the Building Conservation Officer, and from a Planning perspective, I advise that the archaeological impacts of the proposed development detailed above can be adequately addressed through a conditioned scheme of archaeological recording and investigation. The full comments and recommended conditions can be viewed on the Authority's website.

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."

Representations

- 20. 19 letters of representation has been received. 16 support the proposals whilst 3 object to them
- 21. The grounds for support are:
 - The development would save and restore and conserve the dilapidated historic buildings
 - The extent of development proposed is necessary for the restorations to be viable
 - The buildings should be put to viable use, with farming having ceased at the site many years ago
 - The provision of holiday accommodation would support local businesses
 - Whilst the passing road is narrow and winding, traffic is slow moving as a result and it is lightly trafficked, and the development would not harm highway safety
- 22. The grounds for objection are:
 - Additional external lighting would harm the character of the locality
 - The development would generate additional noise
 - The site is not served by adequate infrastructure to support the commercial development proposed, with the road being narrow and steep, having limited passing opportunities, and having dangerous junctions and corners nearby, and with no footpath.
 - Additional traffic on the lane would be dangerous to walkers, horse riders, and cyclists
 - The current traffic levels detailed by the submission are exaggerated
 - The current use of the site as a farm could be viable

- Some of the proposed alteration would harm the appearance or significance of the listed building
- It is not practical for bed and breakfast or holiday guests to be collected locally and brought to the site, as they would not have access to meals at the site.
- The property has been rented out on a repairing lease for decades without the necessity to change it from a residential property to a business concern
- The changes and intensification of use of the site would have a detrimental impact on the property's quiet location, its setting, and its unassuming presence, harming its significance.

Main policies

- 23. Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L2, L3, RT2, CC1, CC2.
- 24. Relevant Development Management Plan policies: DMC3, DMC5, DMC8, DMC10, DMC12, DMC13.

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.

Development plan

29. 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.

- 30. Core Strategy policy DS1 outlines the Authority's Development Strategy, and in principle permits the conversion of buildings to provide visitor accommodation and office space.
- 31. 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.
- 32. 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.
- 33. Core Strategy policy L2 states that development must conserve and enhance any sites,
- 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. 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.
- 40. 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.
- 41. Policy DMC12 addresses sites, features or species of wildlife, geological or geomorphological importance. It states that where these are not internationally or nationally designated sites or protected species development will only be permitted where:
 - (i) significant harm can be avoided and the conservation status of the population of the species or habitat concerned is maintained; and
 - (ii) the need for, and the benefits of, the development in that location clearly outweigh any adverse effect.
- 42. Development Management Policy DMC13 addresses the protection of trees, woodland or other landscape features put at risk by development. 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.
- 43. Finally, it states that trees, woodlands and other landscape features should be protected during the course of the development.

<u>Assessment</u>

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

<u>Main Hall - external</u>

- 44. External changes are primarily limited to changes to openings around the buildings, with roof and other repair works having been undertaken pursuant to the listed building consent granted in 2015.
- 45. It was originally proposed to remove a set of French doors to the rear (north) elevation, replacing these with a window. The French doors are a modern intervention and their proposed replacement with a window was welcomed. The amended plans submitted since seek to retain the opening, replacing the doors within it. The existing doors are lawful, having been granted consent by an earlier permission, and as a result an objection to their retention cannot reasonably be upheld. However, the conservation officer advises that the proposed bi-fold doors will harm the building's significance. It is therefore recommended that notwithstanding the submitted plans details of the new doors would need to be reserved by condition if consent was granted.
- 46. It is proposed to replace a number of windows around the building, to which the Authority's conservation officer has raised no objections subject to detailing, which could be reserved by conditions. It is also proposed to convert what is currently an

internal recess in the west wall of the south projecting gable in to a window. Whilst the application suggests that this may have previously been a window there is no evidence to that effect, and its introduction would result in some minor harm to the buildings archaeology and significance through loss of fabric and loss of legibility of the original function and layout of the property. It is therefore recommended that this proposed intervention be omitted by condition if consent is granted.

- 47. A number of rooflights originally proposed have since been omitted on amended plans, which is welcomed.
- 48. Rationalisation of external pipework is also proposed; this is welcomed subject to any new stonework and pointing that might be required matching the existing; this could be secured by condition if consent was granted.

<u> Main Hall – internal – dining room</u>

- 49. A modern staircase is to be removed from this room, something welcomed by the Authority's conservation officer in principle as an enhancement to the buildings significance. Full details of structural works have not been provided, but the applicant has advised that they intend to replace joists that were removed to install the stair with new or reclaimed ones, and these will be accommodated in existing cut outs in the floor beam where they were removed previously to accommodate the stair. It is concluded that further detailed design matters could be reserved by condition.
- 50. Repairs to the timber floor are required in places due to rot and previous crude repair. Subject to details of method and materials being secured there are no objection to these works.
- 51. Other works proposed include boxing out an area of ceiling to accommodate services, introducing a stone threshold between the kitchen, and introduction of a door in to an existing 20th century doorway. The conservation officer raises no objection to these works subject to details being reserved by condition.
- 52. Underfloor heating is also proposed in this room, along with several others. To avoid repetition in relation to each room, this is addressed in a separate section of this report, below.

<u> Main Hall – internal – drawing room</u>

- 53. Wood panelling salvaged from another building is proposed to the walls of this room. The conservation officer advises that this would blur the archaeology of the building and that with the exception of a small piece of panelling at the south-east end of the room, there is no evidence that this room (formerly a kitchen / houseplace) had panelling fixed to its walls. On the basis of this advice it is recommended that this panelling be omitted from the works by condition if consent is granted.
- 54. The floor in this room was covered with an asphalt covering, which has been removed. The cleaning and lifting of these flagstones is proposed. The justification for this is that due to wear they have been partly levelled with concrete in places. It is intended to remove the concrete to assess if the flags can be salvaged in situ or, where they cannot, whether they can be salvaged by turning over to provide a more even surface. Where they can't, it is proposed to replace them with new flags. Subject to being undertaken with care, these works would conserve the significance of the building. Details of cleaning and replacement flags could be reserved by condition.

- 55. Unblocking of a former door is also proposed, and this is welcomed subject to details of the new door to be installed being reserved by condition.
- 56. Underfloor heating is also proposed in this room, along with several others. To avoid repetition in relation to each room, this is addressed in a separate section of this report, below.

Main Hall – internal – kitchen

- 57. Infilling of a doorway that was introduced in the latter half of the 20th century without consent is proposed. The blocking up of the doorway and reinstatement of the former floor plan to this area will enhance the listed building in principle, but the conservation officer raises concerns regarding the proposal to part-infill with a mullioned window, concluding this to blur the buildings archaeology. It is therefore recommended that details of this infill are reserved by condition if consent is granted.
- 58. It is proposed to reinstate a staircase in this room which, subject to the detailed design being confirmed, the conservation officer raises no objection to. These details should be secured by condition if consent is granted.
- 59. Replacement of modern ceiling beams is proposed to better support the first floor. Subject to details of a methodology that secures the buildings structural stability and of proposed materials and finishes being agreed – which could be done by condition – there is no objection to these works.

Main Hall - internal - lobby

60. Reinstatement of a former staircase and of a door in an existing doorway are proposed. Subject to details being reserved by condition there are no objections to these works.

<u> Main Hall – internal – snug</u>

61. Underfloor heating is proposed in this room, along with several others. To avoid repetition in relation to each room, this is addressed in a separate section of this report, below.

Bedrooms 1-3

- 62. Reinstatement of much of the former floor plan is proposed, including the introduction of partition walls and doors and ensuite bathrooms. Subject to securing the detailing of these interventions, and of any extraction and ventilation for the ensuite, these works are welcomed.
- 63. In bedroom 3 some historic lath and plaster walling would be lost, resulting in some localised harm. Some of the wall would remain however, and the improvements to floor plan are considered to outweigh this harm.

Bedroom 4

64. No proposals have been included in the application for alterations to this room – and the applicant has informally put forward only tentative suggestions as to what they may seek to do here. As noted by the conservation officer however, some works have commenced – including the removal of the ceiling which has exposed a former window. In the absence of firm proposals and for clarity, if consent is granted a condition should be imposed stating that no alterations to the ceiling or walls of this room are approved by the consent, other than those detailed on the proposed floor

plan.

65. A new doorway is proposed from this room in to the new proposed link extension. Following concerns raised by the conservation officer the applicant advises that there is evidence of a former doorway here that was served by an external stone stair, prior to the current link extension being built in the gap between the hall and stable. Further, this door is required as an emergency exit in order to comply with building regulations and allow the safe occupation of the 2nd floor bedrooms. On that basis this proposal is acceptable, subject to details of the opening being provided.

<u>Bedroom 5</u>

66. Changes are proposed to the staircase to bedroom 5, which also serves bedroom 4 and splits to serve each. It is apparent that the floor here has been previously altered, and the works are required to comply with Building Regulations to provide a flat square landing where the stairs split. Given that it is already unclear how the floor has been previously altered and that any loss of fabric or original floorplan would be very minor, any harm arising would be low. Details have not been provided of how the changes would appear at first floor level below however, although it is anticipated that the repositioning of steps would be seen in the ceiling. Full details of this should be controlled by condition if consent is granted.

Replacement link

- 67. There is an existing link between the main hall and the stable building. This is mostly a 20th century addition, which has been constructed from stone with a slated roof. It serves to weaken the historic visual separation of the two buildings.
- 68. It is proposed to demolish this link, and replace it with a fully glazed link. This would much better serve to distinguish the two buildings. The lower part to the south retaining wall of the existing link may have earlier origins, and so it is recommended that a more detailed assessment of this wall is undertaken prior to the link being constructed, as it may be desirable to integrate this in to the new design. This could be secured by condition if consent was granted.
- 69. The link would cut across a former pitching hole opening in the stable wall; however, the same is true of the existing link roofline and so the impact here would be neutral.
- 70. Other matters of details such as the treatment/fixing of the junction between the link and host buildings would also need reserving by condition, as would the detailed design of the staircase.

Former stables

- 71. Externally, the changes are generally limited to re-opening former openings, replacement windows, and consolidation of rainwater goods. There are no objections to these works subject to conditions. An unauthorised lean-to to the rear would be demolished, which is welcomed.
- 72. A flue is proposed to project through the rear roof slope of the building. As shown it appears as a tall and modern projection through the roof and we agree with the conservation officers assessment that this detracts from the buildings appearance. It is also unclear whether this represents the size at which it would need to be built, as it appears narrower than would be expected for a flue serving a wood-burning stove. Nevertheless, as shown it would result in unnecessary harm to the building, with the only justification being that the fire provide a centrepiece/focal point of the room it

would serve. It is therefore recommended that this be omitted from the scheme by condition if consent is granted.

<u>Barn</u>

- 73. The replacement of windows and doors within existing openings is proposed. The plans originally showed the existing windows incorrectly, but have since been amended. Subject to securing the detailed design of all replacements by condition there is no objection to these works.
- 74. It is proposed to reinstate a former external staircase to a first floor doorway on the south-east end of the building. Subject to an appropriate treatment this would conserve the significance of the building.
- 75. Internally, modern staircases are to be removed and new ones introduced. Subject to details of the new staircases being reserved this would conserve the buildings significance.
- 76. In the main body of the barn a first floor is to be introduced, replacing one that previously existing but has since been removed This reinstates the former plan and is welcomed. Details of the construction of this and any structural works required to support it have not been provided however, and so would need reserving by condition.
- 77. Some new partitions are proposed, but the scheme broadly conserves the open layout and historic floor plan for the barn, conserving its significance subject to the detailed design of the new partition walls and doors being reserved by condition.

<u>Plant room</u>

- 78. A new underground plant room is proposed outside of the south eastern corner of the barn. The excavation to facilitate this has already been undertaken without consent. It would be preferable for the plant room to be located within the ground floor of the barn, avoiding the need for new development in the setting of the listed building.
- 79. The applicant has put forward a number of arguments for the provision of the new below-ground plant room being a better option. Firstly, that according to the submitted heritage assessment the option of installing the plant room in the existing building would cause significant harm to the character of the ground floor of the building and also require damage to be caused to where service runs would break-through the wall and floor fabric. It also notes that there would also be an increased risk of damage from water damage, or fire should a fault occur within the plant room. The latter is true of any use requiring electricity or water supply to the building though of course. The identified harm to the building that would arise from installing plant in the existing building is a material consideration however; feeding pipework in to and out of an entirely new structure would avoid such harm.
- 80. Visually, the impact on the setting of the barn and hall would be small. Due to the rising ground adjacent to the barn the only evidence of the plant room once the land above it is restored would be a new stone-faced wall with door to the south to grant access in to it, and estate fencing above to the raised edges. This would have a very limited impact on the setting of the listed buildings. On that basis the proposals are acceptable.
- 81. This is subject to the submission of a methodology for the construction of the plant room that demonstrates how the structural integrity of the barn would be conserved both during and following construction, and of a detailed design for the new stone walling, fencing, and any surfacing to the roof of the plant room being agreed. These

matters could be reserved by condition.

Underfloor heating

82. Underfloor heating is proposed throughout much of the property, and would include excavation of floors to allow this to be installed. There is no objection to the principle of underfloor heating where it can be incorporated without compromising historic fabric. A brief specification and plans showing the areas where the UFH is proposed have been provided. Further details in terms of the extent of excavation, giving consideration to structural matters, how floors would be lifted, how pipework would be routed, and how floor levels would be retained would be needed prior to commencement. These could be secured by condition.

External works - general

- 83. The application proposes the demolition of the retaining wall opposite the front elevation of the Hall, and rebuilding it like for like. This wall contains a 17th century date-stone, probably re-sited from the house, and other features including the base of a cheese press. The retaining wall was constructed before July 1948 and it forms part of the curtilage of the structure. The listing protection afforded to the principal building therefore extends to the wall. The application does not include a conservation structural engineer's report setting out why the proposed works are necessary; and if the whole of the wall requires dismantling. Without this information, this aspect of the proposed works is omitted by condition if consent is granted.
- 84. New boundary treatments and timber gates (to the north of the stable building and south of the barn) are proposed, and raise no objection subject to details being agreed.
- 85. The existing metal fencing and gates between the stable building and barn were installed prior to the current tenant taking occupation of the property and are unauthorised. The submitted site plan shows these retained with alteration to open up a pedestrian access to the southern end, where stone infill currently exists. However, no elevation plans of the gates or proposed modifications have been submitted and so this element of the works cannot be fully assessed, nor could it be properly secured if consent was granted. It is therefore recommended that this element of the scheme be omitted by condition in the event of approval of the application.

Archaeological impacts

- 86. The Authority's Archaeologist advises that changes to historic fabric will harm the historic interest of the buildings with new openings, blocking up of existing openings, subdivision of spaces, and the introduction of new features and fabric. They also advise that groundworks for services have the potential to encounter, damage and destroy as yet undiscovered and unrecorded archaeological remains, as do internal groundworks within the historic core and north wing of the Old Hall. Whilst they advise that this will harm archaeological interest of the site, they conclude that it would not harm its core significance. They conclude that the archaeological impacts of the proposed development detailed above can be adequately addressed through a conditioned scheme of archaeological recording and investigation, should the development be concluded acceptable in the overall planning balance.
- 87. In terms of the planning balance, the scheme would result in the significant planning benefit of repairing and providing long term viability for the buildings, which would serve to secure their repair and maintenance.

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

Summary of heritage and design matters

89. 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. The development therefore complies with policies L3, DMC3, DMC5, DMC7, and DMC10 and the guidance within section 16 of the NPPF.

Conclusion

- 90. We conclude that subject to conditions and when taken as a whole the proposal will conserve the significance, character and appearance of the buildings, neighbouring amenity, highway safety, and the ecological interests of the site in accordance with policies L2, L3, DMC3, DMC5, DMC7, and DMC10.
- 91. There are no other policy or material considerations that would indicate that listed building consent should be refused.
- 92. We therefore recommend the application for conditional approval.

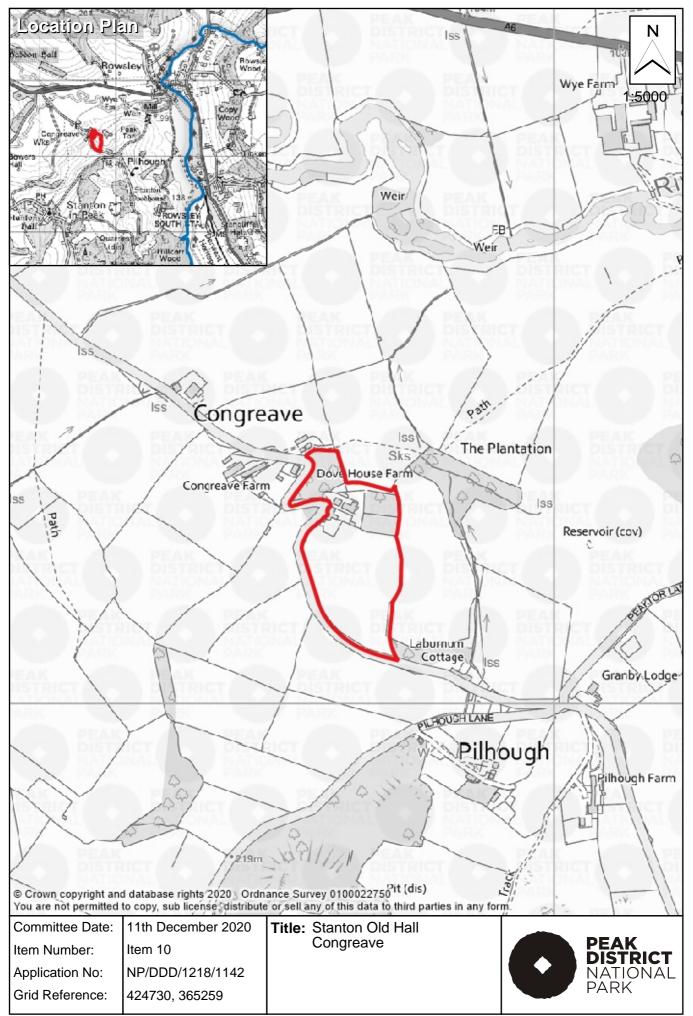
Human Rights

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

List of Background Papers (not previously published)

94. Nil

95. Report Author: Mark Nuttall, Senior Planner (South)



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11. OUTLINE APPLICATION – PROPOSED ERECTION OF 2 LOCAL NEEDS SELF BUILD AFFORDABLE HOMES AT DRIVEWAY BETWEEN GREYSTONES & JESMOND, TIDESWELL (NP/DDD/0820/0723, AM)

APPLICANT: MR JAMES ISAAC AND EMMA ISACC

Summary

- 1. The site is an agricultural field to the west of Sherwood Road, Tideswell.
- 2. The application proposes two affordable houses to be first occupied by the applicants.
- 3. The proposed dwellings would not be affordable by size or type or meet the need of the applicants or the wider community. The development would harm the landscape and would be an inappropriate design. Insufficient information has been provided about sustainable construction and climate change and potential impact on trees.
- 4. The application is recommended for refusal.

Site and Surroundings

- 5. The site is an agricultural field to the west of Sherwood Road accessed from an existing track located between the dwellings known as Greystones and Jesmond.
- 6. The field forms part of the strip field system that rises west from Tideswell. The site is outside of the designated Tideswell conservation area.
- 7. The nearest neighbouring properties are the dwellings on the north and west side of Sherwood Road.

<u>Proposal</u>

- 8. The application is for outline planning permission but the application form states that no matters are reserved. The application proposes the erection of two 3 bedroom affordable houses on the site to be first occupied by the applicants.
- 9. The dwellings would be sited to the north of the field and the existing farm access would be extended to provide access and driveways to each dwelling.
- 10. The dwellings would be link detached and constructed from natural limestone and blue slate with timber windows and doors and gritstone lintels. Each dwelling would have a gross internal floor area of approximately 131m².

RECOMMENDATION:

That the application be REFUSED for the following reasons

1. The application does not demonstrate that the development would meet eligible local needs for affordable housing. The proposed housing would not be affordable due to its size and type. The application therefore fails to demonstrate exceptional circumstances to allow new build housing within the National Park contrary to Core Strategy policy HC1, Development Management policies DMH1 and DMH2 and the National Planning Policy Framework.

- 2. The proposed site is not well related to the historic built form of Tideswell and would introduce development into the historic strip field system in a manner that would harm the significance of the strip fields and valued landscape character contrary to Core Strategy policies GSP1, GSP3, L1 and L3, Development Management policies DMC3, DMC4 and DMC5 and the National Planning Policy Framework.
- 3. By virtue of its form and massing the proposed development would be an inappropriate design that would fail to reflect or respect the character of the local area contrary to Core Strategy policies GSP3, Development Management Policies DMC3, our adopted design guide and the National Planning Policy Framework.
- 4. Insufficient information has been submitted with the application to demonstrate that the development would achieve the highest possible standards of carbon reductions and water efficiency in order to mitigate the causes of climate change contrary to Core Strategy Policy CC1 the Authority's adopted Supplementary Planning Document 'Climate Change and Sustainable Puilding' and the National Planning Policy Framework

Building' and the National Planning Policy Framework.

5. Insufficient information has been submitted with the application to enable to us to assess the potential impact upon trees or inform any necessary mitigation or replacement planting contrary to Development Management policy DMC13.

<u>Key Issues</u>

- Whether there is justification for the proposed local needs affordable housing and whether the proposed housing is in accordance with policies HC1, DMH1 and DMH2
- The design and landscape impact of the proposed development.

<u>History</u>

11. None relevant.

Consultations

Parish Council – Support and makes the following comment:

Welcome the application, which would allow young residents to stay in the village where they live. The location and plans are suitable and in a good location.

Highway Authority – No objections subject to conditions.

District Council – No response to date.

PDNPA Archaeology – Makes the following comment:

"Archaeological sensitivity and significance of the site

The proposed development is in an area of Ancient Enclosure as identified in the PDNP Historic Landscape Character Assessment. These are fossilised medieval strip fields that relate to the medieval open field system of Tideswell, evidenced by map and field shape evidence (characterised by the enclosed narrow strips with a characteristic s-shaped

curve).

The fossilised medieval strip fields are a rare and precious landscape character type and important to the Peak District National Park. They are a non-designated heritage asset of archaeological interest and have intrinsic landscape value, providing the area a distinct character, a time depth to the landscape. They are the most important, and rarest, historic landscape feature type within the National Park.

The surviving drystone field walls that define the northern and southern edges of the proposed development plot form the boundaries of one such surviving strip (or small group of strips) forming a long linear plot. This area of Tideswell is away from its historic core and all other development in this area represents modern development extending over areas of the former fossilised medieval field system.

This particular field has never been subject to any archaeological survey, but surrounding fields have been. These suggest the potential of the site to retain belowground remains relating to medieval and post-medieval agricultural activity, such as dewponds, lost boundaries, evidence of historic ploughing and arable cultivation etc.

The development of Tideswell and its field system from the early medieval period onwards is currently not fully understood, particularly the relationship of the early routeways, settlement and field system and the extent to which the established pattern related to earlier development and land use. And, the impact of the move to sheep husbandry with the private enclosure of former arable fields and resulting changes in farming practice. Any such remains would have a degree of archaeological interest but would likely to be of no more than local significance.

Archaeological impact of the development

The groundworks associated with the proposed development, including foundation trenches, new drive and parking areas, landscaping, new drainage, services etc. will most likely result in the truncation, damage, disturbance or complete destruction of any surviving archaeological remains at this site relating to medieval and post-medieval agricultural activity. In the worst case this would result in harm to or the complete loss of their significance.

Taking into account their likely nature and significance, although this can only be estimated at this stage, I am confident that any impacts and harm will be minor, and this can be appropriately mitigated through a condition scheme of archaeological monitoring.

The proposed development would result in further expansion of 20th century development over the historic field system of Tideswell. The legibility of the field system relies on the continued survival of the drystone wall field boundaries, and the proposed development sits entirely within a 'strip' and will not directly affect the field walls that current define the edge of this fossilised strip.

However, the further expansion of development into the field system will harm its character and legibility. As one small area in a large field system, this cannot be consider to be anything more than minor harm in its own right, but the cumulative impact of development out into the field system, further back from the road also needs to be considered when a planning decision is reached."

<u>PDNPA Ecology</u> – Makes the following comment:

"There are no records of important habitats or species on site. There are however two water vole records nearby, the nearest being 214m away but there is no suitable habitat on site and so this proposed development would not affect this species.

The applicants have submitted a protected species form and declared that a protected species survey is not required. The applicants have also stated that there are no trees within 15m of the proposed development. Our latest aerial imagery dated 20th May 2018 shows at least three mature trees on the site, these are not visible on the photographs supplied by the applicant and so presumably these trees were removed sometime between May 2018 and now. The removal of these trees may constitute a loss of wildlife habitat in association with this planning application and so I would ask that three trees be planted to replace them.

There is also a row of semi-mature trees on the southern boundary of the field where the development is proposed. If these trees are retained then I would be satisfied that this development will not adversely affect wildlife on site."

PDNPA Landscape – No response to date.

PDNPA Tree Officer – Object on the grounds of insufficient information. Makes the following comment:

"There are trees on site and adjacent to the site, but no tree survey has been provided to assess the impact of the proposals on the trees. Therefore the information submitted is not sufficient to assess the impact on the trees on site and adjacent to the site.

Although a landscaping plan has been submitted, it is limited in scope and does not identify the trees that are currently on site or any additional tree planting that might be required as part of the development."

Representations

We have received 25 representations to date. 8 letters object to the development and 17 support. The reasons given are summarised below:

<u>Object</u>

- The site is inappropriate because it is a green field located behind the line of houses on Sherwood Road.
- The proposed buildings do not reflect the built form of development on the north side of Sherwood Road and do not constitute in-fill development.
- Approval of the application would set a precedent for further development of the fields behind Sherwood Road.
- Mature trees on the site were felled and removed prior to the submission of the application.
- The development would harm wildlife in adjacent fields.
- There are holiday lets, second homes and empty properties in the village. These should be utilised to provide affordable housing before allowing new build development on green field sites.
- The proposed dwellings are elevated above and would overlook the properties along Sherwood Road and harm the privacy of occupants.
- Query the size and need for the proposed garages and raise concern that they will be

converted to provide additional living space.

- The development would cause noise and light pollution which would harm the amenity of neighbouring properties.
- Planning permission has been refused previously for a dwelling at this property.
- There are developments in Bradwell and Peak Dale that offer affordable housing.
- Question the applicants need for affordable housing.
- The development would result in the loss of valuable agricultural land.

Support

- The applicants are from the village and are in need of affordable housing.
- The development will allow the applicants to continue living close to their places of work.
- The development will not be visible and will not harm the character of Tideswell.
- Tideswell is a sporadic settlement and does not have rows of houses in straight lines everywhere. The proposed houses will fit in well on this site and compliment the layout of the village.
- The application previously refused planning permission on the site was for a market dwelling not an affordable dwelling to meet local need.
- Trees were removed from the site following advice from the PDNPA.
- There is a need for 3 bedroom properties in the village and it is preferable to build a 3 bedroom property rather than extend at a later date.

Main Policies

Relevant Core Strategy policies: GSP1, GSP2, GSP3, GSP4, DS1, CC1, HC1, L1 and L2

Relevant Development Management policies: DMC3, DMC4, DMC5, DMC11, DMC12, DMC13, DMH1, DMH2, DMH3, DMH11, DMT3, DMT8, DMU1 and DMU2.

National Planning Policy Framework

12. The National Planning Policy Framework (NPPF) should be considered as a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. In the National Park the development plan comprises our Core Strategy 2011 and the 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. There is no significant conflict between prevailing policies in the development plan and the NPPF and our policies should be given full weight in the determination of this application.

- 13. Para 172 states that 'great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads.'
- 14. Para 77 states that in rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs, and consider whether allowing some market housing on these sites would help to facilitate this.
- 15. The NPPF defines rural exceptions site as small sites used for affordable housing in perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection.

Peak District National Park Core Strategy

- 16. Policy DS1 sets out the Development Strategy for the National Park. Part D says that in named settlements such as Tideswell there is additional scope to maintain and improve the sustainability and vitality of communities. In or on the edge of these settlements amongst other things new building development for affordable housing is acceptable in principle.
- 17. Policy HC1 says that exceptionally, new housing can be accepted where the proposals would address eligible local needs and would be for homes that remain affordable with occupation restricted to local people in perpetuity. The provisions of HC1 are supported by policy DH1, DH2 and DH3 of the Development Management Policies, which gives more detailed criteria to assess applications for affordable housing to meet local need.
- 18. 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.
- 19. 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.
- 20. Policy GSP4 says that to aid the achievement of its spatial outcomes, the National Park Authority will consider the contribution that a development can make directly and/or to its setting, including, where consistent with government guidance, using planning conditions and planning obligations.
- 21. Policy CC1 states that development must make the most efficient and sustainable use of land, buildings and natural resources, taking into account the energy hierarchy and achieving the highest possible standards of carbon reductions and water efficiency.

Development Management Policies

- 22. The most relevant development management policies are DMH1 and DMH2. Policy DMH11 is also relevant as it states the need for a planning obligation to secure the affordability of the dwellings in perpetuity if the scheme were permitted.
- 23. Policy DMH1 New Affordable Housing

A. Affordable housing will be permitted in or on the edge of Core Strategy policy DS1 settlements, either by new build or by conversion; and outside of Core Strategy policy DS1 settlements by conversion of existing buildings provided that:

- (i) there is a proven need for the dwelling(s); and
- (ii) any new build housing is within the following size thresholds:

Number of bed spaces and Maximum Gross Internal Floor Area (m²)

One person 39 Two persons 58 Three persons 70 Four persons 84 Five persons 97

B. Starter Homes will be permitted as part of a development of housing to enhance a previously developed site.

C. Self-Build and Custom Build housing will be permitted on rural exception sites in accordance with Part A regarding proof of need and size thresholds.

24. Policy DMH2 First occupation of new affordable housing

In all cases, new affordable housing must be first occupied by persons satisfying at least one of the following criteria:

- (i) a person (and his or her dependants) who has a minimum period of 10 years permanent residence in the Parish or an adjoining Parish inside the National Park and is currently living in accommodation which is overcrowded or otherwise unsatisfactory; or
- (ii) a person (and his or her dependants) not now resident in the Parish but having lived for at least 10 years out of the last 20 years in the Parish or an adjoining Parish inside the National Park, and is currently living in accommodation which is overcrowded or otherwise unsatisfactory; or
- (iii) a person who has an essential need to live close to another person who has a minimum of 10 years residence in a Parish inside the National Park, the essential need arising from infirmity.
- 25. Policy DMC3. A says 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.
- 26. Policy DMC3. B sets out various aspects that particular attention will be paid to including: siting, scale, form, mass, levels, height and orientation, settlement form and character, landscape, details, materials and finishes landscaping, access, utilities and

parking, amenity, accessibility and the principles embedded in the design related SPD and the technical guide.

- 27. Policy DMC4. A says that planning applications should provide sufficient information to allow proper consideration of the relationship between a proposed development and the settlement's historic pattern of development including the relationship of the settlement to local landscape character. The siting of the development should complement and not harm the character of these settlements.
- 28. Policy DMC5 says that planning applications for development affecting a heritage asset must clearly demonstrate its significance including how identified features of value will be conserved or where possible enhanced and why the proposed development are desirable or necessary. Development of a heritage asset will not be permitted if it would result in any harm to, or loss of, the significance, character and appearance of a heritage asset (from its alteration or destruction, or from development unless in the case of less than substantial harm the harm is weighed against the public benefits of the proposal.
- 29. Policy DMC11. A says that proposals should aim to achieve net gains to biodiversity or geodiversity as a result of development. In considering whether a proposal conserves and enhances sites, features or species of wildlife, geological or geomorphological importance all reasonable measures must be taken to avoid net loss.
- 30. Policy DMC13 says that planning applications should provide sufficient information to enable impact on trees, woodlands and other landscape features to be properly considered. Development should incorporate existing trees which should be protected during the course of the development.

<u>Assessment</u>

Principle of affordable housing

- 31. Our policies do not allow new build housing in the National Park unless there are exceptional circumstances. One circumstance where housing can be permitted is under policy HC1. A where development would meet eligible local need for affordable housing.
- 32. The site is located on the edge of Tideswell, therefore the erection of affordable housing is acceptable in principle if there is a proven need for the dwellings, the housing is within our maximum size thresholds and the applicants satisfy our occupation criteria in accordance with policies DMH1 and DMH2.
- 33. The applicants are the intended first occupants of the dwellings. The applicants are siblings and state that they have lived in Tideswell their whole lives and therefore satisfy criteria (i) of policy DMH2. We have requested evidence to demonstrate the applicants' local qualification but this has not been provided to date.
- 34. The applicants have both registered with Home-Options and provided correspondence with the Housing Authority. This demonstrates that both applicants are in need of affordable housing and are eligible to bid for available homes. The letters show that both applicants were registered in July this year, but no evidence of a property search has been provided to demonstrate that any available housing cannot meet their need.
- 35. A housing need survey for Tideswell was carried out by the Housing Authority in 2017. This identifies that around 20 households are in need of affordable housing. The predominant need is for 2 bedroom houses for couples and smaller families with a

smaller requirement for 3 bedroom houses and some bungalow provision.

- 36. The application proposes the erection of two link detached 3 bedroom houses. The gross internal floor area of each dwelling would be 131m². This is significantly above the 97m² maximum for a five person dwelling allowed by policy DMH1.
- 37. The Housing Authority have assessed that Mr Isaac's household has a need for a 2 bedroom three person dwelling (70 m² maximum) and Ms Isaac's household has a need for a 2 bedroom two person dwelling (58 m² maximum). Therefore, the proposed dwellings would be significantly larger than the applicants need. The proposed dwellings would not be affordable due to their size, and would not meet the need of the applicants identified by the Housing Authority or meet wider community need identified by the housing need survey.
- 38. Therefore, while the applicants may be able to demonstrate that they have a local qualification and are in need of affordable housing it is clear that the proposed dwellings would not be of a size or type that would be affordable now or in perpetuity or meet their need contrary to policies HC1 and DMH1.

Siting and landscape impact

- 39. The site is an agricultural field within one of the strip fields that rises up west from Sherwood Road. The proposed houses would be sited perpendicular to Sherwood Road and beyond existing modern agricultural buildings. The site is located within the limestone village farmlands landscape character type.
- 40. The site is within an area of ancient enclosure as identified in our Historic Landscape Character Assessment. These are fossilised medieval strip fields that relate to the medieval open field system of Tideswell. These are a rare and important landscape character type in the national park and a non-designated heritage asset of archaeological interest and intrinsic landscape value.
- 41. The site is away from the historic core of Tideswell and nearby development is modern extending over areas of the former fossilised medieval field system. The development along Sherwood Road is linear and forms the western edge of Tideswell with only two groups of farm buildings extending beyond the houses along the entire length.
- 42. The land rises up away from Sherwood Road and therefore the proposed development would be visible extending beyond the established edge of Tideswell from Sherwood Road, the public footpath to the north and in wider views to the east. The existing tree planting to the southern boundary of the site, if retained, would provide some mitigation to views from the south but would not affect views from the north or the wider landscape.
- 43. The proposal would introduce new residential development beyond the established edge of Tideswell and into the historic field system. The development would not reflect the historic built form of the village and would result in further linear development into the strip field system.
- 44. Therefore, the development would not conserve or enhance the landscape character of the area and would result in harm to the historic and archaeological significance of the strip field system contrary to policies GSP1, GSP3, L1, L3 and DMC4 and DMC5. This harm would be less than substantial and therefore must be weighed against any potential public benefits.

- 45. The provision of affordable housing could in principle offer a public benefit if it would meet the need of the local community and be retained in perpetuity. However, there is no evidence to indicate that this is the only site available in Tideswell to provide affordable housing and we are aware of a potential large scheme of affordable housing coming forward on the field between Sherwood Road and Richard Lane.
- 46. We have determined that the proposed houses would not be affordable by size or type. Therefore, the development would only provide a private benefit to the applicants in meeting their desire for a property of that size. This does not override the harm to the landscape and historic strip field system that has been identified.

Design, sustainable building and climate change

- 47. The proposed dwellings would be constructed from natural limestone and blue slate and would be provided with pitched roofs. Windows and doors would be timber with natural gritstone lintels.
- 48. The dwellings have a deep plan form which results in very wide gables, vertical form and significant areas of roof above the walls. Therefore in broad terms while the materials and detailing of the dwellings would reflect local built traditions, the form and massing of the dwellings would more closely reflect modern suburban development and would not reflect the traditional built form in the locality, which is characterised by narrow gables, horizontal form and low eaves.
- 49. Therefore the proposed dwellings do not reflect or respect the traditional vernacular within the conservation area and are not in accordance with our adopted design guide.
- 50. The application states that the scheme has been designed to comply with requirements for insulation and low energy fixtures and fittings. However, there is no information provided with the application to demonstrate how it has been designed to reduce energy, water consumption, and mitigate the impacts of climate change through sustainable design and construction.
- 51. Policy CC1 and the NPPF require development to make the most efficient and sustainable use of land, buildings and natural resources, take account of the energy hierarchy and achieve the highest possible standards of carbon reductions and water efficiency.
- 52. No evidence has been submitted to show how the scheme has been designed to take advantage of passive design elements, sheltering or solar gain. No evidence of insulation, glazing, heating systems, lighting or heat recovery systems has been included and no low carbon and renewable energy measures, water saving measures or waste management measures are proposed.
- 53. These issues relate to the fundamental design and layout proposed along with other measures such as low carbon and renewable energy. This issue could not be dealt with by a planning condition because it is not reasonable to impose a condition, which potentially could require fundamental elements of the scheme to be redesigned.
- 54. The application therefore is not in accordance with policy CC1 and our adopted supplementary planning guidance 'climate change and sustainable building'.

Impact upon amenity

55. A number of concerns have been raised in representations about the potential impact of the development upon the amenity of neighbouring properties, particularly those to

the south east along Sherwood Road.

- 56. The field and proposed site is elevated above the level of the neighbouring dwellings but at the closest point, the new dwellings would be approximately 45m away from the dwelling known as Kirkstone, and approximately 21m from its rear garden. Therefore while the development would be visible from these dwellings given the separation distances the development would not result in any significant overlooking or loss of privacy to neighbouring dwellings.
- 57. Concern has also been raised about the impact noise and light upon amenity particularly from vehicle movements. The development would generate vehicle movements but these would be relatively infrequent and given the distance from the development from neighbouring properties would not be significant or harm the amenity of neighbouring properties.
- 58. Similarly, due to the distances involved there are no concerns that the development would be overbearing to neighbouring properties or result in any significant loss of light. Therefore, we conclude that the development would not be contrary to our detailed design guidance in respects of amenity and not harm the amenity, security or privacy of any neighbouring property.

Trees and protected species

- 59. The site is improved grassland and there is no evidence of any protected species or habitat within the field that could be affected by development. Give the distance to any designated site the development would not result in a harmful impact.
- 60. From assessing aerial photographs and from representations it appears that a number of mature trees have been removed from the site. We understand the concerns raised in representations, however, these trees were not subject to a tree protection order (TPO) or within the conservation area and therefore our consent was not required for their removal.
- 61. There are a number of mature trees remaining along the southern boundary of the site. These are away from the location of the proposed dwellings but the proposed drive would extend past these trees and potentially affect their root system. These existing trees make a positive contribution to the landscape and character of the area and therefore we agree with our Tree Officer that a tree survey is required to understand potential impacts on trees and if any mitigation is required during construction.
- 62. No tree survey has been submitted and therefore we have insufficient information to assess the impact on trees or what mitigation may be required to protect them during construction contrary to policy DMC13. If the tree survey indicated that trees needed to be felled to facilitate the development then a protected species survey would also be required.

Other Issues

- 63. If approved, a planning condition would be required to ensure that onsite utilities infrastructure is installed underground this would ensure the proposal is in accordance with policies DMU1 and DMU2.
- 64. The development would be provided with adequate off-street parking and turning space in accordance with our local standards and having regard to advice from the Highway Authority we agree that subject to conditions that the development would not harm highway safety in accordance with policies DMT3 and DMT8.

Conclusion

- 65. The application has not demonstrated that the proposed occupants have a local qualification or that their need for affordable housing could not be met by existing housing stock. However, even if this were demonstrated the proposed dwellings would be significantly larger than our maximum size for a five person dwelling and therefore would not be affordable by size or type or meet the need of the applicants or the wider community contrary to policies HC1, LH1 and LH2.
- 66. The proposed site is not well related to the historic built form of Tideswell and would introduce development into the historic strip field system in a manner that would harm the significance of the strip fields and valued landscape character contrary to policies GSP1, GSP3, L1, L3, DMC3, DMC4 and DMC5. This harm would not be outweighed by public benefits.
- 67. The form and massing of the proposed dwellings is suburban in character with wide gables, vertical proportions and high eaves and therefore does not reflect traditional built form contrary to policies GSP3, DMC3 and our adopted design guidance.
- 68. Insufficient information has been submitted with the application to demonstrate that the development would achieve the highest possible standards of carbon reductions and water efficiency in order to mitigate the causes of climate change contrary to policy CC1 and our adopted Supplementary Planning Document 'Climate Change and Sustainable Building'.
- 69. Insufficient information has been submitted with the application to enable to us to assess the potential impact upon trees or inform and necessary mitigation or planting contrary to policy DMC13.
- 70. Having taken into account all material considerations and issues raised in representations we conclude that the proposed development is contrary to the development plan. Material considerations do not indicate that planning permission should be granted. Therefore, the application is recommended for refusal.

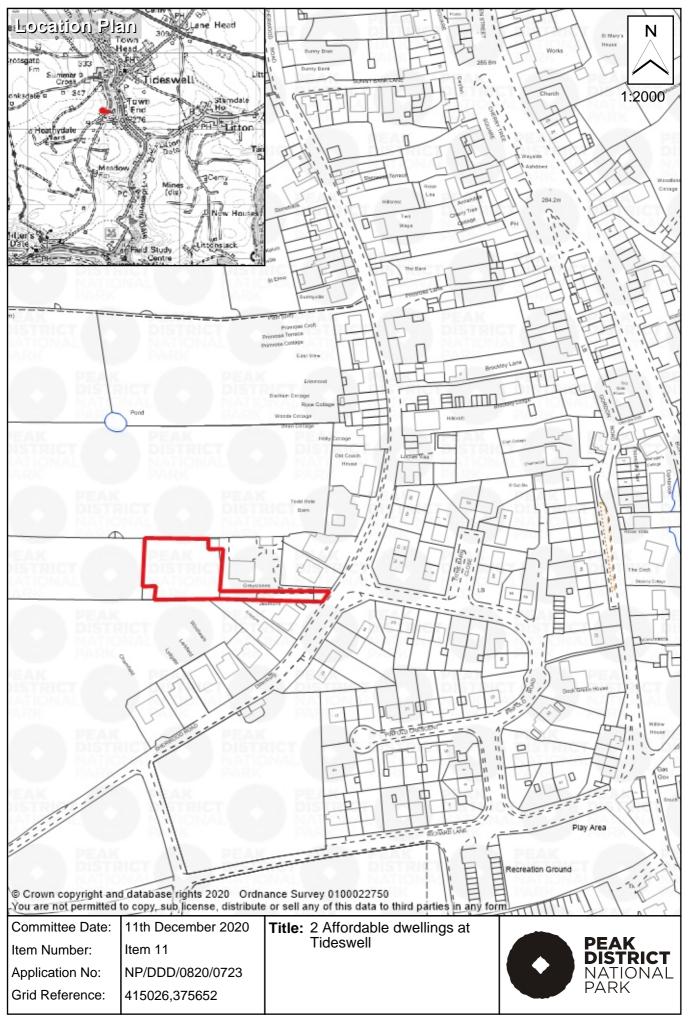
Human Rights

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

List of Background Papers (not previously published)

72. Nil

73. Report Author: Adam Maxwell, Senior Planner



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12. FULL APPLICATION: REMODEL AND EXTENSION OF EXISTING DWELLING, WHITE EDGE THE BENT CURBAR NP/DDD/0920/0844 JK

APPLICANT: MR CHRIS SIMM

Summary

- 1. The proposal relates to the substantial demolition of a bungalow and attached garage and the incorporation of remaining fabric into the construction of a new two storey house.
- 2. The bungalow is no particular merit and the proposal represents an opportunity for enhancement via the replacement dwelling which is considered acceptable in principle under our replacement dwelling policy DMH9.
- 3. The new house would be significantly larger but would have an acceptable form to reflect the local building tradition and whose scale and massing can be accommodated on the site without harming local amenity. Materials would be natural reclaimed natural gritstone under a blue slate roof with mainly powder coated aluminium windows and doors.
- 4. The fenestration to the front is designed to reflect the local vernacular but to the rear there are significant areas of glazing to the ground floor which replicates that present in the current bungalow and is on balance acceptable. However on the first floor plans show the projecting rear gable would be dominated by a large and wholly inappropriate triangular glazed window which would have a harmful visual impact on both the house and its setting. This can be omitted by condition.
- 5. Overall the proposal is considered to represent significant enhancement to accord with our policies, except in respect of what would be a harmful visual impact from inappropriate triangular glazed rear window.
- 6. Only with the suggested condition omitting the rear gable triangular window and its replacement by a conventional opening would the application be considered to accord with adopted policy and design guidance. Subject to this amendment and the other suggested conditions the application is recommended for approval.

Site and Surroundings

- 7. White Edge is a stone built four bedroom bungalow situated within Curbar village. It is located on the east side of The Bent, some 30m north of the crossroads formed with The Green and Pinfold Hill. The main building is set back around 22m from the street although there is a projecting gabled garage element on this frontage.
- 8. The bungalow sits between other residential dwellings with the closest being 'The Croft' to the north, and 'Windrush' and 'Drumbeg' to the south. To the east the rear garden rises up from the ground floor/rear terrace level to the boundary wall separating the garden from the open field. The ground beyond rises gently over some distance before ramping up steeply to Curbar Edge. Between Curbar Edge and the lower ground there are a series of high and lower level footpaths where mainly the rear roof of the bungalow is visible as the raised garden and boundary wall screen most of the lower wall.
- 9. The garden contains a number of mature trees and shrubbery. Together with a 3m tall leylandii hedge in the ownership of The Croft running along the northern boundary,

these screen most of the bungalow from the road and also from neighbouring properties. This is particularly so from The Croft where the high hedge provides an essential privacy screen given the garden of The Croft extends across in front of White Edge. The Croft is also oriented with its main elevation facing south toward the front of White Edge which is oriented east west with the main elevation facing The Bent only a few metres away and on the other side of the 3m high leylandii hedge.

- 10. The application site lies just outside the boundary of the Conservation Area which runs down the east side of the Bent across the property frontage and then turns up the side of The Green to exclude both White Edge and the adjoining modern properties in this locality and only include the historic core of the village.
- 11. The property lying across The Bent opposite White Edge, 'The Mullions' is a Grade II Listed building and there is a further listed building, Springfield Cottage, on the corner of The Bent and Pinfold Hill.
- 12. The bungalow is understood to have been constructed around 1970 from natural stone under a low pitched concrete Hardrow tiled roof. A lean-to conservatory has been added to the north gable end and a gabled double garage to the front elevation. This has a large single door and is the dominating element when seen from the street given it sits on the raised drive although it is only viewed over a relatively short section of The Bent before the vegetation either side screens public views.

<u>Proposal</u>

- 13. Amended plans have been received and sent out for re-consultation. The consultation period expires a few days after the Committee and hence the recommendation includes provision for any representations received following committee to be considered.
- 14. The proposal is described on the forms as 'remodel and extension of existing dwelling' but is essentially a replacement dwelling given it comprises the demolition of a substantial proportion of the original bungalow and the whole of the garage leaving broadly just the south gable wall, around 2/3rds of the front wall and part of the rear wall along with some sections of a few internal stud walls.
- 15. These remaining walls would be incorporated into the construction of a two storey, four bedroomed house under a new blue slate roof. The main two storey form would have a front porch, a single story gabled element off the north gable and a rear two storey projecting gable with solar pv panels to the southern slope.
- 16. The frontage would have a fenestration that seeks to reflect local style with two light casement window frames whereas the rear elevation is characterised by larger openings comprising mainly of a series of glazed doors and openings on the ground floor, including across the rear facing gable end, which at first floor is also shown having a large recessed triangular window.
- 17. Four tall individual conifer trees in the front garden are shown removed. New terracing would be laid front and rear along with new steps at the rear to access the upper part of the rising rear garden.

RECOMMENDATION:

18. That the application be APPROVED subject to the following conditions and provided no further representations are received raising new material planning considerations, and that any which are raised be delegated to the Head of Development Management to consider in consultation with the Chair and Vice

Chair of Planning Committee:

- 1. Standard 3 year period for commencement of development
- 2. Carry in complete accordance with the amended plans subject to the following conditions or modifications.
 - (i) The omission of the first floor triangular window opening in the rear gable elevation and replace by a pair of casement frames in accordance with detailed drawings to be submitted for prior approval in writing.
 - 3. Submission and agreement in writing of a detailed scheme for external hard and soft landscaping works with retention of the middle two conifers shown removed on amended plans, and at a minimum eaves height of the new dwelling.
 - 4.

Submission and prior agreement of a sample walling panel.

5.

Submission and prior agreement of a sample of blue slate.

6.

Submit and agree detailed finish colour to all doors and windows.

7.

Prior to occupation, provide 3 no on-site parking spaces (each measuring a minimum of 2.5m x 5.5m).

8.

Withdraw Permitted Development rights for alterations to the external appearance of the dwelling, extensions, porches, ancillary buildings, solar or photovoltaic panels, gates, fences, walls or other means of boundary enclosure without the National Park Authority's prior written consent.

9.

Development to be carried out in full accordance with the revised Sustainability Statement and written verification provided to the Authority following completion.

10.

Minor architectural design details, rain water goods, window recesses etc.

11.

Implementation of bat mitigation measures. 12.

Implement CC1 measures with post build verification.

Key Issues

- 19. Whether the principle of replacing the bungalow with a larger house complies with planning policy most notably DMH9: Replacement dwellings.
- 20. The impact of the development on the character and appearance of the built environment, landscape, nearby listed buildings and the Curbar Conservation Area.
- 21. The impact of the development on neighbouring amenity

Relevant Planning History

2020 – Pre-application advice given regarding altering and extending the bungalow to create a two storey house. The officer advice acknowledged the bungalow was on a tight plot with a close relationship to neighbours and initially advised best retained as a

bungalow form given likely amenity issues. Redevelopment as a two storey dwelling was not dismissed but it was stressed any scheme would need to be done with care in relation to neighbours and must be a positive enhancement and reflect the local building tradition. It was also pointed out to the agent that if the client wants large openings then the ability/potential to accommodate such lies more easily with the bungalow option. Further discussions took place which led to the submitted application scheme given without prejudice support in terms of scale, form and massing, but not detailed fenestration.

Consultations

<u>Highway Authority</u>: No objections subject to parking being provided within the application site in accordance with the application drawings for 3 vehicles, and maintained for the life of the development.

Curbar Parish Council: Objects for the following (summarised) reasons:-

- 1. The size and height, will impact on the adjacent properties, particularly The Croft whose principal elevation faces south directly towards the proposed development.
- 2. Adverse impact on the properties in the Curbar Conservation Area which it will overlook.
- 3. Policy DMH9 Replacement Dwellings; The house has no special architectural features to justify the change. Also paragraph D specifically states that "in all cases a replacement dwelling must not create an adverse impact on neighbour's residential amenity" which this proposal does.
- 4. The existing bungalow is built in a rather tight space and is unobtrusive, the proposal given its size and height, will be obtrusive to both neighbours and the general street scene, and represents an over development of the site.

Representations

22. At the time the report was drafted we had received 13 letters, 8 object and 5 support the proposal.

The grounds raised in objection (summarised) are;

- 23. The description "Remodel and extension of existing dwelling" is inaccurate and misleading, as it is replacing an existing bungalow with a two-storey house, and seems used to avoid policy DMH9: Replacement dwellings.
- 24. Does not comply with DMH9, or the Design Guide in many respects
 - The house does not contribute to the character or appearance of the area, will detract from it, and is of poor architectural merit.
 - The existing bungalow is inconspicuous, whereas the proposed two storey house will have a visual impact on the area, including the adjoining Conservation area.
 - The proposed house is unneighbourly given its position closely adjacent to The Croft.
 - The house will also obscure the view between Windrush and The Croft looking up towards Curbar Edge from the centre of the Conservation area.
- 25. Detract from the Conservation Area and the setting of the listed buildings ridge would stand high above The Bent and dominate the listed building The Mullions as well as block a section of the continuous view of Curbar Edge from public view on The Bent and impact on views from the listed Springwell Cottage

- 26. Would compound adverse impacts of the property Windrush at the junction of The Green and The Bent which already detracts from the Conservation Area
- 27. Proposed east elevation is largely glass and has an unneighbourly effect upon the lower part of the Green. The access land and footpaths up to the edge are also compromised.
- 28. Proposal would be too large and dominant on the site, concerns future garage would bring further over-development
- 29. Unneighbourly upon Windrush and Drumbeg to south.
- 30. Overshadowing/overbearing presence to the detriment of The Croft
- 31. Design not in keeping with Curbar's vernacular fails with scale, size, mass and detailing as well as fenestration with mismatched front and rear elevations
- 32. Current bungalow is of its time, has its merits it is well screened and not prominent and should be retained.
- 33. The basic fabric of the existing bungalow, appears to be of substance and good quality, a thorough refurbishment to present standards, plus partial redesign of the internal layout within the integrity of the footprint could provide excellent accommodation
- 34. Concern about potential overlooking and loss of privacy if the objectors leylandii hedge were removed, and the owners of White Edge could decide to remove the large conifers at any time (officer note the conifer trees to the front are shown in the amended plans to be removed) especially given the right to complain to the Council and ask for a high hedge to be lowered.
- 35. Concern that the obscure glazed windows facing The Croft be replaced with clear windows,
- 36. PDNPA Design Guide states rooflights 'should be used with caution....They should be kept to the minimum number and size ...'. The 9 rooflights are too many for a building located on the edge of a conservation area and combined with the extensive use of glass at the rear of the house could also contribute to light pollution.
- 37. Would establish a precedent for future large houses replacing other single storey dwellings in the village changing its character.
- 38. Concerns about the possibility of future development on the site by means of permitted development rights.

The support is on the following grounds:-

- 39. Would be an attractive, more traditional house in keeping with the area.
- 40. The materials also appear appropriate to the location and would significantly improve the overall appearance.
- 41. The design of this proposal looks a considerable improvement to that of the existing property and would certainly enhance the site.
- 42. The proposal does not seem to over-develop the site and the design and layout has

been well thought out without causing any amenity issues.

43. It is good to see another 'unused dwelling' being brought back to life enabling another young family to live in the village.

44. National Planning Policy Framework (NPPF)

- 45. 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.
- 46. 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.
- 47. In the National Park, the development plan comprises the Authority's Core Strategy 2011 and the Development Management Polices (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.

48. Main Development Plan Policies

49. Core Strategy

- 50. 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.
- 51. 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.
- 52. DS1 *Development Strategy*. Sets out that most new development will be directed into named settlements. Curbar is a named settlement.
- 53. 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.
- 54. 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.

55. 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.

56. Development Management Policies

- 57. 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.
- 58. 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.
- 59. 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.
- 60. Policy DMH9 addresses replacement dwellings, permitting them provided that the dwelling to be replaced:
 - is not Listed individually or as part of a group listing; and
 - is not considered to have cultural heritage significance; and
 - is not considered to contribute positively towards the valued landscape character or built environment in which it is located.

It also states that all proposed replacement dwellings must enhance the valued character of the site itself and surrounding built environment and landscape, reflecting the guidance provided in the Peak District National Park Authority Design Guide (2007) or any successor adopted Design Guide.

- 61. It notes that larger replacement dwellings should demonstrate significant overall enhancement to the valued character and appearance of the site itself, and the surrounding built environment and landscape. It is clear that in all cases the replacement dwelling must not create an adverse impact on neighbour's residential amenity. It also requires replacement dwellings to exhibit high sustainability standards.
- 62. Policy DMT8 addresses residential off-street parking. It states that off-street car parking for residential development should be provided unless it can be demonstrated that onstreet parking meets highway standards and does not negatively impact on the visual and other amenity of the local community. This should be either within the curtilage of the property or allocated elsewhere.

63. Supplementary Planning Documents

The Building Design guide and The Alterations and Extensions detailed design guide

64. <u>Assessment</u>

65. Principle of Development

- 66. The majority of the resultant house would be formed from new construction so therefore we consider that in the context of our Development Plan policies the proposal should be assessed under policy DMH9. This allows for replacement dwellings provided those being replaced are not listed, have cultural heritage value or considered to contribute positively toward the valued landscape character or built environment in which they are located. The policy also states that where the replacement is larger it should demonstrate significant overall enhancement to the site and its surroundings.
- 67. The existing bungalow is of no architectural merit being a relatively modern building whose design, massing, roof pitch and fenestration are all out of keeping with both the surrounding built from and the wider local building tradition.
- 68. The principle of a replacement dwelling on the site is therefore acceptable and there is a clear enhancement opportunity on this site for the right design.
- 69. The main issue is therefore whether the new dwelling is of a suitable high standard of design which achieves the significant enhancement policy DMH9 seeks to the site and its setting whilst preserving neighbouring amenity.
- 70. Impact of the proposals scale and massing on built environment and landscape character
- 71. Whilst the replacement house would have only a slightly increased footprint, its overall floorspace would be much larger due to the extra floor giving it a significantly increased volume. It would therefore be much larger than the existing dwelling it would replace and in such circumstances policy DMH9 requires that the application demonstrates significant overall enhancement to the valued character and appearance of the site itself, and the surrounding built environment and landscape.
- 72. The rectangular plan form and massing of the main double fronted element of the proposed two storey house would have traditional proportions. The gable width would be 6.45m and the main two storey front being 12m long with the lower 6m long single storey wing to the north side set back 0.35m from the main frontage wall.
- 73. On the south east rear corner the lean-to element of the main building which extends the kitchen area is shown flush with the gable end wall. We would normally ask for the lean-to element to be inset to express the full width of the gable end which would better reflect the local tradition. In this case however the scheme is reusing existing walls and foundations and to alter these for a modest inset would be less sustainable and costly as well as introducing an awkward step on the internally kitchen wall. Given this lies toward the rear of the dwelling and away from public vantage points we decided on balance, not to insist on this amendment.
- 74. There would a central pitched roof porch on the front elevation and to the rear a pitched

roof two storey rear wing. Overall the scale and form of the replacement house would generally reflect the local vernacular. The house would sit on the same site as the bungalow. This is some 5m back from the current front gable end of the garage and its wide door which currently dominates views into the site.

- 75. It would of course be taller and more of the roof will be seen from neighbouring properties and in the somewhat limited public views from the street. However, due to being of traditional form and design the new house would not have an overly prominent presence. From longer views from the east its two storey form means it would nevertheless blend with the local character which is predominantly two storey dwellings.
- 76. The new house would sit on the same site as the existing bungalow and the ground floor level would be at the lowest internal floor level of the existing bungalow given it reuses the floor level and some walls. The amended plans show a better relationship to external levels with the former proposed raised terrace in the front of the submitted scheme removed. The lowered ground floor level now relates well to existing ground levels and is acceptable. It would be flush at the rear and between 200mm and 400mm higher at the front with a lowered porch with an external and internal step up into the dwelling. Whilst the building would be of much greater mass than the current building, the proposed form, massing, and detailing would represent a substantial improvement over the existing property non-traditional form and massing, being reflective of the appearance of traditional buildings in this locality.
- 77. The removal of the garage also represents a clear improvement to the appearance of the site. Currently this dominates the short public views into the site up the drive and detracts from the character of the site and its setting on the edge of the Conservation Area. No replacement garage is provided in this scheme but there is adequate parking on site. Although some representations cite the lack of space for a replacement garage and raise the potential of overdevelopment if one were to be built, such issues cannot be considered in this application.
- 78. We therefore consider that the proposed location of the new dwelling along with its scale, form and massing would represent a significant improvement in the appearance of the built environment in this location. Although being taller and thus more visible its traditional form would blend better with surrounding buildings and the roofscape to make a much more positive contribution to the character and appearance of the Conservation Area its sits alongside.
- 79. The proposed dwellinghouse therefore justifies its larger size under the terms of policy DMH9.
- 80. A condition to require existing and proposed finished floor levels to be submitted and approved is recommended if permission is granted in order to ensure that the land upon which the building is constructed is not raised up, which could alter the impacts that it has.

81. Detailed Design Considerations

- 82. The proposed dwelling takes a simple rectangular form under a pitched roof, and on the front elevation the fenestration follows the local vernacular and exhibits a traditional high solid to void ratio in accordance with the Authority's adopted design guidance.
- 83. The rear however takes a wholly different approach and has a low solid to void ratio as a result of the fenestration being characterised by a dominance of glazed doors across the whole width of the ground floor elevation, including on the rear projecting gabled

wing which also has a large triangular recessed glazed opening filling the whole of the first floor.

- 84. This rear gabled projection reflects a common traditional form, although a little wide and having a slightly shallow roof plane. Nevertheless it would be acceptable if it were simply detailed to give it a high solid to void ratio like the front elevation. This would ensure that despite its scale it would nevertheless read visually as a subordinate element in the overall buildings design. This is important given the rear elevation, and especially the upper floor would be clearly visible in views from the east. From these the impact of the proposed over-windowed gable end would be readily apparent, especially when lit at night, and would be an incongruous and dominating element. This would detract from the design of the replacement house and have a significant harmful impact upon the valued character of the immediate locality and built environment. Given this finding of harm this element of the scheme could not be said to represent significant enhancement over the existing bungalow in terms of its local and wider landscape impact and impact upon the built environment.
- 85. We made it clear in negotiations that this was unacceptable and requested it be omitted but it remains in the amended plans at the applicant's request. Given we find the overall scale, massing and general design of the rest of the house to be acceptable a refusal on this issue alone would be unreasonable and we therefore conclude it would be appropriate if the application were to be approved that this element is omitted by condition in favour of a more appropriately scaled double casement window opening.
- 86. Given the large areas of glazing currently in the rear elevation of the current bungalow and taking into consideration the mitigating impact of the rising ground levels to the rear we conclude that the extent of glazing at ground floor, despite being excessive in other locations, in is acceptable considering the overall enhancement of the scheme when taken as a whole.
- 87. The construction of the walls will reuse the natural gritstone walls reclaimed from the existing dwelling and a blue slate roof would replace the current concrete tiled one. Windows and doors would mainly be powder coated aluminium with gritstone heads and cills. These details are acceptable subject to final agreement of the detailed design and external finish and a suitable condition is suggested.
- 88. The Design Guide explains that porches are not a particularly traditional feature in the Park however in this case the porch is modest in scale, has a gable form and will add a focal point on the frontage for the main entrance. The front door is proposed to be a solid hardwood door painted in a recessive heritage colour.
- 89. Overall, the detailed design is considered acceptable and would represent a considerable enhancement over that of the existing bungalow and such be in accordance with policy GSP2, DMC3 and DMH9.
- 90. Impact on the character and appearance of the conservation area.
- 91. The replacement dwelling would remove the unsightly and somewhat dominant garage from the public views into the site, albeit from a limited section of the street, replacing it with a dwelling frontage set further back and having a traditional design and use of local materials. Whilst it would be taller than the bungalow the roof will blend with the current roofscape either side of the plot and therefore we conclude the scheme would enhance the site and the appearance of the local built environment. The site abuts the Conservation Area consequently these improvements would enhance the Conservation Area and comply with policies L3, DMC5, and DMC8.

92. Impact upon neighbouring properties

- 93. The closest neighbouring properties sit either side of the plot. The Croft to the north sits behind a tall evergreen hedge that is in the region of 3m high and provides an effective privacy screen down the whole boundary. The section of the replacement dwelling closest to the boundary on this side is single storey with the two storey section set back some 8.4m from the boundary with the main elevation at 90 degrees to that of The Croft. Having inspected closely the likely impacts from both sides of the hedge we consider the proposed house would not have any adverse overbearing or harmful shadowing impact upon the neighbour due this set back. Neither would there be any adverse impact from direct overlooking as the only first floor opening facing north is an obscure glazed bathroom window. The first floor windows in the main elevation of the proposed house face west however the acute angle, looking out of the closest first floor window north towards those in The Croft, would restrict views toward the closest windows. This angle, coupled with the 20m distance to the affected first floor window, results in a relationship which we conclude, on balance, be acceptable in terms of privacy and amenity. Notwithstanding this finding, retention of the central two conifer trees close to this boundary in the run of four and at a minimum height of the eaves would help offset any remaining concerns. A condition to this effect is suggested.
- 94. To the south the existing bungalow gable end, which stands some 5m from the boundary wall, is raised to two storey with the new ridge being 2.3m higher than existing. One obscure glazed opening at first floor is proposed as a secondary window and fire escape opening from the bedroom.
- 95. The raised gable is situated to the north of Windrush and Drumbeg so there are no concerns about overshadowing. Taking account of the orientation of these properties, their distance from the boundary, as well as the intervening landscaping we conclude that the additional height of the gable, would not be overbearing or otherwise adversely impact upon the amenity of either property.
- 96. Overall, the development is considered to conserve the amenity of nearby properties as required by policy DMC3.

97. Highways Impacts

- 98. Site access would remain unchanged, and the development would remain a single 4 bedroom dwelling as existing so would not result in any significant intensification of use on the site that would raise any highways impacts. The garage would go, however there is ample parking space on the driveway for the size of dwelling and the Highway Authority raise no objections provided 3 parking spaces are maintained. Subject to these being covered by condition the highway impacts arising from the development are considered to be acceptable and accord with policy DMT8.
- 99. Environmental Management of the development
- 100. A detailed and comprehensive Sustainability Statement details the measures to be employed to minimise energy usage and carbon emissions. It is considered that this would comply with policy CC1 and its implementation is suggested to be secured by condition above. The heavily summarised key points are;
- i. Existing gritstone will be salvaged to re-use wherever possible.
- ii. In keeping with Government directives on energy efficient homes, it is intended to insulate all new construction to meet current building regulations for thermal performance.

- iii. All new construction will incorporate Accredited Construction Details to maximise the dwelling's energy efficiency and improve thermal performance of the envelope.
- iv. Natural materials have been specified including gritstone and blue slate which are easily re-usable.
- v. Discarded materials will be recycled or re-used where appropriate.
- vi. Wider glazed opening to the west elevation of the ground floor living room, allows for increased passive solar gain.
- vii. The proposed insulated gritstone cavity walls will provide high thermal mass for passive retention of heat in winter and act as a heat sink for cooling in the summer.
- viii. Windows and doors will have integrated trickle vents which allow for passive background ventilation.
- ix. High levels of insulation will be installed within the walls, floors and roofs to meet current building regulations and improve energy efficiency.
- x. All window and door units will be double glazed and achieve maximum U-values of 1.6W/m2K and 1.8W/m2K
 - All windows and doors, wall and floor junctions will be sealed.
- xi. New sloping ceilings will be insulated with continuous PIR insulation with aluminium taped seams to achieve thermal and air tightness.
- xii. Where there are flat ceilings, these will be insulated at loft level to current standards.
- xiii The existing boiler will be replaced with a A++ rated boiler
- xiv. Energy efficient LED lighting will be utilised wherever spotlights are installed.
- xv. A new wood burning stove will provide direct heat to the living room and adjacent rooms.
- xvi. Solar photovoltaic panels will be incorporated into the southern slope of the rear gable to generate renewable energy for the property's use.
- xvii. The existing combined drainage system is to be utilised for foul and surface water drainage.
- xviii. Water efficient showers and mixer taps
- xix. A rainwater harvesting system is proposed
- 101. Tree impacts
- 102. The 4 tall coniferous trees in the frontage which run alongside the neighbour's hedge are now proposed to be removed in the amended plans which we would normally consider to be acceptable given they are tall non-indigenous conifers which have been planted too close to the house and do not make a positive contribution to the character of the immediate area. However in this case, whilst we have no objection sin principle it would be appropriate to retain the central two for the reason discussed above.
- 103. Ecological Considerations
- 104. The application is supported by a survey which showed that low numbers of brown long-eared bat droppings were recorded within the roof space of the bungalow with potential access points observed at the gable ends. The report notes the building is located within the centre of the Curbar, with grassland and woodland being the main habitat types in the surrounding area and that Bat roosts are likely to be common in the locality.
- 105. No bats were recorded exiting the building during either bat survey. However, moderate levels of bat activity by four species of bat were encountered during both bat surveys. The report concludes that the building is used as a day roost by low numbers (<5) of non-breeding brown long-eared bats and is of therefore relatively low conservation status.</p>
- 106. The report sets out that a bat mitigation class licence (BMCL) from Natural England would therefore be required before any works could proceed and that both sensitive

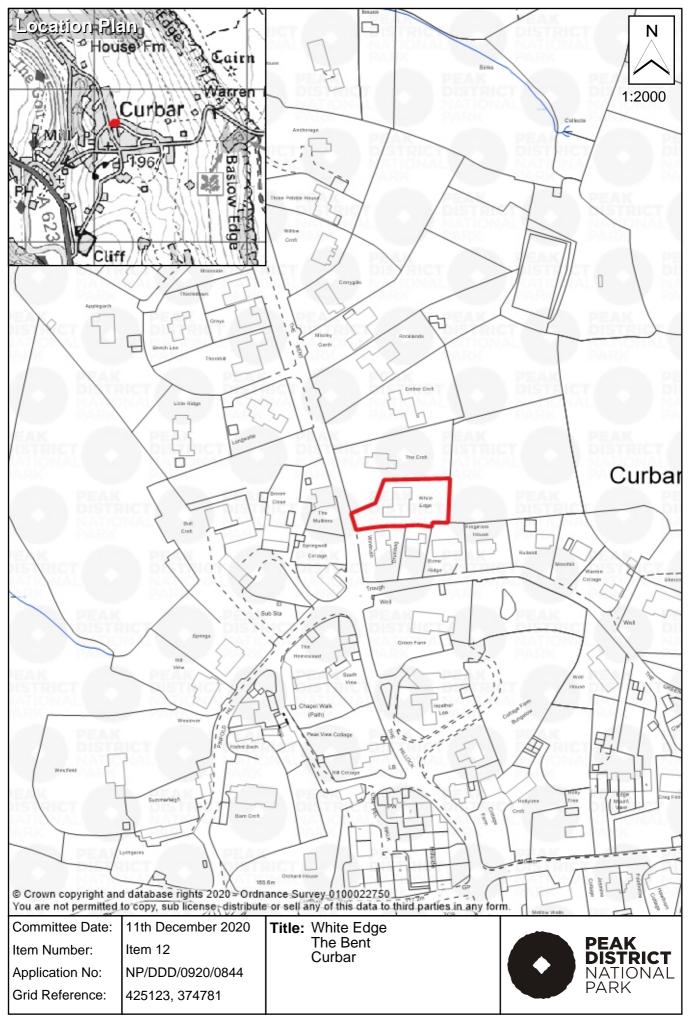
working methods would be required following mitigation in the form of providing alternative habitat with a bat box fixed to a mature tree in the garden. In addition it is recommended that two integral bat habitats be installed in each gable end of the new building. A condition is therefore suggested to achieve the recommended mitigation measures.

- 107. No evidence of nesting birds was recorded.
- 108. Conclusion
- 109. The replacement house would be significantly larger than the current bungalow however the increased scale can be accommodated satisfactorily on the site with the proposed form and massing. The detailed design and use of materials in the construction would also match the local building tradition subject to the amendments to replace the window in the rear gable and inset the kitchen lean-to.
- 110. With those design amendments and the suggested conditions the replacement house would enhance the character and appearance of the built environment, the wider landscape and the setting of the Conservation Area. It would also conserve neighbouring amenity. Adequate on-site parking is provided for to the satisfaction of the Highway Authority there are no ecological objections to the loss of the bat roost in the roof which can be adequately mitigated for.
- 111. It is therefore concluded that the amended scheme would accord with Policies in the Development Plan and the Framework and with no other material considerations that would indicate a different decision, then accordingly, the application is recommended for conditional approval.

112. Human Rights

- 113. Any human rights issues have been considered and addressed in the preparation of this report.
- 114. List of Background Papers (not previously published)
- 115. Nil
- 116. Report author: John Keeley Planning Team Manager (North Area).

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13. FULL APPLICATION - RE-ROOF AND CONVERSION OF EXISTING GARAGE TO TEENAGERS / GRANNY FLAT – DEMOLITION OF EXISTING CANOPY ROOF AND REPLACEMENT WITH NEW EXTENSION. REAR EXTERNAL CANOPY TO PROVIDE COVERED SPACE AND LOG-STORE. NEW OPEN CARPORT TO ACCOMMODATE THREE CAR SPACES AT ROWAN TREE TOFT, BAR ROAD, CURBAR, S32 3YB (NP/DDD/0520/0408, AM)

APPLICANT: MR ANDREW CLARKE

1. Summary

- 2. Rowan Tree Toft is a detached single storey dwelling located in Curbar outside but adjacent to the conservation area.
- 3. The application proposes extensions to the dwelling and the erection of a detached car port.
- 4. The development would conserve the character, appearance and amenity of the property, its setting and that of neighbouring properties.
- 5. The application is recommended for approval, subject to conditions.

6. <u>Site and surroundings</u>

- 7. Rowan Tree Toft is a detached single storey dwelling located in Curbar outside but adjacent to the conservation area.
- 8. The property is a modern bungalow constructed from artificial stone under a concrete tile roof with uPVC fascia, soffits and windows and doors. The property is set back from Curbar Road with an existing flat roofed double garage and parking area to the front and a large garden to the rear. The boundaries to the property are formed by hedging.
- 9. The nearest neighbouring properties are the dwellings known as Grey Grags to the east, a bungalow of similar design and Hawthorn Cottage to the west, a traditional cottage within the conservation area. A public footpath runs between the site and Hawthorn Cottage to the south.

10. <u>Proposal</u>

- 11. Single storey front, rear and side extensions to form utility room and link to the existing garage, which would be converted to ancillary accommodation. The extensions and garage would be provided with pitched roofs to match the existing dwelling. The walls would be clad with a mixture of vertically boarded timber and stone.
- 12. Erection of a car port to the front of the property on the western boundary. The car port would be constructed from natural stone under a pitched roof to match the existing dwelling.

RECOMMENDATION:

- 1. That the application be APPROVED subject to the following conditions:
- 2. Statutory time limit for implementation.
- 3. In accordance with specified amended plans.
- 4. Gable of ancillary accommodation and car port to be natural gritstone in

accordance with a sample panel to be approved.

- 5. Roof to be concrete tiles to match the existing dwelling.
- 6. Specify size of roof lights and conservation type.
- 7. Car port to remain available for parking domestic vehicles at all times.
- 8. Restrict occupation of ancillary dwelling to ancillary to Rowan Tree Toft.

13. Key Issues

14. Impact upon the character, appearance and amenity of the property, its setting adjacent to the conservation area and neighbouring properties.

15. <u>History</u>

16. Non relevant.

17. Consultations

- 18. <u>Parish Council</u> Raise the following issues for consideration:
- 19. The extensive use of vertical timber cladding on both the bungalow and the carport is contrary to PDNPA guidance. The Design Guide 4.13 states that there is "only limited place for external timber in the Peak Park particularly when the development is seen in the context of traditional buildings". Whilst this property may not be traditional, the adjacent property of Hawthorn Cottage and Footpath 15, are in Curbar Conservation Area 2. The vertical timber cladding to both the bungalow and car port will have a visual impact on the street scene and the footpath.
- 20. The three-car carport location extends beyond the existing buildings towards Bar Road and will be even larger if the advice from DCC Highways is followed namely "the applicant may wish to consider a slightly larger carport to aid access". The car port is close to the old footpath hedgerow but is significantly higher and overlooks Hawthorn Cottage. This will have considerable visual impact on this property which is in Curbar Conservation Area 2.
- 21. <u>Officer note</u> We have sought amended plans amending the timber cladding to the car port and extension. We have re-consulted the Parish Council and any additional response will be updated at the meeting.
- 22. <u>Highways Authority</u> No objection subject to conversion to require three parking spaces to be provided before the garage conversion is occupied and footnote about the nearby public footpath.
- 23. <u>District Council</u> No response to date.

24. <u>Representations</u>

25. One representation has been received to date. The letter is generally supportive of the proposals but requests that the existing hedge on the Hawthorn Cottage side of the boundary is retained and not taken down for the car port to maintain privacy to that property and its garden.

26. Main policies

Relevant Core Strategy policies: GSP3, DS1 and L3

Relevant Development Management Plan policies: DMC3, DMC5, DMC8, DMH5, DMH7, DMH8 and DMT8

27. 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 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.
- 29. Paragraph 172 of the NPPF 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. The conservation and enhancement of wildlife and cultural heritage are also important considerations and should be given great weight in National Parks.
- 30. Development plan
- 31. Policy GSP3 says that when assessing proposals 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.
- 32. Policy DS1 outlines our development strategy and says that alterations and extensions to existing dwellings are acceptable in principle.
- 33. Policy L3 says that development must conserve and enhance cultural heritage assets and other than in exceptional circumstances, proposals that result in a harmful impact will not be permitted.
- 34. Policy DMC3 says that development will be permitted if its detailed treatment is of a high standard that respects, protects and where possible enhances the natural quality and visual amenity of the landscape, including the wildlife and cultural heritage that contribute to the distinctive sense of place.
- 35. Policies DMC5 and DMC8 say 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 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.
- 36. Policy DMH5. A says that the conversion of an outbuilding close to a dwelling to ancillary dwelling use will be permitted provided that: it will not result in an overintensive use of the property, inadequate standard of accommodation or amenity space or demand for intensive development at a later date; the site can meet the parking and access requirements of the proposed development; and the new accommodation 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 main dwelling.

- 37. Policy DMH5. C says for these proposals where it is not possible to secure its ancillary status in perpetuity by planning condition, the ancillary accommodation will be tied to the main dwelling by way of a Section 106 Agreement.
- 38. Policy DMH7 says that extensions and alterations will be permitted provided that they do not detract from the character, appearance or amenity of the original building, its setting or neighbouring buildings; amount to the creation of an independent dwelling or harm the valued characteristics of the National Park.
- 39. Policy DMH8 says that new outbuildings will be permitted if they conserve or enhance the dwelling, its setting and the valued characteristics of the National Park. DMH8. C says that the use of the outbuilding will be restricted through conditions, where necessary.
- 40. Our adopted Detailed Design Guide Supplementary Planning Document gives advice on alterations and extensions. Chapter 3 states that there are three main factors to consider, massing, materials, detailing and style, it states that all extensions should harmonise with the parent building, respecting the dominance of the original building and being subordinate to it. The original character of the property should not be harmed when providing additional development. Garages should be designed in sympathy with the host property with materials and roof pitches reflecting the house.

41. Assessment

42. Principle

- 43. Our policies support alterations and extensions to dwellings in principle. The proposed ancillary dwelling would be small, closely related to the existing property connected by a link and share the existing access and parking area. The ancillary dwelling is therefore acceptable in principle if a planning condition is imposed to control occupation in accordance with policies DMH5. C and DMH7.
- 44. They key issue therefore is the impact of the proposed development upon the character, appearance and amenity of the existing property, its setting and that of neighbouring properties.

45. Impact of development

- 46. The proposed extensions would reflect the form of the existing dwelling and would appear as a series of connected gable roofs. The rear link and projecting porch would read as subordinate to the main dwelling and the alteration of the existing flat roof garage to a pitched roof would be an enhancement. The proportions and form of the detached car port would also reflect that of the main dwelling.
- 47. The amended plans show that the extensions would predominantly be constructed from materials to match the existing dwelling. The agent has confirmed that the gable to the converted garage and the walls of the car port would be constructed from natural gritstone rather than artificial stone to match the existing dwelling.
- 48. Timber boarding is proposed for two walls on the inner face of the extension. We note the concerns from the Parish Council and recognise that our design guidance states that there are limited opportunities for timber particularly when affecting traditional buildings. However, this property is modern and the two walls would make up the inner face of the extensions and not be prominent from public vantage points. Therefore, the use of timber for these walls is acceptable and will not harm the character of the property or its setting.

- 49. The proposed car port would be sited to the front of the dwelling but would still be significantly set back from the road, which combined with the existing mature tree, and hedge planting would ensure that the car port was not unduly prominent in the street scene. The car port would be sited on the boundary and require the removal of some hedge planting. The rear wall of the car port would therefore be seen from the footpath. However, the height of the wall would be similar to the existing hedge and if the stonework were of a high quality, the development would not have a harmful visual impact.
- 50. For these reasons the car port would not be overbearing to Hawthorn Cottage or result in any significant loss of light. We note the concerns raised about privacy, however the rear wall of the car port would be blank with no window or door openings. Therefore, the development would not result in overlooking or loss of privacy.
- 51. The proposed extensions to the dwelling would be set at a lower level than Grey Crags to the west and therefore would not result in an overbearing impact or any significant loss of light. There are no openings to the extensions that would overlook Grey Crags and therefore the development would not result in loss of privacy to this property.
- 52. Therefore subject to conditions to secure the amended plans and appropriate design details the development would conserve the character and appearance of the property, its setting and that of neighbouring properties in accordance with policies GSP3, L3, DMC3, DMC5, DMC8, DMH5, DMH7 and DMH8.
- 53. The development would concert the existing garage but there is ample space within the existing parking area for three off-street parking spaces. Therefore a condition requiring parking to be provided is not necessary before the ancillary accommodation is occupied. However, it is necessary to impose a condition requiring the car port to remain available for use if constructed. Subject to this, we agree with the Highway Authority that the development would not harm highway safety.

54. Climate change and sustainable building

55. The development utilises a timber frame for the car port and timber for part of the walling and would refurbish the existing garage and integrate it into the extension reducing the need for new building materials. The applicant has been asked to provide more details about how they intend to meet this policy requirement and this will be reported to committee verbally.

56. Conclusion

- 57. Subject to conditions, the development would conserve the character and appearance of the property, its setting and that of neighbouring properties in accordance with policies GSP3, L3, DMC3, DMC5, DMC8, DMH5, DMH7 and DMH8. The development would not harm highway safety.
- 58. Therefore, having taking into account all other material considerations the proposal is in accordance with the development. Therefore, the application is recommended for approval, subject to conditions.

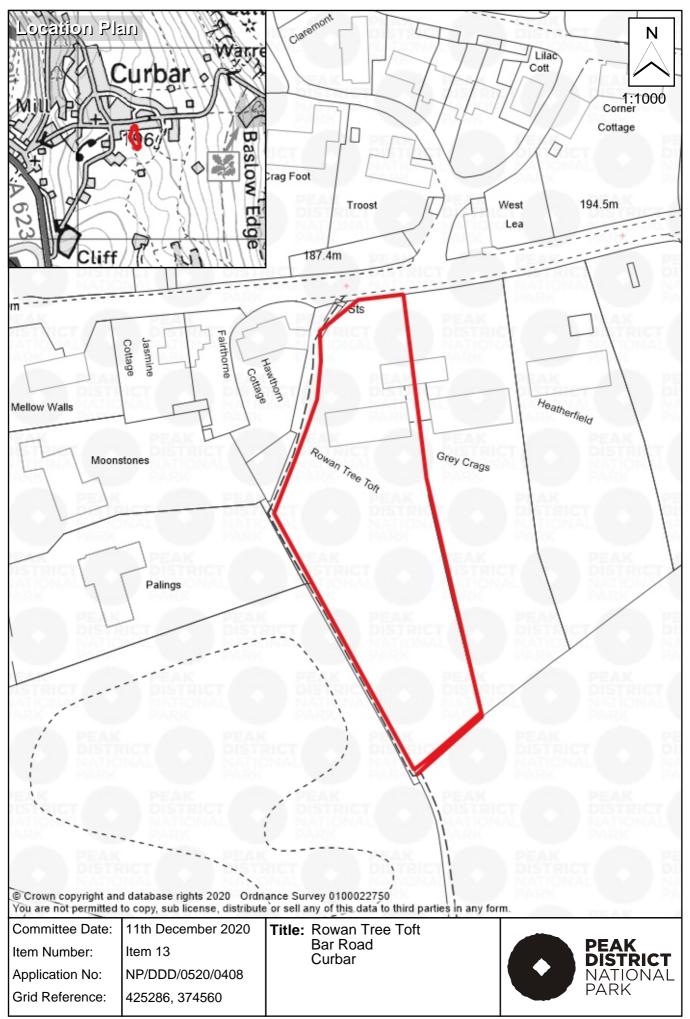
59. Human Rights

60. 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: Adam Maxwell, Senior Planner, North Area.



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14. FULL APPLICATION - FOR THE DEMOLITION OF HILLCROFT AND A GARAGE. REPLACEMENT WITH A NEW DWELLING AND DOUBLE GARAGE AT HILLCROFT, SHERWOOD ROAD, TIDESWELL, BUXTON (NP/DDD/0720/0609 SPW)

APPLICANT: NEIL FOSTER AND CLARE READING

<u>Summary</u>

 The proposed replacement dwelling does not provide an enhancement nor accord with the basic principles of the Design Guide for designing in sympathy with the local building traditions. The result is a design which is not acceptable, does not achieve an enhancement of the site and which would harm the setting of the Conservation Area. The proposal is therefore contrary to the policies of the development plan in particular DMH9 which deals with the principle of replacement dwellings.

Site and Surroundings

- 2. Hillcroft is a detached dwelling located on Sherwood Road, Tideswell.
- 3. Next to the site to the north and south are garages. To the north there is Brockerly Lane which leads to Brockerly Lodge and through to Gordon Road. Brockerly Lane has a number of garages before it reaches Brockerly Lodge. The conservation area runs along Brockerly Lane but excludes the garages. To the south of the site there are garages on the road frontage (these have a mono pitch roof with corrugated sheet roof) in the same ownership as the applicant and then Lochiel Villa which is also in the same ownership. There are a number of mature trees in the curtilage of Hill Croft and a large mature sycamore tree close to the boundary but associated with Lochiel Villa. This however overhangs the boundary to Hillcroft, and is shown on the submitted plans.
- 4. Hillcroft benefits from a very long garden. Its eastern, western and part of its northern boundary adjoin the Conservation Area.
- 5. From the front, Hillcroft appears as a 20th century single storey bungalow. The site slopes such that at the rear it has two storeys. It is constructed of stone with hipped roof clad in natural blue slate and red ridge tiles, it has bay window to the front and overhanging eaves.
- 6. There are no listed buildings on the site. There is a ruin on the wider site (to the east) which sections of stained glass have been recovered by the applicant.
- 7. Most of the dwellings on the street are only set back from the road a very small amount.

Proposal

- 1. The proposal is to demolish the existing dwelling and a garage and replace it with a dwelling and double garage.
- 2. The walls would be constructed of split faced limestone.
- 3. There are a mix of materials for the roofs which are indicated on the plans and include natural blue slate and standing seam zinc roofs.
- 4. The dwelling would provide accommodation over two floors including 3 bedrooms, 3 bath/shower rooms, studio/flexible living space/, Open plan living and dining area, kitchen, Study and very large basement storage area lit by roof lanterns.

RECOMMENDATION:

- 8. That the application be REFUSED for the following reasons -
- 1. The proposal would not achieve an enhancement of the site or the wider National Park and it is therefore contrary to the replacement dwelling policy Development Management Policy DMH9, this is because its design is not in accordance with the 'Design Guide' and is contrary to core Strategy policy GSP3 and Development management policy DMC3.
- 2. The proposal would harm the setting of the Conservation Area including views into and out of the Conservation Area so it is contrary to Core Strategy Policy L3 and Development Management Policy DMC8 and would harm the valued characteristics of the National Park so also contrary to Core Strategy policy GSP1 and L1.

Key Issues

- 9. The key issues are:
- Design
- Will the proposal achieve an enhancement as required by DMH9
- Will the proposal conserve and enhance the setting of the Conservation Area
- Amenity.

<u>History</u>

- 10. 2019 (36976) Pre application enquiry in relation to a replacement dwelling Advice on first scheme was that the issues presented by this proposal are related to design, landscape impact and amenity.
- 11. The scale form and massing of the building needed to be addressed before any forthcoming planning application is submitted. The existing dwelling is nestled into the site neatly set back an appropriate distance from the roadside in-keeping with the rest of the streetscape. The proposed development is set back from the roadside an excessive amount, creating a large courtyard area at the front of the property that is atypical and discordant with the streetscape. While the proposed materials are in-keeping with the local vernacular, the gable size may be an issue and also the form. Within the Authority's SPD, the Design Guide, gables are traditionally relatively narrow with a width of 5.5-6.0mThe local building tradition is for a simplicity of form, but the flat roofs make the massing overcomplicated and awkward, the design guides explicitly explain that flat roof are rarely appropriate. The flat roofs are an issue that needs resolving as well as being unacceptable in their own right they also result in a very complicated form. When viewed from the front the proportion of roof in comparison to the height of the walls would make the roof appear to be the dominant element. And from the front there would not be any stonework visible on the main body of the building due to the unfortunate flat roof protrusion. This unusual form is exacerbated by the extruded chimney feature. Cumulatively it has resulted in an unusual form which seems to be wide, top heavy and which has complicated massing which does not follow the Authority's guidelines in the SPD. "Rear elevations were traditionally less formal than the front and had fewer openings...Keep the number of openings on gables and rear elevations to the minimum wherever possible" (Design Guide SPD, page 22). The shear amount of glazing placed on the rear elevation provides an overbearing horizontal emphasis. The overall horizontal shape of traditional dwellings was often balanced visually by vertical emphasis given by windows, doors and chimneys; however, in this instance, due to the volume of the glazing, it has the opposite effect. This not only impacts the design of the building but has great consequences in regard to light pollution and glare. The reflective qualities of

the glazing could have a detrimental impact on the surrounding landscape. "Keep the types and number of openings to a minimum and arrange them with care" (Design Guide SPD, page 22). The large amount of windows on the rear elevation also negatively affects this elevation's solid to void ratio. The solid to void ratio of the building is not balanced either; almost all of the windows are contained on the rear elevation. There should be a formal front to this building and in comparison to the rear the importance of the front is belittled. This makes the front elevation appear of less importance than the rear. This requires some significant adjustment, I would suggest starting by removing the flat roofed sections and forming a formal front elevation in the normal manner, that is directly under the eaves with high portion of stone and openings with a vertical emphasis to provide the right solid to void ratio. Neighbour amenity should also be considered in regard to the balconies on the rear elevation. There are a number of surrounding properties in the area that could be at risk of being overlooked. It's rare that balconies are appropriate so I will be interested to see how this develops as you revise the overall design.

12. A second design was submitted but officers remained concerned about the design, whilst it was different was not equally unacceptable, and still had many of the same issues (glazing volumes, large areas of flat roofs) as well as introducing new ones like a clerestory feature (a horizontal glazing feature between the walls and the roof wrapping around the building).

Consultations

- 13. Derbyshire County Council Highways No objection subject to the following conditions
- 14. Before any other operations are commenced, space shall be provided within the site for storage of plant and materials, site accommodation, loading, unloading and manoeuvring of goods vehicles, parking and manoeuvring of employees and visitors vehicles, laid out and constructed in accordance with detailed designs first submitted to and approved in writing by the Local Planning Authority. Once implemented the facilities shall be retained free from any impediment to their designated use throughout the construction period.
- 15. Before any other operations are commenced a new vehicular access shall be created to Sherwood Road in accordance with the approved application drawings, laid out, constructed and provided with 2.4m x 25m visibility splays in both directions, the area in advance of the sightlines being maintained throughout the life of the development clear of any object greater than 1m in height (0.6m in the case of vegetation) relative to adjoining nearside carriageway channel level.
- 16. The proposed access drive to Sherwood Road shall be no steeper than 1:15 for the first 5m from the nearside highway boundary and 1:10 thereafter.
- 17. The premises, the subject of the application, shall not be occupied until space has been provided within the application site in accordance with the application drawings for the parking and manoeuvring of residents', laid out, surfaced and maintained throughout the life of the development free from any impediment to its designated use.
- 18. There shall be no gates or other barriers within 6m of the nearside highway boundary and any gates shall open inwards only.
- 19. No part of the development shall be occupied until details of arrangements for storage of bins and collection of waste have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the agreed details and the facilities retained for the designated purposes at all times thereafter.
- 20. Tideswell Parish Council No objections and support the application.

- 21. Derbyshire Dales District Council No response to date
- 22. Natural England No objection
- 23. Peak District National Park Authority Archaeology Full response is available on the electronic file the proposed development is along the already developed frontage along Sherwood Road, with the proposed new house and garage largely situated over the footprint of existing buildings and development. This significantly reduces the archaeological interest and potential of the development site, and makes the likelihood of this particular development encountering undisturbed archaeological remains that would help in the understanding of the development of Tideswell in the medieval and post-medieval period very unlikely.
- 24. Therefore, there are no archaeological concerns, further comments or need for archaeological conditions.
- 25. Peak District National Park Authority Landscape Don't have significant concerns over this application as a whole, the removal of the locally-important streetscape trees on the Sherwood Road frontage is a significant loss. I do not think that the proposed multi-stem tree has enough impact – while I do not object to the principle of the scheme, I would like to see a landscape scheme to the Sherwood Road frontage conditioned. This should look to increase the landscape area and incorporate a single stem standard tree in addition to the proposed multi-stem.
- 26. Peak District National Park Authority Forestry This application proposes the removal of four early-mature category 'C' trees, one early-mature category 'C' group and one semi-mature category 'U' tree. The loss to amenity through the removal of these trees will be moderate and the proposed replanting scheme is welcome, but it is recommended that there is replanting of seven, instead of six trees, to avoid loss of canopy cover and achieve biodiversity net gain. Ideally an extra tree to be planted at the front or side of the new development to mitigate the loss of trees from the frontage/ streetscape. The Tree Protection Plan is sufficient for protecting the remaining trees on site, as Tree Protection fencing to BS 5837 is proposed to create a Construction Exclusion Zone around the Root Protection Areas of the trees to be retained.
- 27. Suggested conditions -
- 28. All works to be undertaken in accordance with the submitted 'Tree Protection Plan HLT 03' (submitted 03-07-2020)
- 29. No retained tree shall be cut down, uprooted, destroyed, pruned, cut or damaged in any manner during the development phase and thereafter within 5 years from the date of occupation of the building for its permitted use, other than in accordance with the approved plans and particulars or as may be permitted by prior approval in writing from the local planning authority.
- 30. Prior to completion or first occupation of the development hereby approved, whichever is the sooner; full details of all proposed tree planting shall be submitted to and approved in writing by the Local Planning Authority. This will include planting and maintenance specifications and confirmation of location, species and sizes. All tree planting shall be carried out in accordance with those details and at those times. Any trees that are found to be dead, dying, severely damaged or diseased within five years of the completion of the building works OR five years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of similar size and species in the first suitable planting season.
- 31. Peak District National Park Authority Ecology No objection to the application in principle, given that bats have used the property in the past, bat boxes are insufficient for planning gain. There are no cross sections provided with the application to determine

whether there is a loft space and whether this has potential to be suitable for bats. Please could we ask that details are provided to establish whether a bat loft could be incorporated here? The RAMS suggested are sufficient and should be conditioned that these measures are followed, unless otherwise agreed in writing. The incorporation of a wildlife pond and native planting into the landscape plan are great, but we would like to see further details of species, which could be conditioned. I would also like to see the native planting extended along the northern boundary to provide habitat linkage from the pond to the wider countryside. The above information is required before I can make further comment.

Representations

- 32. Thirteen representation have been received five are in support, five object and 3 have no objections.
- 33. Support is raised on the following grounds -
- Improvement for the neighbourhood
- High amount of sustainability in the scheme.
- Support Passive Haus
- Will remove a non-traditional dwelling and replace it with a modern eco dwelling.
- Provides adequate off street parking
- The contemporary elements of the scheme help to build an ongoing narrative of the village.

34. Concern and objection are raised on the following points

- Design and appearance is contrary to the Design Guide requirements and would have an unacceptable and adverse impact on the landscape and the adjacent Conservation Area.
- Design conflicts entirely with the Conservation Area which surrounds it.
- Size and appearance will have a major negative impact on the area and the Conservation Area.
- The proposed large double garage is out of proportion to the surroundings and would have a major negative impact on the character of the site and its setting facing the conservation area. Its hugely increased size relative to the current garage and proximity to the road will give it a vertical emphasis which will not fit harmoniously into the landscape. The removal of views over the plot to hills beyond would damage the wider landscape setting.
- Object to the demolition of the current bungalow and replacement with a new eco-friendly dwelling. The existing building is similar in design to a row of bungalows south on Sherwood Road, so there is no design imperative favouring demolition over refurbishment. Refurbished, given that the structure looks to be sound but would need reroofing, would be preferable and in keeping with the area.
- The proposed building would overlook Brockerly Lodge and affect their privacy and that of other properties nearby. The wall which is elevation D would be extremely large and overbearing and totally out of character with the surrounding conservation area.
- The proposed new modern property will be out of character with the surrounding typical Peak District properties which are in the conservation area and will be detrimental to the characteristics of the landscape blocking the open aspects from Sherwood Road and Brockley Lane which currently have views across the valley to countryside beyond. All anyone walking down Brockley Lane will now see is a long expanse of a stone building looking more like an industrial building than a home.
- The view of the proposed building from Brockley Lane appears to be essentially a large wall which could appear like an industrial unit/Prison wall. Where currently there are trees

there will be a stone wall. In particular from our house this elevation will just be a large mass of stone wall which is extremely high and will look overbearing.

- The proposal would represent a radical change in the character of the site. Superimposing the existing structure on the proposed elevations suggests a two to three times increase in the built elevation areas from both perspectives.
- With reference to the plan long elevation D, the height for most of the proposed side elevation is level with the roof apex of our house. The result of this is that large portions of Ollerset House can be overlooked from the balcony. In addition this property currently enjoys an open and unobstructed view over the site, the skyline would be dominated by the view of a large expanse of stone wall which will be easily visible from our lounge window and front and rear gardens.
- The impact of the proposed rear balcony on our and nearby properties should be assessed. It appears that it will overlook our and other gardens and would damage our and other residents' enjoyment of our and their properties and also our and their privacy. It also appears that our side windows will be looked into and as we look out of our 2 side windows we will just be met with an overbearing very high stone wall. From our upper bedroom window the view currently open would also be changed with loss of privacy.
- The large expanse of glass would seem to be out of character for the surrounding conservation area where window size is generally restricted under current guidelines.
- The overall effect is that the proposed building does not fit into the lay of the land nor the landscape
- Will result in the loss of one verge parking space
- The landscape and street character will be significantly adversely affected by the proposal.
- The garage at the front will impact on the street and the cottages on the opposite side of the road.
- The current open green character of the site would be radically changed with a built stone frontage across the whole of the plot width.
- The roofline will be hugely raised across the whole plot width, to the height of the highest single point of the existing bungalows.
- Concern over highway safety.
- Masterplan does not provide any mitigation for the potential light pollution and loss of privacy, particularly from the rear elevation.
- Rear elevation will overlook and dominate neighbouring properties.
- The large sycamore tree is of very high amenity value and should be protected by a TPO.
- The proposal includes excavation of limestone from the site and major earthworks are proposed. Access difficulties for large plant are likely. Additionally, noise, dust and other significant inconvenience for nearby residents are likely over a prolonged period. Should the application be approved I urge the planning authority to impose conditions that minimise the extent and period that this nuisance may occur.

Main Policies

- 35. Relevant Core Strategy policies: GSP1, GSP2, GSP3, GSP4, L1, L2, L3, HC1, CC1, CC2, T3, T7.
- 36. Relevant Development Management policies: DMC3, DMC5, DMC8, DMC11, DMC12, DMC13, DMH9.

National Planning Policy Framework

- 37. The National Planning Policy Framework (NPPF) was published on 27 March 2012 and replaced a significant proportion of central government planning policy with immediate effect, the revised version was published in 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 the National Park the development plan comprises the Authority's Core Strategy 2011 and the 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.
- 38. Para 172. Of the NPPF states that 'great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads.'
- 39. Para 77 In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs, and consider whether allowing some market housing on these sites would help to facilitate this.
- 40. Para 78 To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.

Core Strategy

- 41. 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.
- 42. 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.
- 43. Policy L3 says that development must conserve and enhance cultural heritage assets and other than in exceptional circumstances, proposals that result in a harmful impact will not be permitted.

44. <u>Development management Policies –</u>

- 45. DMC3 says that development 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. This policy states that particular attention will be paid to:
 - i. siting, scale, form, mass, levels, height and orientation in relation to existing buildings, settlement form and character, including impact on open spaces, landscape features and the wider landscape setting which contribute to the valued character and appearance of the area; and
 - ii. 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 such as the character of the historic landscape and varied biodiversity assets;
 - (x) the principles embedded in the design related Supplementary Planning Documents and related technical guides.
- 46. Policies DMC5 and DMC8 say 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 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.
- 47. DMC13 states that information will be sought from applicants to assess impacts on trees and 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.
- a. DMH9 Replacement dwellings states that the replacement of a dwelling will usually be permitted. The policy states that all proposed replacement dwellings must enhance the valued character of the site itself and surrounding built environment and landscape, reflecting the guidance provided in the Peak District National Park Authority Design Guide (2007) or any successor adopted Design Guide. It goes on to say that larger replacement dwellings should demonstrate significant overall enhancement to the valued character and appearance of the site itself, and the surrounding built environment and landscape. In all cases the replacement dwelling must not create an adverse impact on neighbours' residential amenity. In all cases the replacement dwelling must exhibit high sustainability standards.

Design Guide

- 48. At Para 2.15 the Design guide acknowledges that it is not easy to introduce modern architecture successfully into an area of traditional styles, and advises on use of local materials and good quality workmanship. In paragraph 2.18 it goes on to say that 'it is preferable to find a design solution which reflects or reinterprets the local tradition and is also a product of our time....New modern buildings often fail in design terms when their designers are more intent on current architectural fashion than respecting the context they are working within.
- 49. Para 3.11 sets out that new buildings should be in harmony with the earlier buildings around them. Historic buildings are important in setting the context for new development.

The aim is to create a pleasing visual relationship between new and old. Para 3.12 goes on to set out that there are three main factors to consider in this: Form, Detailing, Materials.

50. Other relevant parts of the Design guide are referenced in the 'assessment' section below.

<u>Assessment</u>

- 51. Principle of development
- 52. The main policy in relation to the principle of the proposal is DMH9 of the Development Management Policies. That does allow replacement of a dwelling subject to specific criteria.
- 53. In all cases policy DMH9 requires the replacement dwelling to achieve an enhancement. DMH9 also allows for dwellings which are larger than the ones they replace but in these cases there is a requirement that this results in a significant enhancement of the site and surrounding built environment.
- 54. The existing dwelling is not traditional and is of no historic or vernacular merit, it is however, not detrimental to the National Park, so provided the development achieves a significant overall enhancement then policy DMH9 would allow for the existing dwelling to be lost and replaced by a larger dwelling in principle.

55. Design considerations

56. Whilst this proposal has been subject to extensive pre application advice it has not had resulted in a scheme that we are able to support. This is the third scheme which has been proposed on the site and each of which have had significant changes from the former iteration. Our advice has been comprehensive, and we accept that the applicant and their architect have tried to address problems with earlier schemes, unfortunately each iteration while seeking to address one issue has only led to other issues arising.

57. Scale, form and massing

- 58. The proposal is substantially larger than the current dwelling and would have an unacceptably complicated form, and particularly in terms of it's massing. It is without a strong front elevation with the dwelling front set back significantly from the street behind the parking courtyard and the detached garage which is contrary the general streetscape.
- 59. The local building tradition is for simple forms and massing, a clear architectural front which enhances the street scene and strong solid to void ratios on the elevations and particularly with gables that are solid with no or only very limited openings.
- 60. From the street frontage the proposal looks like an over-complicated bungalow with an unresolved plan form as a result of its twin forward projecting asymmetrical gables linked by a combination of a flat and low pitched zinc roof and sitting in front of the main rear element which is set well back behind. These gables, in combination with the asymmetrical pitched roof of the garage, dominate the frontage in an uncharacteristic manner which fails to have sufficiently reflected the principles in our Design Guide; Paragraph 3.33 which explains the basic principles of designing in sympathy with the local building tradition and ensuring a simple form and appropriate scale and detailing.
- 61. In particular Para 3.21 of the Building Design Guide also states that 'there is no tradition of single storey houses in the Peak District. Bungalows are a modern day unwelcome addition in many settlements. With their deep plan and tall roofs that completely dominate the insignificant area of walling beneath, they are utterly alien. Single storey dwellings,

which have a traditional narrow plan, may be acceptable if they are designed to fit into the character of the locality.'

- 62. The Building Design Guide also sets out at para 3.16 that Peak District cottages and houses are traditionally only one room deep and, for the most part, single aspect. This gives a typical relatively narrow gable width of 5.5m–6.0m. In sharp contrast this scheme has a very deep internal plan well over 13m long. Whilst the design seeks to break this massing up externally into smaller elements this still has resulted in the sides of the dwelling being dominated by its over 13m deep gable side wall. This runs in one plane down the site and is topped with the further asymmetrical gable of the main rear element which is spaced off from the front projecting gables by a flat roof as well as being flanked on the south side by a lower but still large flat green roofed projection.
- 63. The representations received have expressed concern about the expanse of the development when observed from the side elevations, particularly Brockerly lane. This is a concern we share. From the garage at the frontage to the rear elevation the development is approximately 24m in length. For much of this it would be built up significantly along the boundary of the site and be somewhat overbearing due to the combination of its height and expanse and because the development is constructed right up to the boundary rather than being set back like the existing dwelling. The arrangement of the differing elements of the scheme along the side elevation with the changes to roof style serves to create a discordant and chaotic appearance from this elevation.
- 64. Objectors have also expressed concern in comparing the ridgeline of the proposed dwelling which is around 1.5 storeys to that of the existing. They suggest it will block much more of the open view from the street and nearby properties. The proposal would certainly block views that are currently available. However, the proposal has a strong horizontal emphasis on all elevations, which is not in keeping with the vernacular tradition. This is also emphasised by the strong vertical pattern on the street scene of largely two storey properties and the nearest dwelling Lochiel Villa having a very narrow vertical appearance.
- 65. The height of the roof is not the predominant issue with the design, rather it is the combination of flat and pitched roofs with asymmetric gable features and the clerestory is over complex and discordant. Simplicity of plan and roof form is identified in our adopted Design Guides as one of the key characteristics of the local building tradition. A complicated, unresolved plan form should be avoided.
- 66. The garage fronting onto the road has a cat slide roof which in combination with the rest of the garage results in the road facing elevation of the garage having a width of 7.75m which is excessive and will read as one overly-wide gabled form contrary to the local building traditions which is for gable widths of 5m-6m and often smaller for subservient outbuildings. In the north side elevation although the garage itself is stepped back from the main body of the house the linking building between it and the house simply exacerbates the dominating impact of the already over-long long side wall.
- 67. The main east elevation of the rear wing is dominated by a projecting single storey flat roofed addition with first floor terrace and glazed balustrade. Balconies or raised terraces are not a feature of our local building tradition and in this case the terraced addition is a further unacceptably dominating element in the design which is out of keeping with the character and appearance of the local tradition.
- 68. Overall the size and massing of the proposed development with the low horizontal frontage and over wide gable features, with the very long front to back appearance and the loss of existing landscaping would give the plot much more developed character than currently exists and this would have an adverse impact on the character and appearance of the area including the setting and views into and out of the Conservation Area.

69. Detailed design/fenestration

The design has a weak solid to void ratio of openings to wall area on the rear elevation along with a visually heavy terrace element as both the ground floor and lower ground floor elevations each are dominated by three wide openings to give an almost fully glazed wall to each.

- 70. In addition, it is also contrary to the local building tradition as the current proposal has a road facing elevation which has openings in the front facing gables, and a clerestory (horizontal glazing between the wall and the roof eaves) to the front elevation and main body of the house, although this is set well back behind the front gables.
- 71. The Design Guide at Para 3.29 acknowledges that whilst modern construction allows much larger openings than could traditionally be achieved. It goes on to say thatIt is interesting to note that successful modern buildings that fit well in the Peak District often have a high degree of visual solidity. Where large openings are necessary, they should be balanced by a complementary area of solid walling alongside. Getting the correct solid to void ratio is crucial, as the effect on the elevation is more far-reaching than the type of windows chosen.'
- 72. The rear elevation contains a large volume of glazing which would be reflective in the daylight and in the dark with lights on it would stand out when internally lit. There is insufficient solidity within this elevation. Solidity on other elevations does not assist in ameliorating this, especially from within the Conservation Area along Brockerly Lane where the rear elevation would be open to view, and it would appear alien to the pattern and form of other development. This would erode the setting of the Conservation Area. The openings are in themselves harmful but the harm to the setting of the Conservation Area should be assessed against the tests in the NPPF. In cases like this where there is harm but it is less than substantial harm (substantial harm is wholesale loss of the interest) the public benefit of the development must be taken into account. In this case the benefits of the development are private and there is no arising public benefit to outweigh the harm to the setting of the conservation area.
- 73. The Building Design Guide sets out that although there is more freedom when it comes to detailing a building compared with resolving its overall mass, there are still some basic principles that need to be respected if the new is to harmonise successfully with the old. These relate to the three main characteristics of traditional elevations:
- A balance of proportions between the overall shape of the walls and the openings they contain.
- A high solid to void ratio in which the wall dominates.
- A simple arrangement of openings, usually formal (often symmetrical) in the case of houses, and informal in the case of outbuildings.
- 74. The proposal before us fails to take those considerations into account and as a result the fenestration is over glazed on rear elevation, and to a lesser extent on the front elevation where the openings are nevertheless inappropriately arranged and proportioned.

75. Design conclusions

- 76. We could support a modern design which is in accordance with the Design Guide and works in its context, properly referencing the local building tradition in a contemporary design, suitable for its location in Tideswell, in the Peak District National Park and which adjoins the Conservation Area. However, this proposal does not exhibit those qualities.
- 77. The proposal does not enhance the site or the National Park and would be significantly more harmful than the existing building. The scheme has fundamental problems with

scale, massing, fenestration and position relative to the street scene. These issues cannot be resolved by way of minor amendment to the existing scheme.

- 78. Therefore we consider the proposal is contrary to the replacement dwelling policy Development Management Policy DMH9, its design is not considered to be to a high standard nor in accordance with the 'Design Guide' so is contrary to core Strategy policy GSP3 and Development management policies DMC3 it and would harm the setting of the Conservation Area including views into and out of the Conservation Area so it also contrary to Core Strategy Policy L3 and Development Management Policy DMC8 and would harm the valued characteristics of the National Park so also contrary to Core Strategy policy GSP1 and L1.
- 79. There are also significant opportunities for enhancement on land adjoining the site which the application details have revealed are in the applicant's ownership. In particular there are three mono-pitched garages that have been excluded from the scheme but offer an enhancement opportunity via their removal. Failing to remove these as part of the scheme is also considered to be contrary to GSP2 and DMH9.

Amenity

- 80. The representations raise amenity issues in relation to loss of outlook from the Conservation Area and neighbours gardens, the proposal being overbearing when viewed from Brockerly Lane and light pollution from the rear elevation as well as amenity issues from the proposed balcony due to overlooking.
- 81. Whilst the balcony is not an acceptable design feature in terms of its flat roof form and non-traditional feature, given the distance to nearby properties it will not adversely affect the amenity of neighbouring properties.
- 82. From Brockerly Lane a public view from within the Conservation Area can be achieved of the whole of the side elevation. As described earlier this is tall and long and built up to the boundary. This will harm the character of the area but it is not considered to be overbearing in the real sense on any dwellings to the extent of providing for an amenity based reason for refusal. For further information on overbearing development, the SPD on Alterations and Extensions sets out on page 32 the 45 degree rule which is a useful tool in assessing whether development would be overbearing.
- 83. While we consider that the rear elevation when internally lit will stand out as an inappropriate alien feature, it is not considered to be likely to harm the amenity of nearby properties by way of light pollution.

<u>Heritage</u>

- 84. The report already establishes that the design will result in harm to the setting of the conservation area.
- 85. The proposal also raised issues in relation to archaeology as it includes significant excavations and because at the pre application stage there were some features revealed that suggested further investigation is necessary. This has been carried out and our archaeologists have scrutinised the submitted report and raised no objection to the proposal on archaeological grounds. The proposal is therefore considered to be in accordance with the policies of the development plan insofar as they relate to archaeology.

<u>Trees</u>

86. A tree reports has been submitted as part of the application as pre application advice was that one would be needed as there are trees on or close to the site which could be affected. A tree reports has been submitted and this has been considered by our tree officers and the scheme by our landscape officers. The tree protection is adequate but if approved would need to be secured by way of planning conditions and further planting ought to be secured on the frontage to help soften the impact of the development and mitigate for the loss of the trees on the frontage. It is suggested by consultees that further planting on the road frontage and northern boundary to increase tree cover, biodiversity net gain and improved habitat. Again this could be required by planning condition.

Ecology

87. In the pre application advice officers identified that a protected species survey would be required. This has been submitted with the application and considered by our ecologists. Bats have been found to use the building and the proposed bat boxes are not considered to be adequate biodiversity gain. Further enhancement would be needed to make the scheme acceptable and if approved this could be required by way of planning conditions. Our ecologists want further details of the species of planting, again this could be required by condition. These conditions would be necessary to ensure that the proposal complies with the policies of the development plan including Core Strategy policy L2 and Development management policy and the NPPF.

<u>Highways</u>

88. Many of the objections from the representations raise issues about parking and access however the highways authority have considered the scheme and found it to be acceptable. The proposal is therefore considered to comply with the policies of the development plan insofar as they relate to highways.

Environmental management

89. The proposed dwelling has pv solar panels on its south facing roofslopes and is designed to follow passive haus principles and to use triple glazing and a continuously insulated, well-sealed envelope with a whole house heating and ventilation system with heat exchanger. The applicants also propose to install a bore hole ground source heat pump. It would therefore comply with core strategy policy CC1. Details of bore hole ground source heat pump would need to be submitted and secured by planning condition or via another permission as they are not included in this application.

Conclusion

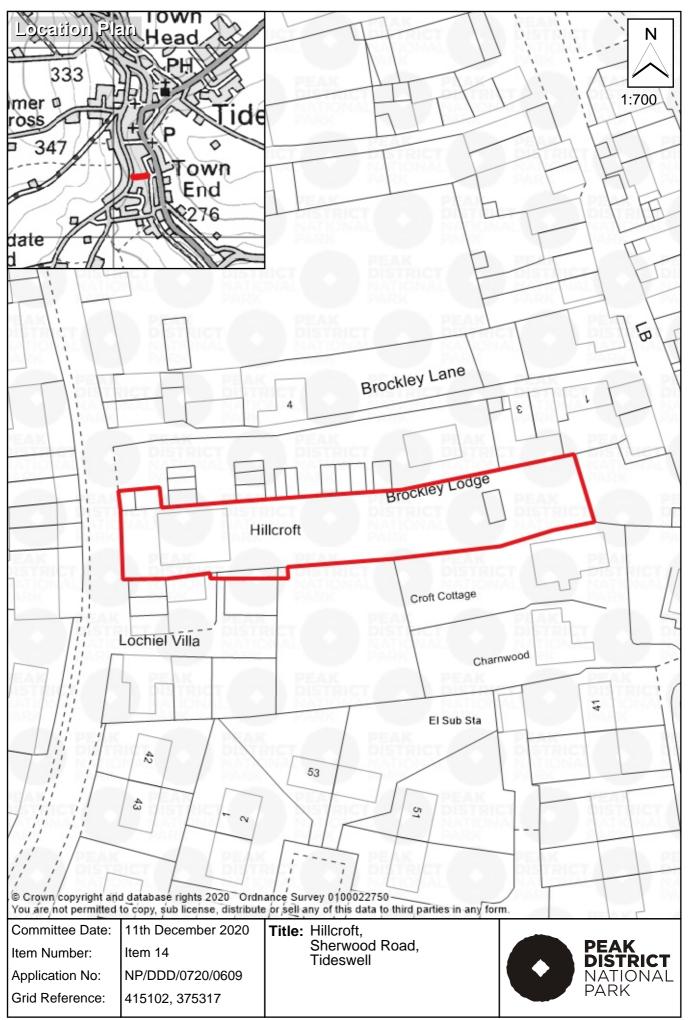
90. The design of the replacement dwelling is not considered to be acceptable, nor in accordance with the SPD the 'Design Guide'. It has a complicated massing and therefore lacks the basic simplicity of form that the local building traditions exhibit, fails to be 'of the place' and does not conserve and enhance the character and appearance of the area and would harm its setting including the adjacent Conservation Area and the valued characteristics of the National Park. The scheme therefore achieves no enhancement of the site and is contrary to Development Management Policy DMH9 which deals with the principle of replacement dwellings.

Human Rights

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

List of Background Papers (not previously published)

- 92. Nil
- 93. Planning Officer Steven Wigglesworth, Planner



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15. FULL APPLICATION – PROPOSED AGRICULTURAL CUBICLE BUILDING TO HOUSE AND FEE LIVESTOCK AT PRIESTCLIFFE HALL FARM, PRIESTCLIFFE ROAD, PRIESTCLIFFE (NP/DDD/0820/0711 TM)

APPLICANT: MR M LIMER

Summary

1. The application seeks permission for a new agricultural building to house and feed livestock. The building is necessary for the purposes of agriculture and would not have an unacceptable impact on the landscape character and special qualities of the National Park. The application is recommended for approval.

Site and Surroundings

- 2. Priestcliffe Hall Farm is a 750 acre dairy farm located on the hillside to the north of the top road through the village of Priestcliffe. The farm lies partially within the Conservation Area, the boundary running through the farmstead. The area to the west of the main farm grouping is designated as an important open space in the conservation area.
- 3. The site consists of a farmhouse, a farm workers bungalow and traditional stone buildings. There is also a range of modern agricultural buildings to the north and north-west. A network of Public Rights Of Way (PROW) run to the south and east of the farm, the nearest being approximately 100m from the development site.
- 4. The nearest neighbouring properties are across the road to the south east at a distance of approximately 90m. One of these properties is Rose Farm which is a listed building, the farmhouse is approximately 100m to the south east of the development site.

Proposal

5. The application seeks full planning permission for a new agricultural cubicle building with a proposed floor area of 1,588.63m², which would house and feed livestock.

RECOMMENDATION

That the application be APPROVED subject to conditions or modifications to control the following:

- 3 year implementation period.
- The development shall not be carried out other than in complete accordance with the specified amended plans.
- Concrete panels shall be reduced to the internal ground floor level. The box profile sheeting shall extend from the eaves of the building the internal ground floor level.
- The concrete panels to north, west and east elevations shall be painted the same colour as the box profile sheeting Slate Blue (18B29).
- The box profile sheeting shall be coloured Slate Blue (18B29).
- Climate change mitigation measures to be implemented.

• The building shall be used only for the purposes of agriculture.

Key Issues

6. The effect of the proposed development on the landscape character and special qualities of the National Park

Relevant Planning History

- NP/GDO/0215/0115: GDO Notification Indoor silage pit. Accepted conditionally
- NP/DDD/0414/0370: Extension to existing agricultural livestock building. Granted conditionally.
- NP/DIS/0212/0166: Discharge of conditions on NP/DDD/0509/0402. Discharged, landscaping confirmed to have been completed as approved.
- NP/DDD/0509/0402: Slurry store and access track Granted subject to conditions.
- NP/DDD/1005/1024: Agricultural building Granted subject to conditions.
- NP/DDD/0302/129: Agricultural building to winter stock Granted subject to conditions.
- NP/DDD/0393/106: General purpose agricultural building Granted subject to conditions.

Consultations

- 7. Derbyshire Dales District Council: No comments received.
- 8. Parish Council: "No objection to this application. However, as the building will be at quite an altitude, we ask please that the NPA satisfies itself that the building's height is acceptable for this rather visible location."
- 9. Highway Authority: "No highway objections on the basis the building is used for agricultural purposes, in support of existing farming activities carried out on surrounding controlled farmland."
- 10. PDNPA (Landscaping): Tree planting to be agreed to help set the building into the landscape rather than screen it. Lower concrete panels should painted a dark colour and cladding brought down to internal floor level.
- 11. PDNPA (Archaeology): No Archaeological concerns

Representations

12. During the consultation period, the Authority has not received any letters of representation.

Main Policies

- 13. Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L1, L3, CC1
- 14. Relevant Development Management Plan policies: DMC3, DME1, DMC5, DMC8

National Planning Policy Framework

- 15. The National Planning Policy Framework (NPPF) replaced a significant proportion of central government planning policy with immediate effect when first published in 2012. The latest version of the NPPF was published on 19 February 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 the National Park the development plan comprises the Authority's Core Strategy 2011 and policies of the Development Management Policies document 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 more recent Government guidance in the NPPF.
- 16. Paragraph 172 of the NPPF states that 'Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads.'
- 17. Paragraph 172 also states that planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:
 - a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
 - b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
 - c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

Main Development Plan policies

- 18. 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.
- 19. 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.
- 20. DS1 supports extensions to existing buildings in principle, subject to satisfactory scale, design and external appearance.

- 21. Policy L1 identifies that development must conserve and enhance valued landscape character as identified in the Landscape Strategy and Action Plan and other valued characteristics, and other than in exceptional circumstances, proposals in the Natural Zone.
- 22. CC1 sets out that developments will be expected to make the most efficient and sustainable use of land, buildings and natural resources.

Development Management Policies

- 23. DME1 states that new agricultural and forestry buildings, structures and associated working spaces or other development shall:
 - (i) be located close to the farmstead or main group of farm buildings, and in all cases relate well to, and make best use of, existing buildings, trees, walls and other landscape features; and
 - (ii) not be in isolated locations requiring obtrusive access tracks, roads or services; and
 - (iii) respect the design, scale, mass and colouring of existing buildings and building traditions characteristic of the area, reflecting this as far as possible in their own design; and
 - (iv) avoid adverse effects on the area's valued characteristics including important local views, making use of the least obtrusive or otherwise damaging possible location; and
 - (v) avoid harm to the setting, fabric and integrity of the Natural Zone.
- 24. DMC3 sets out that where development is acceptable in principle, it will be permitted provided that its detailed treatment is of a high standard that respects, protects and where possible enhances the natural beauty, quality and visual amenity of the landscape, including the wildlife and cultural heritage assets. Particular attention will be paid to siting, scale, form, mass, landscape setting and the valued character and appearance of the area.
- 25. DMC5 sets out the requirements for applications that affect designated and non-designated heritage assets.
- 26. DMC8 states that applications for development in a Conservation Area, or for development that affects it's setting or important views into or out, or 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.

<u>Assessment</u>

Principle of Development

- 27. The Authority's adopted strategy is to conserve the National Park's character and landscapes whilst still allowing appropriate farm diversification and land management. In accordance with this strategy, together Core Strategy policies GSP1, GSP2, GSP3, DS1, L1 and Development Management policies DMC3 and DME1 state that development necessary for agriculture is permitted exceptionally in open countryside where it is well-sited and designed in accordance with the Authority's Supplementary Planning Guidance and does not harm the valued characteristics of the area.
- 28. The agricultural building would have a floor area of approximately 1,588.63m².
- 29. In terms of the Town and Country Planning (Development Management Procedure) Order 2010 the current proposals represent 'major development' by definition as they would create over 1000 sqm of floorspace. In planning policy both national and local the term major development is also referenced. Specifically paragraph 172 of the NPPF and Core Strategy

policy GSP1 seek to resist major development in National Parks in all but exceptional circumstances

- 30. A High Court decision in 2013 found that for the purposes of planning policy, 'major development' should not have the same meaning as in the 2010 Order; rather it should be considered in the context of the document it appears and concludes that it is reasonable to apply the 'normal meaning' of the words when interpreting policies.
- 31. It is reasonable in the instance therefore, to assess whether or not the development is major by reference to its potential impacts on the National Park's valued characteristics as protected by planning policies. In this case the site in question is located next to existing agricultural buildings, although it is large in terms of floor space, the new agricultural building would not result in any adverse impacts.
- 32. The proposals are to replace current buildings which were constructed in 1982 which are not suitable for the increased numbers of cattle, an outdated dairy parlour and the loss of a rented agricultural building at a neighbouring farm. The development cannot reasonably be considered to be major in terms of its likely impacts. That is not to say that its impacts could not still be significant within the context of the site itself and its immediate surroundings only that the restrictions placed on major development by national and local policy are not considered to apply to the proposal.
- 33. Priestcliffe Hall Farm comprises of a 750 acres. 400 acres are owned by the applicant, the other 350 acres are rented land. Stock levels are 550 cattle including followers, plus 500 sheep plus followers.
- 34. The application has demonstrated a functional need for the building, in accordance with policy DME1. The broad principle of the development is acceptable, subject to it not having unacceptable impacts on the wider landscape and special qualities of the National Park. As any planning permission would be granted exceptionally because of the agricultural justification, it is considered reasonable and necessary that the use of the building should be restricted to agricultural purposes only.

Design and Landscape Impacts

- 35. The scheme seeks planning permission for an additional agricultural building. The site is in an elevated position. The building would be built to the north of the existing buildings over the existing track and midden area. The building proposed would be a portal framed construction twin span building 45.7m long x 19.5m wide x 4.2m high to eaves level for 1 span and 45.70m long x 15.2m wide x 3.3m high to eaves level for the second span. The roof would be clad with Slate Blue box profile steel sheeting to match the existing. The walls would be constructed from concrete panels with Slate Blue fibre cement sheeting above.
- 36. The new track would be built next to the proposed building and would be constructed from permeable hardcore.
- 37. The proposed building would house livestock. Whilst the size and scale of the proposed building is large, it is suited for its purpose and proportionate to the stock numbers and storage requirements of the farm business.
- 38. Since the site is in an elevated position and the ground falls to the north and east. To make the exterior of the building visually acceptable the box profile steel sheeting (Slate Blue 18B29) should be taken to the internal ground level to reduce the amount on concrete panels visible. The remaining concrete panels to the north, west and east elevations should be painted the same colour as the box profile sheeting. To further reduce the impact on the landscape, tree planting has been discussed with the applicant and a condition for a tree planting scheme to be submitted and agreed in writing with the Authority is recommended.

- 39. The siting of the proposed building lies to the west of the land which is designated as Important Open Space within Priestcliffe Conservation Area, Policy DMC8. The new building would be sited next to an existing agricultural building, and the design, scale, massing and materials match the existing building. Tree planting would help set the building within the landscape and reduce the impact on the wider landscape. It is considered that the proposed development will not cause material harm or have a detrimental impact on the existing character and appearance of the conservation area.
- 40. There is a PROW running parallel to the southernmost edge of the range of modern agricultural buildings at a distance of approximately 25m, the upward slope and the band of trees will screen the development from views. Where the development is visible it will be seen as an integrated part of the main farm group, in line with Policy DMC3 and DME1
- 41. Policy L3 seeks to conserve heritage assets, Rose Farmhouse is a listed building approximately 100m to the south of the development site, the site is uphill from and across the road from the listed building, and the view is obscured by mature trees on the roadside. Also, any view of the development will be seen in conjunction with the wider farm group, therefore it is considered that the development will not have a detrimental impact on the listed building or its setting.
- 42. It is considered that the proposed would not have an unacceptable visual impact, would not have an unacceptable impact on landscape character around the site and would not be harmful to the setting of the nearby listed buildings. The impact of introducing a new building here is justified by the agricultural need and benefits that it would provide to wider land management objectives, in accordance with policies GSP3, DS1, DMC5, DMC8 and DMC3.

Amenity Impacts

43. The nearest neighbouring property is Rose Farmhouse which is sited 100m south of the development. Due to the separation distance, it is considered that there would be no significant harm by way of noise, smells or other disturbance over and above what can be reasonably expected from the well-established existing agricultural use of the site. The scale and location of the building would not cause any amenity impacts. The proposal is considered to accord with policy DMC3 in this respect.

Highways Impacts

44. The proposed building would not alter the existing access arrangement from the road to the agricultural holding. Furthermore, the proposal would be unlikely to materially alter existing levels of traffic associated with the farm. The application accords with policy DMT3.

Energy Efficiency and Climate Change Mitigation

- 45. Policy CC1 requires that new development makes the most efficient and sustainable use of land, building and natural resources and achieves the highest possible standards of carbon reductions and water efficiency. A climate change mitigation statement has been submitted and the following are proposed:
 - A soakaway around or underneath the building to deal with surface water and rainwater.
 - LED lights
 - Sustainably sourced timber

46. These measures are considered sufficient to comply with policy CC1.

Conclusion

47. In conclusion, the proposal is considered necessary for the purposes of agriculture and would not have an unacceptable impact on the landscape character and special qualities of the National Park.

Human Rights


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

List of Background Papers (not previously published)

None

Report Author: Teresa MacMillan, Planning Assistant

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		ance Survey 0100022750	
Committee Date:	11th December 2020	Title: Priestcliffe Hall Farm	
Item Number:	Item 15		DISTRICT
Application No:	NP/DDD/0820/0711		NATIONAL
Grid Reference:	414958, 375931		PARK

16. S73 APPLICATION - FOR THE VARIATION OF CONDITION 2 ON WED0882270 AT WHESTON BANK FARM, WHESTON BANK, TIDESWELL, BUXTON (NP/DDD/0820/0731 SPW)

1. APPLICANT: MR S HADFIELD

Summary

2. The proposal seeks to vary the condition so it would no longer be required to be occupied as an essential workers dwelling for agriculture or forestry and instead proposes for it to be occupied in association with Hadfield joinery which also operates from the site. There are only very limited provisions for building new housing in the national park and this dwelling would not have been acceptable when it was permitted without being for an essential need for an agricultural worker. We have considered the case out forward but concluded that it should be refused due to the loss of the essential worker dwelling without properly demonstrating that the need for the dwelling in the locality has ceased.

Site and Surroundings

- 3. Whestern Bank Farm is located at the edge of Tidewell and accessed off Wheston Bank. It comprises an agricultural workers dwelling with a stone built barn currently housing Hadfield joinery there is also an outbuilding.
- 4. The site is within the designated Conservation Area. The land to the north of the site is open access land.
- 5. The dwelling is a bungalow with garage.

Proposal

- 6. The proposal seeks to vary the essential workers planning condition which imposes the agricultural or forestry workers restriction. To enable it to be occupied in association with Hadfield joinery instead.
- 7. The existing planning condition reads as follows -

The occupation of the dwelling shall be limited to a person solely or mainly employed, or last employed in the locality in agriculture as defined in section 290(1) of the Town and Country Planning Act 1971, or in forestry (including any dependents of such a person residing with him), or a widow or widower of such a person.

And the variation sought is as follows -

The occupation of the dwelling shall be limited to a person solely or mainly employed or last employed at Hadfield Joinery (or other such business operating from the building), Wheston Bank Farm (including any dependents of such a person residing with him), or a widow or widower or surviving civil partner of such a person.

8. Officer Note: the definition of Agriculture under the 1971 Act is the same as that under the 1990 Act.

RECOMMENDATION:

- 9. That the application be REFUSED for the following reasons -
 - 1. The proposed variation of the agricultural occupancy condition would result in the loss of an essential worker dwelling for agriculture or forestry. No evidence has been submitted to demonstrate that there is an essential functional need for the applicant to live onsite next to their business under the terms of DMH4 nor have reasonable attempts been made to allow the dwelling to be used by a person who could occupy it in accordance with the condition or that the long term need for the dwelling in the locality has ceased. In the absence of clear and convincing justification it is considered that the proposed variation of condition 2 is contrary to Core Strategy policies DS1, GSP4, HC1, HC2, Development Management policy DMH4 and the National Planning Policy Framework.

Key Issues

10. The key issues are:

- Whether the relevant condition meets the six tests within paragraph 55 of the Framework having regard to the Development Plan and other material considerations.
- Whether sufficient evidence has been submitted to justify the variation as suggested.

<u>History</u>

1982: NP/WED/0822/0270 Outline planning permission was granted for the erection of an agricultural workers dwelling and garage. This has the condition proposed to be varied by the current application and also included a S52 legal agreement to prevent separate sale of the house form the land.

1983: NP/WED/383/98 Permission was granted for the reserved matters.

1990: Permission was granted for the removal of the S52 legal agreement on the basis that the planning condition was the most appropriate way to control the occupancy of the dwelling in this case.

2020: In August a new enforcement enquiry has been logged in relation to the potential unauthorised occupation of the agricultural workers dwelling

Officers note that the planning history does not appear to hold any permission for use of the barn on the site in association with Hadfield Joinery, the planning statement suggests the business has operated from the site for over 10years so it is likely to be immune from enforcement action.

Consultations

- 11. Derbyshire County Council Highways No objections
- 12. Tideswell Parish Council No observations
- 13. Derbyshire Dales District Council No response to date
- 14. Peak District National Park Authority Archaeology No archaeological comments.

Representations

- 15.5 representations have been received, 4 of which are in support. The other representation received does not directly relate to the matters raised by this application.
- 16. Support is raised on the following grounds
 - a. Aware the applicants business has had problems with break ins in the past.
 - b. Thriving business that needs support and employs 2 other people.
 - c. The property no longer has any agricultural associations.

Main Policies

- 17. Relevant Core Strategy policies: DS1, GSP4, HC1, HC2.
- 18. Relevant Development Management policies: DMH4.

National Planning Policy Framework

- 19. The National Planning Policy Framework (NPPF) was published on 27 March 2012 and replaced a significant proportion of central government planning policy with immediate effect, the revised version was published in 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 the National Park the development plan comprises the Authority's Core Strategy 2011 and the 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.
- 20. Para 172 of the NPPF states that 'great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads.'
- 21. Para 55 of the NPPF explains that planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.
- 22. Para 77 In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs, and consider whether allowing some market housing on these sites would help to facilitate this.
- 23. Para 78 To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.

- 24. Para 79 Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:
 - 1. there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;
 - the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;
 - 3. the development would re-use redundant or disused buildings and enhance its immediate setting;
 - 4. the development would involve the subdivision of an existing residential dwelling; or
 - 5. the design is of exceptional quality, in that it:
 - a. is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and
 - b. would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.

Core Strategy

- 25. 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.
- 26. DS1 provides the development strategy for the area it explains that in all settlements and the countryside conversion or change of use for housing is an acceptable preferably by re-use of traditional buildings.
- 27. The details of this provision is provided in the housing chapter of the core strategy and relevant to this proposal is policy HC1 and HC2.
- 28. Policy HC1 of the Core Strategy reflects the NPPF and allows for new residential development in the National Park, exceptionally, where it provides for key workers in agriculture, forestry or other rural enterprises in accordance with policy HC2 of the Core Strategy.
- 29. Policy HC2 deals with housing for key workers in agriculture, forestry or other rural enterprises and says:
 - i. New housing for key workers in agriculture, forestry or other rural enterprises must be justified by functional and financial tests.
 - ii. Wherever possible it must be provided by re-using traditional buildings that are no longer required for their previous use.

- iii. It will be tied to the land holding or rural enterprise for which it is declared to be needed.
- 30. GSP4: Planning conditions and legal agreements

A. To aid the achievement of its spatial outcomes, the National Park Authority will consider the contribution that a development can make directly and/or to its setting, including, where consistent with government guidance, using planning conditions and planning obligations.

B.The National Park Authority's use of broader mechanisms will pay close regard to the advice of County and District Councils and other relevant service and infrastructure providers in each part of the National Park.

Development management policies

- 31. DMH4 provides the detailed criteria for assessment when an essential worker dwelling would be acceptable, including requiring that there is an essential functional need for the workers concerned, with a requirement that they need to be readily available at most times of the day and night, bearing in mind current and likely future requirements.
- 32. The pre-amble to DMH4 explains the following in paragraph 6.78:

Most importantly, the provision of worker housing must be achieved in ways that conserve and enhance the National Park and reduce pressure for new development. If occupancy conditions are lifted and a new need for further worker accommodation then re-appears, it places avoidable and unnecessary stress on National Park landscapes. Therefore the Authority requires good evidence before permitting worker accommodation in the first instance, and before agreeing to the removal of occupancy conditions or legal agreements.

- 33. Whilst the Development management policies document includes detailed criteria for removal of essential worker legal agreements the policy does not explicitly state it is relevant to removal of conditions. It does however provide a useful guide as to what would be required to prove such a condition is no longer necessary by way of material considerations.
- 34. DMH11 sets out the following

35. The removal of Section 106 Agreements on essential worker dwellings will not be permitted unless it can be demonstrated that:
(i) reasonable attempts have been made to allow the dwelling to be used by a person who could occupy it in accordance with the restriction; and
(ii) the long-term need for the dwelling in the locality has ceased and a temporary relaxation therefore serves no purpose.

Variation or Removal of Conditions

36. Section 73 of the Town and Country Planning Act 1990 provides that an application may be made for planning permission without complying with conditions applied to a previous permission. It is stated that local authorities may decide whether to grant permission subject to differing conditions (this can include imposing new conditions), remove the conditions altogether or refuse to alter conditions. Thus it is possible to apply for conditions to be struck out, or for their modification or relaxation. The section makes it clear that in considering such an application a Local Planning Authority may only consider the question of the conditions and not revisit the principle of the development.

37. Therefore, only the acceptability of the proposal in the context of the reasons for the imposition of the conditions falls to be considered in the determination of the current application. However, in terms of decision making, a section 73 application should be treated just like any other application, and due regard paid to the development plan and other material considerations.

38. Assessment

- 39. The relevant condition restricts the occupancy of the dwelling to an agricultural or forestry worker.
- 40. The reason given for the original condition now sought to be varied is as follows
 - a. Planning permission has been granted having regard to the agricultural need for a dwelling on this site. Because of its location away from the established settlement of the area and from the services and facilities which they have to offer, the local planning authority do not consider that the site would be acceptable for residential development in the absence of an essential agricultural need.
 - 41. The planning condition was imposed because the erection of a dwelling on this site would not have been acceptable in planning terms in the absence of an essential agricultural need. The condition has therefore been imposed for a proper planning purpose.
 - 42. The applicant considers that the variation is a solution that would allow the applicant to lawfully occupy the dwelling while providing an alternative to secure the ongoing availability of the bungalow for a rural-based worker. They consider the planning benefit is to address the challenges people living in rural areas face in terms of housing supply and affordability and that an onsite presence will aid the security of the business. This falls very far short of a detailed appraisal to demonstrate that there is a genuine and essential functional need for the workers concerned to be readily available at most times of the day and night. The agent has explained that there is not an essential need for the worker to live on the site. The proposal is therefore contrary to Core Strategy Policy HC2 and DMH4.
 - 43. The planning issue is somewhat underplayed in the planning statement by their position. Breaking the case down to its bare components, if allowed the community would lose an essential worker dwelling as the proposal has no such planning benefit.
 - 44. Essential workers dwellings are one of the few exceptions available to achieve new housing in the National Park. In general new build open market housing is not accepted and such open market housing is only achieved via conservation aims such as conversion of heritage assets or redevelopment of sites to provide enhancements in a settlement. There is no exceptional provision in the development plan for housing for rural based worker that is not an essential worker under the terms of DMH4. The proposed relaxation of the condition has no real planning benefits for the community, so does not benefit from the provisions of the development plan for essential workers, for those reasons as there is no planning benefits recognised by the development plan, the proposal is more akin to an open market dwelling, and should be treated in the same category for purposes of the development plan.
 - 45. As set out in the pre amble to DMH4 para 6.48 if occupancy conditions are lifted and a new need for further worker accommodation then re-appears, it places avoidable and unnecessary stress on National Park landscapes. Therefore the Authority requires good evidence before permitting worker accommodation in the first instance, and before agreeing to the removal of occupancy conditions or legal agreements.

- 46. The issue with the proposal is that there is no essential need under the terms of our policy DMH4 for the applicant to live next to their business, no essential functional need, as required by policy DMH4 and the business itself is not land based and could operate equally in any location without an associated residential use.
- 47. We consider that despite the conflict with the development plan, for the proposal to be varied as proposed then they would need to demonstrate that the condition is no longer required. And if that was proven then there should be no need to vary the condition as in that scenario it should just be deleted, and consideration taken if other conditions are necessary.
- 48. We have advised the applicant that the alternative to consider entire removal of the condition would need to be dealt with via a separate application as it is materially different to the proposal submitted and which has been consulted upon. And they have asked that this application be determined instead of withdrawing the application.
- 49. The application does not provide adequate evidence that the condition is no longer necessary.
- 50. For example, they have chosen not to market the dwelling with the appropriate market discount afforded to property restricted to agricultural workers. This would have demonstrated that reasonable attempts have been made to allow the dwelling to be used by a person who could occupy it in accordance with the restriction; nor have they proven that the long term need for the dwelling in the locality has ceased.
- 51. Instead the planning statement suggests the value of the whole site in 2016 of £300,000 means that the site would be out of the financial reach of agricultural workers and provided a snapshot of cheaper properties available on the market at the time of their search. As much of the site is occupied by Hadfield Joinery its likely that the property alone would attract a significantly lower price than the site taken as a whole. Either way its not been marketed to test and prove that the need for the dwelling has ceased in the locality. Such a marketing process is normal planning practice for applications such as this, so for this not to be submitted raises a significant weakness in their case.
- 52. It is also necessary to consider if there is any other support in the development plan for lifting or varying the condition as suggested, however there is not. HC1 of the core strategy sets out how the various forms of housing could be permitted and there is no provision for this proposal in HC1.
- 53. Relaxing the condition as proposed would mean the loss of an essential worker dwelling and that the National Park Authority would fail to achieve its spatial outcomes as set out in the Core Strategy and Development Management Policies. The proposal is considered to be contrary to Core Strategy policies DS1, GSP4, HC1, HC2 and Development Management Policy DMH4.
- 54. Amenity
- 55. The applicant also suggests that the planning condition is desirable in planning terms as the house and the buildings are so closely linked that to occupy the house independently of the business could represent an amenity issue.
- 56. We are not convinced that this is the case. However, if it were then the application would still need to demonstrate that the essential worker condition could be released and then if necessary such a restrictive planning condition could be used to create managers accommodation and tie the house to the business so they could not be sold separately.
- 57. The proposal does not raise any other amenity concerns.

58. Other material considerations

- 59. According to the planning statement the applicants purchased the property in March 2020 and have explained that they are currently not occupying the dwelling as they know they would be in breach of the existing planning conditions.
- 60. No planning permission has been found in relation to the use of the stone barn in association with Hadfield Joinery.
- 61. The applicants acknowledge that marketing the property remains an option. But they have not pursued it as they consider it to be overly onerous considering their proposal is to relax the condition rather than remove it in its entirety. As discussed above we do not agree with this position.

62. The tests for planning conditions.

63. The condition is relevant to planning as it controls the occupation of the dwelling to an agricultural or forestry worker to serve as an essential workers dwelling. The condition is relevant to the site as it controls the occupation of the dwelling on the site. The condition is reasonable as the dwelling approved was accepted on the basis of an essential functional need for an agricultural workers dwelling. The condition is precise in its wording and effect. The condition is enforceable and appears to have been complied with recently given the new owners have avoided occupying the property as they know they would otherwise be in breach of the condition. The condition is necessary as without the condition the dwelling would be an open market unrestricted dwelling and the variation proposed is not acceptable for the reasons set out earlier in this report.

64. Conclusion

65. Having regard to the policies of the development plan and the 6 tests for planning conditions as well as any other material considerations we consider the condition in its existing form is necessary and still serving a planning purpose, and varying it as proposed would be contrary to the polices of the development plan and there are no material considerations which suggest a decision should be made other than in accordance with the development plan. Therefore the application should be refused.

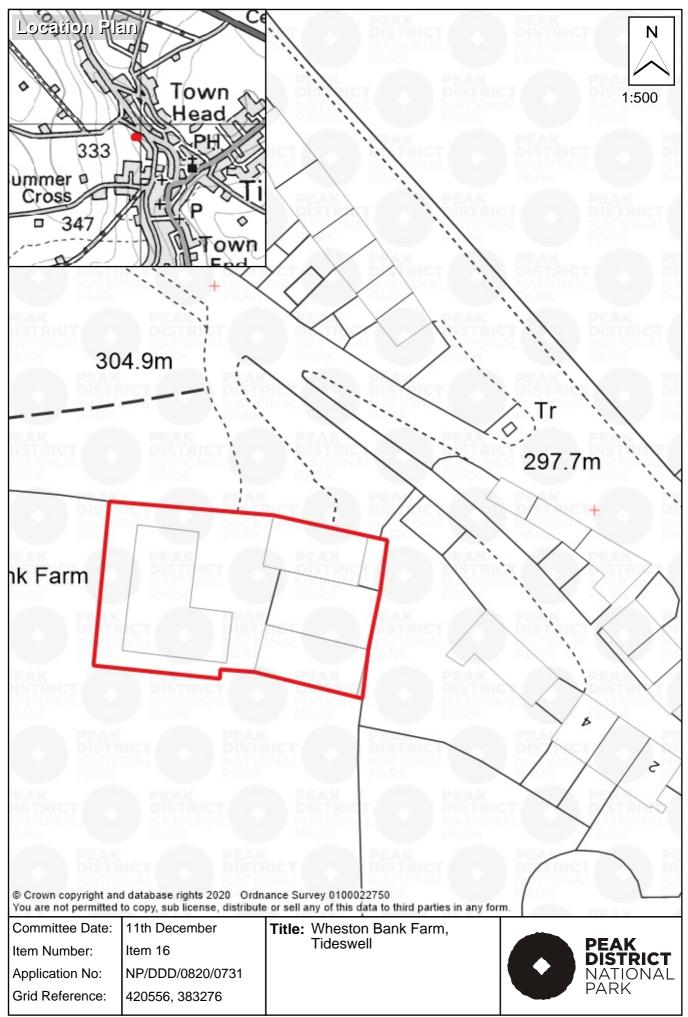
Human Rights

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

List of Background Papers (not previously published)

67. Nil

68. Planning Officer – Steven Wigglesworth, Planner



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17. FULL APPLICATION – PROPOSED EXTENSION TO MENAGE FOR PRIVATE USE AT MANOR HOUSE FARM, SCHOOL ROAD, WETTON (NP/SM/0920/0866, ALN)

APPLICANT: MRS HOLLY SHANN

<u>Summary</u>

- 1. The application seeks planning permission for an extension to an existing menage. The application is partly retrospective.
- 2. Subject to conditions including for a comprehensive landscaping scheme and to omit the proposed floodlighting, the proposals would conserve the character of the Wetton Conservation area and the privacy and amenity of residential properties.

Site and surroundings

- 3. Manor House farm is situated on the northern edge of the village of Wetton. The farmhouse is positioned adjacent to the road with a range of modern farm buildings to the north east.
- 4. Within a field parcel to the north east again, is a 28m by 20m horse menage, constructed following planning permission in 2011. The application site edged red is a 20m by 15m area of land abutting the south western edge of the existing menage.
- 5. The farmhouse, buildings and the application site are all within the Wetton Conservation Area. The farmhouse is a grade II listed building.
- 6. A public right of way runs in a south-east to north-west direction approximately 55m to the north-west of the application site.

<u>Proposal</u>

- 7. To extend an existing horse menage by 15m to the south west. The surface would be covered with 'silica sand' to match the existing and the perimeter would be bounded by a post and rail fence. Six floodlights would be positioned at each corner and in the middle of the lengths of the menage and trees would be planted around the edges.
- 8. The application is partly retrospective in that some ground levelling and preparation works have already been carried out.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions:

- 1. 3 year time limit.
- 2. Adopt submitted plans
- 3. A landscaping scheme for a belt of native tree planting along the south eastern boundary of the menage and individual native tree planting to the north and north west shall be submitted to and agreed in writing by the National Park Authority. Thereafter the approved planting scheme shall be carried out before the development hereby approved is first brought into use.

- 4. There shall be no new floodlighting or other external lighting whatsoever to the existing menage and to the extension hereby approved.
- 5. Use of the menage hereby permitted shall remain ancillary to 'Manor House Farm' for private use only by the occupants of 'Manor House Farm.
- 6. The surfacing materials for the menage shall be a dark coloured material to match the existing.
- 7. At the time of erection the new fencing (and the existing fencing) shall be painted or stained dark brown.

Key Issues

- Impact on the character and appearance of the Conservation Area.
- Impact on the privacy and amenity of neighbouring properties.

Recent Planning History

May 2020 – planning application for change of use of farm outbuilding to 5 dog boarding kennels withdrawn prior to decision.

November 2011 – planning permission granted for change of use to agricultural land and change of surface and levelling of ground of post and rail fenced area to sand surface with hard-core base for drainage to form menage.

Consultations

Highway Authority - no response

District Council - no response

Parish Council – 'Whilst the Parish Council has no objection to the extension of the menage, we request that the Planning Authority consider the impact of the proposed development on those residents that are directly adjacent to the site.

With this in mind, it is the view of the Parish Council that it is imperative the applicant this time does follow through with the self suggested line of trees next to the menage. This is to create a certain barrier from any lighting as well as some privacy from the activities in the menage.

Examination of the planning decision for the existing menage (NP/SM/0411/0326), issued on 4 Nov 2011, shows that this was granted with the condition that within 3 months of the date of that permission a detailed scheme of tree planting would have been submitted to and approved in writing by the National Park Authority. Once approved, the planting needed to have been carried out to the reasonable satisfaction of the Authority within the first planting seasons. As far as I can tell, none of the above took place back then. Consequently the menage is now an exposed area. With this new development the Parish Council urges that the old condition should now be met too.'

Representations

Four letters of objection have been received from the occupiers of residential properties to the south east of the application site – The Old Manse and The Old Chapel/Old Sunday School. They raise (in summary) the following issues: (the full representation letters can be read on the Authority's website)

- Conditions appended to the original permission i.e. landscaping, painting of railings, floodlighting have not been adhered to.
- The proposed lighting would cause harm to residential amenity and the rural area/dark skies in general.
- Use of the menage would cause overlooking into rear gardens, at a high level.
- Concerns about noise generation.
- Concerns about drainage provision and potential for flooding/waterlogging.
- Post and rail fencing is out of keeping with the area and a traditional stone wall has already been removed.
- Concerns about impact of floodlighting on wildlife, especially bats.
- Any new screen planting would take a long time to become established and effective.
- Menage would be detrimental to the character of the Conservation Area.
- Concerns about hours of operation and potential for noise and disturbance in the early mornings.

Main policies

- 9. Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L3
- 10. Relevant Development Management Plan policies: DMC3, DMC8, DMC14, DMR4.

National Planning Policy Framework

- 11. The National Planning Policy Framework (NPPF) was first published on 27 March 2012 and replaced a significant proportion of central government planning policy with immediate effect. The Government's intention is that the document should be considered as a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. In the National Park the development plan comprises the Authority's Core Strategy 2011 and the Development Management Policies document 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 more recent Government guidance in the NPPF.
- 12. Paragraph 172 of the NPPF states that 'great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads.'

Development plan

13. 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.

- 14. Core Strategy policy DS1 outlines the Authority's Development Strategy, and states that the majority of new development will be directed into Bakewell and named settlements, with the remainder occurring in other settlements and the rest of the countryside.
- 15. 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.
- 16. 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.
- 17. Policy DMR4 allows for facilities for the keeping and riding of horses provided that the developments specifically designed to accommodate horses; does not detract from the landscape or valued characteristics of the area, is located adjacent to existing building or groups of building, is not likely to cause road safety problem
- 18. 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.
- 19. Development Management policy DMC14 addresses pollution and disturbance. It states that development that presents a risk of pollution or disturbance including soil, air, light, water or noise pollution, or odour that could adversely affect any of the following interests will not be permitted unless adequate control measures are put in place to bring the pollution within acceptable limits:
 - i. the amenity of neighbours and neighbouring uses; or
 - ii. the amenity, tranquility, biodiversity or other valued characteristics of the area; or
 - iii. existing recreation activities; or
 - iv. extensive land uses such as forestry and agriculture; or
 - v. ecosystem services including water supply, groundwater resources and the water environment; or
 - vi. established businesses; or
 - vii. potential future uses of the land; or
 - viii. any nuisance,

<u>Assessment</u>

Principle of development

20. Development Management policy LR7 allows for facilities for the keeping and riding horses in principle subject to a number of criteria. In this case, the main issues are the visual impact of the proposed menage extension and impact on the amenity of nearby

residential properties.

Impact on the Character and Appearance of the Conservation Area

- 21. The site is designated as Important Open Space within the Wetton Conservation Area. The existing menage is open to public views from within the Conservation Area from the footpath to the north.
- 22. When planning permission was granted for the existing menage in 2011 it was accepted that the site is a sensitive location within important open space in a designated Conservation Area but it was concluded that the menage would not significantly detract from the openness of the area and that subject to conditions, (in particular to prevent any lighting and to agree and implement a landscaping scheme), any harm could be adequately mitigated.
- 23. Unfortunately, a landscaping scheme was never submitted for agreement and consequently no landscaping was implemented.
- 24. The proposed extension would be located between the edge of the existing menage and the modern farm buildings, effectively 'filling the gap', in visual terms. Any impacts would therefore be well contained and limited in their scope. Consequently, while we accept that this is a sensitive area, in principle the enlargement of the menage in this location would not cause harm to the character of the site as it stands today. However an acceptance of the menage extension would be dependent on an acceptable landscaping scheme that helps to soften the rather engineered appearance of the development, especially when viewed from the footpath to the north and north east.
- 25. Given that there is no screening at present because the earlier condition was not adhered to, it is imperative that the landscaping is carried out in a timely manner and that relatively mature saplings are planted to ensure that screening of both the existing and proposed menage is established as quickly as possible. This can be achieved by an appropriately worded condition.
- 26. A condition to ensure that the existing and proposed fencing is stained dark brown would also help to mitigate the visual impact.
- 27. Subject to these conditions, the development would conserve the character of the conservation area in accordance with policies DMC3 and DMC8 and the guidance within section 16 of the NPPF.

Impact on residential amenity

- 28. Approximately 30m to the south east of the proposed menage extension are the rear garden walls of three residential properties known as The Old Manse, The Old Chapel and The Old Sunday School. They are separated from the proposed development by a grassed field parcel. Because of the prevailing land levels, the rear gardens of these houses are at a lower level than the site of the menage.
- 29. The owners of these properties have raised concerns with regard to potential impacts on their privacy and amenity.
- 30. Firstly, with regard to opportunities for overlooking, the objectors feel that people on horseback could look over the walls, into the rear gardens, thus harming their privacy. A site visit to the gardens in question has been carried out. The rear wall boundary walls of the gardens are relatively high but despite this, because of the changes in levels it is possible, at present, to see into parts of the gardens from the menage.

Equally, it would also be possible from the proposed extension to look over the wall from the menage. However because there is (and would be) a 30m gap between the menage and the edge of the gardens in question, we do not consider that any overlooking would feel overly intrusive, in the context of a village location where some degree of overlooking into gardens is commonplace. If a belt of trees were planted along the earth banking to the south west of the existing and proposed menage areas, then this would help to prevent overlooking and also mitigate any noise emissions from the site.

Proposed Floodlighting

- 31. The application details indicate that 6 floodlights would be positioned around the perimeter of the menage. Each light would be positioned on a pole although the height of the poles is not specified. The application states that these are required to improve health and safety for both riders and horses. It should be noted that all of the six lights are outside of the red edged application site and were the lights considered to be acceptable, the application would need to be amended to resolve this.
- 32. This is a sensitive site on the edge of the village and relatively close to residential properties. The Old Manse and the Old Sunday School buildings lie approximately 40m to the south and a property known as Foot House lies 50m to the north west. All of the properties have windows or rooflights facing towards the site. We consider that there is significant potential for floodlights in such close proximity to cause harm to amenity through light spill, particularly given the fact that the properties to the south east are at a lower level.
- 33. The applicant states that the floodlights would not be used before 6.30am or after 7pm but nonetheless we still consider that when in use they would cause harm to amenity.
- 34. In addition we consider that artificial floodlighting in this rural location would cause harm to the established character of the Conservation Area and to dark skies. We do not consider that the benefits to the applicant of being able to use the menage during hours of darkness outweighs the harm that has been identified.
- 35. A condition was appended to the original consent in 2011 to prevent lighting of the menage. Whilst no floodlights exist around the perimeter of the menage at present, a floodlight has been erected on a pole on the eaves of an adjacent former farm building. This is directed towards the menage but the applicant states that its primary purpose is as a 'yard light' to light the yard and access track for when horses are turned out and for lambing time. This light lies outside of the application site and the scope of this application, but could be dealt with as an enforcement enquiry if necessary.
- 36. In terms of the current proposals, a condition to ensure that no new lighting is erected for the menage within any land in the control of the applicant, is considered to be reasonable and necessary.

Drainage Issues

37. Neighbours have raised concerns about the potential for surface water flooding from the menage. Whilst no drainage details have been provided, the surface of the menage would be a porous material as at present and even if there were any run off from the surface there is a 40m wide field into which any water could be absorbed. In addition the area is in Flood Risk zone 1 – areas at least risk of flooding, Consequently our view is that it is unlikely that the proposed extension would cause any unacceptable risk of increased flooding from surface water run-off.

Conclusion

38. Subject to conditions including to ensure an adequate planting scheme is implemented in a timely manner and no external floodlighting, the proposed development would conserve the character of the Wetton Conservation Area and would not cause harm to the privacy and amenity of the neighbouring residential properties in accordance with policies GSP3, L3, DMR4 and DMC3. Consequently the application is recommended for conditional approval.

Human Rights

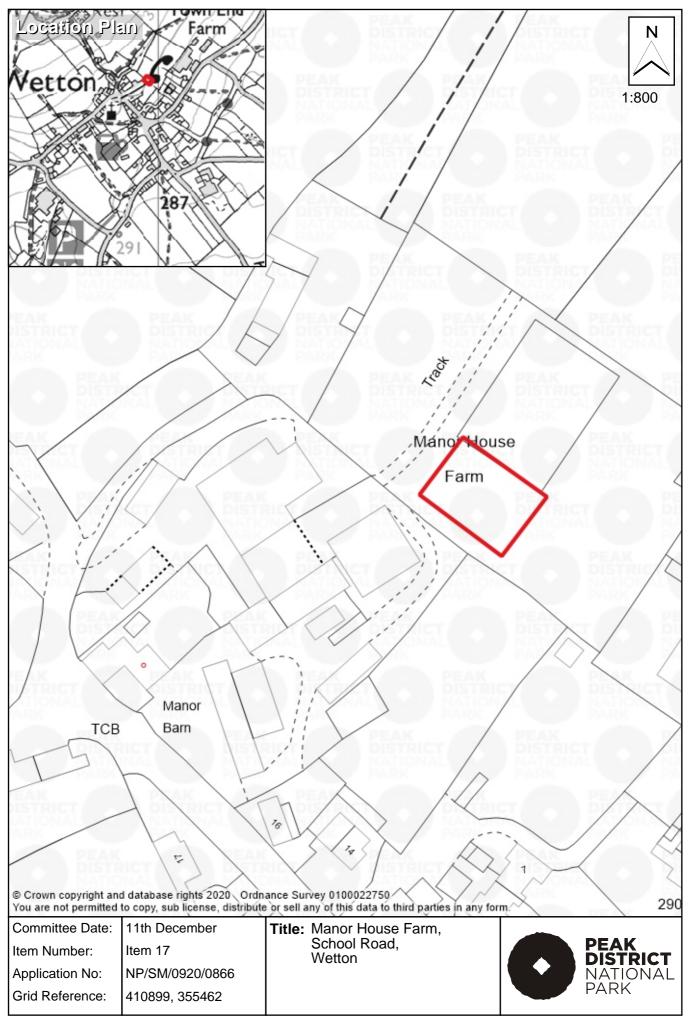
39. Any human rights issues have been considered and addressed in the preparation of this report.

List of Background Papers (not previously published)

40. Nil

41. Report Author: Andrea Needham, Senior Planner (South)

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18. ADVERTISEMENT CONSENT APPLICATION - FITTING OF TWO NEW EXTRACTION GRILLES AT 1-3 MARKET PLACE, MARKET PLACE, BAKEWELL (NP/DDD/0620/0549 TM)

APPLICANT: TIM TURNER, BLUE DEER LTD

Summary

1. The applicant seeks permission to fit two new extraction grills. The key considerations are the principle, the potential impact on the character and appearance of the host building and amenity of neighbouring dwellings and the wider locality. The grills are visually acceptable and the District Council Environmental Health team have confirmed that the extraction system does give rise to any harmful odour issues. Furthermore, the extraction grills do not cause unacceptable levels of noise. The impacts are acceptable and the application is recommended for approval.

Site and Surroundings

- 2. The application site is a purpose-built retail unit in the centre of Bakewell. It occupies part of the site of the former indoor cattle market and was built as part of the Bakewell Regeneration programme in the 1990's. The site is within Bakewell's Central Shopping Area but is outside of the boundary of the Conservation Area. The River Derwent runs in a north to south direction approximately 42m to the east of the building, which is identified as being in Flood Zone 3.
- 3. The building is two storey and fronts directly onto Market Street, which runs through the centre of Bakewell, it stands opposite the Co-operative supermarket. It is constructed from sandstone under a blue slate roof, with white framed sash windows at first floor and glazed double doors under an arched fanlight and similarly arched windows at ground floor. The building hosts offices on the first floor and retail units at ground floor level. The frontages of the units are recessed from the wall faces of a small section at each side of the principal elevation, the roof structure over sails the recess, which has stone columns along the edge of the pavement.
- 4. There are a number of businesses in the vicinity and the Market Place car park is approximately 35m to the north-west. There are also residential properties on Riverside Crescent to the north-east, east and south-east.
- 5. The application site has recently been taken into use as a food based business.

<u>Proposal</u>

- 6. The retail unit has recently change from a green grocer to a café which proposes selling food produced on the premises and the option to take out and reheat at home. To enable this production of food on the premises, a kitchen area has been fitted with an extraction/filtration system which is connect to external extraction grills.
- 7. Retrospective permission is being sought for two new extraction grills located on the north west elevation.

RECOMMENDATION:

8. That the application be APPROVED subject to the following conditions or modifications:

- 3 year implementation period.
- The development shall not be carried out other than in complete accordance with the specified approved plans.
- The extraction system shall be retained and maintained in accordance with the manufacture's specification for the lifetime of the use of the premises as a food outlet.

Key Issues

9. The key issue for this application is whether the proposed new extraction grills would be of an appropriate design which would conserve the character, appearance and amenity of the building, neighbouring properties and the special qualities of the National Park.

<u>History</u>

NP/DDD/0620/0509: Advertisement consent – for the replacement of two existing signs with one larger sign. Application refused Nov 2020.

NP/DDD/1118/1017: Splitting unit 3 into two, removing window and replacing with door, keeping the opening the same size. Toilet and spare room to the rear and side of units. Granted conditionally Dec 2018

NP/DDD/1118/1021: Splitting unit 1 into two, removing window and replacing with door keeping the opening the same size. Toilet and spare room to the rear and side of units. Granted conditionally Dec 2018

NP/DDD/1116/1113: Splitting Unit into two, removing window and replacing with door keeping the opening the same size. Toilet and storeroom to the rear of both units. Granted conditionally Dec 2016

Consultations

- 10. Environmental Health: No objections
- 11. Highway Authority No comments.
- 12. District Council No response to date.
- 13. Town Council The Town Council raises no objection to the proposed installation of two new extraction grills.

"It is understood that the building has A3 use and that, as such, a café offering a small proportion of take-out food would be permissible. Prior to determination of the application we ask that the planning Authority clarifies the anticipated split between take-out and eat-in business in order that any requirement for an application for a change of use can be established and addressed as appropriate."

Representations

- 14. There have been 9 letters of objection. The main concerns are:
 - No change of use application submitted for change from grocery store to

café/take-away.

- The unit is now open and hot food is being sold to take out. They are open until 7pm.
- The grills are noisy and extract very strong cooking odours/smells.
- The grills have been fitted in the wrong place.
- The access road at the side is privately owned by residents concerns about illegal or unauthorised parking.
- Litter created by the new takeaway business, by people consuming food on the streets
- Waste food environmental impact, e.g. vermin

Main Policies

- 15. Relevant Core Strategy policies: GSP1, GSP3, DS1 and L3
- 16. Relevant Local Plan policies: DMC3, DMH7, DMC14

National Planning Policy Framework

17. The National Planning Policy Framework (NPPF) replaced a significant proportion of central government planning policy with immediate effect when first published in 2012. The latest version of the NPPF was published on 19 February 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 the National Park the development plan comprises the Authority's Core Strategy 2011 and policies of the Development Management Policies document 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 more recent Government guidance in the NPPF.

- 18. Paragraph 172 of the NPPF states that 'great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads.'
- 19. Paragraph 123 explains that planning decision should aim to avoid noise from giving rise to significant adverse impact on health and quality of life as a result of new development. Mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through use of conditions; recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established.
- 20. Section 16 of the NPPF discusses the conservation and enhancement of the historic environment.

Peak District National Park Core Strategy

- 21. 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.
- 22. Policy GSP3 and LC4 set out development management principles and state that all development must respect, conserve and enhance all valued characteristics of the site and buildings, paying particular attention to, amongst other elements, impact on the character and setting of buildings, scale of the development appropriate to the character and appearance of the National Park, design in accordance with the National Park Authority Design Guide and impact on living conditions of communities.
- 23. 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. Policy L2 and LC17 together seek to ensure that all development conserves and enhances the biodiversity of the National Park and that other than in exceptional circumstances development which would harm biodiversity will not be permitted.

- 24. Policy DMC3 Siting, Design, layout and landscaping. Sets out 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.
- 25. DMH7 states that 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.
- 26. Policy DMC14 Pollution and disturbance. Development that presents a risk of pollution or disturbance including soil, air, light, water or noise pollution, or odour that could adversely affect any of the following interests will not be permitted unless adequate control measures are put in place to bring the pollution within acceptable limits:
 - (i) the amenity of neighbours and neighbouring uses; or
 - (ii) the amenity, tranquillity, biodiversity or other valued characteristics of the area; or
 - (iii) existing recreation activities; or
 - (iv) extensive land uses such as forestry and agriculture; or
 - (v) ecosystem services including water supply, groundwater resources and the water environment; or
 - (vi) established businesses; or
 - (vii) potential future uses of the land; or
 - (viii) any nuisance, or harm to the rural character and dark skies of the area, caused by lighting schemes

Assessment

Principle

- 27. Letters of objection have raised concerns about the site being used as a café and/or hot food takeaway without the benefit of planning permission. The unit previously had established use as an A1 retail shop and was in use for several years as a green grocers. As of 01 September 2020, changes were made by central government to the Use Class Order that are specifically intended to give greater flexibility to how town-centre business units can be used. This means that many units in commercial use can move freely to specify other uses without the need for planning permission.
- 28. Under the new Use Class Order, the unit falls within class E use. Class E is a new class that covers a broad range of commercial, business and service uses. This includes retail shops and the sale of food for consumption mostly on the premises (e.g. cafes). Changing between uses within class E is now not development and any unit within class E can move to other class E uses without needing planning permission or prior approval. The relevance of this to the current application is that no planning permission is now required for the former green grocers shop to operate as a café.
- 29. It should be noted that a hot food takeaway is now a sui generis use and planning permission is still required for a shop to become a hot food takeaway.
- 30. Based on the information provided to us, the intended use of the unit is a café selling food mostly for consumption on the premises, with ancillary retail sales. The primary use is therefore a Class E café. Due to lockdown restrictions since the business opened, the operators have been restricted to mainly takeaway sales. The use of a café as a takeaway benefits from a temporary permitted development right, designed to

support businesses during the Covid 19 pandemic. Because of this, it has been impossible for us to monitor the use of the site to ensure that its primary use is a class E café, and not a hot food takeaway for which planning permission would be required in normal circumstances.

- 31. As things stand, there has been no breach of planning regulations in respect of the use. The use of the unit as a café is within the established class E use. Temporary use of the site as a hot food takeaway is permitted development under the government's emergency Covid 19 response measures. Once the temporary permitted development allowance for hot food takeaway use ends, we will monitor the use to ensure that it is being operated within the established class E use, and not primarily as a hot food takeaway. This application is only for the installation of two extraction grills which are a reasonable requirement for a café use. Any issues relating to the use of the unit for takeaway must be dealt with as a separate matter.
- 32. It is important to note that a café is an acceptable town centre use and the government has deliberately altered the use class order so that town centre units can find different uses, such as has happened here, without requiring planning permission.
- 33. This application seeks retrospective planning permission to install two extraction grills which are located on the north west elevation of the retail building. One of the extraction grills is connected to the extraction filtration system located in the kitchen area.
- 34. The development is therefore to support an acceptable town centre use and is acceptable in principle, subject to visual impact and amenity considerations, which are discussed below.

Visual Impact

- 35. The first grill is located 0.40m from the north elevation and is not attached to any internal fitments. The other grill which is the same size is located 2.75m from the north elevation and is connected to the Systemair Fan and Electrostatic Air Cleaner.
- 36. The weather louvre grills are powder coated to match the existing stonework. These vents do not have a harmful impact on the building. This scheme has a limited impact on the character and appearance of the building and its setting. The grills are sited in a reasonably well thought out position to the side of the modern commercial building. The extraction grills are located to the north west elevation of the retail building and are visible from the road and car-parking area. The retail building is within Bakewell's commercial area and there are similar vents within this area. The grills don't harm the character of the host building and preserve the character of the surrounding area, including the Bakewell Conservation area, in accordance with policies GSP3, DS1, DMC3, DMH7 and the guidance contained within section 16 of the NPPF.

Amenity

- 37. In this case the site is surrounded by other commercial properties. There are also several residential properties on Riverside Crescent to the north-east, east and south-east. There have been concerns raised by residents of these neighbouring properties that the noise and smells from the extraction will have an impact on their amenity.
- 38. The grill connected to the connected to the Systemair Fan and Electrostatic Air Cleaner is located further away from the neighbouring residential properties and closer to the front elevation.

39. The district council's Environmental Health team have been consulted. The Environmental Health team have visited the site and have advised the following:

"We do not have any objections, in principal, to this application. However, since the new business has started operating, we have received several complaints about odour from the premises. The complaints are concerned with odour emitted from the extraction unit installed at the property, to the elevation of the premises opening onto Riverside Crescent.

However, I have visited the area on several occasions, whilst the premises was operating and did not witness any excessive odours emanating from the premises. Although some cooking odours were detected, emitting from the extraction unit, these were not excessive and would not amount to a statutory nuisance. The level of odour emitted from the premises was in-keeping with the nature of such a business and would not constitute a nuisance."

- 40. It is therefore acknowledged that there is some minor level of odour omitted from the extraction grills. However, this is at a level that is to be expected within a town centre and does not cause any significant harm. It is clear from the Environmental Health consultation response that the level of odour are well below the level of statutory harm.
- 41. It is also acknowledged that the grills omit a low level of noise from the extraction system within the building. Given the site is within a commercial part of the town centre it is considered that the noise pollution generated by the air extraction grills not cause harm to amenity of nearby residents or uses given the likely background noise levels within the town centre and the levels of general commercial activity. The extraction grills are typical of those found on other properties within the town centre.
- 42. It is considered that extraction grills do not result in any harm to the amenity of occupiers and users of any nearby property. The proposal accords with policy DMC3 and DMC14 and the guidance within the NPPF in this respect.

Other Concerns

- 43. Letters of objection have raised concerns about potential parking problems. This is clearly related to the use, which has been discussed further above, and not to the extraction grills that are the subject of this application. In any case though, it is noted that the site is in a highly sustainable town centre location with good access to public car parks. Parking restrictions apply in the vicinity of the application site and the enforcement of these restrictions is not a matter relevant to this planning application.
- 44. Letters of objection have also raised concerns about litter and vermin. Again, this is not a matter relevant to the installation of two extraction grills. As set out above, although the use of the unit is not under consideration under this application, in any case it is an appropriate town centre use. The responsible disposal of waste is the operator's responsibility and it would be an Environmental Health issue if a problem arose in the future.

Conclusion

45. In conclusion, the proposed extraction grills do not cause any visual harm. The site is within a commercial part of the Bakewell's town centre and it is considered the noise and smell output from the grills are at an acceptable level that does not result in any

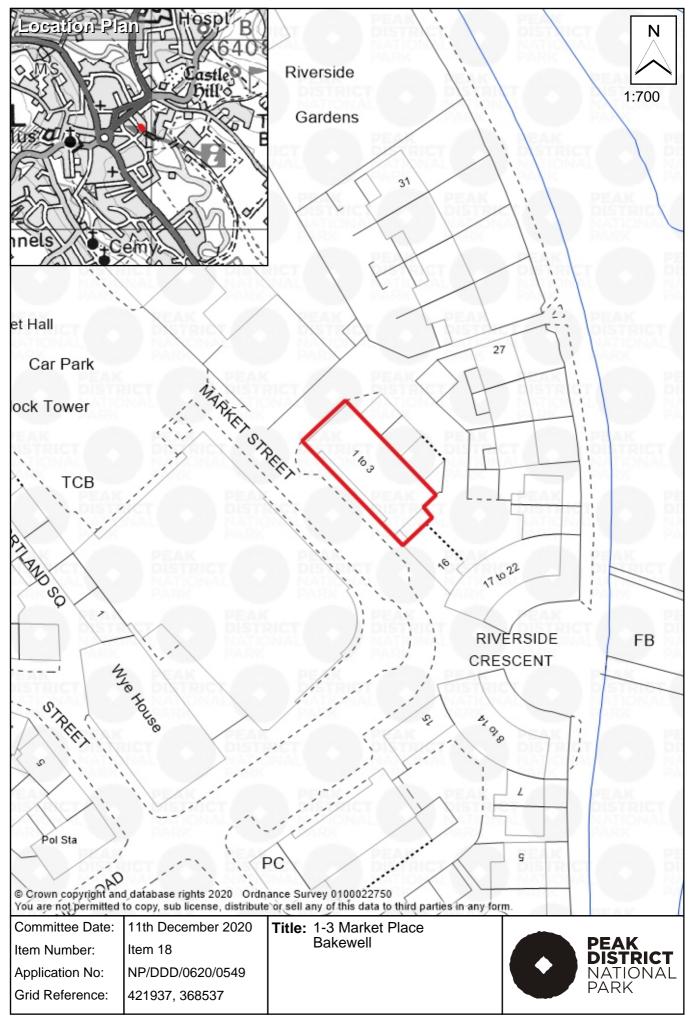
harm to the amenity of occupiers and users of any nearby property. Therefore, there is no adverse effect on nearby residential amenity. Consequently, the scheme accords with Development Plan Policies and guidance within the NPPS. The application is therefore recommended for approval.

Human Rights

- 46. Any human rights issues have been considered and addressed in the preparation of this report.
- 47. List of Background Papers (not previously published)

48. Nil

Report Author: Teresa MacMillan Planning Assistant



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<u>19. ADVERTISEMENT CONSENT – REPLACEMENT OF FIVE SIGNS. FIELD HEAD</u> INFORMATION CENTRE, EDALE. NP/HPK/0120/0016. DH

<u>APPLICANT</u>: Peak District National Park Authority

Summary

- 1. The application seeks Advertisement Consent for replacement of five signs at the Field Head Information Centre, known as the Moorland Centre, in Edale.
- 2. The new signage provides a cohesive scheme is which improves the existing signage. The proposed signs do not detract from the surroundings by having any significant detrimental effect on the site itself or or the character and appearance of the local area.
- 3. The application is recommended for approval.

Site and Surroundings

- 4. The application site stands off the east side of the unnamed road from Edale Station up to Grindsbrook, in Edale village. The site lies within the designated Edale Conservation Area.
- 5. The site is owned and occupied by the National Park Authority. It comprises the visitor centre, which is a contemporary building, set back from the road by approximately 45m with the car park to the south-west of the building. To the rear there are other buildings used as a ranger centre and offices and storage for Moors for the Future. Land to the north and east is in use as a campsite, operated by a tenant, and part of the buildings provide facilities for campers.
- 6. The existing signage is extensive. It comprises a mix of sizes, styles and materials.
- 7. The nearest neighbouring properties to the application site are Buckley Bed Cottage and the Grade II listed Church Cottage approximately 50m to the north-west, and Barnfield approximately 65m to the south-west.

RECOMMENDATION:

That the application be APPROVED subject to the standard conditions applicable to Advertisement Consent, and the following non-standard condition:

• That the scheme shall be in complete accordance with that which is specified on the amended plans, received by the Authority 7 February 2020.

Key Issues

- 8. In dealing with applications for advertisement consent, the key issues for consideration are
 - public safety, and
 - safeguarding amenity

taking into account the provisions of the Development Plan and any other relevant factors.

History

9. None directly relevant to this application

Consultations

- Derbyshire County Council (Highway Authority): No highway objections. However with regard to Sign 1, which is proposed to be illuminated, due to the location adjacent the highway a maximum luminance of 100cdm2 would be recommended.
- High Peak Borough Council: No response to date.
- Edale Parish Council: No objections.
- PDNPA Archaeologist: No archaeology comments or concerns.

Representations

10. The Authority has not received any representations regarding the application.

Main Policies

- Relevant Core Strategy policies: GSP1, GSP2, GSP3, GSP4, L1 & L3
- Relevant Local Plan policies: DMC3, DMC8 & DMS5

National Planning Policy Framework

- 11. The National Planning Policy Framework (NPPF), which was revised February 2019, is considered to be a material consideration which carries particular weight where a development plan is absent, silent or relevant policies are out of date. In the National Park the development plan comprises the Authority's Core Strategy 2011 and saved policies in the Peak District National Park Local Plan 2001. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and more recent Government guidance in the NPPF.
- 12. Paragraph 172 of the NPPF states that 'great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in all these areas, and should be given great weight in National Parks and the Broads.'
- 13. Paragraph 132 of the NPPF states that 'the quality and character of places can suffer when advertisements are poorly sited and designed.' It goes on to repeat the regulatory provision that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

Core Strategy Policies

- 14. Core Strategy policy GSP1 sets out the broad strategy for achieving the National Park's objectives having regard to the Sandford Principle, (that is, where there are conflicting desired outcomes in achieving national park purposes, greater priority must be given to the conservation of the natural beauty, wildlife and cultural heritage of the area, even at the cost of socio-economic benefits). GPS1 also sets out the need for sustainable development and to avoid major development unless it is essential, and the need to mitigate localised harm where essential major development is allowed.
- 15. 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.
- 16. Core Strategy policy CC1 states that all development must make the most efficient and sustainable use of land, buildings and natural resources to achieve the highest possible standards of carbon reductions.
- 17. Policy DS1 sets out what types of development are acceptable within the National Park.
- 18. Policy L1 identifies that development must conserve and enhance valued landscape character and valued characteristics.
- 19. Policy L3 relates to applications for development or works which are within designated Conservation Areas.

Local Plan Development Management Policies

- 20. Policy DMS5 relates specifically to outdoor advertising. It states that advertisements will be granted consent provided they: (i) are as near as possible to the business or activity concerned, and (ii) do not result in a proliferation of signs inappropriate to the building or locality; and (iii) do not pose a hazard to public safety or unduly harm the amenity of neighbouring properties; and (iv) are of a high standard of design, materials and construction; and (v) are of a scale, design and method of fixing that do not detract from features of architectural or historic importance or other valued characteristics of the area; and (vi) conform to guidance set out in the Authority's Shop Fronts Supplementary Planning Document.
- 21. 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.
- 22. DMC8 relates to development in conservation areas and development which affects its setting and important views into and out of conservation areas. It says that the following should be taken into account: (i) form and layout of the area including views and vistas into and out of it and the shape and character of spaces contributing to the

character of the historic environment; (ii) street patterns, historical or traditional street furniture, traditional surfaces, uses, natural or man-made features, trees and landscapes; (iii) scale, height, form and massing of the development and existing buildings to which it relates; (iv) locally distinctive design details including traditional frontage patterns and vertical or horizontal emphasis; and (v) the nature and quality of materials.

Legislation

- 23. The National Park Authority has a statutory duty under the Environment Act 1995 to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park, and to promote opportunities for the public understanding and enjoyment of the special qualities of the National Park.
- 24. Advertisements are subject to control under the Town & Country Planning Act 1990 (the 1990 Act), and the Town & Country Planning (Control of Advertisements) Regulations 2007. Some forms of outdoor advertising benefit from deemed consent and are excluded from control of the planning authority provided certain conditions are fulfilled, express consent is required for signage which does not fall within the categories and conditions specified in the Regulations.
- 25. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. Section 73 places a general duty upon decision makers that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Assessment

Principle

26. Core Strategy policy DS1 sets out the types of development which are acceptable within the National Park; it states that recreation and tourism development in all settlements and in the countryside outside the Natural Zone is acceptable in principle. In the case of advertisement consent, provided the signage complies with policy DMS5, it will be acceptable.

Visual Impacts

- 27. Advertisements are ordinarily subject to control under the Town & Country Planning Act 1990 (the 1990 Act), and the Town & Country Planning (Control of Advertisements) Regulations 2007. Some forms of outdoor advertising benefit from deemed consent and are excluded from control of the planning authority provided certain conditions are fulfilled, express consent is required for signage which does not fall within the categories and conditions specified in the Regulations.
- 28. When determining an application for express Advertisement Consent only two issues can be taken into consideration, these are the interests of amenity and public safety. In assessing amenity the local characteristics of the area must be taken in account and whether the proposal is in keeping with scenic, historic, architectural or cultural features of the area. Considerations regarding public safety relate to the likely impact of advertisements on road traffic and pedestrians.
- 29. The National Planning Policy Framework states that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment, it also repeats the regulatory provision that advertisements should be subject to control only in

the interests of amenity and public safety, taking account of cumulative impacts.

- 30. The scheme proposes rationalisation of the existing signage and replacement with a cohesive scheme.
- 31. The positions proposed for the signs on the building and within the car park will not be a public safety hazard to pedestrians or traffic. They are appropriately related to the building and associated parking facility.
- 32. The signs are in compliance with DMS5. They are of a scale which is proportionate to the building on which they will be displayed, and any other signage in the vicinity.
- 33. The design shows the PDNPA corporate branding and colour scheme, which is acceptable within the area.
- 34. The new signs are proposed to be constructed from more traditional materials is appropriate within the conservation area and close to listed buildings, in line with policies in the Development Plan including GSP1, GSP2, GSP3, L1 and L3 of the Core Strategy and DMC3, and DMC8 of the Local Plan.

The new signage scheme is an improvement from the current signage and will be consequently enhance the building and its setting. The proposal is in accordance with DMS5.

Amenity Impacts

- 35. The site is located within the Edale Conservation Area, and close to Holy Trinity Church and Church Cottage, both listed Grade II, stand on the opposite side of the road and to the north. The use of the site as a visitor centre with office and related uses is existing and the display of advertisements on the premises is appropriate. The signage scheme does not detract from features of architectural or historic importance or other valued characteristics of the area. The signs will have no significantly negative impact on the character and appearance of the site, or its setting within the conservation area, and will not detract from the amenity of the local area.
- 36. Considerations regarding public safety would be the likely impact of advertisements on road traffic and pedestrians. The road to Grindsbrook is largely single track and therefore vehicular traffic passing the site is not at speed. As the signs are set back from the roadside and proposed lighting is directed directly downwards on to the sign nearest the road, the signs will not be a distraction to road traffic through the village.
- 37. The proposed signs do not present a hazard to public safety, nor do they detract from the surroundings by having any significant detrimental effect on the site itself or its setting or the character and appearance of the local area.
- 38. The proposal is in line with Local Plan policy DMS5 and national planning policies in the National Planning Policy Framework. It is also in line with policies GSP1, GSP2, and GSP3 of the Core Strategy and Local Plan policies DMC3 and DMC8.

Sustainability

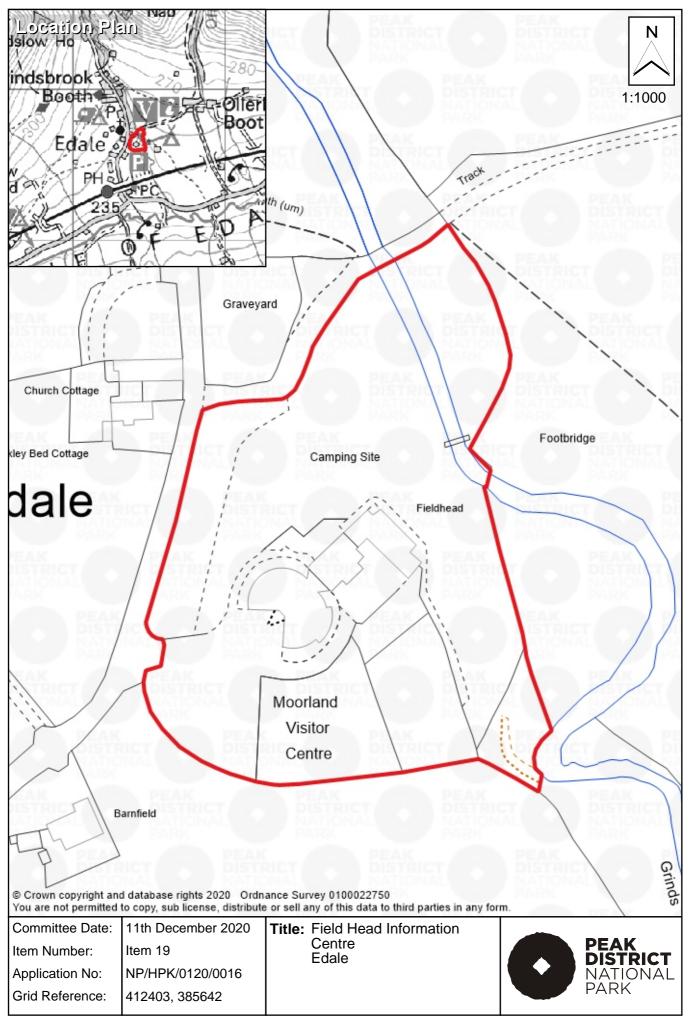
39. The scheme is considered to be compliant with policy CC1. The materials of the new signs are sustainably sourced timber. The proposed LED lighting is low energy and is welcomed.

Conclusion

40. The proposed signage scheme is in compliance with the relevant policies and guidance. Accordingly, the application is recommended for conditional approval.

Human Rights

- 41. Any human rights issues have been considered and addressed in the preparation of this report.
- 42. List of Background Papers (not previously published)
- 43. Nil
- 44. Report author: Denise Hunt. Planning Assistant



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20. 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>	Method of Appeal	<u>Committee/</u> Delegated
NP/HPK/0320/0249 3259025	Proposed read facing first floor balcony with grass balustrade at 4 Bank Cottages, Hayfield	Householder	Committee
NP/DDD/0202/0101 3260769	Change of use from agricultural building to holiday cottage at Barn Opposite Lead Ore House, Winster	Written Representations	Committee
NP/DDD/0420/0348 3258914	Two storey extension to the rear/east of former restricted dwelling property on the footprint of the allowed and lawfully implemented single storey extension at the Stables adjacent to Chequers Inn, Froggatt Edge, Calver	Householder	Delegated
NP/DDD/0220/0126 3260846	Conversion of barn and holiday unit to dwelling, including removal of modern lean-to barn (revision to planning permission NP/DDD/1117/1162) at Lane End Farm, Abney	Written Representations	N/A Non Determination
NP/DDD/0720/0613 3260865	To allow use of field for 5 touring caravans to link up with the current touring caravan site in the adjourning field at Lower Greenfield Caravan Site, Alport	Written Representations	Committee

2. APPEALS WITHDRAWN

There have been no appeals withdrawn during this month.

3. APPEALS DECIDED

The following appeals have been decided during this month.

<u>Reference</u>	<u>Details</u>	<u>Method of</u> <u>Appeal</u>	<u>Decision</u>	<u>Committee/</u> <u>Delegated</u>
ENF 17/0075 3250054	Construction of dwelling, and engineering operations comprising the construction of an association hardstanding. Change of use of land from	Written Representations	Enf Notice Upheld. Appeal Dismissed	Delegated

agricultural to a mixed comprising residential use and agriculture on land at One Acre Wood, Little Hayfield

The Inspector considered that the works carried out by the appellant resulted in a clear and considerable change in the character and use of the land, to such an extent that it required a grant of planning permission, which was not sought or granted. The Inspector did consider that the dwelling caused no material harm to the landscape due to the screening provided by the trees and surrounding walls, however it did not accord with Policy RT3 which relates to proposals for caravans and camping sites which this development was not. The Inspector upheld the enforcement notice and dismissed the appeal.

4. **RECOMMENDATION:**

To note the report.