

# Public Document Pack

**Peak District National Park Authority**

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



**Our Values: Care – Enjoy – Pioneer**

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Our Ref: A.1142/2735

Date: 2 December 2021



## NOTICE OF MEETING

Meeting: **Planning Committee**

Date: **Friday 10 December 2021**

Time: **10.00 am**

Venue: **Board Room, Aldern House, Baslow Road, Bakewell, DE45 1AE**

SARAH FOWLER  
CHIEF EXECUTIVE



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**Link to meeting papers:**

<https://democracy.peakdistrict.gov.uk/ieListDocuments.aspx?MIId=2392>

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## AGENDA

1. **Roll call of Members Present, Apologies for Absence and Members' Declarations of Interest**
2. **Minutes of previous meeting of 5th November 2021** *(Pages 5 - 8)*
3. **Urgent Business**
4. **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.
5. **Full Application - Conversion of field barn to dwelling at Twin Dales Barn, Field to west of Over Haddon (NP/DDD/0821/0866), ALN** *(Pages 9 - 26)*  
Appendix 1  
  
Site Plan
6. **Full Application - Conversion of the building to create new residential dwelling, external alterations, works of hard and soft landscaping and other works incidental to the application at Former New Foundland Nursery, Sir William Hill Road, Grindleford (NP/DDD/0121/0025, SPW)** *(Pages 27 - 48)*  
Site Plan
7. **Full Application - Removal of the existing 15M Airwave Tower and replacement with a 23.5M Tower upon which will be attached antennae and dishes for Airwave, the ESN (EAS) and SRN Networks. At ground level, additional cabins/cabinets will be positioned within a new compound on utilizing both the towerbase and a new base for the ESN (EAS) foul weather enclosure cabin, along with a standby generator. A separate VSAT dish enclosure will be established 80M to the north east of the main compound at Blaze Farm, Wildboardclough (NP//CEC/1020/0953), ALN** *(Pages 49 - 60)*  
Site Plan
8. **Full Application - For installation of 14 solar panels to one side of campsite office roof and installation of air source heating system at North Lees Campsite, Hathersage (NP/HPK/0921/1046, AM)** *(Pages 61 - 68)*  
Site Plan
9. **Holme Valley Neighbourhood Plan (CW)** *(Pages 69 - 80)*  
Appendix 1
10. **Head of Law Report - Planning Appeals (A.1536/AMC)** *(Pages 81 - 84)*

## **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 <http://democracy.peakdistrict.gov.uk>

### **Background Papers**

The Local Government Act 1972 requires that the Authority shall list any unpublished Background Papers necessarily used in the preparation of the Reports. The Background Papers referred to in each report, PART A, excluding those papers that contain Exempt or Confidential Information, PART B, can be inspected 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. However as the Coronavirus restrictions ease the Authority is returning to physical meetings but within current social distancing guidance. Therefore meetings of the Authority and its Committees may take place at venues other than its offices at Aldern House, Bakewell. Public participation is still available and anyone wishing to participate at the meeting under the Authority's Public Participation Scheme is required to give notice to the Head of Law 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 816352, email address: [democraticandlegalsupport@peakdistrict.gov.uk](mailto: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. During the period May 2020 to April 2021, due to the Covid-19 pandemic situation, Planning Committee meetings were broadcast via Youtube and these meetings are also retained for three years after the date of the meeting.

In response to the Coronavirus (Covid -19) emergency our head office at Aldern House in Bakewell has been closed. The Authority is returning to physical meetings but within current social distancing guidance. Therefore meetings of the Authority and its Committees may take place at venues other than its offices at Aldern House, Bakewell, the venue for a meeting will be specified on the agenda. Also due to current social distancing guidelines there may be limited spaces available for the public at meetings and priority will be given to those who are participating in the meeting. It is intended that the meetings will be audio broadcast and available live on the Authority's website.

Please note there is no refreshment provision available.

Chair: Mr R Helliwell  
Vice Chair: Mr K Smith

Cllr W Armitage	Cllr P Brady
Cllr D Chapman	Ms A Harling
Cllr A Hart	Cllr I Huddleston
Cllr A McCloy	Cllr Mrs K Potter
Cllr D Murphy	Cllr K Richardson
Cllr S. Saeed	Mrs C Waller
Cllr J Wharmby	

Mr Z Hamid    Prof J Haddock-Fraser

Constituent Authorities  
Secretary of State for the Environment  
Natural England

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



## MINUTES

Meeting: **Planning Committee**

Date: Friday 5 November 2021 at 10.00 am

Venue: Aldern House, Baslow Road, Bakewell, Derbyshire, DE45 1AE

Chair: Mr R Helliwell

Present: Mr K Smith, Cllr W Armitage, Cllr P Brady, Cllr D Chapman, Cllr A Hart, Cllr A McCloy, Cllr Mrs K Potter, Cllr D Murphy and Cllr K Richardson

Apologies for absence: Ms A Harling, Cllr I Huddleston, Cllr S. Saeed and Cllr J Wharmby.

### **112/21 ROLL CALL OF MEMBERS PRESENT, APOLOGIES FOR ABSENCE AND MEMBERS' DECLARATIONS OF INTEREST**

There were no declarations of interests.

### **113/21 MINUTES OF PREVIOUS MEETING OF 8TH OCTOBER 2021**

The minutes of the last meeting of the Planning Committee held on the 8<sup>th</sup> October 2021 were approved as a correct record.

### **114/21 URGENT BUSINESS**

There was no urgent business.

### **115/21 PUBLIC PARTICIPATION**

One member of the public was present to make representations to the Committee.

### **116/21 FULL APPLICATION - ERECTION OF LOCAL NEEDS DWELLING ON LAND NEAR SLADE COTTAGE, MONYASH ROAD, OVER HADDON - NP/DDD/0321/0257,MN)**

Members had visited site the previous day.

The Planning Officer introduced the report, setting out the reasons for refusal as outlined in the report.

The Planning Officer confirmed that in terms of the Authority's policy, there was no defined boundary to the village of Over Haddon, so a case by case judgement had to be made.

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

Members requested an amendment to the motion in order to clarify to the applicant that given he had reduced the size of the proposed development from the original application, it should be made clear what the limitations on extension of the development would be, and this was agreed to be added as a footnote.

The Planning Officer confirmed that if the application was approved the following conditions would be necessary:

1. Section 106 Agreement regulating occupancy to the applicant in the first instance and then as local needs thereafter.
2. Standard 2 year limit on commencement of works
3. Development to be carried out in accordance with the amended plans.
4. Regulation of external materials, to include walling, roof, windows, doors, rainwater goods.
5. Limitation of curtilage to area marked in red on the approved plan.
6. Implementation of Highways recommendations regarding parking and access.
7. Scheme of landscaping
8. Regulation of external lighting
9. Ground and floor levels to be regulated in accordance with the approved plans.
10. Implementation of the submitted Climate Change Mitigation Scheme

The motion to approve the application as amended and subject to the entering into of a Section 106 and conditions was put to the vote and carried.

## **RESOLVED**

**To APPROVE the application subject to prior entry into a Section 106 Agreement regulating occupancy to the applicant in the first instance and then as local needs thereafter and further subject to the following conditions:**

1. **Section 106 Agreement regulating occupancy to the applicant in the first instance and then as local needs thereafter.**
2. **Standard 2 year limit on commencement of works**
3. **Development to be carried out in accordance with the amended plans.**
4. **Regulation of external materials, to include walling, roof, windows, doors, rainwater goods.**
5. **Limitation of curtilage to area marked in red on the approved plan.**
6. **Implementation of Highways recommendations regarding parking and access.**
7. **Scheme of landscaping**
8. **Regulation of external lighting**
9. **Ground and floor levels to be regulated in accordance with the approved plans.**
10. **Implementation of the submitted Climate Change Mitigation Scheme**
11. **A footnote to be added to the decision notice to clarify the limitations on future extensions.**

### **117/21 FULL APPLICATION - CONVERSION OF FIELD BARN TO DWELLING AT TWIN DALES BARN, FIELD TO WEST OF OVER HADDON, (NP/DDD/0821/0866), ALN**

Members had visited site the previous day.

The Planning Officer introduced the report, setting out the reasons for refusal as outlined in the report.

The following spoke under the Public Participation at meetings scheme:

- Mr Neil Mycock, Applicant

Members requested clarification of the significance of the barn, in order to balance the importance of preserving the building, with the impact of its conversion and domestication on the landscape, and were advised by the Head of Planning that the barn was not a listed building but was considered to be a heritage asset, and was important in its setting in the open countryside. It made a contribution to the historic landscape and therefore to the special qualities of the National Park.

Members discussed whether the alternative, lower impact use, suggested by Officers of a camping barn, was likely to be a viable option for the applicant and whether it would have a similar impact on the landscape to a residential development.

Confirmation was requested as to whether an ecological survey had been conducted. Officers confirmed that because the reasons for refusal were felt to be fundamental, this had not been requested from the applicant.

A motion to refuse the application in accordance with Officer recommendation was moved and seconded. A vote was taken and lost.

Members discussed the location of the domestic elements of the proposed scheme and their visibility from the surrounding area, in particularly the Over Haddon / Monyash Road.

A motion to approve the application, contrary to Officer recommendation, due to the long term preservation of the barn in its setting being to the benefit of the landscape and the heritage asset, was moved and seconded, and a vote was taken and carried.

#### **RESOLVED**

**That Members are minded to approve the application. However, in accordance with Standing Order 1.48, final determination of the application is DEFERRED pending a further report being prepared by Officers.**

#### **118/21 HEAD OF LAW REPORT- PLANNING APPEALS (A.1536/AMC)**

The committee considered the monthly report on planning appeals lodged, withdrawn and decided.

The Head of Planning confirmed that an appeal had been lodged against the enforcement notice at Thornbridge Hall.

#### **RESOLVED**

**To note the report.**

The meeting ended at 11.15 am

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**5. FULL APPLICATION - CONVERSION OF FIELD BARN TO DWELLING AT TWIN DALES BARN, FIELD TO WEST OF OVER HADDON, (NP/DDD/0821/0866), ALN**

**APPLICANT: MR NEIL MYCOCK**

**Background**

1. The application site is an isolated field barn located in open countryside 1.3km to the west of Over Haddon and approximately 700m from the nearest other building. The barn is a non-designated heritage asset and is highly prominent in the landscape.
2. It is proposed to convert and extend the barn to create a single open market dwelling.
3. The application was presented to Members of the planning committee by officers on 5 November 2021 (report attached as Appendix 1). The officer recommendation was one of refusal on the grounds that:
  - I. **The development would cause harm to the significance of the field barn as a heritage asset and its setting. Consequently, it would not deliver conservation or enhancement of a valued vernacular building. The proposals are therefore contrary to Core Strategy policies GSP1, GSP2, L3 and HC1; Development Management policies DMC3, DMC5 and DMC10 and the National Planning Policy Framework.**
  - II. **The creation of a new dwelling in this isolated location within the open countryside and the domestication of the site would result in harm to the landscape character and scenic beauty of the National Park. The proposal is therefore contrary to Core Strategy policies GSP1, GSP2 and L1, Development Management policies DMC1 and DMC3 and the National Planning Policy Framework.**
4. Despite this recommendation, following the debate members were minded to approve the application. The reason given by members was that the long term preservation of the barn would be of advantage to the landscape and result in the conservation of a building of heritage significance.

**Standing Orders**

5. Because approval of the application would represent a departure from policy, Standing Order 1.48 requires that final determination to be deferred until the next meeting of the Committee and the Officers will prepare a further report. The Officers' report must cover:
  - the policy implications e.g. whether the decision is a major departure from the development plan or other key policy
  - the budget implications
  - a risk assessment
  - an assessment of the robustness of the provisional reasons, including recommendations on any conditions
6. It was also agreed at the meeting that this report would outline in more detail the contribution of setting to the heritage significance of the barn and the impacts of the development upon it; and also discuss the broader picture of other barn conversions that have been dealt with by the Authority recently.

## **Policy Assessment**

7. The primary purpose of National Park designation is to conserve and enhance its natural beauty, wildlife and cultural heritage. In accordance with the NPPF the Development Plan (policy DS1) gives clear direction that to achieve this aim, development, including new housing must generally be steered into sustainable locations within or on the edge of settlements. One of the few exceptions to this principle is in relation to the housing policy HC1 which allows, exceptionally housing that secures the conservation or enhancement of valued vernacular buildings. Running alongside this is the Authority's landscape policy (L1), which requires all development to conserve and enhance valued landscape character as identified in the Landscape Strategy.
8. The key policy issues are whether the proposed conversion to an open market dwelling would conserve and enhance the heritage significance of the field barn (Core Strategy policies GSP1, GSP2, HC1 and L3) and whether it would conserve and enhance the valued landscape character of the area (Core Strategy policies GSP1, GSP2 and L1). Some members felt that as the scheme would result in a new and sustainable use for the fabric of the building, which is a heritage asset falling into disrepair, that this would be an inherently positive outcome for the National Park. The paragraphs below explain why this would not be the case.
9. Historic farmsteads and their associated buildings and barns are an integrated part of the rural landscape of the National Park. Most barns are physically associated with a farmstead, either within villages and settlements or in the countryside. The Authority's policies recognise the importance of these buildings and that sometimes the best way to achieve their conservation and enhancement is to allow for conversion to a residential use. Planning decisions have consistently delivered this aim. For example, since 1 January 2021, 20 units of holiday accommodation, 11 dwellings and 8 units of ancillary accommodation have been approved through the conversion of barns and traditional buildings, mostly under delegated powers. These have been buildings that are within building groups, on farmsteads or within settlements.
10. The key difference however with the barn that is subject to this application is that it is a remote and very isolated field barn, completely unrelated to any other built development and intrinsically linked through its form and function to the historic landscape in which it sits. Therefore it is highly sensitive to change and unlike the barns referred to above, where a residential use would conserve and enhance the building, in this case such a use would cause significant harm to its special qualities.
11. The Authority's Farmstead Character Statement describes field barns as single buildings set within or on the edge of a field away from the main farmstead. They are a highly significant feature of the Peak District, and combine with the intricate patterns of dry-stone walling and hay meadows to form an integral and distinctive part of its landscape. These buildings enabled land to be managed remotely and avoided the bringing of stock and produce to the main farm. In this case the barn has agricultural origins but was also likely related to historic lead mining activity around Over Haddon, reflecting a dual economy where 'miner-farmers' worked the veins into the 19<sup>th</sup> century.
12. The barn is located in a fieldscape of post-1650 parliamentary enclosure, not enclosed until the early 19th century. Prior to this the area formed part of Over Haddon Common, an area of common pasture for the village. The existing fieldscape of drystone wall represents a good example of this kind of enclosure. The edge of Over Haddon's medieval field system is c.148m to the east of the site, with view across both fieldscapes and historic landscape character areas from the site. Views to and from the site are extensive across the woods of Lathkill Dale, the White Peak Plateau beyond, and across to over Haddon.

13. The site falls within the 'Limestone Plateau Pastures' landscape character type within the Authority's Landscape Strategy. In this area isolated field barns are identified as 'special cultural features' in the White Peak, especially in the Plateau Pastures. The document states that where they can no longer be maintained in agricultural use, careful consideration needs to be given to appropriate alternatives, but that conversion to residential use would be 'particularly inappropriate in a region where settlement is strongly nucleated in small villages.'
14. The main concern with the proposals is the impact of domestication on the character and setting of the field barn. The barn sits at the southern edge of a medium sized field. On its south eastern side is a small enclosed area probably used for stock handling/collection. The way the agricultural land butts right up to the walls of the building very clearly reflects the historic function of the barn and results in the barn being completely integrated within the landscape. This close physical relationship between barn and land is clearly visible from the surrounding area. In particular the walled enclosure, in which the proposed domestic curtilage would be located is visible from the road to the north east as are the openings within the walls of the building. It may be possible to better screen this area by building up the walls, but this in itself could have a detrimental impact on the fieldscape. The area where the cars would be parked, is also visible from the road to the north west. We have seen the harmful impacts of this in other similar locations in the National Park whereby cumulatively the special qualities of the historic landscape are being eroded by domestication from fencing, parked cars, garden areas, garden furniture, bin stores and artificial lighting, both external and internal. Whilst some elements of domestication can be reduced, by for example a restriction on garden sizes, many elements are intrinsic to residential use (particularly parked cars, artificial lighting, the introduction of curtains and blinds and bin storage) cannot reasonably be mitigated or controlled by planning conditions to any meaningful extent.
15. Clearly as outlined above, the setting of the building makes a positive contribution to its significance. The Heritage Statement that was submitted with the application agrees. In fact it assesses the fabric of the barn as being of **low significance** overall, being of late 19<sup>th</sup> century origins and of no more than local significance. On the other hand it assesses the setting of the barn as being of **high/medium** significance, sitting as it does within a well preserved historic landscape. It is important to stress that barn makes a positive contribution to the landscape as a field barn and there is a clear link between the history and use of the building and the surrounding land. The introduction of a domestic dwelling here would have the opposite impact on landscape character; it would be wholly inappropriate for this historic agricultural landscape.
16. The introduction of domestic curtilage into the enclosed walled area would change and cause harm to the setting of the barn as described above. Whilst conditions could be appended to remove permitted development rights for outbuildings and boundary features, there are many other visible signs of domestication that could not be controlled. For example items such as garden furniture and bin storage would be visible across the fields, from the road to the north east. Other paraphernalia such as external lighting, hanging baskets, lawns, flower beds, washing lines, would all cumulatively result in a building that is clearly a dwelling and no longer understood as a historic barn. Parked cars and the movement of vehicles up down the access track would add to the visual impacts when viewed from the road, as well as changes to the building itself such as interior lighting, curtains etc.
17. The Planning Inspectorate has supported officers' view on this issue. In a recent appeal decision (dismissed) for an isolated barn conversion near Lathkill Grove Farm, Monyash the Inspector concluded, (in discussing the impacts of domestic paraphernalia) that '*Such operations and uses would also physically and visually sever the building's connection with the adjacent agricultural land, thus further eroding its rural character*' and that '*The building would appear as a dwelling, albeit one with agricultural origins, rather than as a barn.*'

18. In conclusion we recognise that the fabric of the barn is a heritage asset, albeit at a fairly low level, due to the fact that it is in common with many other barns in the National Park. The setting of the building however is much rarer and more special and so the protection of the landscape in this case is of greater importance. Whilst the proposed scheme would provide the building with a long term use and ensure the survival of the physical fabric of the barn, this benefit would not outweigh the harm to the wider landscape and setting of the barn. It is acknowledged that the roof of the building has collapsed and there may be uncertainty about the retention of the building in the long term. However, the total loss of the building would be much less harmful to the character of the National Park landscape compared to the significant harm to the landscape that would be caused by the wholly inappropriate introduction of a domestic dwelling at this site. As such, the possibility that the existing building could be lost at some point in the future provides no justification for a new development that would be harmful for the reasons set out above.
19. Approval of the development would be directly contrary to Core Strategy policies GSP1, L1, L3, GSP1, GSP2, L1, L3 and HC1; Development Management policies DMC1, DMC3, DMC5 and DMC10 and the National Planning Policy Framework. A decision to refuse permission for the current application would uphold the adopted development plan and the landscape strategy and action plan. Furthermore, it would represent a position that demonstrates application of policy fairly and consistently and would demonstrate a commitment to the conservation of National Park landscapes in line with adopted plans and strategies.

### **Budget Implications**

20. There are no budget implications other than the resource cost of contesting an appeal, were Members minded to refuse the application and the applicant appeals against such a refusal. Officers advise that a refusal would be in line with its own development plan and national policy and that therefore an appeal would be highly unlikely to incur costs over and above the officer time, even in the event that the Authority lost the appeal.
21. It is not considered that a decision to approve this application would have any significant budget implications as the only costs arising would be officer time processing the decision notice.

### **Risk Assessment**

22. The main risk in this case is that proposed development would be likely to result in a significant harmful impact upon the valued characteristics of the National Park. In the absence of any clear and convincing overriding justification this is a type of development which could be replicated in similar circumstances.

### **Robustness of Provisional Reasons for Approval and Suggested Conditions**

23. The suggested reason for approval is that the development would conserve a building of heritage significance. For this reason to be robust then the Authority must be satisfied that the development would conserve and enhance the valued characteristics of the National Park and that the development will not undermine the core policies within the development plan.
24. As outlined above the imposition of planning conditions could not make the development acceptable. However should members be minded to approve this application, the following planning conditions are recommended:
- I. Statutory time limit for implementation.

- II. Development to be carried out in accordance with specified amended plans.
- III. Conversion of main two storey barn to be within the shell with no demolition and re-build.
- IV. Written scheme of investigation of a programme of historic building recording to be submitted and approved.
- V. Remove permitted development rights for alterations, extensions, solar pv panels, outbuildings, fences, gates, walls, satellite dishes.
- VI. New stonework for single storey element to be natural limestone coursed, layed and pointed to match the existing barn.
- VII. Hard landscaping scheme to be submitted and agreed.
- VIII. External lighting scheme to be submitted and agreed
- IX. No external meter boxes.
- X. Details of air source heat pump to be submitted and agreed.
- XI. Minor design details.

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## Conclusion

Experience has shown that by taking proper regard to the development plan, long term spatial objectives can be achieved for landscape, special qualities and sustainability, in furtherance of National Park purposes and duty. This proposal is directly contrary to the development plan and to the NPPF because it would result in harm to the special qualities of the National Park. Furthermore, the proposal would be directly contrary to the aims of our adopted Landscape Strategy, which states that changes to the appearance of either the building or its surroundings should be avoided, especially where these are not in keeping with the rural character of the landscape. Conversion to residential use would be particularly inappropriate in a region where settlement is strongly nucleated in small villages

The applicant's local credentials were referred to in the committee debate, however it must be emphasised again that this is not a proposal for a local needs affordable dwelling and the site could be sold on the open market to a person with no connection to the National Park. To make a departure from policies based on the applicant's personal circumstances would carry a significant risk to the Authority's reputation and undermine past and future decision making.

**The Planning Committee is respectfully urged to reconsider its previous position of being minded to approve the application. It is recommended that the application be REFUSED**

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## **Appendix 1**

### **FULL APPLICATION - CONVERSION OF FIELD BARN TO DWELLING AT TWIN DALES BARN, FIELD TO WEST OF OVER HADDON, (NP/DDD/0821/0866), ALN**

**APPLICANT: MR NEIL MYCOCK**

#### **Summary**

1. The application site is an isolated field barn located in open countryside 1.3km to the west of Over Haddon and approximately 700m from the nearest other building. The barn is a non-designated heritage asset and is a highly prominent in the landscape.
2. It is proposed to convert and extend the barn to create a single open market dwelling.
3. The proposed extension of the field barn would cause harm to its character and significance.
4. The domestication of the isolated field barn and its surroundings would cause significant harm to the setting of the building and the distinctive fieldscape in which it sits, resulting in harm to the landscape character and special qualities of the National Park.
5. The application is recommended for refusal.

#### **Site and Surroundings**

6. The application site is an isolated field barn located in open countryside 1.3km to the west of Over Haddon and approximately 700m from the nearest other building.
7. The building is a two storey former cow house with hayloft over. It is constructed in natural limestone with gritstone dressings. The roof is collapsed but was previously covered with stone slate. There are the remains of a former single storey off-shot to the south west.
8. Access is gained via a roughly surfaced track from an unclassified road to the north west.
9. 250m south of the site is Lathkill Dale, which is designated as a SSSI, a SAC and a National Nature Reserve.
10. An unauthorised static caravan is sited to the south east of the barn and is currently occupied by the applicant. A field to the south of the building is being operated by the applicant as a camping and caravanning site and this is currently the subject of an enforcement enquiry.

#### **Proposal**

11. Planning permission is sought for the conversion of the barn to a two-bedroomed open market dwelling. A kitchen/diner and living room would be provided on the ground floor and two bedrooms and bathroom on the first floor. The single storey off-shot would be re-built and extended to the south west by approximately 1.5m. It would contain an office, utility room and bathroom.
12. A residential curtilage would be created in areas to the south-west and south-east, which are currently demarked by dilapidated stone walls
13. Parking space for two vehicles would be provided on land adjacent to the barn to the south east.

## **RECOMMENDATION:**

### **14. That the application be REFUSED for the following reasons:**

- 1. The development would cause harm to the significance of the field barn as a heritage asset and its setting. Consequently, it would not deliver conservation or enhancement of a valued vernacular building. The proposals are therefore contrary to Core Strategy policies GSP1, GSP2, L3 and HC1; Development Management policies DMC3, DMC5 and DMC10 and the National Planning Policy Framework.**
- 2. The creation of a new dwelling in this isolated location within the open countryside and the domestication of the site would result in harm to the landscape character and scenic beauty of the National Park. The proposal is therefore contrary to Core Strategy policies GSP1, GSP2 and L1, Development Management policies DMC1 and DMC3 and the National Planning Policy Framework.**

## **Key Issues**

- Principle of Development
- Impact on the significance of the heritage asset and its setting.
- Highways
- Ecological considerations
- Climate change mitigation

## **History**

15. March 2021 – enforcement case opened and Planning Contravention Notice served with regard to (a) change of use of agricultural land for the purposes of caravanning, camping and siting of a residential caravan and (b) erection of a building. Following the response, the applicant was advised to consider submitting an application for a Lawful Development Certificate for the camping and caravanning use. An application has not been received. The applicant was then advised to remove static caravan by end of September 2021.

## **Consultations**

16. **Highway Authority** – *‘The application site is remote from the public highway, located on a Un-named Road between Over Haddon and Haddon Grove Farm, the Road is unclassified and subject to the National Speed Limit, however, in view of the roads single vehicular width, limited passing placings in the vicinity of the site and the close proximity to a junction vehicle speeds are likely appropriately low. Nonetheless, it is recommended that the entire site frontage shall be kept clear, and maintained thereafter, clear of any obstruction exceeding 1m in height (0.6m in the case of vegetation) relative to the road level for a distance of 2m into the site from the carriageway edge in order to maximise the visibility available to drivers emerging from the existing vehicular access.*
17. *Whilst the proposed dwelling will increase traffic movements associated with the existing vehicular access, any minor increase in traffic generation the proposal may generate is unlikely to lead to any severe road safety issues*

18. Typically, off-street parking bays should be clearly demonstrated by the recommended dimensions i.e. each parking bay should measure a minimum of 2.4m x 5.5m with an additional 0.5m of width to any side adjacent to a physical barrier e.g. wall, hedge, fence, etc., there appears to be space within the site to accommodate the parking of 2no. vehicles which is sufficient to serve a 2.no bedroom dwelling.
19. The applicant will need to consult with the relevant refuse collection department to ascertain details of what will be acceptable to them in terms of number and location of bins. Areas of appropriate dimension designated for standing of waste bins on collection days should be demonstrated adjacent to, but not within, the public highway.'
20. **District Council** – no response
21. **Parish Council** – 'Over Haddon Parish Council supports the restoration of this roofless solid barn that fits into its location into the landscape well. The applicant's need for a dwelling to continue 31 years of farming and fit his diversification requirements is well expressed in the internal layout without harming the character of a field barn which the rebuild will maintain. Council welcomes the incorporation of eco-friendly heating and insulation to the conversion.'
22. **Authority's Archaeologist** - (in summary – full response available on the website) 'Twin Dales farm is a historic field barn and outfarm recorded in the Derbyshire Historic Environment Record and the Peak District National Park Authority's Historic Buildings, Sites and Monuments Record. The main range dates to the 19<sup>th</sup> century, and was constructed as a cow house (2 sets of stalls with central feed passage) with hayloft over. A small ruined single storey structure attached to its south west is later, but still of 19<sup>th</sup> century date. So little survives of this structure its original function cannot be ascertained. It could have served as a small calf house.
23. The site is in a remote location over 1km from the centre of the village. It is located in a fieldscape of post 1650 parliamentary enclosure, not enclosed until the early 19<sup>th</sup> century (1080 parliamentary enclosure award of Bakewell). Prior to this the area formed part of Over Haddon Common, an area of common pasture for the village. The existing fieldscape of drystone wall represents a good example of this kind of enclosure, giving over the fossilised medieval strips to the east; the edge of Over Haddon's medieval field system is c.148m to the east of the site, with view across both fieldscapes and historic landscape character areas from the site. Views to and from the site are extensive across the woods of Lathkill Dale, the White Peak Plateau beyond, and across to over Haddon.
24. Field barns are an important part of the Peak District's landscape, they are highly characteristic and strongly contribute to local distinctiveness, even more so when combined with the distinctive pattern of dry stone wall enclosure reflecting the development of the historic landscape, such as in this case. This fieldscape setting of the barn makes a positive contribute to its significance, particularly its historic interest.
25. The barn is located in an area rich in lead mining remains, with High Priority Lead Mining sites to the c.70m to the south (Mandale and Lathkill Dale Mines, Soughs and Veins) and Mandale rake c.300m to the north-west. The access track to the barn runs over part of Mandale Rake (not the High Priority part) recorded in the Derbyshire Historic Environment Record and the Peak District National Park Authority's Historic Buildings, Sites and Monuments Record. At this location agricultural improvement has led to the loss of surface hillocks, but an extant shaft still survives and belowground archaeological remains are likely to survive, despite loss of the surface expression of features. Lead mining at Mandale rake and mine is known back to the 1200s and to have continued into

*the 19<sup>th</sup> century. A legal case between 1284 and 1288 resulted in the first setting down of Derbyshire mining laws and customs; a very significant historical event for the Derbyshire and Peak District landscape and the exploitation of its mineral wealth.*

26. *It is possible that the field barn at Twin Dale may have had a historical association with lead mining in area, where dual miner-farmer economy operated. Relict lead mining remains and field barns are an important feature of this landscape. Such barns are typical in certain areas of the White Peak and in occur in clusters in areas of intensive lead mining activity reflecting the dual miner/farmer or miner/trader economy of the area. The lead mining interest in the immediate setting of the field barn contributes positively to its significance, particularly its historic interest.'*
27. The response raises concerns about a number of aspects of the proposed development that cause concern from a heritage perspective. These include the proposed extension, new opening in the NW gable, rooflights, and door opening detailing. In respect of the impact on the historic landscape, notes that: *'With respect to the historic landscape, currently as unoccupied, ruinous buildings the site is integrated within its surrounding agricultural landscape, and it owes its existence and position to the way this landscape, enclosure and farming practice has developed. The introduction of a residential and domestic use into this location within this historical landscape, with everything this entails (domestic curtilage and paraphernalia, parking, provision of services, light pollution, movement of vehicles, provision of a bin store etc.) would introduce elements that are out of place, incongruous and are harmful to this heritage asset.'*

### **Representations**

28. Twenty letters of support have been received mainly from local residents raising the following points:
- It would be better to see the field barn repaired and converted to a dwelling rather than becoming more dilapidated.
  - There is a need to local housing for young people.
  - The scheme is sensitive and has limited impact on landscape.

### **Main Policies**

29. Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L1, L2, L3, HC1, CC1, CC5.
30. Relevant Development Management Plan policies: DMC1, DMC3, DMC5, DMC10, DMT3, DMT8

### **National Planning Policy Framework**

31. 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 latest revised NPPF was published on 20 July 2021. 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 Development Management Policies (adopted May 2019) 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.

32. Paragraph 176 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.'*
33. The NPPF directly refers to the National Parks Circular which makes clear that the Government considers it inappropriate to set housing targets within the National Parks and instead that policies should seek to deliver affordable housing to meet the needs of local communities. Paragraph 78 and 80 of the NPPF re-inforce this approach together saying that planning authorities should seek to promote sustainable affordable housing in rural areas and that permission for isolated new housing in the countryside should only be granted where there are special circumstances.
34. When determining application affecting heritage assets, 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 asset's importance and no more than is sufficient to understand the potential impact of the proposal on their significance (para 194). Great weight should be given to an asset's conservation (para 199). Any harm or loss should require clear and convincing justification (para 200). Were a proposal will lead to a less than substantial harm to the significance of an asset, the harm should be weighed against the public benefits of the proposal (para 202).

#### Core Strategy

35. 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.
36. The approach to housing and conservation in the NPPF is consistent with the Authority's development strategy (Policy DS1) which says new residential development within the National Park should normally be sited within named settlements, and Policy HC1. C which sets out very similar criteria to the NPPF in terms of the exceptional circumstances in which a new house can be granted planning permission in the National Park.
37. Policy HC1. C I and II states that exceptionally new housing will be permitted in accordance with core policies GSP1 and GSP2 if it is required in order to achieve conservation and/or enhancement of valued vernacular or listed buildings or where it is required in order to achieve conservation or enhancement within designated settlements.
38. Policies L1 and L3 say that development must conserve or enhance the landscape character and cultural heritage of the National Park. Development that harms the landscape or cultural heritage will only be permitted in exceptional circumstances.
39. Policy L2 states the development must conserve and enhance any sites, features or species of biodiversity importance and where appropriate their setting. Other than in exceptional circumstances development will not be permitted where is likely to have an adverse impact on any site, features or species of biodiversity importance or their setting.
40. 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 Plan

41. 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.
42. Policy DMC11 provides more detailed criteria to assess development that may affect protected sites, species or habitats.
43. Policy DMC5 states that Development of a designated or non-designated 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 within its setting), unless:
44. for designated heritage assets, clear and convincing justification is provided, to the satisfaction of the Authority, that the:
  - i.
    - a) substantial harm or loss of significance is necessary to achieve substantial public benefits that outweigh that harm or loss; or
    - b) in the case of less than substantial harm to its significance, the harm is weighed against the public benefits of the proposal, including securing its optimum viable use.
  - ii. (ii) for non-designated heritage assets, the development is considered by the Authority to be acceptable following a balanced judgement that takes into account the significance of the heritage asset.
45. Policy DMC10 sets out that the conversion of a heritage asset will only be acceptable when the building can accommodate the new use without changes that adversely affect its character, such as major rebuilding. The building must be capable of conversion. The changes brought about by the new use must conserve or enhance the heritage significance of the asset, its setting and landscape character. In all cases attention will be paid to the impact of domestication and urbanisation brought about by the use on landscape character and the built environment.
46. Development Management Policy DMT3 states the development 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 that does not detract from the character and appearance of the locality and where possible enhances it. DMT8 states, amongst other things, that that residential off street parking should be provided unless it can be demonstrated that on-street parking meets highway standards and does not negatively impact on the visual and other amenity of the local community.

### Assessment

#### **Principle of Development**

47. The relevant housing policy is Core Strategy policy HC1. This policy continues the Authority's long standing policy position that housing will not be permitted solely to meet open market demand. This approach is consistent with the National Park Circular and the NPPF.
48. Core Strategy policy HC1 sets out the exceptional circumstances in which new housing will be permitted in the National Park. The approach of allowing affordable housing and workers housing where there is an established need, and, of allowing market housing

where it is required to achieve significant conservation and enhancement in accordance with policies GSP1 and GSP2 is considered to be a sustainable approach for providing housing within the National Park without undermining the landscape and valued characteristics.

49. This application is not for an affordable house to meet an identified local need or for a farm workers dwelling, it is for an open market dwelling. A lot of weight has been given by third parties who have supported the application, to the applicant's local farming connections. The supporting information states that the applicant has a strong local connection having lived in the Parish for at least 10 of the last 20 years. The applicant is currently living in a static caravan adjacent to the barn. However, it must be stressed that the application does not propose a dwelling that would have a local occupancy restriction. The Authority would have no control over future occupiers and whether or not they would have any local connection. In any case, with an internal floor area of approx. 107sqm the barn would be above the maximum permissible floorspace even for a 5 person dwelling (97sqm) and so would be unlikely to remain affordable to those on low to moderate incomes anyway.
50. A Heritage Assessment has been submitted with the application, and this, along with the response from the Authority's archaeologist, confirm that the barn in question is a non-designated heritage asset. It is an example of remote 19<sup>th</sup> century field barn. Such barns are an important part of the Peak District's landscape. They are highly characteristic and strongly contribute to local distinctiveness. The barn is listed within the Derbyshire Historic Environment Record and the Peak District National Park Authority's Historic Buildings, Sites and Monuments Record. Consequently we are satisfied that the building is a 'valued vernacular' building for the purposes of policies HC1 (c).
51. The main consideration is whether or not the proposed development would deliver conservation or enhancement of the barn.

#### **Impact on the significance of the heritage asset and its setting**

52. Twin Dales farm is a historic field barn and outfarm of local/regional significance. The two-storey part of the barn dates from the 19<sup>th</sup> century and was constructed as a cow house (2 sets of stalls with central feed passage) with hayloft over. It sits within an extensive fieldscape enclosed by drystone walls. It is highly visible within this undeveloped landscape, in views from the surrounding area including across the woods of Lathkill Dale and from the road heading west out of Over Haddon. The barn is located in an area rich in lead mining remains and it is possible that the barn may have had a historic association with lead mining, where a dual miner-farmer economy operated. In summary the core significance of the barn lies in its historic interest, architectural interest and archaeological interest.
53. The National Park's Farmsteads Character Statement explains that outfarms and field barns are a highly significant feature of the Peak District, and combine with the intricate patterns of dry-stone walling and hay meadows to form an integral and distinctive part of its landscape. They have been subject to high rates of change within the Park.
54. A submitted structural survey concludes that the building is in reasonable condition but suggests that the south corner would need to be partially re-built. The proposed conversion scheme largely works within the external envelope of the existing structure and makes good use of the existing openings. Following comments from the Authority's archaeologist, amended plans have been received showing proposed rooflights and a new window opening omitted and alterations to the door and window details to designs that are more reflective of the agricultural character of the building.
55. The scheme proposes to re-build the ruined south western single storey off-shot which is

considered acceptable as this is historic element of the outfarm. However it is also proposed to extend this structure to the south west. Development Management policy DMC10 states that conversion of a heritage asset will be permitted provided that the new use can be accommodated without changes that adversely affect its character (such as enlargement). The extension would be visible from the road to the north west and our view is that in principle the proposed extension would cause harm to the significance of the heritage asset. The Authority's archaeologist has also raised concerns about the lack of rationale for the placement and size of the proposed window openings.

56. With regard to the impact of the scheme on the setting of the field barn, it is clear that currently the building is integrated within its surrounding undeveloped agricultural landscape and it owes its existence and position to the way this landscape, enclosure and farming practice has developed.
57. The introduction of a residential and domestic use into this location within this historic landscape would introduce elements that are out of place, incongruous and harmful to the special qualities of the heritage asset. For example domestic curtilage and paraphernalia, parking, provision of services, light pollution, movement of vehicles, provision of a bin store etc. would all signal the residential use of the field barn and would cause harm to its very distinctive agricultural setting. Whilst the residential curtilage would be contained within the existing stone walled enclosures adjacent to the barn, domestic activities within this area would still be clearly visible from the road to the north, as would the proposed car parking area. We consider that this is a wholly unsuitable location to introduce a new residential use.
58. The combined impact of the harm identified to the building itself and the domestication of the site through the proposed change to residential use would seriously compromise the core characteristics of the building and the wider landscape character. Rather than conserving or enhancing the building, the development would result in harm to the non designated heritage asset and the special qualities of the National Park. It must be concluded therefore that there is no conservation or enhancement benefit arising from the proposal.
59. Letters of support have raised concerns about the building becoming more dilapidated if left undeveloped, or that it could be lost completely. The building is not harmful to the landscape at present. It is well integrated into its surroundings as set out above. It is acknowledged that the roof has collapsed and there may be uncertainty about the retention of the building in the long term. However a lower intensity and more low key use would conserve the building and its setting and would be the optimum viable use for the building. Ultimately, the harm caused by introducing a wholly unsuitable residential use in this landscape would be far more harmful to the landscape character and special qualities of the National Park than the further deterioration of the building.

### **Highways**

60. The proposed dwelling would be accessed via the existing access track from the unclassified road to the north west. The roadside boundary wall on the public highway is set back some 4m from the edge of the carriageway and therefore we are satisfied that adequate visibility can be achieved in view of the likely limited vehicle speeds. Adequate on site parking space would be provided to meet the needs of the development.
61. No works are proposed to upgrade or otherwise alter the existing access track (which appears to have been recently re-surfaced).

### **Climate Change Mitigation**

62. A 'Sustainability Statement' has been submitted with the application. This explains that an air source heat pump is proposed to provide heating and hot water. Argon filled double glazed units, low energy light fittings, high levels of insulation, and use of reclaimed local stone, low carbon cement and timber from a sustainable source are amongst the measures proposed. It is considered that the proposals demonstrate sufficient consideration of climate change mitigation measures in accordance with policy CC1.

### **Other considerations**

63. A protected species survey was not submitted on the basis that as the building has no roof and is in exposed and unsheltered location, there is limited potential for use by protected species. We accept this conclusion.

64. The barn sits some 700m away from the nearest neighbouring residential property. As a result there would be no opportunities for overlooking, and the proposed use would be unlikely to generate undue noise and disturbance. The proposals therefore comply with Core Strategy policy GSP3 and Development Management policy DMC3 in these respects.

### **Conclusion**

65. In conclusion the proposed change of use of the barn to an open market dwelling would cause harm to the significance of the heritage asset and the wider landscape of the National Park. Any benefits of the proposed development would not outweigh the harm that has been identified, contrary to Core Strategy policies GSP1, GSP2, GSP3, L1, L3 and HC1 and Development Management policies DMC1, DMC3, DMC5 and DMC10.

### **Human Rights**

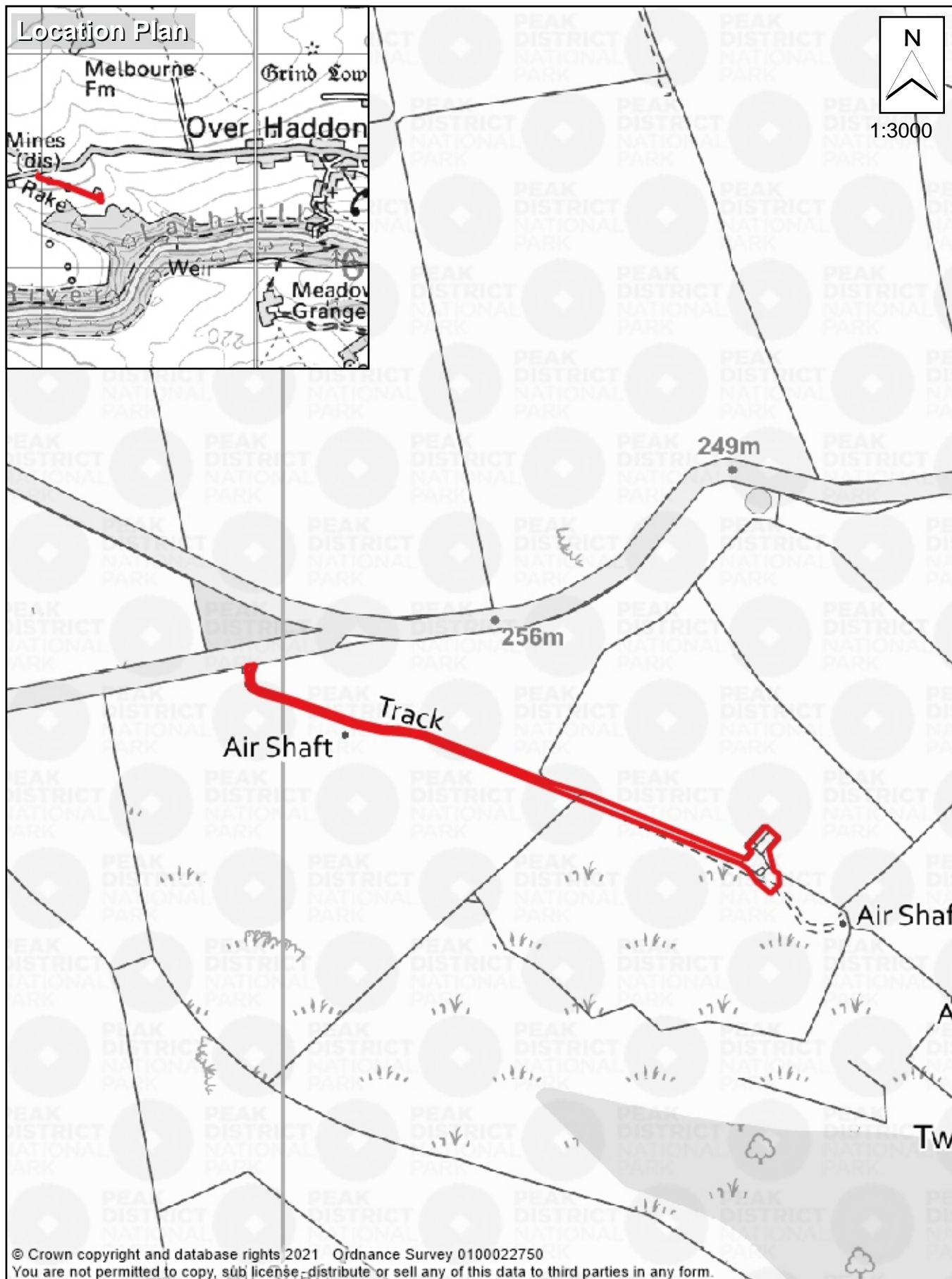
Any human rights issues have been considered and addressed in the preparation of this report.

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

Nil

Report Author: Andrea Needham, Senior Planner

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Committee Date: 10th December 2021  
Item Number: Item 5  
Application No: NP/DDD/0821/0866  
Grid Reference: 419264, 366356

**Title:** Twin Dales Barn,  
Over Haddon



**PEAK  
DISTRICT  
NATIONAL  
PARK**

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**6. FULL APPLICATION: CONVERSION OF THE BUILDING TO CREATE NEW RESIDENTIAL DWELLING, EXTERNAL ALTERATIONS, WORKS OF HARD AND SOFT LANDSCAPING AND OTHER WORKS INCIDENTAL TO THE APPLICATION, FORMER NEWFOUNDLAND NURSERY, SIR WILLIAM HILL ROAD, GRINDLEFORD (NP/DDD/0121/0025, SPW)**

**APPLICANT: MR TIM MASKREY**

**Summary**

1. This application relates to a proposal to create a new dwelling within an abandoned building in open countryside off Sir William Hill Road, between Grindleford and Eyam. The building currently has most of the walls standing but it has no roof, doors or windows.
2. This report concludes that the site is in a very isolated location and that whilst the existing derelict buildings may be considered to be non-designated heritage assets, this is not sufficient to justify their rebuilding and repair to create a new dwelling as this would have an unacceptably harmful impact on the landscape and would in itself require significant alteration to the fabric of the buildings. The application is therefore recommended for refusal.

**Site and Surroundings**

3. The site is located off the Sir William Hill Road which connects the site to the village of Grindleford. The site comprises of a small group of buildings including a derelict rectangular former house, an attached barn to the west and a detached outbuilding to the north. The buildings are set back around 95m from Sir William Hill Road. To the north and west of the site is Eyam Moor, and to its east is Sheriff Wood which descends down the hill into the valley of the River Derwent. A public footpath runs along the edge of the moorland to the north west of the site from where there are commanding views over the Derwent Valley and toward Froggatt edge and the wider landscape.

The former house comprises a three-bay wide structure built from rounded gritstone rubble, with dressed gritstone lintels to doors and windows. The house structure remains but is in a poor state of repair. The attached barn is also in a state of ruin. Situated to the north of the house is a small, detached outbuilding built from gritstone rubble. The building has partially collapsed and the roof has been lost.

4. No internal plaster or joinery survives. The eastern part of the building comprised two rooms, with areas of flagstone floors surviving and two fireplaces. The remains of a staircase are also present, but all floor structures have been lost, although joist pockets remain.
5. The ruined barn comprises a rectangular range built from gritstone rubble with a pitched roof of corrugated metal sheets. The roof structure does not contain any historic fabric. The northern elevation of the building is open sided, with no other extant openings into the barn.

**Proposal**

6. The application is for the conversion and rebuilding of the main house and associated outbuildings to provide a dwelling (Class C3 residential) and other works incidental to the application proposal.

7. The application is accompanied by a Heritage Statement, a Sustainability Statement, a Structural Inspection report, and a tree survey, with a covering letter which sets out planning policies and draws the key conclusions of these reports together. The supporting statement with the application says that the aim is to reuse the existing structures and convert these to a new dwelling, providing an overall enhancement to the site.
8. The existing access from Sir William Hill Road to the site would be retained and used and parking would be provided within the site for three cars.

### **RECOMMENDATION:**

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

1. **The application site is in an isolated and unsustainable location in the open countryside. The substantial rebuilding, conversion and alteration of the existing buildings to create a new dwelling in this location would have a harmful impact upon the landscape character of the National Park and could harm the historic and archaeological significance of the ruins of the existing buildings in the landscape, contrary to Core Strategy policies GSP1, GSP3, DS1, HC1, L1 and L3 and DM policy DMC10. This harm is not outweighed by the benefit that the rebuilding and reinstatement of a non-designated heritage asset could, in principle, provide. The proposed development would represent unsustainable development within the National Park contrary to the National Planning Policy Framework.**

### **Key Issues**

- Whether the development is acceptable in principle.
- The impact of the development on the landscape character and cultural heritage of the National Park.
- The design of the proposed development.

### **History**

9. There have been no previous planning applications relating to this site (N.B. The Parish Council reference to a previous application appears to be incorrect).
10. 2018 – Open Enforcement enquiry - re possible unauthorised tarmac track has recently been constructed on land and past derelict farmhouse/building. Extensive excavations/building works also currently taking place at end of track past building.
11. 2019 – Open Enforcement enquiry – re Number of yurts, tepee's and other structures which have appeared and been there for more than 28 days, vehicles also parking in field.

### **Consultations**

12. Parish Council – *“This is the second application for conversion to a dwelling in 15 years, on this site. The Parish Council recommends approval ,with the following conditions .*
  - 1.*The development does not exceed the existing floor area ,or height of the current buildings.*
  2. *All power cables, telephone cables, mains pipe work are underground on site and on public roadside verges from the utilities in place at present .*
  3. *The dwelling is to be used by the purchaser only and not for rental, holiday let, etc.*

4. No further buildings to be allowed within the site boundary of the former Newfoundland Nursery as indicated on the location map, or within the site boundary of the proposed development above.

5. I assume that the existing track to the site, is the proposed access, this should not be tarmac, block paved.”

13. Highway Authority – No objections subject to conditions covering the following:

1. Prior provision of construction compound.
2. Visibility sightlines of 203m in both directions, as measured from a point located centrally and 2.4m back into the access.
3. Prior provision of parking facilities before occupation.
4. Submission and agreement over details of storage and recycling of refuse bins.
5. Gates set 5m from nearside highway boundary and open inwards only.

14. District Council: No response.

15. PDNPA Building Conservation Officer:

*“The site is in a rural location and the buildings have been derelict for some considerable time, there is no roof on the former dwelling part of the building. The site is a former nursery, the Heritage Statement giving some history of the development. The ruin is in the middle of the rural site and doesn’t have any defined curtilage to it, the remains of a small outbuilding are close to it. Converting the ruin to a domestic house with associated curtilage development of parking and garden provision which would include hard landscaping would negatively affect the rural setting. Whilst not forming part of the current application there could be a future pressure for additional domestic buildings on the site such as garaging and sheds, this would significantly impact the setting. The provision of services to the building may have an impact either visual or if to be buried, the details should be submitted to enable an informed decision to be made.*

*In its current form the building sits well within the landscape and natural environment. The building has begun to be reclaimed by nature, as a ruin within the rural enclosure at the edge of Eyam Moor it makes a contribution to the local landscape. By converting it to a habitable dwelling will significantly change the way it sits within its environment, and how it affects it. Part of the value and significance of the building is the way it now fits within the natural environment, any conversion would have a negative impact on this. The building design in looking at the proposals for the building itself this appears to work reasonably well in its current form with very little loss of historic fabric to create a layout that works for modern living. The proposal will use the existing openings, with a couple unblocked. The proposals could be amended for a suitable scheme for the building, with the appropriate details. This would be subject to the principle of conversion of the ruin being acceptable.*

*Externally the proposals work with the existing openings, with some in the attached barn that have historically been blocked being unblocked. Details of windows and doors have been submitted at 1:50, more details would be better at an appropriate scale. Within the main building some windows are proposed to have fixed external shutters, the differentiation in window styles is suitable way to demonstrate these two building uses. The split should be based on evidence of features or use. There is a small amount of discussion within the Heritage Statement about the sections of development and use, this could be clearly shown on a plan.*

*For the attached barn the north elevation, it is unclear from the plans and there is limited detail within the supporting documents, but it looks like a large, glazed arrangement within the existing large opening. This would be an honest treatment for the large opening, less sub-division within the glazing may reduce the impact further. A small amount of wall is required to be built to accommodate the glazing.*

*It is proposed for the roof to be reinstated using natural blue slates and the corrugated roof of the barn replaced with natural blue slates. The use of material should be informed by evidence of roofing material onsite. Internally it is proposed to retain the historic stone fireplaces, and the stairs are proposed to follow the historic ones evident from stones onsite. On the ground floor some building of likely collapsed internal walls is proposed and two breaches of historic fabric, at least one a former external wall, to enable all three elements of the property to be accessed internally. At first floor level two further breaches are proposed, along the spine wall, with further consideration of the stairs and bathroom arrangements, would it be possible to reduce the need for these breaches? This could also remove the need for a stud wall close to the historic fireplace which could detract.*

*The rooflights are concerning, especially the ones to the south elevation. This is the elevation most visible from the road, guidance in the Alterations and Extensions SPD says they are best confined to the rear roof slopes. They are located quite low down the roof, again not within SPD guidance. They are above the windows, which fits guidance, however they are a rather domestic feature and proposed in the former agricultural part. This would not be suitable in terms of building interpretation, they should be omitted from this location as the rooms do have a window for natural light. Rooflights are also proposed on the north elevation, again in the former agricultural part, this area is an entrance way/corridor with an external door. It would be better if they were removed from the proposals.*

*New walls are proposed to the north and south of the building to define the curtilage, they are proposed to be drystone walls, which should be of the same material and design as others on the whole enclosure reflecting the traditional material and detailing.*

*Details that could assist with an informed decision on the building would be the treatment of the ground floor for insulation, RWG, ventilation for extracts and SVPs that should be internal, other external service requirements e.g. flues for wood burners. The use of materials for the proposal should be detailed, these should be traditional.*

*In summary the conversion of this derelict building would have a negative impact on its significance and its setting. The proposals require some amendments and additional information for an informed design decision should it be felt a conversion may be suitable at this location”.*

#### Comments on additional/revised details:

*“My comments will remain the same on the location. For the building design some amendments have been made to the proposals to address some of the comments raised in the previous consultation.*

- Window plans – more detailed drawings of the cross sections have been submitted.*
- External shutters – these have now been removed to the proposed elevations, addressing concerns that the previous proposal was not based on evidence of externally opening shutters.*
- Barn glazing – the rebuilding has been omitted and glazing shown across the whole opening, this is more honest. The glazing is shown sub-divided as before.*
- Roof material – the drawings have been amended to state “as existing onsite”, although the exact material to be used has not been confirmed.*

- *Internal layout – this has been amended for the stairs and bathroom layout to remove the breach of historic fabric, this is welcomed.*
- *Rooflights – all 4 remain in the same position so these concerns have not been addressed.*
- *Details – additional details have not been submitted”.*

16. PDNPA Archaeology: Makes the following comment (quoted in full as it gives important detail about the history and significance of the site):

Recommendation: *In the first instance I request that :*

- *The additional information detailed above and requested by other Officers is provided, to allow a proper consideration of the significance of the heritage asset and the impact of the proposed development.*
- *The proposals amended in accordance with officer advice.*

Detailed response:

*This is an unusual site and is certainly a heritage asset. As the supporting heritage statement sets out, it is a heritage asset of regional interest with historic, architectural and archaeological interest within the standing buildings. The historic buildings at the site appear to comprise a 2 storey range that includes former residential living space of at least 2 bays, a third bay that appears not to be of domestic origin, an attached single storey open sides shelter and a small detached outbuilding. The buildings are set in middle of group of rectilinear fields with linear tree planting that that appear to relate to the use and function of the site as a Nursery in the 19th and 20th century. Interestingly on the historic Ordnance Survey maps the buildings are set within a circular enclosure within the fields, which is usual.*

*The belowground archaeological interest of the site is not covered by the existing heritage statement and needs to be considered. The site sits within a set of fields that were previously part of Eyam Moor, enclosed as part of the 1813 Foolow and Eyam parliamentary enclosure act. There are extensive prehistoric remains within the immediate area, including scheduled sites, relating to prehistoric settlement and agricultural activity, and funerary and ritual activity. Here, as other areas of the Derbyshire East Moors there is significant and well-articulated evidence over extensive areas for human exploitation of the gritstone uplands from the Neolithic to the post-medieval periods. Known sites lie within the adjacent Eyam Moor, largely a reflection of the extent of agricultural enclosure of the landscape. Subsequent land improvement and management has dictated where visible earthwork sites have survived, rather than this being a reflection of the true extent of prehistoric activity.*

*Newfoundland Nursery and its surrounding fields form part of the same landscape, albeit one affected by 19th century enclosure, on a south facing gentle slope from the moorland plateau at the same height as sites on the adjacent moorland. It is highly likely that the same kind of prehistoric, as well as later activity, as evidenced on the moorland to the north occurred in the vicinity of Newfoundland.*

*There has never been an archaeological survey or assessment of the particular field but survey of adjacent farms and of Eyam moor indicate the high level of archaeological interest and potential of this area. A similar range of features can be anticipated at the site, with potential for features and remains relation to human activity from prehistoric agricultural, settlement, funerary and ritual, through to regionally important medieval hollow ways and routeways to post-medieval quarrying. Although the establishment of the Nursery and the improvement of the fields will have affected the survival and legibility of features that pre-date the 19th century enclosure of this landscape, archaeological interest and potential remains. From the information available I would estimate that there is a moderate likelihood of archaeological remains at the site, and that it is likely that archaeological remains would be of no more than regional significance in their own right,*

*but may contribute to the understand of nearby designated archaeological remains and features.*

*A structural statement has been submitted based on a structural inspection of the site.*

- This is a ruined building within external stonework, no upper floors and no roof.*
- The structural information does not present sufficient detail or details proposals to give comfort that the ruined structure can be returned to a safe and habitable state without needing to take down large sections, rebuild, underpin etc. The Authority needs enough information be satisfied that a conversion, rather than rebuild is possible to secure to future of this heritage asset.*
- I therefore recommend that a more detailed structural assessment and properly scoped and drawn proposals for how the building can be structurally secured should form part of the application.*

*We could do with understanding the site and building and its historic development a little more.*

- It is unclear from the supporting information what the extent of the original 'house' was. The Heritage Statement (Fig.2) suggest that the whole of the larger 2 storey rectangular range might have been the house. However, the plans of the site suggest the third bay had no internal connection to the living space, and the character of the elevations suggest this bay have had a non-domestic function.*
- Understanding the historic development and use of the building is essential to help inform the proposals for the re-use of the building. Was the site built as a purpose build nursery serving the formal gardens and country houses of the region? Was it originally a farmstead that was adapted, or even a field barn or outfarm that was developed into a nursery. The 1842 tithe map within the heritage statement suggest that was a small structure here by that time (an outfarm perhaps?), and the presence of a pond serving two fields suggests an agricultural rather than horticultural origin for the site. Further historic background research such as a review of the tithe map apportionments or even the census might help provide this understand.*
- This is relevant because at present the proposals include different window and door treatment across the main range, with a mixture of more domestic style treatment, and then single glazed fixed panes with shutters more suited to conversions of barns and agricultural buildings, which may be inappropriate and harmful in this context and blur the distinction between the different parts of the building.*
- Similarly roof lights in a previous domestic part of the building might be acceptable, but less appropriate in the non-domestic areas.*
- The current design is blurring the character and function and would make the building difficult to read and understand in the future, and treatment should be informed by the historic character of the building/ different areas of the building.*

#### Comments on the proposals

- I note and support the comments on the Building Conservation Officer and Landscape Architect about the landscape impacts of bringing the site back into residential use. The building itself contains evidence that it was once an inhabited residential site, and if it is to be in domestic use again, this needs to be done carefully and sensitively to not harm the significance of the heritage asset or its unsettled, agricultural landscape setting.*
  - I fully support the comments of the Building Conservation Officer with respect to further details needed and suggested revisions to the design to minimise harm to the significance of the heritage asset (para.190 NPPF). I would highlight the need to revisit and simplify the glazing to the large opening in the attached outbuilding, to consider the number, size and positioning of rooflights.*
  - The proposal makes good use of the existing apertures and opening in the building, this is welcomed.*

- *Changes to the internal layout, circulation and planform are required, but most of the internal layout will remain, and the proposals incorporate historic features such as the fire places, and intend to keep the stairs in their original position. This is welcomed.*
- *The proposed site plan indicates a number of new drystone walls are proposed to define the site extent, those proposed are linear and create rectangular enclosures around the site. The site's extent was historically defined by an unusual circular enclosure. This is a special feature of the site and if the Authority judges that reinstating residential use of the site is acceptable, then I would recommend it is considered if the circular curtilage could be reinstated, rather than inserting an entirely new rectangular enclosure in the area.*
- *The proposed development will require groundworks (hard landscaping, new services and drainage within the site, underground of drainage and services to the site, pack treatment plant, parking and turning areas, track treatment, footings for new walls etc.) These have the potential to encounter, damage and destroy previously unknown and unrecorded archaeological remains, deposits and features, and result in harm to the archaeological interest of the site. If all other aspects of the proposed development were considered acceptable (e.g. landscape impact, proposals to the building, design etc.), then I am confident that the belowground archaeological impacts could be appropriately mitigated by a conditioned scheme of archaeological works covering all the groundworks associated with the development.*
- *It is likely that a conditioned scheme of building recording will also be required, however, as detail above further information is required in order to ascertain that the ruined structure can be returned to a safe and habitable state without needing to take down large sections, rebuilding, underpinning etc. The Authority needs enough information to be satisfied that a conversion, rather than rebuild is possible to secure the future of this heritage asset.*

Comments on additional/revised information:

**Heritage Statement**

The heritage statement has been updated and revised to:

- *Examine further the historic use of the property and site, including examination of census records - this has clarified that the site was used as a dwelling for a nurseryman and his family at the time of the 1881 and 1891 census, but had no evidence of occupation prior to this, suggesting that a residential property at the site was added between 1871 and 1881.*
- *Provide more detail on the historic use of the main building range, particularly the section that was once in residential use and the parts of the building used for agricultural/horticultural function. This clarification is extremely useful when assessing the proposed window and door treatment and whether any appropriate differentiation is being maintained to clearly distinguish between the differing historic use by use of different window and door detailing.*

**Comments on revised scheme**

Revisions to proposed domestic curtilage and enclosure – the proposals have been revised to reinstate the unusual historic circular enclosure around the site, rather than an entirely modern pattern of enclosure as was previously proposed. This is welcomed as it will reinstate a lost element of the site that is highly distinctive and will enhance the legibility of its historic form and significance, reinstating the relationship between the site and surrounding landscape. It is certainly a better way to achieve a residential curtilage should domestic use be reinstated than the previous proposals.

Treatment of doors and windows – the additional heritage information supplied makes clear the historic division between the residential part of the building and the parts of the building in agricultural/horticultural use. The proposed treatment of windows and doors accords with this. There are more domestic style windows and doors proposed for the parts of the building that were once a dwelling, with plainer and more appropriate treatment

of the openings in the former agricultural areas including recessed single glazing with shutters. This will help to retain the legibility of the historic function of the building.

*Impact on significance of historic building* - The proposal makes good use of the existing apertures and opening in the building. Changes to the internal layout, circulation and planform are required, but most of the internal layout will remain, and the proposals incorporate historic features such as the fire places, and intend to keep the stairs in their original position. The modern interventions will be legible as such. Working with the historic fabric and features of the building in this way is welcomed and means the conversion can be achieved with only **minor harm to the historic and architectural interest of the building as a heritage asset**.

If all other aspects of the proposed development are considered acceptable (e.g. landscape impact, proposals to the building, design etc.), then I am confident that these impacts could be appropriately **mitigated by a conditioned scheme of building recording**.

Below ground archaeological interest – as detailed in my previous consultation response, the site has belowground archaeological interest. For the sake of brevity I will not restate the detail of this here, but please refer to the earlier response.

The proposed development requires groundworks (hard landscaping, new services and drainage within the site, underground of drainage and services to the site, pack treatment plant, parking and turning areas, track treatment, footings for new walls etc.) These have the potential to encounter, damage and destroy previously unknown and unrecorded archaeological remains, deposits and features, and result in harm to the archaeological interest of the site.

If all other aspects of the proposed development are considered acceptable (e.g. landscape impact, proposals to the building, design etc.), then I am confident that the belowground archaeological impacts could be appropriately **mitigated by a conditioned scheme of archaeological works covering all the groundworks associated with the development**.

Structural information – no additional detail has been provided other than to confirm that it is the opinion of the engaged structural engineer that the only rebuilding required is off the collapsed section of masonry, and that no further taking down, rebuilding, underpinning etc. is required to secure the conversion. Given the current condition of the building as a ruin without a roof or internal floors at the first floor level to tie the building together, the Authority needs to be satisfied that the ruined structure can be returned to a safe and habitable state without needing to take down large sections, rebuild, underpin etc. The need to extensively take down and rebuild the structure would harm its significance. **Could the extent of rebuilding, limited to rebuilding of only the collapsed masonry, be secured by condition?** That way if when works start it turns out additional rebuilding is required this would need to be covered by a variation of condition and would allow the Authority to consider this.

Landscape - The site has long been ruinous without any occupation. Although historically occupied from sometime in the mid-late 19<sup>th</sup> century onwards, the reintroduction of residential use into what has become a rural site may not be appropriate in such a location in the open countryside from a landscape perspective, but I will leave such advice and comments to the Landscape Architect to consider.

### **Recommendation**

As a non-designated heritage asset a balanced planning decision needs to be made that has regard to the significance of the heritage asset and the scale of any harm or loss to its significance (NPPF para. 203)

Should the planning balance be favourable, I recommend that the harm identified above is mitigated by a conditioned scheme of archaeological work that comprises a Level 2 Building Recording to supplement the existing heritage statement, and archaeological

monitoring of all external groundworks (including but not limited to landscaping, new services and drainage within the site, underground of drainage and services to the site, pack treatment plant, parking and turning areas, track treatment, footings for new walls etc.)

This needs to be carried out by a suitable qualified archaeologist to the standards and guidance of the Chartered Institute for Archaeologists and in accordance with a Written Scheme of Investigation to be approved by the Senior Conservation Archaeologist.

A condition to secure this is suggested below.

I also recommend that conditions are included to:

Limit the extent of rebuilding to the existing collapsed areas of masonry as indicated on the elevation drawings.

Remove PD rights to ensure to ensure harm resulting from changes within the setting of the heritage assets such as proliferation of domestic buildings or structures are minimised.

Scheme of archaeological works:

a) No development shall take place until a Written Scheme of Investigation for archaeological work for a programme of level 2 building recording and archaeological monitoring of groundworks has been submitted to and approved by the National Park Authority in writing, and until any pre-start element of the approved scheme has been completed to the written satisfaction of the National Park Authority. The scheme shall include an assessment of significance and research questions; and

1. The programme and methodology of site investigation and recording;
2. The programme for post investigation assessment;
3. Provision to be made for analysis of the site investigation and recording;
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation;
5. Provision to be made for archive deposition of the analysis and records of the site investigation;
6. Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation.

b) No development shall then take place other than in accordance with the archaeological Written Scheme of Investigation approved under condition (a).

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

#### 17. PDNPA Landscape Architect –

The application site is located in the Enclosed Gritstone Upland LCT within the Derwent Valley LCA. This landscape is described as ‘an enclosed upland landscape associated with high ridges, shelves and former moortops. This is a landscape of isolated stone farmsteads with regular and irregular fields enclosed by drystone walls with patches of acid grassland. There are scattered mature boundary trees and groups of trees’.

- No Design & Access Statement seems to have been supplied with the application? Trees are proposed for removed, but no tree survey (to BS5837) has been provided.
- The design/specification of the access track not specified within the application.
- Replacement tree planting (species/sizes etc) have not been specified.

**Given this, I object to the application on the grounds of insufficient information.**

The building on site (a farmhouse, barn and outbuilding) appear to be long derelict – and were presumably associated with the sites use for agricultural and then subsequently as

*a plant nursery. There is no domestic residential buildings in the surrounding landscape – it is largely unsettled outside of settlements apart from agricultural properties. Domestic conversion of this building would strongly conflict with a key element of landscape character and become an isolated domestic residential property in an unsettled agricultural landscape. Access to the site is agricultural – a field gate and apparently unsurfaced track (or possible wheel tracks). If the scheme is considered acceptable, I would request that the access is 'low key' and retains its agricultural character – i.e. only wheel tracks, not a fully surfaced track. No overhead services apparent – if the scheme is deemed acceptable, then I would request a condition that any new services need to be U/G – overhead electricity / phone lines would be very inappropriate and highly intrusive in this landscape*

### **Representations**

18. We have received no representations.

### **Main Policies**

19. Relevant Core Strategy policies: GSP1, GSP2, GSP3, GSP4, DS1, CC1, HC1, L1, L2 and L3

20. Relevant Development Management policies: DMC3, DMC5, DMC10, DMC13, DMT3, DMT8, DMU1 and DMU2.

### **National Planning Policy Framework**

21. 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.

22. Paragraph 176 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.*"

### **Peak District National Park Core Strategy**

23. 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.

24. Policy GSP2: *Enhancing the National Park* states that:

- Opportunities for enhancing the valued characteristics of the National Park will be identified and acted upon.
- Proposals intended to enhance the National Park will need to demonstrate that they offer significant overall benefit to the natural beauty, wildlife and cultural heritage of the area.
- When development is permitted, a design will be sought that respects the character of the area.
- Opportunities will be taken to enhance the National Park by the treatment or removal of undesirable features or buildings. Work must be undertaken in a manner which conserves the valued characteristics of the site and its surroundings.
- Development in settlements necessary for the treatment, removal or relocation of nonconforming uses to an acceptable site, or which would enhance the valued characteristics of the National Park will be permitted.

25. 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.

26. 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.

27. Policy DS1 sets out the Development Strategy for the National Park.

28. 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.

29. Policy L3 'Cultural heritage assets of archaeological, architectural, artistic or historic significance' states that:

A. 'Development must conserve and where appropriate enhance or reveal the significance of archaeological, architectural, artistic or historic assets and their settings, including statutory designations and other heritage assets of international, national, regional or local importance or special interest;

B. Other than in exceptional circumstances development will not be permitted where it is likely to cause harm to the significance of any cultural heritage asset of archaeological, architectural, artistic or historic significance or its setting, including statutory designations or other heritage assets of international, national, regional or local importance or special interest;

C. Proposals for development will be expected to meet the objectives of any strategy, wholly or partly covering the National Park, that has, as an objective, the conservation and where possible the enhancement of cultural heritage assets. This includes, but is not exclusive to, the Cultural Heritage Strategy for the Peak District National Park and any successor strategy

30. 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

31. The most relevant development management policies are DMC3, DMC5 and DMC10.
32. Policy DMC3A 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.
33. Policy DMC3B 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.
34. 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.
35. Development Management Policy DMC10 addresses conversion of heritage assets, provided that 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. For a market residential use DMC10B states these will only be permitted where the new use “is required to achieve the conservation and, where appropriate, the enhancement of the significance of the heritage asset and the contribution of its setting.” It goes on to state that;
36. C. In all cases attention will be paid to the impact of domestication and urbanisation brought about by the use on landscape character and the built environment including:
  - (i) the supply of utility and infrastructure services, including electricity, water and waste disposal to support residential use;
  - (ii) the provision of safe vehicular access;
  - (iii) the provision of adequate amenity space and parking;
  - (iv) the introduction of a domestic curtilage;
  - (v) the alteration of agricultural land and field walls;
  - (vi) any other engineering operation associated with the development
37. 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.
38. The Design Guide states that *“the guiding principle behind the design of any conversion should be that the character of the original building and its setting should be respected and retained”*.

### Assessment

### Principle of proposed development

39. The Authority's adopted policies do not allow new housing in the National Park unless there are exceptional circumstances. With regards to the principle of residential use, policy HC1(C)I of the Core Strategy states that exceptionally new housing can be accepted where, in accordance with core policies GSP1 and GSP2, it is required in order to achieve conservation and/or enhancement of valued vernacular or listed buildings.
40. The Heritage Statement which accompanies the application concludes that the existing house and outbuildings are considered to be a non-designated heritage asset. Taking this assessment into account, together with the advice of the Authority's own officers, it is considered that the barn is a non-designated heritage asset; consequently the principle of converting the building to a dwelling may be acceptable under Core Strategy policy HC1 and DM policy DMC10, which sets out the matters that should be considered in dealing with any such proposal. These policies support the principle of converting non-designated heritage assets into open market dwellings provided that the development is required to secure the conservation or enhancement of the building and the impact of the conversion on the building and its setting is acceptable. This is therefore the key issue in the determination of the application.
41. This application relates to a former dwelling and barn which is in a ruinous condition. It is clear that any former residential use rights have been abandoned due to the condition of the building and the length of time since it was previously occupied; the application does not seek to argue that the building has existing residential use rights. Consequently, the remains of the property in effect have a 'nil' use in planning terms. The submitted application proposes to redevelop the site to create an open market dwelling and associated domestic curtilage. The application proposes to retain the existing structure as far as possible and to re-use existing openings where possible.
42. A structural survey has been submitted in support of the application. This advises that "*...in my opinion, this building has not suffered to any significant extent from this type of early, primary, settlement – or subsequently – despite the slope of the site. Although some walls exhibit a slight lean and there is some distortion of the elevations, generally, wall and reveals are effectively plumb, features like the lintels are level. I come to the conclusion that the footings may well be founded on the rocky substrate, a proposition supported by the fact that rock outcrops can be seen close to the walls. However, whilst the walls have not been subject to settlement, they are open to the weather and have suffered severely as a result. Mortar has weathered away resulting in open construction and partial collapse. Timber lintels have rotted, in some places disintegrated completely, leaving the wall above in a precarious state. Nevertheless, with careful and judicious rebuilding of the collapsed sections, the replacement of rotted timber lintels and the packing and pointing of the elevations – inside and out – I am of the opinion that much of the elevations can be reinstated. However, I must caution that these old stone walls are unpredictable. Therefore, as a precursor to the start of work it would be prudent to construct a scaffold which will not only provide access but will also provide temporary support to the walls.*"
43. The site is located in an isolated location in open countryside, well outside the nearest village of Grindleford, where policy DS1 makes a strong presumption against new dwellings because this would represent an unsustainable form of development.
44. The Planning Statement submitted with the application seeks to argue that this is a "brownfield" site, or "previously developed land". It says that paragraph 117 of the NPPF states that "*Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set*

*out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously developed or 'brownfield' land'.*" The Planning Statement acknowledges that the existing buildings on the site have not been used for a significant period of time, but it argues that the land is occupied by existing buildings that have been used as a house in the past and that are of historic merit, and that the site has not "greened over" and blended into the landscape. It also says that DMP Policy DMH6 allows for the redevelopment of Previously Developed Land for residential use. Part (i) of Policy DMH6 states that development will be permitted provided that *"the development conserves and enhances the valued character of the built environment or landscape on, around or adjacent to the site"*.

45. The Planning Statement argues that in terms of enhancement of the site, primarily through the rebuilding of the derelict structures and the use of blue slate roofing and natural gritstone to match the existing. The statement says that this will have a significant enhancement to the appearance of the buildings within the landscape. It adds that the conversion and rebuilding of the more dilapidated parts of the site will reinstate the historic arrangement of the buildings on the site, giving them a viable future use and providing the financial impetus to undertake the required works to maintain and enhance the appearance of the buildings.

**46. Whether the development is required to conserve a non-designated heritage asset**

The submitted application is supported by a Heritage Statement which says that the remains of the site and buildings have historic and archaeological significance. The heritage appraisal has been assessed by the Authority's Senior Archaeologist and Conservation Officer (see detailed comments above). Development plan policy DMC5 requires an assessment of significance to be with an application which relates to a heritage asset and reflects paragraph 194 of the National Planning Policy Framework. The Heritage Statement sets out the principles that have guided the design approach to reinstatement and rebuilding and says that these follow directly from the analysis of its heritage significance, the contribution made by its setting to that significance and the understanding set out in the Heritage Statement of the character of the surrounding landscape and the need to protect it.

47. The Heritage Statement states: *"The site encompasses the remains of a dwelling and associated outbuildings, built between 1813 and 1839 to provide accommodation for Newfoundland Nursery. The buildings at the site are considered to comprise non-designated heritage assets of regional significance. The key elements of the site's significance is the integrity of its 19th Century arrangement, distinctive local vernacular and surviving internal features; and its association with the production of ornamental plants for estates in the area. The current condition of the building is poor, with total loss of roof from the main house and the collapse of external areas of stonework. It is likely that collapse will continue, and the asset lost, unless works are undertaken to repair and make the structure weathertight. The loss of this building would result in harm to the historic environment through loss of locally distinctive development of historic and architectural interest that makes a positive contribution to the character of the historic landscape. Returning this building to residential use, could secure its preservation, and subject to the development of an appropriately sensitive scheme would lead to the enhancement of the historic environment"*.

48. In terms of its significance, the Statement says that Newfoundland Nurseries was founded in the late Georgian period, formed on a new encroachment into Eyam Moor. The construction of a building at the site coincided with the creation of the nursery, and was subsequently expanded during the mid to late 19th Century, including the addition of living accommodation. The market for which Newfoundland Nurseries was producing its plants was not uncovered as part of the limited research conducted for this report, but adverts

suggest it was principally concerned with ornamental trees and shrubs. There is an oral tradition that the site produced plants for Chatsworth Estate. Consequently, the building is considered to possess regional heritage significance, deriving from.

- Its architectural interest, which makes a medium contribution to its significance, due to its distinctive local vernacular construction, the survival of 19th Century details internally including fireplaces, and the extent to which the 19th Century arrangement of the site survives.
- Its historic interest, which makes a low contribution to its significance, in relation to its history as a nursery associated with the propagation of plants for designed gardens and landscape.
- Its archaeological interest, which makes a low contribution to its significance, deriving from evidence for the phased development of the structure.
- The setting of Newfoundland Nursery is principally established by the relationship of the building to its surrounding enclosures which formed the essential economic basis for the building's existence, whilst its rural location reflects the agricultural nature of its business. These characteristics make a positive contribution to its significance, in preserving legibility of its former use.

The Heritage Statement concludes that the site contributes positively to the landscape character of the Dark Peak area of the Peak District National Park. Whilst the ruinous appearance of the building is of artistic interest, the principal value of the building is its architectural and historic interest as a surviving example of a rare site type associated with the development of estate landscapes which are one of the defining characteristics of the region. This contribution has been eroded by change in use from nursery to pasture, and is at further risk from the potential collapse of the building.

49. The submitted Planning Statement therefore argues that the principle of the proposed conversion of the existing buildings is acceptable under Policy HC1, and that the new build elements provide sufficient enhancement to the site to be acceptable under Policy DMH6, conserving the significance of the structure by sensitively restoring the cottage, utilising the existing building materials on site.
50. However, the advice from the Authority's Conservation Officer is that whilst the scheme may result in some restoration of a non-designated heritage asset, *"The building has begun to be reclaimed by nature, as a ruin within the rural enclosure at the edge of Eyam Moor it makes a contribution to the local landscape. By converting it to a habitable dwelling will significantly change the way it sits within its environment, and how it affects it. Part of the value and significance of the building is the way it now fits within the natural environment, any conversion would have a negative impact on this"*.
51. The Authority's Senior Archaeologist's advice is set out in detail above, including comments on the revised details. In summary, her view is that *"Working with the historic fabric and features of the building in this way is welcomed and means the conversion can be achieved with only minor harm to the historic and architectural interest of the building as a heritage asset. If all other aspects of the proposed development are considered acceptable (e.g. landscape impact, proposals to the building, design etc.), then I am confident that these impacts could be appropriately mitigated by a conditioned scheme of building recording"*.
52. It is acknowledged that the proposal is to re-use existing materials as far as possible and to minimise the amount of rebuilding that is required following the existing internal layout, but it is considered that due to the very poor condition of the building, the proposed development is likely to necessitate demolishing or significantly altering a substantial part of the existing structure. Although the existing walls remain and are generally straight, the building is in a ruinous condition with no roof, windows, doors, internal floors or services and is unlikely to have any substantial foundations.

53. Experience elsewhere in the National Park has shown that such schemes usually involve much more rebuilding and other interventions that are initially anticipated. It is therefore considered that the proposed development could actually harm any significance that the remaining structure possesses contrary to Core Strategy policy L3 and the Framework and DMP policy DMC10. Whilst externally the house would appear similar to the former building, internally the building would largely be a modern structure. It is pertinent to note that the application includes reference to an appeal that was allowed following the Authority's refusal of an application to reinstate the residential use of an abandoned dwelling at Callow Bank (near Hathersage and now known as Smelters Cottage). In practice, this building has been substantially rebuilt and is, in effect a new dwelling in the open countryside (albeit restricted to holiday use).
54. Furthermore, the provision of a residential curtilage and parking area would domesticate the setting of the building, which currently has a very low impact on its wider setting, being a low-key feature which is now an established part of the landscape. It is therefore considered that any benefits of restoring the buildings would not outweigh the harmful impact the development would have on the landscape character of the National Park or the harm of creating a new dwelling in an unsustainable and isolated location in open countryside. It should be noted that the Authority's Landscape Architect has objected to the application as *"Domestic conversion of this building would strongly conflict with a key element of landscape character and become an isolated domestic residential property in an unsettled agricultural landscape"*.
55. The harm arising from the introduction of a residential use, unrelated to the essential management of the land holding loss of historic fabric, would not be outweighed by the benefit derived from conserving the remaining structure. It is accepted that the existing may ultimately be lost if it does not have a beneficial use, but in this case the landscape harm and unsustainable location are considered to outweigh the need to retain the building as a non-designated asset. The submitted Heritage Statement acknowledges that the renovation would alter the character of the building, diminishing its "artistic interest" as a ruin being reclaimed by nature, but considers that the benefits to the heritage interest of the National Park from preserving this important site type is considered to be greater. This is clearly a judgment about the relative merits of the building and the landscape impact of the proposed development. It should be noted that the Authority's specialist officers all express concern about the wider landscape impacts, whilst acknowledging the significance and interest of the buildings.

#### Siting and landscape impact

56. The application site is located in a particularly sensitive position in the landscape, on the edge of open moorland which is designated as Natural Zone, and representing wilder landscape qualities (policy L1). The site is visually isolated and is not seen in the context of any nearby built development. The visual isolation of the site is readily apparent from Sir William Hill Road and from open access land on higher ground. Due to the relatively isolated nature of the site, the impacts of the proposed development would be readily apparent. Whilst the existing structure is currently relatively inconspicuous in the wider landscape, the reinstated/rebuilt building and domestic curtilage would have a much greater impact. Increased activity at the site when the dwelling is occupied would also be noticeable; this would include vehicles accessing and parking at the site and domestic activity within the curtilage, particularly at night. Lights from the proposed development at night would be particularly noticeable in this isolated location which is characterised by profound darkness. This is an issue which Inspectors have acknowledged as being important in the National Park on appeals relating to isolated sites.

57. There are also a host of other changes outside of planning control which homeowners tend to carry out to personalise their property. Within a village setting these are constrained and usually have minor impacts but in the open countryside the impacts tend to be more profound. New fencing, formal domestic tree and plant establishment, minor signage and other land management changes would all be outside of planning control and experience has shown elsewhere the adverse impacts such as creeping domestication has upon valued landscape character.
58. To conclude on this issue, the proposed development would have a harmful impact is considered on the historic landscape character of this part of the National Park. This harm is not outweighed by the benefit that the rebuilding and reinstatement of the original dwelling, a non-designated heritage asset, could, in principle, provide.

#### Design, sustainable building and climate change

The scheme has been revised since submission, largely in response to comments by the Authority's Conservation Officer and Senior Archaeologist. The additional heritage information supplied now makes clear the historic division between the residential part of the building and the parts of the building in agricultural/horticultural use. The proposed treatment of windows and doors accords with this. There are more domestic style windows and doors proposed for the parts of the building that were once a dwelling, with plainer and more appropriate treatment of the openings in the former agricultural areas including recessed single glazing with shutters. This will help to retain the legibility of the historic function of the building. Overall, the proposal makes good use of the existing apertures and opening in the building. Changes to the internal layout, circulation and planform are required, but most of the internal layout will remain, and the proposals incorporate historic features such as the fireplaces, and intend to keep the stairs in their original position. The modern interventions will be legible as such. The Senior Archaeologist concludes that working with the historic fabric and features of the building in this way is welcomed and means the conversion can be achieved with only minor harm to the historic and architectural interest of the building as a heritage asset. If all other aspects of the proposed development were considered acceptable (e.g. landscape impact, proposals to the building, design etc.), she advises that the belowground archaeological impacts could be appropriately mitigated by a conditioned scheme of archaeological works covering all the groundworks associated with the development.

59. 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. The application provides a Sustainability Statement. The statement sets out how the reinstated dwelling would meet the requirements of policy CC1 and our adopted Supplementary Planning Guidance 'Climate Change and Sustainable Building'. The proposals are rather generic, stating that the proposal makes the best use of existing buildings by reusing the existing building to provide a new dwelling. The conversion of the building has been designed using a 'fabric first' approach, prioritising design and construction to improve thermal performance and reduce the need for energy, such as large amounts of thermal insulation, high-performance windows and doors, 100% low energy light fittings, 'A' rated white goods to kitchen and high efficiency hot water/ heating boiler. Overall, whilst the application is considered to be generally acceptable in this regard, as noted above the location of the reinstated dwelling is not sustainable as it would rely on a high level of car use.

#### Impact on amenity

60. The property is located in a relatively isolated location with no immediate neighbours so there would be no impact on the privacy and amenity of neighbouring properties. The proposal therefore accords with policies GSP3 and DMC3 in these respects.

#### Trees and protected species

61. There are a number of mature trees within the boundary of the site. The application is not accompanied by a tree survey to assess whether there would be any impact on trees as a result of the development. However, officers have assessed this on site and, subject to appropriate protection during construction and any necessary mitigation, the proposal is unlikely to affect any trees which are significant in the landscape or are otherwise important, in accordance with policy DMC13.

#### Highway issues

62. Access to the site from Sir William Hill Road would remain as the existing, via the track that leads to the building. Three car parking spaces would be provided within the site boundary. The Highway Authority has no objection, subject to conditions. The proposals are therefore in accordance with Policy DMT3 and DMT8.

#### Other Issues

63. If approved, a planning condition would be required to ensure that any new utility infrastructure on land in the applicant's ownership and control is installed underground to would ensure the proposal is in accordance with DM policies DMU1 and DMU2. Overhead lines would have an unacceptably intrusive impact of the landscape. However, it should be noted that the applicant would not be able to guarantee that service lines on land outside his ownership and control would be placed underground, so it is likely that overhead lines and poles could be erected in the highway or across adjacent land; this would further exacerbate the visual impact of the development, contrary to policy L1.

#### Conclusion

64. It is considered that the proposed development is in conflict with Core Strategy policies DS1, HC1, L1 and L3 because the proposal is for the restoration of a derelict building to a dwelling in an isolated and unsustainable location in the open countryside. The site is on the edge of the Natural Zone landscape, representing an area and experience of wilder quality. As such the development would harm the landscape character of this part of the National Park and the works to the buildings themselves, whilst restoring some aspects of the non-designated assets, could harm historic and archaeological significance of the ruins of the existing buildings in the landscape. The proposed development would therefore not represent sustainable development within the National Park contrary to the National Planning Policy Framework.
65. Having taken into account all material considerations and issues raised in representations we conclude that the proposed development is contrary to the development plan. Therefore, the application is recommended for refusal.

#### 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. Report Author: Steven Wigglesworth, Planner

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**7. FULL APPLICATION - REMOVAL OF THE EXISTING 15M AIRWAVE TOWER AND REPLACEMENT WITH A 23.5M TOWER UPON WHICH WILL BE ATTACHED ANTENNAE AND DISHES FOR AIRWAVE, THE ESN (EAS) AND SRN NETWORKS. AT GROUND LEVEL, ADDITIONAL CABINS/CABINETS WILL BE POSITIONED WITHIN A NEW COMPOUND ON UTILIZING BOTH THE TOWERBASE AND A NEW BASE FOR THE ESN (EAS) FOUL WEATHER ENCLOSURE CABIN, ALONG WITH A STANDBY GENERATOR. A SEPARATE VSAT DISH ENCLOSURE WILL BE ESTABLISHED 80M TO THE NORTH EAST OF THE MAIN COMPOUND - BLAZE FARM, WILDBOAR CLOUGH (NP/CEC/1020/0953), ALN**

**APPLICANT: AIRWAVE SOLUTIONS LTD**

**Summary**

The application site is adjacent to an existing telecommunications mast off the A54 Buxton to Congleton Rd, to the north of Heild Wood.

The proposals replace the existing 15m high telecoms mast with a larger 23.5. one to provide mobile communication coverage for the emergency services and to enhance existing mobile coverage along the A54. Also proposed is a new access track, base equipment and compound and a VSat satellite dish.

As amended and subject to conditions the landscape harm that has been identified in the report below is outweighed by the public benefits of the scheme. Consequently the application is recommended for conditional approval.

**Site and Surroundings**

The application site is located in open countryside just to the south of the A54 Buxton to Congleton road, approximately 800m north west of Allgreave. It is located just beyond the northern edge of an area of deciduous woodland known as 'Heild Wood', within a large field enclosure. The land slopes steeply downwards from south to north, from the woodland (and a high rocky outcrop known as Heild Rocks) towards the road.

The land in question is within the ownership of the nearby Blaze Farm and is currently used for sheep grazing.

Within the woodland, just to the south of the application site, there is an existing 15m high monopole mast with associated antenna and ground equipment.

**Proposal**

Planning permission is sought for the removal of the existing 15m high mast and associated equipment and the construction of a new 23.5m high latticed mast (26.5m to top of antenna), sited within a walled compound housing the ground level equipment.

As submitted the plans also showed the installation of a remote 'V Sat' satellite dish within the field approximately midway between the proposed mast and the road. Also proposed is the construction of a new access track leading from an existing gateway onto the A54 towards the mast. The track would follow the roadside wall eastwards for a distance of approximately 85m before turning 90 degrees southwards and extending along the wall/fence line up the hillside to the mast compound (approx. 115m).

As amended the application is now supported by the following documents:

- A landscape visual impact assessment

- Plans and sectional drawings
- Further explanatory information/justification statement
- A safety compliance certificate declaring conformity with public radio wave exposure safety guidelines

### **RECOMMENDATION:**

**1. That subject to the submission of a suitable unilateral undertaking to secure the ongoing retention and management of Heild Wood, that the application be APPROVED subject to the following conditions:**

- 1. 3 years**
- 2. Adopt amended plans**
- 4. Existing pole mast to be removed within 4 weeks of the mast hereby approved being first brought into use.**
- 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. New access track to be surfaced with natural crushed gritstone only.**
- 6. New access track to have a central grass strip. Details to be submitted and agreed.**
- 7. Full details of all walling around the mast compound (including any retaining walls) to be submitted and agreed.**
- 7. All walling shown on the approved plans to be constructed in accordance with the approved plans before the development is completed or first brought into use, whichever is sooner.**
- 8. Fence around compound to be pre-coloured dark green.**
- 9. Landscaping scheme for screen shrub planting to be submitted and agreed.**

### **Key Issues**

- The principle of the proposed development
- Impact on the scenic beauty and other valued characteristics of the National Park
- 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.

### **History**

February 2003 – planning permission granted for erection of 15m timber pole and equipment cabin (NP/M/1202/063).

### **Consultations**

**Highway Authority** – no material highway implications associated with the proposal, which is accessed from an existing field gate from the A54.

**District Council** – no response

**Parish Council** – no response

**Authority's Landscape Architect** – *'I have looked through the documentation which is thorough in most cases especially the landscape visual impact assessment. However there are a few points that require clarification. My understanding is that the structure, fencing and cabinets are to be galvanised, I would prefer to see the fencing (better details required), cabinets and lower part of the mast to be a dark recessive colour (brown?) as it can take several years for the galvanising to weather and tone down. No details have been provided for the access track – this should be constructed from gritstone from local quarries where colour matches existing stone. I would also suggest that the central section of the access road is covered in soil and seeded with matching grass mix as existing field. An alternative would be to take up turves from the line of the access track and relay over the central part of the access road. Line of access road would need to take into account sharp angles created by the existing walls. There may be an opportunity to plant individual shrub species to help break up the outline of the cabinets in particular from viewpoints one and two. Approve subject to above points.'*

### **Representations**

None

### **Main Policies**

Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L1, CC1

Relevant Development Management Plan policies: DMC1, DMC3, DMU4

### **National Planning Policy Framework**

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 latest revised NPPF was published on 20 July 2021. 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 Development Management Policies (adopted May 2019) 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.

Paragraph 176 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.'*

In relation to telecommunications development, Paragraph 114 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.

Paragraph 115 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".

In the National Park, the development plan comprises the Authority's Core Strategy 2011 and the Development Management Policies (DMP), adopted May 2019. These Development Plan Policies provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. In this case, it is considered there are no significant conflicts between prevailing policies in the Development Plan and government guidance in the NPPF.

### Core Strategy

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.

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.

DS1 - *Development Strategy*. Sets out that most new development will be directed into named settlements.

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.

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.

Policy CC1 states that development must make the most efficient and sustainable use of land, buildings and natural resources.

### Development Management Plan

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

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.*

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.*

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.*

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.

Policy DMC1 states that in the countryside any development proposals with a wide scale landscape impact must provide a landscape assessment with reference to the Landscape Strategy and Action Plan. The assessment must be proportionate to the proposed development and clearly demonstrate how valued landscape character.

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

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

### **Assessment**

#### **Background**

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 emergency services. ESN has initially been deployed by enhancing an existing commercial network configured to give the 3ES priority over other users.

This proposal, as a component of the ESN, 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.

#### **Principle of Development**

Proposed is the installation of a new (replacement) telecommunications site with a lattice mast to carry antennae and dishes to deliver mobile communications coverage to the minor roads that connect the Villages of Wildboarclough, Allgreave, Winkle and Danebridge with the A54 major road corridor. This location will also enhance the existing coverage along the A54. It is stated that it is vital to the 3 emergency services for their everyday duties, including the Buxton Mountain Rescue Service when they are called upon to assist with incidents.

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 National Park landscapes.

It is clear from the coverage maps provided that the existing mast is not able to provide the required service. It is not structurally capable of or sufficiently tall to support the equipment required for the development of the latest 4G technologies along with maintaining a service for the existing Airwave Tetra technologies. It would not be possible to construct a lattice mast and associated ground mounted equipment on the footprint of the existing mast because the steeply sloping ground levels around the pole mast means that significant excavations would need to take place, which would impact on the surrounding trees.

The essential need for coverage of the immediate local roads proves the need for a new mast to be in this location to provide the necessary service and meet policy. There are therefore no objections in principle to the development. The main issue is the impact of the proposed development upon the valued characteristics and landscape of the National Park and whether

the visual impacts of the installation would be outweighed by the public benefits.

## **Impact on the scenic beauty and other valued characteristics of the National Park**

### **The proposed mast**

The telecommunications site would comprise the erection of a 23.5m high tapered galvanised lattice mast, supporting nine antenna in total at various heights, together with two 600mm diameter dishes and one 300mm diameter dish. The three antenna at the top of the mast would take the overall height to 26.5m. The mast and the panel antenna and dishes would be coloured a suitable recessive colour. It is stated in the supporting information that the proposed mast needs to be higher than the existing mast in order to allow 1m clearance between each of the 3 sets of antenna.

The existing timber pole mast is relatively unobtrusive because it is set within the trees and does not project above them and is set against steeply rising land from key vantage points including the A54. Unlike the existing timber pole mast the new mast would be located outside of the woodland area and slightly closer to the A54. It would also be higher and therefore potentially more prominent, especially given its more industrial looking latticed design. Therefore following negotiations and mindful of the requirements of policies DMC1 and DMU4, a landscape visual impact assessment (LVIA) was requested and submitted during the course of the application. The full report can be viewed on the Authority's website.

Key visual receptor points were chosen in discussion with officers. At the request of officers the LVIA included visualisations for both a latticed mast and a timber pole mast as we wanted to explore whether a timber pole mast might be less intrusive in the landscape. What came to light is that a timber pole mast capable of supporting the level of the more substantial amount of equipment now proposed would need to be substantially wider and more bulky than the existing.

The LVIA confirms that the site falls within the 'Slopes and Valleys with Woodland' Landscape Character Type. This landscape type has undulating topography with incised valleys and rounded summits. There are irregular blocks of ancient woodland along cloughs and valley sides and permanent pasture in small to medium sized fields.

The viewpoints analysis supported by photomontage visualisations examines the landscape and the visual effect that would be experienced at 6 no. short-medium range viewpoints within 5km of the proposed mast. These are all to the north and west of the site, either from the A54 (3 no.) or from vantage points within the valley (3 no.). The mast would not be visible from the east and south due to the prevailing topography. Of the six sensitive receptors chosen, the communications mast would be mostly or partly visible from all of the viewpoints. However a key consideration is that the mast would be seen against rising land and the backdrop of trees. From the A54 to the north east and south west, the headframe and the antenna would be visible above the trees and against the skyline along stretches of the road. This would result in a degree of landscape impact, assessed as minor to moderate with the assessment. In longer range views from the valley below the site, whilst the mast would be visible, the rising land behind means that it would not project above the skyline.

Having compared the photomontages for the latticed mast with the monopole option, we are satisfied that the equivalent monopole would in fact be more obtrusive and harmful to the landscape than the latticed mast, because the supporting structures for the antenna and dishes project further out and give it a very 'top heavy', bulky appearance. The photomontages also demonstrate that a matt green finish to the mast would be less prominent than a grey galvanised finish as the mast is predominantly seen against the backdrop of trees and the darker colour blends in with them more readily.

In conclusion the photomontages demonstrate that the landscape character type of this area,

which is characterised by woodland blocks and undulating terrain, help to mitigate the landscape impacts of what is a large latticed mast. The fact that the existing mast is also visible from a number of the chosen vantage points (although less prominently) is also a material consideration. However in conclusion there would be some harmful landscape impact generated by this significant structure and so this must be balanced against public benefits.

### **Ground level equipment and compound**

A ground level equipment cabinet 2.7m long by 2.5m wide by 2.45m high would house the smaller cabinets. There would also be a generator measuring 2.2m x 1.0m x 1.2m. There would also be a number of other smaller cabinets. The cabinets would be coloured 'moss green'. They would be enclosed within a 7m by 11m secure compound. As submitted the plans showed the compound bounded by a 1.8m high mesh fence. Following negotiations amended plans have been received showing a drystone wall on the outside of the fence on the northern and western sides. As recommended by the Authority's landscape architect some individual shrub planting would help to further break up the outline of the compound and the cabinets and this can be agreed by condition.

Whilst the existing monopole mast would be removed, two cabinets within its base compound would be retained. These are well screened by the trees and the drystone boundary wall.

### **VSat Satellite Dish**

As submitted the plans showed the provision of a stand alone satellite dish halfway down the field between the trees and the road. It would be mounted on a pole such that its total height would be 3.5m. We have concerns that this piece of infrastructure would be harmful when viewed from the A54, as it would appear isolated and would be prominent due to its size and design. Following discussions amended plans have now been received showing the dish moved to a position within a clearing in the woodland area, on its northern edge. Whilst land to the south of the woodland is open access land, the dish would be screened from this area by the existing drystone boundary wall and to some extent the existing tree colour. Consequently this revised location is acceptable.

### **Proposed Access Track**

At present there is no formal access track to the existing mast – access is on foot through the field from the A54. The proposal is to install a new 3m wide access track from an existing gateway on the northern side of the A54. The track would follow the roadside wall eastwards for a distance of approximately 85m before turning 90 degrees southwards and extending along the fence line up the hillside to the mast compound (approx. 115m).

Aerial photographs show that historically there was a drystone wall running north to south up the hillside from the road to the woodland, directly to the east of where the new track would be sited. The majority of the wall is now demolished and has been replaced by a post and wire fence. As submitted it was proposed to leave the fence in situ and run the new track alongside it. However the track would then be very clearly visible from the A54 and without a stone boundary feature to visually anchor it to, it would appear as a prominent and isolated new linear feature. Amended plans have now been received showing the drystone wall reinstated. This would have the benefit of restoring the historic field boundary whilst also helping to screen the track in views from the road and assimilate it better into the landscape.

Due to the fairly steep nature of the land in question, sectional and 'cut and fill' drawing were also requested. These show that cut and fill would be largely limited to the northern and southern extremities of the track and overall would not be significant in its extent. A condition would be required to require a grass strip to be provided along the centre of track to minimise its visual impact and also to agree appropriate surfacing materials.

The Highway Authority have not raised any concerns about the use of the existing access as visibility from it is adequate.

In conclusion the access track, as amended, would be visible from the A54 but would not cause harm to the established landscape character of the area.

### **Whether the need for the development, notably emergency services cover, outweighs any harm identified**

The public benefits of providing reliable communications coverage for the emergency services and also the continued provision of mobile phone coverage for the general public are clear and must carry weight in the current decision. We are satisfied that there is no other more suitable site available. However these public benefits must be balanced carefully against the Authority's primary purpose of conserving and enhancing the special qualities of the landscape. This is a finely balanced decision. There is already a mast adjacent to the location of the proposed mast and this is visible in the wider landscape. However its impact is mitigated by its more modest size, its simple slimline appearance and its position within trees. The new latticed mast would be taller, more 'industrial' in character and sited outside of the woodland. Its headframe and antenna would be visible in some vantage points, against the skyline. However it would be largely seen against the backdrop of trees and steeply rising land to the south and its visual impact can be reduced by appropriate colouration.

It is important that the woodland is retained and properly managed to ensure that it continues to foil views of the mast. It is understood that the woodland is in the ownership of Blaze Farm, on whose land the mast would also be placed and so the submission of a unilateral undertaking to ensure the management of the woodland is a reasonable requirement. We are satisfied that as amended and subject to the unilateral undertaking and conditions, on balance while there would be some harmful landscape impacts, that these can be mitigated to a degree where the public benefits just outweigh the identified harm.

### **Amenity Impact**

This area of the National Park has a fairly 'remote' character, being located close to the edge of the open moorland to the south and east. However the busy A54 Buxton to Leek road has a significant impact on the natural tranquillity of the area immediately around the application site. Consequently whilst the proposed generator may create some noise, when taken in the context of the nearby road this would not have a significant impact on tranquillity. In addition, because of the remote nature of the site (the nearest neighbouring property being some 500m away at Blaze Farm), it is unlikely that any noise from the generator would cause harm to residential amenity.

### **Conclusion**

The site would provide essential coverage for the new blue light Emergency Service Network where there is currently a gap in the planned service rollout. As amended the proposed mast and associated development would cause some harm to the established landscape character of the area. However, on balance and subject to conditions the public benefits of the scheme outweigh the harm that has been identified and the application is recommended for approval

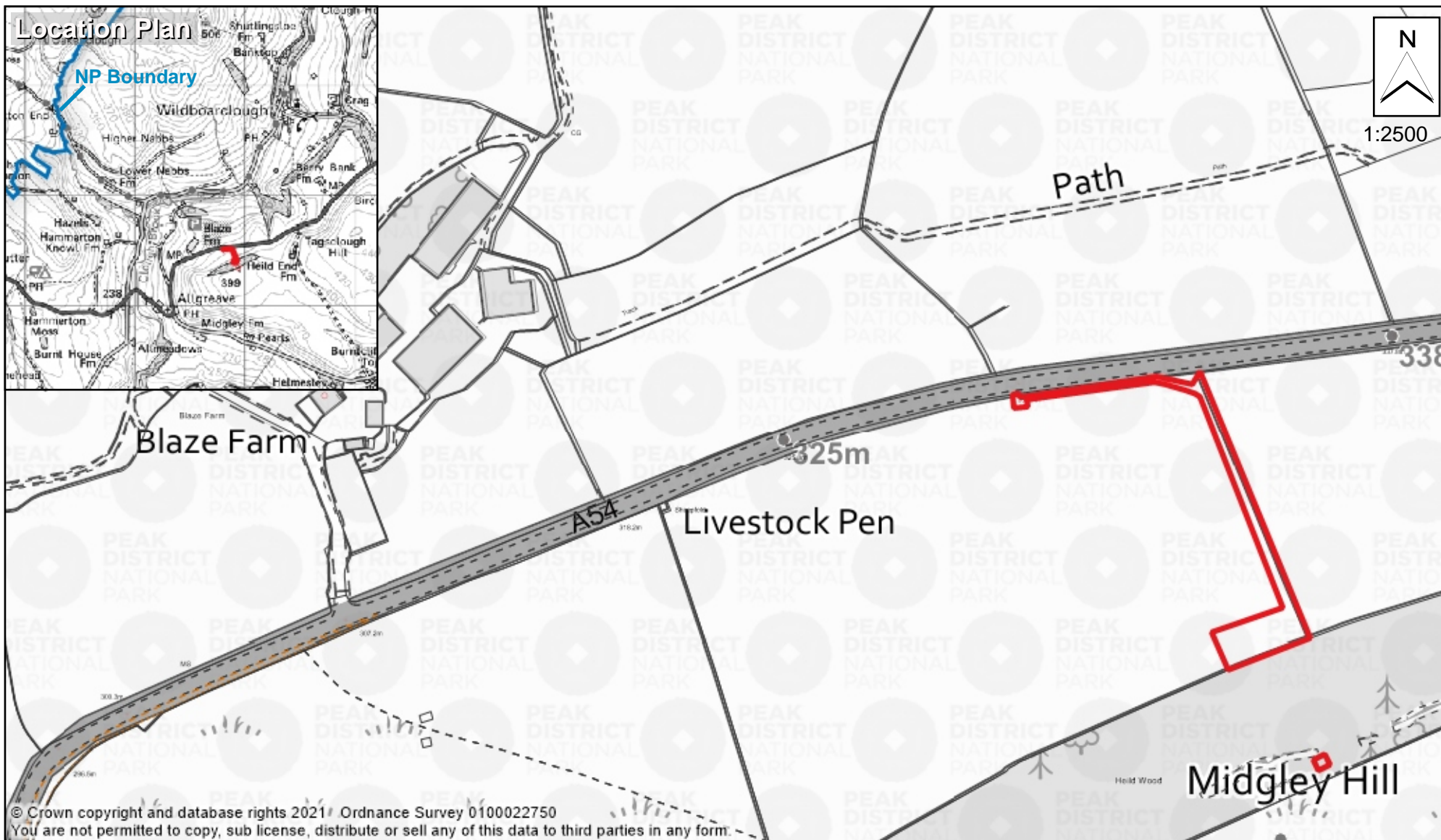
### **Human Rights**

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

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

Nil

Report Author: Andrea Needham, Senior Planner



Committee Date: 10th December 2021  
Item Number: Item 7  
Application No: NP/CEC/1020/0953  
Grid Reference: 397886, 367444

**Title:** Blaze Farm, Wildboardclough



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**8. FULL APPLICATION FOR INSTALLATION OF 14 SOLAR PANELS TO ONE SIDE OF CAMPSITE OFFICE ROOF AND INSTALLATION OF AIR SOURCE HEATING SYSTEM AT NORTH LEES CAMPSITE, HATHERSAGE (NP/HPK/0921/1046, AM)**

**APPLICANT: PEAK DISTRICT NATIONAL PARK AUTHORITY**

**Summary**

1. North Lees Campsite is located in open countryside approximately 1.5km north of Hathersage.
2. The proposal is for the erection of solar panels and air source heat pumps to the existing office / amenity building on site.
3. The development is acceptable in principle and would not harm the character of the building, the valued characteristics of the National Park, amenity of neighbouring properties or highway safety.
4. The application is recommended for approval, subject to conditions.

**Site and Surroundings**

5. North Lees Campsite is located is located in open countryside approximately 1.5km north of Hathersage. The campsite is owned and operated by the National Park Authority and comprises the existing single storey office / amenity building, camping pods and tent pitches.
6. Access to the property is off Birley Lane. The nearest neighbouring properties are North Lees Hall to the north of the site, Bronte Cottage to the west, Cattis Side to the east and Cow Close Farm to the south.

**Proposal**

7. Installation of 14 solar panels to the south facing roof slope of the office / amenity building. The panels would be black with black frames and fitted flush with the stone slate roof.
8. Installation of two air source heat pump units to the west of the building. The plans show that timber fencing would enclose the units.

**RECOMMENDATION:**

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

1. Commence development within 3 years.
2. Carry out in accordance with specified approved plans.
3. No works to install the solar panels shall commence until after the 1<sup>st</sup> November and once commenced the works shall be completed before the following March.
4. The works to install the solar panels shall not be carried out other than in complete accordance with section 4.1 of the submitted Bat Activity Survey dated 20<sup>th</sup> October 2021. The two new bat boxes shall be installed before the installation of the solar panels hereby approved.

5. **Notwithstanding the approved plans, the enclosure to the air source heat pumps shall be a drystone wall to match the stone, construction and height of the existing drystone walling to the north of the application site.**

### **Key Issues**

9. The impact upon the building, landscape and biodiversity.

### **Relevant Planning History**

10. None relevant.

### **Consultations**

11. Highway Authority – No objection.
12. District Council – No response to date.
13. Parish Council – No objection. Pleased to note these ongoing sustainable measures.
14. PDNPA Ecology – No objection if works are carried out in the winter months after 1<sup>st</sup> November and before 1<sup>st</sup> March and in accordance with avoidance, supervision, mitigation and compensation measures proposed within submitted ecological survey.

### **Representations**

15. No letters of representation received to date.

### **Main Policies**

16. Relevant Core Strategy policies: GSP3, DS1, CC1, CC2, L1, L2 and RT3
17. Relevant Development Management policies: DMC3, DMC11, DMC12 and DMR1

### **National Planning Policy Framework**

18. 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 particular, Paragraph 176 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.
19. In the National Park the development plan comprises the Authority's Core Strategy 2011 and the May 2019 Adopted Development Management Policies. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and government guidance in the NPPF with regard to the issues that are raised.

### **Peak District National Park Core Strategy**

20. Policies GSP1, GSP2 and GSP3 together say that all development in the National Park must be consistent with the National Park's legal purposes and duty and that the Sandford Principle will be applied where there is conflict. Opportunities for enhancing the valued characteristics of the National Park will be identified and acted upon and development which would enhance the valued characteristics of the National Park will be permitted.

21. Policy DS1 outlines the Authority's Development Strategy and in principle allows for recreation uses in the open countryside.
22. L1 says that development must conserve and enhance valued landscape character, as identified in the Landscape Strategy and Action Plan, and other valued characteristics.
23. L2 says that development must conserve or enhance any sites, features or species of biodiversity or geodiversity importance and where appropriate their setting. Other than in exceptional circumstances development will not be permitted where it is likely to have an adverse impact on any sites, features or species of biodiversity or geodiversity importance.
24. CC1 says that in order to build in resilience to and mitigate the causes of climate change all development must: make the most efficient and sustainable use of land, buildings and natural resources; take account of the energy hierarchy; be directed away from flood risk areas and reduce overall risk from flooding; achieve the highest possible standards of carbon reductions; achieve the highest possible standards of water efficiency.
25. CC2 says that proposals for low carbon and renewable energy development will be encouraged provided they can be accommodated without adversely affecting landscape character, cultural heritage assets, other valued characteristics, or other established uses of the area taking into account cumulative impacts.
26. RT3. C says that provision of improved facilities on existing caravan and camping sites, including shops and recreation opportunities, must be of a scale appropriate to the site itself.

#### Development Management Policies

27. 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.
28. 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. Policy DMC12 requires development to conserve protected sites, features and species.
29. Policy DMR1 allows for the development of touring camping or caravan sites if the scale, location, access, landscape setting and impact upon neighbouring uses is acceptable.
30. Policy DMT3. B says that 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.
31. 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**

32. This is an existing camping site owned and operated by the National Park Authority. Policies DS1, CC1 and RT3 all support the principle of installing renewable energy development at the site if it can be accommodated without harm to the valued characteristics of the National Park.
33. Given the nature of the proposals and distance to neighbouring properties there are no concerns that the development would harm the privacy, security or amenity of any neighbouring property. There are no changes to the existing car park or access so we agree with the Highway Authority that the development would not harm highway safety.
34. The proposed solar panels would be sited on the southern roof of the existing office / amenity building. This is a relatively modern building but built to reflect the local tradition and constructed from natural gritstone and stone slate.
35. The proposed panels would change the appearance of the roof introducing an array panels covering the majority of this roof slope. The panels would be visible from the access and within the site but have a more limited impact in the wider landscape. The panels and the frames would be finished black, which would create a recessive appearance, and fitting the panels flush with the roof slope would create a neat finish. This design approach ensure that the development would conserve the character of the building, its setting and the wider landscape.
36. The proposed air source heat pumps would be well sited, located to the side and rear of the building, which would limit visual impact. An enclosure for the rear and side of the units is proposed and this is acceptable to screen the units if the enclosure is constructed from drystone walling to match the adjacent wall rather than timber fencing as proposed.
37. The proposed air source heat pumps would provide heating and hot water and replace the existing immersion and storage heaters. The solar panels would provide electricity to the building and a back-up power source for the heat pumps while also feeding back into the National Grid. The proposals would significantly reduce energy consumption at the site, which is welcomed.
38. A bat and bird survey of the roof was undertaken in October. The survey found no evidence of birds within the roof of the building but two Common Pipistrelle bats were seen emerging from a ridge tile and foraging in nearby trees. Due to the presence of bats, the report and our Ecologist recommend measures to mitigate the potential impact of works upon bats and to install compensation measures.
39. This includes timing the works to avoid the summer months, providing a toolbox talk to builders, recreating bat roosts within the ridge of the building and erecting two new bat boxes on adjacent trees.
40. If permission is granted we recommend that planning, conditions be imposed to secure a stone wall enclosure for the air source heat pump units and to secure mitigation and compensation measures for bats are implemented.

### **Conclusion**

41. The proposed development is acceptable in principle and would provide renewable energy development in a manner that conserves the character and appearance of the building, its setting and the valued characteristics of the National Park.

- 42. The development would not harm the amenity of neighbouring properties or highway safety.
- 43. Therefore, having taken into account all other material considerations raised we conclude that the development is in accordance with the development plan. The application is therefore recommended for approval, subject to conditions set out in the report.

**Human Rights**

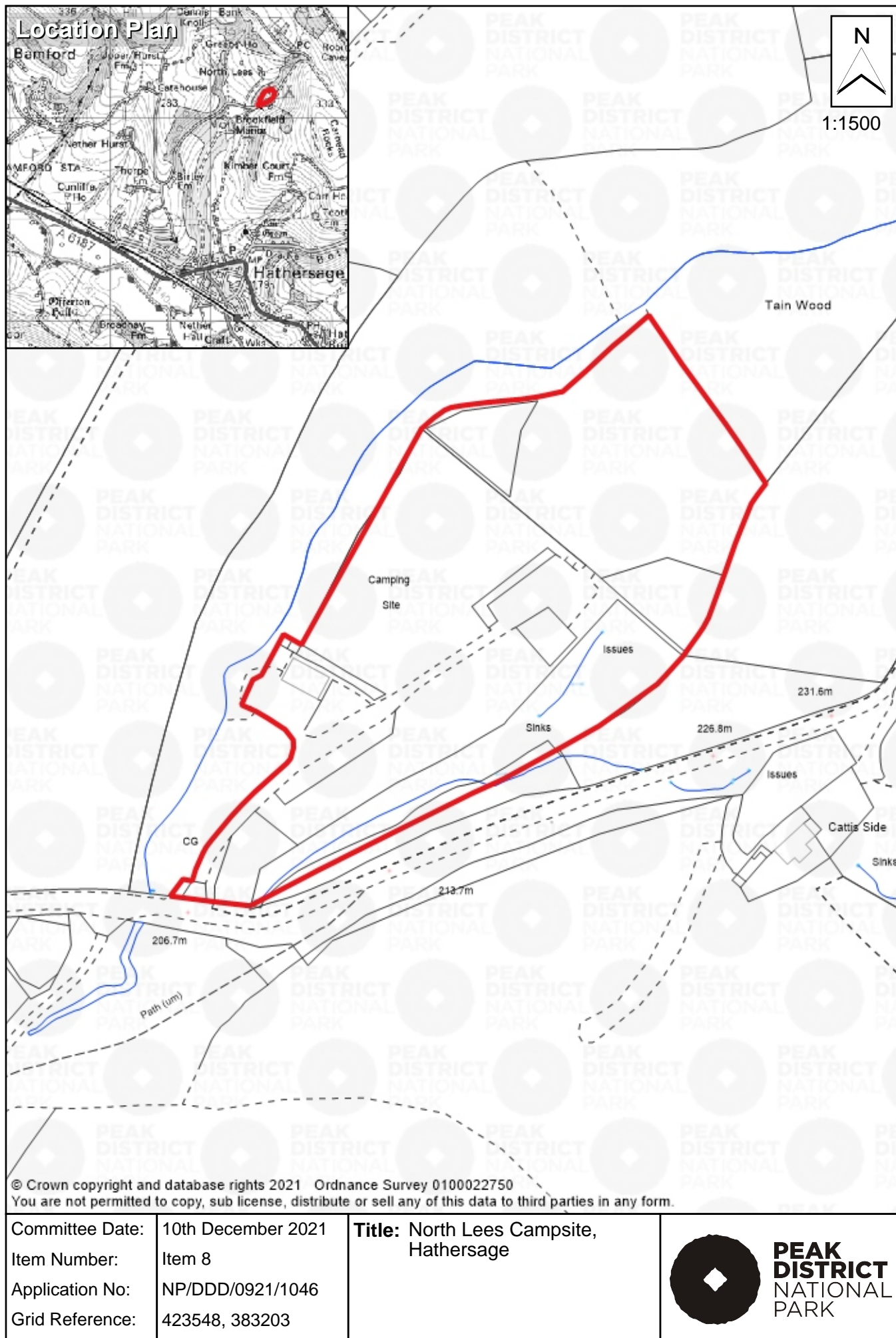
- 44. Any human rights issues have been considered and addressed in the preparation of this report.

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

- 45. Nil

**Report Author:** Adam Maxwell, Senior Planner

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**9. HOLME VALLEY NEIGHBOURHOOD PLAN (CW)**

**1. Purpose of the report**

To 'make' (bring into force) Holme Valley Neighbourhood Plan part of the statutory development plan for Holme Valley Neighbourhood Area.

**Key Issues**

- Following a positive referendum result, under Section 38A(4) of the Planning and Compulsory Purchase Act 2004, the Peak District National Park Authority must 'make' (bring into force) Holme Valley Neighbourhood Development Plan part of the statutory development plan for Holme Valley Neighbourhood Area.
- A referendum asking 'Do you want Kirklees Council and the Peak District National Park Authority to use the Neighbourhood Plan for the Holme Valley to help them decide planning applications in the neighbourhood area?' took place on 4 November 2021. Three thousand five hundred and forty eight (3548) people voted 'yes' and six hundred and thirty nine (639) voted 'no'.
- Kirklees Council (KC) will consider the recommendation that the plan should be made on 8<sup>th</sup> December 2021.

**2. Recommendations(s)**

1. That the Committee makes Holme Valley Neighbourhood Plan part of the statutory development plan for Holme Valley Neighbourhood Area.

**How does this contribute to our policies and legal obligations?**

3. This is a legal obligation under Section 38 A (4) of the Planning and Compulsory Purchase Act 2004.

**Background Information**

4. Holme Valley Neighbourhood Area was designated by the Peak District National Park Authority on 13 February 2015 and by KC on 27 January 2015 in accordance with Regulations
5. During the Regulation 14 and 15 consultation process the PDNP made comments to ensure that the proposed Holme Valley Neighbourhood Plan policies were in general conformity with PDNPA's Core Strategy (2011) and the DMP Document 2019 (Local Plan Part 2).
6. An independent examiner, Mr Peter Biggers BSc Hons MRTPI ('the examiner'), was appointed by KC in consultation with the PDNPA and Holme Valley Parish Council. Examination of the plan took place between March and June 2021 and was conducted by written representations. The examiner considered all the policies and the supporting text within the plan.
7. The examiner's report was received in June 2021 and was made available for viewing on the councils' websites. The examiner concluded that Holme Valley Neighbourhood Plan, as modified by his recommendations, met the basic conditions set out in the legislation.

8. The referendum version of the Holme Valley Neighbourhood Plan contains thirteen policies, six of which are relevant to PDNP. These are listed below. In brackets is a note of how the policy adds to existing strategic policy. The applicable policies are shown in full in Appendix 1:
- Policy 3 – Conserving and enhancing Local Heritage Assets. (This policy enabled local people to identify sites buildings and structures that make a positive contribution to the character and appearance of a conservation area. In the Peak District it includes the earth sheltered house at Holme village. It also enables other assets to be added in the future.)
  - Policy 4 – Design Codes for high quality shop fronts and advertisements.
  - Policy 9 – Protecting and enhancing local community facilities. (This policy gives particular focus to the expansion of forest schools, natural play, semi-natural green-space and allotments.)
  - Policy 11 – Improving transport, accessibility and local infrastructure. (This policy adds to strategic policy in the area of green infrastructure.)
  - Policy 12 – Promoting Sustainability. (This policy adds to strategic policy by promoting community gardens and allotment space.)
  - Policy 13 – Protecting Wildlife and Securing Biodiversity Net Gain. (This policy adds to strategic policy by requiring a measurable net gain.)
9. All of these policies are considered to be in general conformity with the PDNPA Core Strategy (2011) and DM Policies Document 2019 (Local Plan Part 2).
10. The Peak District National Park Authority (at a meeting of the Planning Committee on 10<sup>th</sup> September 2021) and Kirklees Council (at a Cabinet Meeting on 31<sup>st</sup> August 2021), determined that the modifications recommended by the examiner be accepted and that Holme Valley Neighbourhood Plan met the basic conditions, was compatible with EU and human rights obligations and complied with the definition of a neighbourhood development plan and so should proceed to a referendum.
11. Section 38A(4)(a) of the Planning and Compulsory Purchase Act 2004 requires the council to make (adopt) the Neighbourhood Plan if more than half of those voting in the referendum have voted in favour of the Plan being used to help decide planning applications in the area. The Holme Valley Neighbourhood Plan has met this requirement.
12. The Planning and Compulsory Purchase Act 2004 (Section 6) does however, contain provision for the Council not to make a neighbourhood plan if it considers that making it would breach, or otherwise be incompatible with, any EU or human rights obligations. As noted above in para. 10, these obligations were considered by the examiner at the pre-referendum stage.
13. The independent Examiner's Report (June 2021) sets out the Examiner's conclusions and reasoning in relation to the consideration of EU and human rights obligations including Strategic Environment Assessment and Habitats Regulations in sections 5.4 to 5.4.16 (see link in Background Papers).
14. Officers agree with the independent Examiner's view that the Plan, as amended, meets all the basic conditions including EU and human rights obligations and that the Plan should be made.

### **Proposals**

15. That Holme Valley Neighbourhood Plan be made part of the statutory development plan for Holme Valley Neighbourhood Area.

**Are there any corporate implications members should be concerned about?**

16. **Financial:**  
none

17. **Risk Management:**  
The steps that the Authority is taking to respond to the referendum on Holme Valley Neighbourhood Plan means that the risk of failure to meet government standards or legal obligations is negligible.

18. **Sustainability:**  
Sustainability issues are fully considered in the neighbourhood planning process

19. **Equality:**  
Equality issues are fully considered in the neighbourhood planning process

**20. Climate Change**

1. How does this decision contribute to the Authority's role in climate change set out in the UK Government Vision and Circular for National Parks?

Working with communities to plan for the development and use of land

2. How does this decision contribute to the Authority meeting its carbon net zero target?

Not applicable

3. How does this decision contribute to the National Park meeting carbon net zero by 2050?

Not applicable

4. Are there any other Climate Change related issues that are relevant to this decision that should be brought to the attention of Members?

No

**21. Background papers (not previously published)**

[Holme Valley Neighbourhood Plan Referendum Version](#)

[Holme Valley Neighbourhood Development Plan Independent Examiner's Report June 2021 \(kirklees.gov.uk\)](#)

**22. Appendices**

Appendix 1 - Relevant policies from Holme Valley Neighbourhood Plan

**Report Author, Job Title and Publication Date**

Clare Wilkins, Community Policy Planner, 1<sup>st</sup> December 2021

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## **APPENDIX 1**

### **Relevant policies from Holme Valley Neighbourhood Plan**

#### **Policy 3: Conserving and Enhancing Local Heritage Assets**

A list of buildings and structures which are identified as positive contributors to the designated conservation areas in Holme valley is set out at Appendix 2A. All development proposals affecting these character defining components of the designated conservation areas or their settings will be assessed in terms of Kirklees Local Plan Policy LP35 Historic Environment Part 1.

A candidate list of buildings and structures identified as non-designated heritage assets is set out at Appendix 2B. All development proposals affecting these locally important heritage assets, (once formally identified), or their settings, will be assessed in terms of Kirklees Local Plan Policy LP35 Historic Environment Parts 2 and 3a and Policy DMC5 of the Peak District National Park Authority Part 2 Local Plan (Development Management Policies).

When designing development proposals for all local heritage assets (positive contributors and (once formally identified) non-designated heritage assets), owners and developers should have regard to conserving the significance of the asset and the components which positively contribute to its character or appreciation as a heritage asset.

#### **Policy 4: Design Codes for High Quality Shopfronts and Advertisements**

##### **Design Principles for Shopfronts**

##### **1. General Principles**

Proposals for new shopfronts, or alterations to existing shopfronts should consider the following design concepts to ensure that the proposal is sympathetic to the character and amenity of the locality.

Designs should:

- a) Be designed to integrate into the existing building by respecting the period, scale and architectural style of the building and reflect the characteristics of the wider street scene;
- b) Enclose and frame shop windows and entrances with essential visual and functional elements such as pilasters, fascias and stallrisers. Accurate and authentic detailing is essential;
- c) Avoid linking two or more buildings with one fascia unless historically already established by continuous architectural pattern or shop use;
- d) Seek to incorporate moulded cornices weathered with a properly detailed lead flashing above the fascia;
- e) Make sure that shopfronts have individual distinctive identities with different stallriser heights, window designs and fascias that positively contribute to the character and integrity of the building and the complexity and diversity of the street scene;
- f) Encourage the use of stallrisers to protect shop windows and provide a visual break between the window and the street surface. Designs for shopfronts should include part-glazed door panels that reflect the height of the stallriser and the sub-division of large areas of glass wherever possible;
- g) Make use of energy-efficient measures with regard to any illumination arising from the shopfront, particularly through the use of LED lighting where appropriate;
- h) Make use of recessed doorways, single and double to give more three-dimensional quality; and
- i) Avoid use of uPVC windows in historic areas.

(Policy 4 cont...)

## **2. Retention of Existing Shopfronts**

The retention of existing shopfronts, which contribute to the character of the building or area, will be encouraged and special care should be given to the preservation and sensitive restoration of original features where possible.

## **3. Accessibility**

The sensitive alteration of existing traditional shops and town centre buildings to improve accessibility for all is supported. Accessibility should be improved where there is the opportunity to do so provided any special interest of the building is not compromised. Overall proposals should not prejudice the character of the building or buildings and should have due regard for any features which make a particular building or buildings special or significant.

## **4. Shutters and Grilles**

Solid roller shutters and the introduction of shutter boxes to the exterior of buildings have an adverse visual impact and will be resisted in that part of the neighbourhood area where Kirklees Council is the local planning authority. Any shopfronts in the Peak District National Park Authority part of Neighbourhood Area will not be permitted to have external security roller shutters.

The following suitable alternatives will be supported:

- a) Security glass with alarm or internal cameras;
- b) A reduction in the size of window glass;
- c) Internal see-through shutters.

In that part of the neighbourhood area outside the National Park the following additional alternatives will be acceptable:

- External shutters that are removed during working hours – decorative options for these themed on the shop's trade may be applicable.
- Externally mounted open mesh roller shutters provided that the box housing is concealed behind the fascia and the projection from the face of the building does not result in an increase in depth to the detriment of the appearance of the shopfront.

## **Design Principles for Advertisements**

### **1. General Principles**

Any shopfronts within the Peak District National Park Authority part of Neighbourhood Area will not be permitted illuminated signs except in accordance with DMP DMS 5.

Where planning consent is required, proposals for fascia, hanging and projecting advertisement signs should complement the design of the building and shopfront.

Cumulative impacts of advertisements should be considered in relation to street scene and visual clutter. Advertisements should not overly dominate the public realm or have an adverse impact on local character.

Consideration should be given to an advertisement's impact on highway safety. Advertisements which are distracting to road users, by virtue of their scale, design or positioning should be avoided.

(Policy 4 cont...)

## **2. Fascia Signs**

Proposals for fascia signs should seek to sympathetically integrate the design of the fascia with the shopfront, making use of traditional design fascias.

Lettering should:

- a) Convey the essential message of the retailer
- b) Either be a sign written onto the fascia or applied as individual lettering in a traditional manner directly to the structure of the building;
- c) Reflect the use and character of the shop and the building;
- d) Be of a style and size that relates to the area of the fascia or sign and building on which it is used;
- e) Use sensitive colours and appropriate shading and blocking of letters which reflect the local character and appearance of the area particularly within conservation areas; and
- f) Minimise impacts on the historic fabric of the building.
- g) New illuminated boxed fascias that project from the face of the building and the addition of new fascias on top of existing ones should be avoided.

In instances where illuminated fascia signs are proposed outside the National Park, they should be sensitively designed in order to be sympathetic to both the building they are attached to and the surrounding area, particularly if situated in a historic area. Illumination of fascias should not be excessive or intrusive and should make use of energy efficient methods of lighting such as via LED. Schemes should avoid light pollution into adjoining residential properties and not unnecessarily cause poorly directed light pollution elsewhere.

## **3. Projecting Signs**

Projecting signs will be supported where they are sensitive to the design of the existing building and are a characteristic feature of the surrounding area.

The use of internally illuminated projecting box signs that form a projecting part of a fascia should be avoided.

Where a projecting sign is appropriate, proposals should make use of a traditional hanging sign, which is hung from a metal bracket that can add interest to the street without unobtrusive external illumination. Consideration should be given to the use of hanging symbols denoting the trade being carried on in the premises as an interesting and eye-catching alternative to a hanging board.

Projecting signs should be of a high quality and relate to the size and scale of the existing building façade and do not appear either overly intrusive or inappropriately small. Projecting signs should be carefully positioned to take into account the design and architectural detailing of the existing building – normally below the first-floor windows.

Projecting signs will be restricted to one sign per building and should relate only to the business which occupies the premises.

### **Policy 9: Protecting and Enhancing Local Community Facilities**

Community facilities of value to the local community as listed in paragraph 4.7.10 will be protected and retained for community use. Development or change of use proposals involving their loss will be managed in accordance with Kirklees Local Plan Policy LP48.

Where the proposal involves a community facility listed as an Asset of Community Value on a Community Assets Register the community must first be given the opportunity to acquire the asset to continue its operation before planning permission for an alternative use or development can be granted.

#### **Education, Health and Community Learning**

1. Proposals to create, expand or alter schools will be supported, particularly where the proposal will assist the retention of small community-based schools.
2. The expansion of health provision in the Valley will be supported.
3. Proposals to expand the provision of Forest Schools and natural play environments, and to improve provision of accessible natural and semi natural greenspace, amenity greenspace and allotments, will be supported subject to being in accordance with HVNDP Policy 12 and Policies LP31, and LP63 of the Kirklees Local Plan.

## **Policy 11: Improving Transport, Accessibility and Local Infrastructure**

### **Traffic Management and Design**

1. In that part of the neighbourhood area where Kirklees Council is the local planning authority, proposals should follow the principles set out in Kirklees Council's latest guidance on highway design<sup>17</sup>. In the part of the Neighbourhood Area which is in the Peak District National Park Authority Area proposals should follow the principles set out in the Peak District National Park Authority Transport Design Guide.
2. Traffic management interventions should be designed on the basis of two principles:
  - The user hierarchy set out in the Kirklees Local Plan Policy LP20 and
  - Interventions that are the minimum necessary to achieve the traffic management objective and which do not adversely impact on the historic environment and public realm.
3. Any highway works associated with new development should aim to protect the key characteristics of the Landscape Character Areas of the Holme Valley. These include for example grass verges, traditional road surfaces such as stone setts, and dry-stone walls as reflected in other policies. Road widening schemes to improve traffic flow should also consider potential impacts on non-car users (pedestrians, cyclists, horse riders and wheelchair users).

### **Accessibility and Infrastructure**

4. All development proposals should take opportunities to provide safe access to local streets, footpaths, and publicly accessible spaces for all users to help support healthier lifestyles and active travel. Developments adjacent to the River Holme should consider access improvements to the River Holme footpath network.
5. Existing local green infrastructure should not be compromised by new development, and proposals to enhance access, particularly to the River Holme for leisure activities, will be supported.
6. Highway layouts should be imaginative in approach and include traffic calmed streets using a sense of enclosure to reflect the traditional design and layout found in the Valley.
7. Designs should take account of and link to public transport, pedestrian and cycle routes especially where these can provide safe and convenient routes to schools, local shops and other facilities. The potential to connect the new development to the existing settlement by providing pedestrian and other nonvehicular routes through the site should be fully explored.

### **Parking Provision and Standards**

8. Where planning permission is required proposals to convert existing garaging into non-parking provision will be discouraged unless suitable alternative off-road parking is available.
9. In that part of the neighbourhood area where Kirklees Council is the local planning authority, proposals to develop 'park and walk' or 'park and ride' facilities where planning permission is required (e.g to access Holmfirth Town Centre) will be supported provided they mitigate any detrimental impact on the landscape through appropriate surfacing and screening as necessary. Park and ride would not be appropriate in the Peak District National Park part of the Neighbourhood Area as it would harm the valued characteristics of the area.
10. New developments in that part of the neighbourhood area where Kirklees Council is the local planning authority, should provide offroad parking provision in line with Kirklees Local Plan policy LP22 (Parking) and the Council's latest guidance on highway design<sup>18</sup>. In the Peak District National Park parking provision should accord with Peak District Local Plan Part 2 Policies DMT6-8 and associated parking standards.
11. Parking areas should be designed sensitively and use suitable materials which are sympathetic to the character of the local area. Proposals should also aim to maximise accessibility for all groups through careful and considerate design.
12. Where communal parking is required for apartment development, it should be conveniently located close to the dwellings it is intended to serve.

<sup>17/18</sup>Current guidance is in the Kirklees Highways Design Supplementary Planning Document November 2019

## **Policy 12: Promoting Sustainability**

All development is expected to be designed to contribute to the following elements of sustainability and all major development (as defined in the NPPF) must prepare a sustainability statement which outlines how the development will contribute.

### **Promoting Renewable Energy**

1. In that part of the neighbourhood area where Kirklees Council is the local planning authority, proposals for individual and community scale energy from hydro-electric, solar photovoltaic panels, biomass, anaerobic air digestion and ground source heating will be supported where they can be achieved without conflicting with the NDP policies to protect and enhance the landscape and built character of the Valley.
2. New developments should develop opportunities to deliver on site heat networks using renewable energy sources.

### **Energy Efficiency**

3. Sustainable, energy efficient designs should be used in all new buildings.
4. All new non-residential buildings should be designed to achieve a BREEAM rating of excellent or outstanding.
5. All new buildings should aim to meet a high level of sustainable, design and construction and be optimised for energy efficiency, targeting zero carbon emissions. This might include:
  - a. Orientation to optimise passive solar gain.
  - b. Use of high quality, thermally efficient building materials, subject to consideration of local character and context - see Policies 1 and 2.
  - c. Installation of loft and wall insulation and double/triple glazing.
6. All new buildings should incorporate technologies which generate or source energy from renewable, low carbon sources.
7. Retrofitting of older properties to reduce energy demand and to generate renewable energy is encouraged where proposals are sensitive to local character. Alterations to existing properties where planning permission is required should be designed to reduce energy demand and comply with sustainable design and construction.

### **Encouraging Sustainable Living**

8. The inclusion in development proposals of community gardens and further allotment space in the valley for local food growing will be supported.

The requirements of this policy will be expected to be met unless it can be demonstrated that this would render the development unviable. In this case, developers must demonstrate that they have worked with third parties, (commercial and community), to assess the viability of opportunities.

**Policy 13: Protecting Wildlife and Securing Biodiversity Net Gain**

All development proposals should demonstrate how biodiversity will be protected and enhanced including the local wildlife, ecological networks, designated Local Wildlife Sites and habitats.

New development should create a measurable net gain in natural capital and biodiversity in accordance with the latest national and local guidance on Biodiversity Net Gain<sup>20</sup>.

A biodiversity net gain will be expected to be achieved through development by:

1. managing habitats retained within the development site to improve quality and / or;
2. securing local off-site habitat management to provide an overall benefit.

Direct and indirect impacts upon biodiversity and/or geodiversity should be avoided. Where impacts cannot be avoided, mitigation and then as a last resort compensatory measures (for example biodiversity offsetting) should be provided.

<sup>20</sup> Kirklees Council Biodiversity Net Gain Technical Advice Note approved 29/6/2021

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## **10. HEAD OF LAW REPORT - PLANNING APPEALS (A.1536/AMC)**

### **1. APPEALS LODGED**

The following appeals have been lodged during this month.

<b><u>Reference</u></b>	<b><u>Details</u></b>	<b><u>Method of Appeal</u></b>	<b><u>Committee/ Delegated</u></b>
NP/DDD/0521/0593 3283171	Proposed two-storey and single storey extensions to side. Single storey extension to rear of Brookfield, Brookfield Lane, Bakewell	Householder	Delegated
NP/DDD/0321/0308 3282054	Proposed alterations and extension to dwelling at East View, Coombs Road, Bakewell	Householder	Delegated
NP/DDD/0421/0407 3282110	Proposed single storey porch extension at Clough View House Main Road, Wensley	Householder	Delegated
NP/DDD/0221/0197 3282831	Conversion of garage to kitchen construction of single storey rear extension and enlargement of existing structural opening to side extension at Tower Cottage, Moorfield, Glossop	Householder	Delegated

### **2. APPEALS WITHDRAWN**

There have been no appeals withdrawn during this month.

### **3. APPEALS DECIDED**

The following appeals have been decided during this month.

<b><u>Reference</u></b>	<b><u>Details</u></b>	<b><u>Method of Appeal</u></b>	<b><u>Decision</u></b>	<b><u>Committee/ Delegated</u></b>
NP/DDD/1120/1044 3271933	Change of use to touring caravan site with 10 pitches and erection of shower/toilet block at Ballidon Moor Farm, Brassington, Matlock	Written Representations	Dismissed	Delegated

The Inspector considered that the development would create an unnecessary form in the landscape, and that the siting of large vehicles, caravans and a new building in this location would cause ruinous damage to the field by harmfully altering the established character of the land.

Moreover, the Inspector felt that only minor public benefits would accrue from the development and that these would not outweigh the harm to the setting of the listed buildings adjacent to the proposal.

The appeal was dismissed.

ENF 15/0057 3215789	Without planning permission, engineering operations consisting of the laying of geotextile matting and wooden log rafts on the land to form a track on Land at Mickleden Edge, Midhope Moor, Bradfield	Public Inquiry	Dismissed – Enf Notice upheld with a variation	Delegated
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The Inspector considered that the track, when laid was an obvious alien feature, due to its bright green appearance. Although, over time there had been grass growth through the mesh and in places heather had become established so making the track less evident in places, it was still identifiable along most of its route as a linear contrast with the surrounding vegetation, and there were many stretches where the mesh itself, though more muted in colour, remained clearly distinguishable.

The Inspector noted on the site visit that the mesh was already showing significant signs of deterioration in places and would need renewal or repairing, which would be significant and adverse in both landscape and visual terms detracting from its scenic beauty and remoteness, so any renewal works would increase the harmful visual impact. The Inspector considered that the log rafts did not have such a negative impact as they blended reasonably well with the taller rushy vegetation around them.

The Appeal was dismissed and the Enforcement Notice upheld subject to a variation to 5b of the Notice to simply “require the removal of the geotextile matting, the wooden log ‘rafts’ and other materials used in the construction of the track from the land”.

NP/DDD/0221/0142 3277083	Alterations and extension to existing dwelling comprising demolition of single storey utility spaces, garage with loft space and carport to be replaced with a three storey extension to create lower ground entrance level, and replacement conservatory at Norton House, Station Road, Bakewell	Householder	Dismissed	Delegated
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The Inspector considered that the development would harm the character and appearance of the host building and would create an unbalanced arrangement of the building and harm its form. The development would also be contrary to policies GSP1 and GSP3 of the Core Strategy as well as DMC3 and DMH7 of the Development Management policies. The appeal was dismissed.

NP/SM/0920/0866 3277266	First floor extension to house at Rouster Farm, Swythamley	Householder	Dismissed	Delegated
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The Inspector considered that the development would add a significant mass to one side of the north façade which would alter the proportions of the building making it appear unbalanced

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and disproportionate. The development would also conflict with the Development Plan taken as a whole. The appeal was dismissed.

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NP/DDD/1220/1217 3277313	Erection of an affordable local needs dwelling, works of hard and soft landscaping and other works incidental to the proposals on Land at Litton Dale, Litton	Written Representations	Dismissed	Committee
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The Inspector considered that the character of the appeal site was derived from its rural appearance and inherently open and undeveloped character. The field therefore contributes positively to both the rural setting of the village and open landscape character of the area. As such the proposal would lead to a significant urban incursion into a part of the field that would detract from its inherent undeveloped character. This would be compounded by inevitable domestication such as an established curtilage, garden paraphernalia and off-street parking.

The Inspector considered that there was no substantive evidence to demonstrate that there was a need for an affordable dwelling in this location. Moreover, the size of the dwelling was too big for the applicant's current situation and that a dwelling to meet their existing needs would have been more appropriate, with an option to extend should their circumstances change in the future. The appeal was dismissed.

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NP/DDD/1020/0941 3277640	New build dwelling to satisfy a local need at Town End Farm, Main Street, Chelmorton	Written Representations	Dismissed	Committee
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In the case the Inspector considered that there was a lack of evidence for a 3 bedroomed dwelling and as such the size of proposed dwelling did not address the evidenced need in accordance with policy DMH1.

The Inspector placed weight on the potential for archaeological interest at the site and that this could not be mitigated by condition. It is therefore necessary to determine the potential extent, and importance of archaeological interest within the site and what the effect of the proposed development would be, prior to determination.

The Inspector considered that although the development was acceptable in relation to highway safety, it was not consistent with the local needs policy for affordable homes due to its excessive size, and did not outweigh the potential harmful impact to the archaeological interests on the site.

The appeal was therefore dismissed.

#### 4. **RECOMMENDATION:**

**To note the report.**

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