

Public Document Pack

Peak District National Park Authority

Tel: 01629 816200

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

Web: www.peakdistrict.gov.uk

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



Our Ref: A.1142/2790

Date: 13 August 2020



NOTICE OF MEETING

Meeting: **Planning Committee**

Date: **Friday 21 August 2020**

Time: **10.00 am**

Venue: **WebEx Virtual Meeting**

(Joining instructions will be sent to Authority Members separately)

SARAH FOWLER
CHIEF EXECUTIVE

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

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

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

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

Link to meeting papers:

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

AGENDA

- 1. Roll Call of Members Present, Apologies for Absence and Members Declarations of Interest**
Members are asked to declare any disclosable pecuniary, personal or prejudicial interests they may have in relation to items on the agenda for this meeting.
- 2. Urgent Business**
- 3. 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.
- 4. Full application - Construction of agricultural workers dwelling at Manifold Farm, Buxton Road, Wetton - (NP/SM/0719/0818, ALN) (Pages 5 - 16)**
Site Plan
- 5. Full application - temporary stockpiling and deposition of dredged silt from the River Noe; land adjacent to River Noe Weir, off Edale Road, Nether Booth, Edale. (NP/HPK/0620/0537 APB) (Pages 17 - 36)**
Site Plan
- 6. Full application - Modifications to the pathways, alterations to the level of the entrance porch and doors ; the implementation of an internal ramp between the north and chancel aisle; as well as the creation of a second doorway in the north chancel aisle at parish church of St. Lawrence Eyam, Church Street, Eyam (NP/DDD/0420/0313 AM) (Pages 37 - 48)**
Site Plan
- 7. Full application - Change of use of approved stable buildings to 4 no. Bedroom suites, an M&E room and a domestic store at Bleaklow Farm, Bramley Lane, Hassop (NP/DDD/0520/0404 TS) (Pages 49 - 62)**
Site Plan
- 8. Full application - Retention of a construction compound as a permanent car parking area once building and fit-out works at Bleaklow Farm are complete at Bleaklow Farm, Bramley Lane, Hassop (NP/DDD/1119/1179 TS) (Pages 63 - 74)**
Site Plan
- 9. Full application - Relocation of horse shelter at field off Cliff Lane, Curbar (NP/DDD/0220/0200 AM) (Pages 75 - 84)**
Site Plan
- 10. Full application - Proposed rear extension to dwelling at 2 Church Street, Monyash (NP/DDD/0520/0420 - ALN) (Pages 85 - 92)**
Site Plan

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. Therefore all meetings of the Authority and its Committees will take place using video conferencing technology. Public participation is still available using a telephone connection. Anyone wishing to participate at the meeting under the Authority's Public Participation Scheme is required to give notice to the Director of Corporate Strategy and Development to be received not later than 12.00 noon on the Wednesday preceding the Friday meeting. The Scheme is available on the website <http://www.peakdistrict.gov.uk/looking-after/about-us/have-your-say> or on request from the Democratic and Legal Support Team 01629 816362, email address: democraticandlegalsupport@peakdistrict.gov.uk.

Written Representations

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

Recording of Meetings

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

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

General Information for Members of the Public Attending Meetings

In response to the Coronavirus (Covid -19) emergency our head office at Aldern House in Bakewell has been closed. Therefore all meetings of the Authority and its Committees will take place using video conferencing technology.

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

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

To: Members of Planning Committee:

Chair: Mr R Helliwell
Vice Chair: Mr K Smith

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

Other invited Members: (May speak but not vote)

Mr Z Hamid

Mr J W Berresford

Constituent Authorities
Secretary of State for the Environment
Natural England

4. FULL APPLICATION – CONSTRUCTION OF AGRICULTURAL WORKERS DWELLING AT MANIFOLD FARM, BUXTON ROAD, WETTON – (NP/SM/0719/0818, ALN)

APPLICANT: MR A GILMAN

1. This application was deferred from the October 2019 planning committee to allow for the applicant to provide further information regarding the siting and lowering of the dwelling, alternative locations, relocation of the slurry store and the possibility of purchasing adjacent land. This information has now been provided.

2. Summary

3. It has been demonstrated that there is a functional requirement for a second dwelling on the farmstead and the financial test has been satisfied. There is no other, more suitable site on the holding. Nonetheless, as amended, the proposed siting of the dwelling on elevated land on the edge of the village means that the dwelling would break the skyline and it would not relate well to the other buildings on the farm. Consequently the proposals would cause harm to the valued landscape character of the National Park.

4. Site and Surroundings

5. Manifold Farm is located on the southern edge of the village of Wetton. It is a large mixed dairy and beef farm with 48.5 hectares owned and 44.5 hectares rented on a 'succession' tenancy from Chatsworth Estate.
6. The site is located outside of the Wetton Conservation Area. A public right of way runs in a north-south orientation along the western side of the farm building group.
7. Accommodation at the site currently consists of a detached farmhouse which was erected following the grant of planning permission in 1978. The house is located at the northern corner of the farm building group, close to the road. There is a significant range of modern farm buildings arranged to the south of the farmhouse.

8. Proposal

9. Full planning permission is sought for the erection of a second agricultural workers dwelling. The dwelling would be located within a field parcel beyond the south western edge of the existing farm building group.
10. The dwelling would be single storey, with an L-shaped footprint. It would have three bedrooms. It would be constructed in natural limestone with gritstone quoins, under a blue clay tiled roof. Two parking spaces would be provided to the east of the dwelling.

11. RECOMMENDATION:

12. That the application be REFUSED for the following reasons:

1. **The proposed dwelling, by virtue of its siting on elevated land would be highly prominent above the skyline on the approach to the village from the north and from nearby public rights of way and would appear isolated and unrelated to surrounding development. Consequently the development would cause harm to the landscape character of the area contrary to Core Strategy policies GSP1, GSP3 and L1 and Development Management policies DMH4 and DMC3.**

13. Key Issues

- Whether there is genuine and essential functional need for the second dwelling.
- Whether the financial test is met.
- Siting and Landscape Impact.

14. History

- December 1978 – planning permission granted for erection of farm workers dwelling.
- November 1978 – planning permission granted for erection of farm building.
- 1988 – planning permission granted for erection of agricultural building.
- December 1995 – planning permission granted for erection of agricultural building
- September 2008 – prior notification application granted for proposed agricultural building extension to store fodder.
- August 2014 – prior notification application granted for agricultural building to store fodder and implements.
- September 2018 – enquiry submitted with regard to the current proposals. Officers advised that whilst the functional and financial tests could be met, that the proposed siting would could cause harm to the landscape character of the area.
- September 2019 – planning application submitted for agricultural building to house and feed cattle, and to store fodder and implements (decision not yet issued).

15. Consultations

16. **Highway Authority** – no objections

17. **District Council** – no response

18. **Parish Council** – supports the application. The applicant is a supportive member of the community assisting with snow clearance and other essential tasks. Keeping local families resident in the parish is welcomed.

19. Representations

20. Eight letters of support have been received from members of the local community. They raise the following points (in summary):

- The provision of suitable housing for the farming community/local people is essential.
- There are too many holiday cottages and 2nd homes in the village.
- The building design is unobtrusive and in keeping.
- A single storey dwelling would provide flexible accommodation suitable for older family members in the future.
- The continuation of farming is important to the vitality of the village.
- Villages need a core of permanent residents to create and support the longevity of the community.

21. The full text of all letters is available to view on the Authority's website.

22. Main Policies

23. Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L1, HC1, HC2, CC1

24. Relevant Local Plan policies: DMC3, DMH4, DMT8

25. National Planning Policy Framework

26. The National Planning Policy Framework (NPPF) was first published on 27 March 2012 and replaced a significant proportion of central government planning policy with immediate effect. It was updated and republished in February 2019. The Government's intention is that the document should be considered as a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. In the National Park the development plan comprises the Authority's Core Strategy 2011 and the Development Management Policies document 2019. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and more recent Government guidance in the NPPF.

27. Paragraph 172 states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues.

28. Paragraph 79 states that planning policies and decisions should avoid the development of isolated homes in the countryside unless certain circumstances apply, including that there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside.

29. Development Plan

30. Core Strategy policies GSP1, GSP2 and GSP3 together say that all development in the National Park must be consistent with the National Park's legal purposes and duty and that the Sandford Principle will be applied where there is conflict. Opportunities for enhancing the valued characteristics of the National Park will be identified and acted upon and development which would enhance the valued characteristics of the National Park will be permitted. Particular attention will be paid to impact on the character and setting of buildings, siting, landscaping and building materials, design in accordance with the Design Guide and the impact upon living conditions of local communities. Core Strategy policy GSP4 highlights that the National Park Authority will consider using planning conditions or obligations to secure the achievement of its spatial outcomes.

31. Core Strategy policy HC1 allows, as an exception, housing that provides for key workers in agriculture, forestry or other rural enterprises.

32. Core Strategy policy HC2 states that housing for key workers in agriculture must be justified by functional and financial tests; wherever possible must be provided by re-using existing buildings and will be tied to the land holding or rural enterprise for which it is declared to be needed.

33. Core Strategy policy L1 states that development must conserve and enhance valued landscape character, as identified in the Landscape Strategy and Action Plan and other valued characteristics.
34. Core Strategy policy CC1 requires development to make the most efficient and sustainable use of land and resources, to take account of the energy hierarchy, to achieve the highest standards of carbon reduction and water efficiency, and to be directed away from flood risk areas.
35. Development Management policy DMH4 states that the need for a worker dwelling to support agriculture, forestry or other rural enterprise businesses will be considered against the needs of the business concerned. Development will be permitted by conversion or new build provided that there is a functional need for the dwelling. The policy also gives criteria for assessing whether the business is financially viable. The policy requires that there is no other suitable accommodation available in the locality including by conversion of a traditional building; that construction costs reflect the income of the business and that the new building is within or immediately adjacent to the site of the existing building group and enhances the building group when considered in its landscape setting. The policy also requires that the dwelling is smaller than any house in the building group that is already under the control of the business and in accordance with policy DMH5, unless an acceptable landscape and building conservation outcome for the building group and the setting can only be achieved by a bigger building.
36. Development Management Policy DMC3 requires development to be of a high standard that respects, protects, and where possible enhances the natural beauty, quality and visual amenity of the landscape, including the wildlife and cultural heritage that contribute to the distinctive sense of place. It also provides further detailed criteria to assess design and landscaping, as well as requiring development to conserve the amenity of other properties.
37. Development Management Policy DMT8 states that off-street parking for residential development should be provided unless it can be demonstrated that on-street parking meets highways standards and does not negatively impact on the visual and other amenity of the local community. It notes that the design and number of parking spaces must respect the valued characteristics of the area, particularly in conservation areas

38. Assessment

39. The National Park Authority's Core Strategy policy HC1 B allows for the provision of housing for key workers in agriculture. Policy HC2 states that such housing must be justified by functional and financial tests.
40. **Whether there is genuine and essential functional need for the second dwelling.**
41. An agricultural appraisal has been submitted with the application. This explains that the farm enterprise currently has a herd of 230 head of dairy cattle and approximately 100 head of beef cattle. A 'standard man days' calculation estimates that there is a labour requirement for seven full time and one part time worker. However the report acknowledges that this calculation is excessive and does not reflect the actual labour required to operate the business. At present there are two full time workers on the farm (the applicant and his son law), with the applicant's partner and daughter working part time and this is considered to be adequate to meet the needs of the business.
42. Officers are satisfied, in consultation with the Authority's land agent, that the appraisal demonstrates a needs for at least 2 full time workers to be within reasonable sight and

sound of the animals during the day and night and that as the applicant and his daughter/son in law do not form part of the same household, they need to live in two separate houses. At present the applicant (the owner of the business) currently lives with his partner in rented accommodation within Wetton village. His daughter and son in law and their two children live in the existing farmhouse at Manifold Farm.

43. The anomaly with this proposal is that Manifold Farm, unlike most farms, is located on the edge of the village of Wetton and as such there is an existing stock of houses close by that could potentially meet the identified need. The information that was submitted with the application stated that at that time (July 2019) the applicant was living in a house within a couple of minutes drive of the farm, and had done for some time. We took the view that if the applicant owned the house he was living in then we did not consider that it would be unreasonable for him to live in the village and to drive the short distance to the farm should an animal be in need of tending during night time hours. However the crucial point was that the applicant was living in rented accommodation at The Old Sunday School and it had been demonstrated through a letter from the landlord that there was no security of tenure on the property. As a result, we concluded that if the applicant and his partner were to be asked to leave the property at short notice and there was nowhere else available in the village, then this would cause problems to the proper functioning of the farm business.
44. However, since the application was presented to the Planning Committee in October 2019 it has come to light that in fact the applicant and his partner had moved out of The Old Sunday School in early 2019 and are currently living in a converted barn on the outskirts of Wetton (Barn Close). Correspondence from the applicant states that he and his partner were forced to move out of The Old Sunday School because the rent was too high. Clearly if there is another property close to the farm which is readily available to the applicant then the need for a second farm workers dwelling would be questionable. It is stated that Barn Close is owned by the applicant's partner's ex-husband and it is stated that the applicant's partner has no legal interest in the property. The dwelling is currently on the market for sale and a letter from the owner of the property states that the applicant and his partner are renting it temporarily until a sale is secured. We are satisfied therefore that this property would not represent a suitable and available second dwelling for the holding.
45. It has been demonstrated through an internet search that at present there appear to be no other properties for sale within the village within a price range that could be supported by the business. Consequently we conclude that there is a genuine need for a second dwelling on the farmstead.

46. Whether the financial test is met

47. Development Management policy DMH4 states that in order to be satisfied that stated intentions to engage in or further develop the business are genuine, reasonably likely to happen and capable of being sustained for a reasonable period of time, the Authority will require financial evidence that the business has been operating for a least 3 years; and the business is currently profitable and has been profitable for one of the last three years; and profit for the business is such that it can sustain the cost of the dwelling.
48. Financial accounts have been provided that demonstrate that the business has been profitable for the last 4 financial years and we are satisfied that the profit from the business could sustain the cost of the dwelling.
49. Given that the functional and financial tests have been satisfied the main remaining consideration is the impact of the siting and design of the dwelling on the landscape character of the National Park.

50. Siting and Landscape Impact

51. Firstly policy DMH4 requires that where a new building is proposed, there is no traditional building that could be converted within or close to the main group of buildings. In this case the existing farmhouse and the main group of modern farm buildings on the site are within the applicants' ownership, with the main block of owned farmland then extending to the south. The land abutting the farmstead to the east and west including land on which some of the farm buildings are located is within the ownership of the Chatsworth Estate. There is only one traditional building within the farm group and this is a small single storey stone barn on the eastern side of the farmstead and on land owned by Chatsworth. The building is too small to convert to a single dwelling without extension, which in itself would harm the character and appearance if the building.
52. Policies GSP3, L1 and DMC3 all seek to achieve development to a high design standard that respects the landscape character of the area. In particular DMC3 (ix) states that visual context provided within the Landscape strategy together with other specific views including skylines must be carefully considered.
53. The chosen site for the new build dwelling is located within an area of agricultural land to the south west of the building group. At present the western boundary of the farmstead is demarked by an access track and with groups of trees. The piece of land in question is located to the west of the access track and therefore beyond the existing footprint of the farmstead.
54. Manifold Farm is located on rising land. The land rises up from Buxton Road and the village, southwards, and the application site is located close to the crest of the hill. As submitted we considered that although the proposed building would be single storey and would be dug into the ground to some extent, it would still be highly prominent projecting above the skyline when viewed on the approach to the village from the west. Due to ownership issues it was not possible for any planting to be required by condition to add any screening.
55. Following discussion since the item was deferred in October, amended plans have been received. They show the dwelling dug into the surrounding land by a further 600mm. They also show the dwelling shifted by around 5m to the south east to enable a triangular area of new planting within the north west corner of the curtilage of the property, to help screen the building when viewed from the north and west.
56. A Visual Impact Assessment was submitted with the application. This acknowledges that the building would project above the skyline from a 300m stretch of Leek Road and also from the public right of way (Thors Lane) that runs to Thors Cave, but it argues that because of the distances involved and the simplicity of the design of the building, the dwelling would not be prominent and the degree of separation from the existing farm buildings is comparable with other recently completed farm workers dwelling in the National Park. A set of amended visualisations have been received to reflect the changes outlined above.
57. Whilst the further digging in of the dwelling and the changes to the proposed planting would help to reduce the visual impact of the building from that which was submitted, it would still cause permanent harm to the landscape character of the area. Because of

the prevailing topography and the presence of mature trees on the western edge of Wetton, the majority of the built form of the village does not become readily apparent when approaching from the west, until one is almost within the village envelope. The large portal framed sheds at Manifold Farm are well screened both by the land levels and the trees along the western boundary of the site. The open pastoral landscape that surrounds Manifold Farm and Wetton village contributes strongly to the character of the area. The area falls within the Limestone Village farmlands landscape character type within the Authority's Landscape Strategy. Settlement patterns within this landscape type tend to be strongly nucleated and the protection of this pattern is identified as a priority throughout the landscape character type. The proposed dwelling would intrude into the open fields that surround the farm and would be visually separate from the existing buildings. As amended it would still project above an otherwise uninterrupted skyline on this hillside beyond the edge of the village, which is harmful and in conflict with the Strategy. The proposed planting would eventually help to screen the building in the long term although the planting belt that was initially proposed to the south of the dwelling should also be retained in addition to the new triangular belt to the north west and the belt to the east. Notwithstanding this, new planting would take many years to mature and screen the building and the offer of screen planting is not in itself sufficient to justify a dwelling that is fundamentally harmful to landscape quality.

58. It is accepted that limiting the amount of windows on the west facing elevation to avoid light spill would help to mitigate visual impact but this is not sufficient to overcome the landscape harm that has been identified.
59. Aside from the issues of siting, the overall design details of the dwelling are acceptable. Whilst the Authority's Design Guide discourages bungalows, the proposed dwelling would not have the wide plan form of a modern bungalow. Instead it would have relatively narrow gable widths and detailing that is more traditional in character.
60. At the pre-application stage alternative sites were identified and assessed by officers as follows:
 61. Site A – adjacent to existing farmhouse. We identified that this would be the least harmful in landscape terms because of its close relationship with the other buildings on the site, however it was clear that there is an underground slurry store close by which the agent states would need a 7m buffer; there is a public right of way running through the area; and due to the need to maintain access for milk tankers, the area of land available is limited.
 62. In deferring the application members asked for more information about whether the slurry store could be relocated. The agent has responded by explaining that the slurry store works through a gravity fed system running from the adjacent group of livestock buildings along a network of underground channels under the agricultural buildings. He states that there are no other sites within the farm group where a gravity fed slurry tank could be installed within the land ownership. Any tank located on higher ground would be reliant on slurry pumps which can be costly to install, problematic to maintain and operate, labour intensive and costly to run. Relocating the manure store would also require the drainage system for the livestock buildings and parlour to be completely re-designed. Many of the drainage channels were installed prior to the buildings being erected and are difficult to access. Attempting to re-design the layout of these would create a significant cost in ground works, new drainage channels and concrete. A breakdown of costs has been provided and we are satisfied that these costs are likely to be prohibitive.
63. Site B – strip of land with frontage onto Buxton Rd. This is a narrow plot of land and

any dwelling sited here would face directly onto the modern farm buildings and as a result amenity would be compromised. The area also provides a valuable visual buffer between the farm complex and the edge of the Conservation Area.

64. Site C – triangle of land on the eastern boundary. This area is currently visually intrusive due to the dumping of large quantities of waste material in the area. Because of the limited space available the dwelling would need to be 2 storey and from Carr Lane to the east the dwelling would break the skyline and would also appear quite detached from the adjacent farm buildings.
65. Since the application was deferred in October 2019 the agent has provided information stating that discussions have been held with Chatsworth Estate in relation to a potential plot purchase. It states that Chatsworth have not responded in writing for commercial reasons but are not willing to sell a plot in isolation. They would consider a plot as part of re-negotiation the terms of the existing tenancy on the land which they have explained to us in detail. We are satisfied that a renegotiated tenancy is likely to be less secure for the applicant and would have a detrimental impact on the long term security of the farm.
66. In conclusion, we are satisfied that there is not a more suitable site available elsewhere on the farmstead. Nonetheless, despite the amendments that have been made, a dwelling on the chosen site would cause harm to the landscape character of the area contrary to adopted policies.
67. Whilst the Authority has a duty to foster the economic and social wellbeing of local communities, its statutory purpose is to conserve and enhance the natural beauty of the park and this must take priority. In this case, whilst the applicant has worked with us to identify an appropriate site, the chosen site would nonetheless detract from the landscape of the National Park and in policy terms the needs of the farming business do not outweigh harm to landscape.
68. With regard to the other farm workers dwelling approvals that the agent has referred to, each application must be judged on its merits and they cannot be directly compared to the current proposals. The landscape impact for each of those proposals was clearly assessed and judged to be acceptable in those particular landscape settings. It is not considered that those decisions can carry weight in favour of the current proposals.

69. Other Considerations

70. Access and Parking

The existing access onto the public highway would be utilised and visibility from the access is adequate. Two parking spaces would be provided within the curtilage of the dwelling which would serve the needs of the development.

71. Amenity Impacts

The nearest neighbouring residential properties to the proposed dwelling would be some 160m to the north and so as a result of the distances involved it is concluded that there would be no adverse impact upon the privacy and amenity of neighbouring properties.

72. Environmental Management

At the pre-application stage officers advised that an Environmental Management statement should be submitted with the application. Whilst a detailed statement has not been submitted a short section is included within the Design and Access Statement. This states that the dwelling will exceed standard requirements from Building Regulations for energy efficiency and that the dwelling would be heated by an air source heat pump supplemented by a carbon neutral wood burning stove. The submitted plans show that the air source heat pump would be fixed to the south east elevation of the dwellinghouse. Subject to a condition that requires the pump to be installed and operational prior to first occupation the proposals would meet the requirements of policy CC1.

73. Conclusion

There is a functional need for a second dwelling and the financial test has been met. There is not a more suitable site available elsewhere on the farmstead, nor an existing building suitable for conversion. Nonetheless a dwelling on the chosen site would cause harm to the landscape character of the National Park, contrary to adopted policies. It is not considered that the identified needs of the individual business outweigh the landscape harm that has been identified. Accordingly the application is contrary to policies GSP1, GSP3, L1, DMH4 and DMC3 and is recommended for refusal.

74. Human Rights

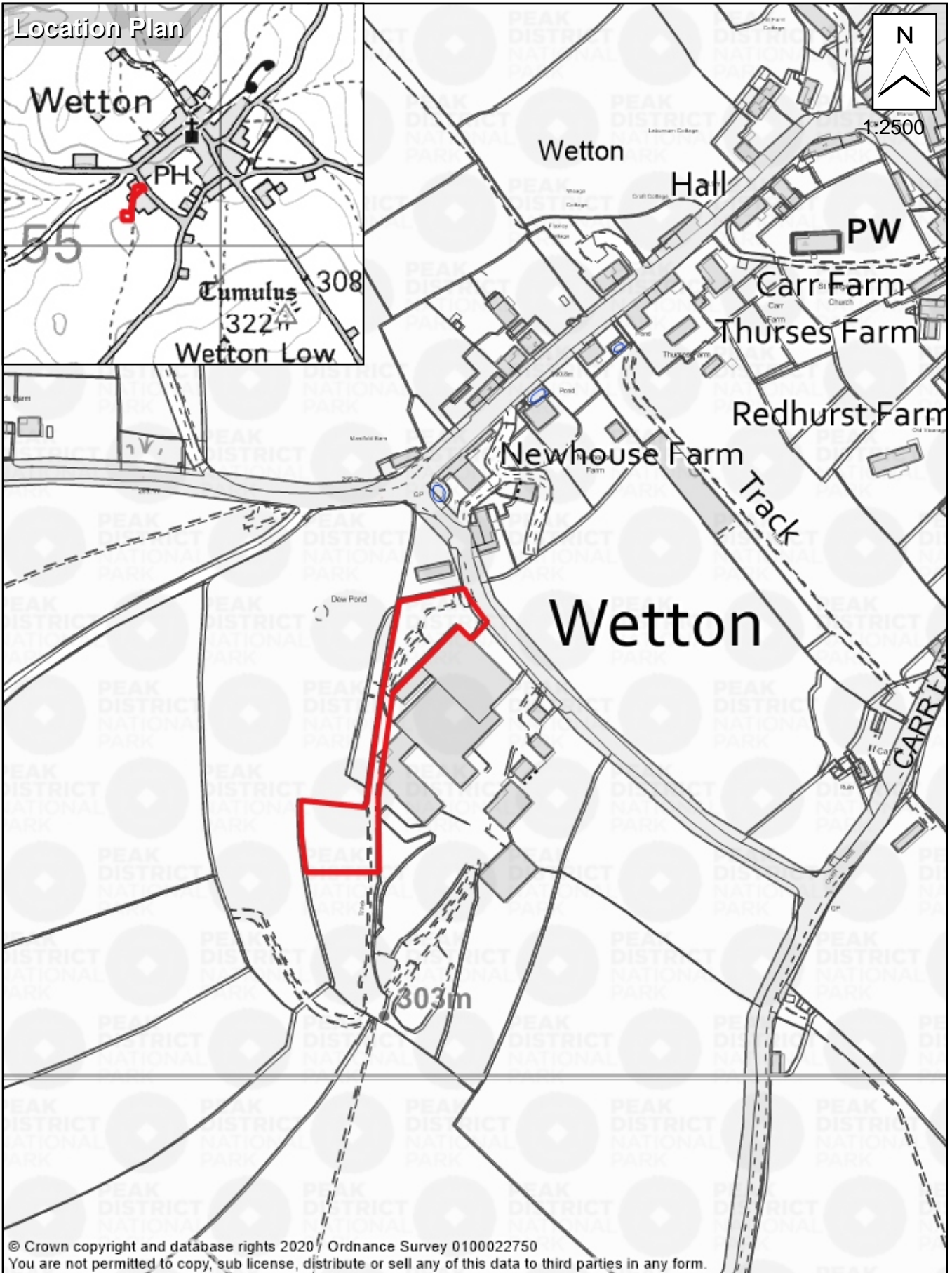
Any human rights issues have been considered and addressed in the preparation of this report.

75. List of Background Papers (not previously published)


Nil

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

This page is intentionally left blank



© Crown copyright and database rights 2020 / Ordnance Survey 0100022750
 You are not permitted to copy, sub license, distribute or sell any of this data to third parties in any form.

Committee Date:	21st August 2020	Title: Manifold Farm Buxton Road Wetton	 PEAK DISTRICT NATIONAL PARK
Item Number:			
Application No:	NP/SM/0719/0818		
Grid Reference:	411016, 355424		

This page is intentionally left blank

5. FULL APPLICATION – TEMPORARY STOCKPILING AND DEPOSITION OF DREDGED SILT FROM THE RIVER NOE; LAND ADJACENT TO RIVER NOE WEIR, OFF EDALE ROAD, NETHER BOOTH, EDALE. (NP/HPK/0620/0537 APB)

1. APPLICANT: SEVERN TRENT WATER

Summary

2. The application seeks to deposit excavated silt dredged from the River Noe onto agricultural land near to the the River Noe, at Nether Booth, Edale.

Site and Surroundings

3. The site is located 2.2 km to the east of Edale, and to the west of the River Noe Weir. The proposed location for the deposit of the excavated silt is an existing agricultural field comprising acid grassland used for grazing and silage. The field lies immediately south of the Hope Valley railway line and due south of Lady Booth Brook, which flows into the River Noe, approximately 300m east.
4. The site is accessed via an existing track off the Edale Road, which leads through a farmyard and over the Hope Valley railway. The proposed field is bound by a dry stone wall on the southwest boundary and a post and wire fence along the remaining boundaries. The access track from Edale Road runs along the north west and north east boundaries of the field. An area of woodland is situated immediately east of the field on the opposite side of the permitter access track. The River Noe and weir, from where the silt is to be dredged, lies to the south east. Agricultural fields lie either side of the proposed receptor field.
5. The site is located in general open countryside within the Dark Peak Landscape Character Area and Upper Valley Pastures Landscape Character Type.
6. The nearest settlement is the hamlet of Nether Booth, within the Edale Conservation Area. The nearest residential property is located approximately 140m to the north west of the proposed field at its closest point, on the other side of the Hope Valley railway line. The nearest Listed Building is the Grade II listed “The Mill and Attached Chimney”, located approximately 1km to the southwest.
7. There are no rights of way traversing the site however, the site is open to view from public vantage points along the public highway network from Batham Gate to the west of the site and most open to view from the road immediately to the south of the site.
8. A Flood Risk Assessment (FRA) is submitted with the application. Whilst the River Noe itself and immediate area sits within Flood Zone 3, the proposed application site lies on slightly elevated ground within Flood Zone 1, where there is a very low risk of fluvial flooding. The FRA states that there are surface overland flow routes through the centre of the field following slight depressions in the local topography.
9. The Dark Peak Site of Special Scientific Interest (SSSI), South Pennine Moor Special Area of Conesvation (SAC) and Peak District Moors (South Pennine Moors Phase 1) Special Protection Area (SPA) lie approximately 650m to the north west of the proposed site. The Lower Hollins SSSI is sited approximately 1km to the south west of the proposed site at its closest point.
10. An ecological walkover site survey was undertaken in January 2020 the results from which are sunmitted with the application. Habitats immediately adjacent to the weir comprise unimproved acid grassland, marshy grassland, floodplain mire and an area of

alder regrowth and reed canary grass on stone riprap. The survey area also included two poor semi-improved grassland pastures, one of which is the field proposed to be used for the spreading of silt. The key ecological features identified on or surrounding the site in relation to the project as a whole are the River Noe, unimproved acid grassland, nesting birds, herpeofauna, potential for water vole, white clawed crayfish and brown trout and the presence of invasive New Zealand pygmyweed. However, these features are predominantly related to the permitted development works to be undertaken in the river channel and immediate environs rather than the spreading of silt on the semi-improved grassland fields.

Proposal

11. The proposal seeks planning permission to temporarily stockpile and then deposit silt dredged from the River Noe onto agricultural land near the river.
12. Severn Trent intends to extract up to 4,500 m³ of dredgings from the river and spread the material across an area of adjacent agricultural land measuring approximately 2.7 hectares in area. The dredging operation and associated infrastructure works are permitted development, therefore the application solely relates to the latter part of the operation, covering the temporary stockpiling and deposition of silt onto the land.
13. The removal of silt from the river is necessary and part of planned maintenance of the River Noe. The River Noe Weir is designed to allow excess river water to be diverted through a compensation channel, to Ladybower Reservoir via a long tunnel. This water is abstracted from the River Noe to keep Ladybower Reservoir adequately supplied with water.
14. Penstocks positioned along the weir ordinarily allow accumulated silt to be cleared from the base of the weir by releasing it downstream. However, the penstocks have not been regularly operated, meaning large quantities of silt have now built up, with the risk that the compensation channel will get clogged up with silt if not removed. It is not currently possible to open up the penstocks without causing large quantities of silt from travelling downstream.
15. There is also a leak within the weir structure which needs repairing, but to enable access to examine the damage and undertake repairs, the river must first be desilted. The weir was last desilted in 2012 and the material spread onto adjacent agricultural land (under permission NP/HPK/0412/0382). Once the silt is removed from the weir it will enable the effective and safe operation of the weir.
16. Once extracted from the river, the dredged material will be temporarily stockpiled in the north western section of the field and allowed to dry out. The temporary stockpiles will have a maximum slope of 19 degrees and a maximum height of 3.5m, variable dependent upon material content and saturation. The dredgings stored on the fields for spreading will be screened prior to stockpiling to remove any unwanted objects such as wood debris, stone and litter.
17. Silt fencing is proposed to be installed around the bottom edge of the fields and around the silt stockpiles to prevent the silt running back into the river. The silt fencing will remain in place until the field is fully returned to agricultural use. The silt fences will comprise 900mm wooden fence posts positioned approximately 3m apart and connected with a woven silt fence, some of which is buried below ground level and 600mm visible above ground. Immediately downhill of the proposed silt fencing, straw bales will be laid as a secondary measure to soak up moisture and prevent silt running back into the river.

18. Once sufficiently dry, the silt material will be spread evenly across the agricultural field and incorporated into the existing soil mass as part of the farmer's usual ploughing regime. No works will take place in the field at a greater depth than that ordinarily affected by ploughing. The additional material will increase overall land levels by 165mm.
19. The application states that the spreading of silt onto the adjacent field will be of benefit to the agricultural operations it supports, by increasing the soil moisture holding capacity, organic matter content and reducing soil aridity, which may improve grass yields.
20. Access to the site is via an existing track leading from Edale Road to the north west. The access track passes through a farmstead, over the railway and then forms the northern and eastern boundaries of the field the subject of the proposal. A Traffic Management and Site Plan has been prepared and submitted as part of the application, which sets out the expected vehicle movements to and from the site. These movements largely relate to traffic associated with the permitted development works on the weir but also cover the need to bring certain plant to site to undertake the silt dredgings movements and spreading.
21. The ability to spread silt onto the adjacent field would negate the need to transport the silt to landfill. The proposal therefore avoids extensive lorry movements on local roads that would otherwise be needed to export the silt off-site and avoids the need to create a new temporary access and road to enable the road-bound lorries to safely access the site.
22. The removal of silt from the river is permitted development under Schedule 2, Part 13, Class (A)(b) of the Town and Country Planning (General Permitted Development) Order 2015. The temporary provision of silt retention barriers downstream, two temporary working compounds, silt mats supported by heras fencing, the dewatering/silt capture area for dredge pumping and temporary platform using bog mats for working and loading areas are also permitted development under Schedule 2, Part 4, Class A of the same 2015 regulations.
23. The proposed dredging works within the River Noe need to be completed by the end of September to avoid impacting on Brown Trout further downstream. The permitted development works within the river are therefore provisionally planned to take place in August and September this year. Thereafter, the timeline for spreading will be weather dependent to make sure that moisture content is suitable and practicable to cultivate back into the land. If there is a dry period after the desilting works then spreading is likely to be carried out around September/October 2020. However, if conditions are not deemed suitable then it could be put on hold until spring 2021.

RECOMMENDATION:

24. **That the application be APPROVED subject to conditions covering the following matters:**
 1. **Commencement within three years from the date of the permission**
 2. **Development to be undertaken in full accordance with the application details and approved plans**
 3. **Stockpiling of silt dredgings to be confined to locations shown on plan W611011 – CB-20 101**
 4. **Maximum volume of silt dredgings to be stored on site is 4500**

cubic metres

5. All silt dredging stockpiles to have protective silt fence and straw bales placed on downslope edge for duration of storage in accordance with specification shown on dwg W611011 – CT-20 106
6. A silt barrier fence and straw bales to be erected along the southern boundary of the receptor field in accordance with plan W611011 – CB-20 101, to remain in place until spreading has been completed and grassland has re-established.
7. Access arrangements and vehicle movements as detailed in the Traffic Management Plan
8. A 10m buffer zone to be clearly demarcated at the southern boundary of the receptor field to protect unimproved grassland habitat. No dredgings to be deposited anywhere within the 10m buffer strip.
9. A 6m buffer zone to be clearly demarcated of the receptor field around any trees and hedgerows to protect Roor Protection Areas. No dredgings to be deposited anywhere within the 6m buffer zone.
10. Dredged silt spreading to be undertaken only when ground conditions are suitable – avoid compaction, soil damage
11. Silt spreading operation to be completed on or before 1 April 2021 in full accordance with plan and cross sections shown on plan W611011 – CB-20 100
12. Silt spreading to be undertaken in manner that does not impede surface water flow paths, in accordance with recommendations in the FRA
13. Safe storage of fuels, oils, chemicals etc
14. Working hours – 0700 – 1800 M – F, no working on Saturday, Sunday or Bank Holidays
15. Development to be undertaken in full accordance with the Preliminary Ecological Assessment
16. No trees, hedges or shrubs to be removed
17. Site to enter statutory five year period of aftercare in full accordance with scheme submitted with the application as received by the Authority on 6 August 2020

Key Issues

25. The key issues are:

- The principle of the applying waste silt dredgings to agricultural land;
- Whether the proposal would have a detrimental effect on the character and appearance of the site and its wider landscape setting, and;
- Whether the proposal would harm the amenities of nearby neighbouring properties.

Relevant planning history

26. July 2012 – Planning permission NP/HPK/0412/0382 granted for the spreading of dredged silt from the River Noe onto agricultural land adjacent to the River Noe (related to the agricultural field immediately to the north east of the proposed field, on other side of access track).

Consultations

27. Derbyshire County council (Highways) – No highway safety objections
28. Environment Agency – No objections. Draw applicants attention to Environmental Permitting (England and Wales) Regulations 2016
29. Natural England – no response received
30. Edale Parish Council – no objections
31. PDNPA Ecology – recommendations in the Preliminary Ecological Assessment must be followed and include following comments/requirements:
 - Pre-works checks to include otter as well as water vole
 - Check for presence of Japanese Knotweed
 - Support comment from PDNPA Landscape to protect trees/hedges. A 6m buffer would help with this. Recommend a 10m buffer between the spreading area and the unimproved grassland to the south.

In relation to submitted aftercare scheme:

- Detailed comments on species mix, to omit clover and white timothy and increase common knapweed, yellow rattle, and red clover, alongside meadow vetchling, oxeye daisy and common catsear. Sourcing of seed to be agreed with PDNPA.
 - Delay grass cut until 15th July to allow plants to flower and seed – will provide enhancement under NPPF creating a nectar source for insects.
 - Site should be aftermath grazed with cattle at a stocking rate of 0-.6LU/ha.
 - Control of noxious weeds to be included in scheme.
32. PDNPA Landscape – No objections, but recommend condition to protect all hedges and trees within the site.
 33. PDNPA Transport – No objections. Suggested advisory note for contractor vehicle movements and access via Mam Nick into Edale
 34. PDNPA Cultural Heritage – No archaeological comments or concerns.

Representations

35. None received.

Main Policies

36. Relevant Core Strategy policies: GSP1, GSP2, GSP3, GSP4, DS1, L1, L2, L3, CC1, CC3, CC4, CC5, T1, T4, T6.
37. Relevant Development Management policies: DM1, DMC1, DMC3, DMC5, DMC7, DMC8, DMC11, DMC12, DMC14, DMMW1, DMMW2, DMMW3, DMMW4, DMMW5.

National Planning Policy Framework

38. The National Planning Policy Framework (NPPF) was published on 27 March 2012 and replaced a significant proportion of central government planning policy with immediate effect. The revised version was published in 2019. The Government's intention is that the document should be considered as a material consideration and carry particular

weight where a development plan is absent, silent or relevant policies are out of date. In the National Park the development plan comprises the Authority's Core Strategy 2011 and the Development Management Policies 2019. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and Government guidance in the NPPF.

39. The NPPF states that the purpose of planning is to contribute to the achievement of sustainable planning. Paragraph 8 states that there are three interdependent and overarching objectives that need to be pursued to achieve this goal - economic, social and environmental. The environmental objective can contribute to protecting and enhancing our natural, built and historic environment, including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution and mitigating and adapting to climate change, including moving to a low carbon economy.
40. Paragraph 102 of the NPPF requires that transport issues associated with proposals are considered at an early stage so that, *inter alia*, the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account, including appropriate opportunities for avoiding and mitigating any adverse effects and for net environmental gains.
41. Under Chapter 15 (Conserving and enhancing the natural environment), paragraph 172 states that 'great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within these designated areas should be limited. Planning permission should be refused for major development other than in exceptional circumstances and where it can be demonstrated that the development is in the public interest'.
42. For the purposes of paragraphs 172 (and 173) of the NPPF, whether a proposal is 'major development' is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.
43. Under the same chapter, the NPPF seeks to ensure that the protection and enhancement of habitats and biodiversity are properly considered when determining planning applications. Also, planning policies and decisions should ensure that a site is suitable for its proposed use, taking into account ground conditions and any risks arising from land instability and contamination. Decisions should ensure that new development takes into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.
44. The focus of planning policies and decisions should be on whether the proposed development is an acceptable use of land, rather than the control of processes or emissions. Planning decisions should assume that the other regulatory regimes with that remit will operate effectively (paragraph 183).

National Planning Policy for Waste (October 2014)

45. In conjunction with the Waste Management Plan for England, the National Planning Policy for Waste document sets out the Government's ambition to work towards a more sustainable and efficient approach to resource use and management.
46. Paragraph 1 states that positive planning can play an important role in achieving this objective by ensuring that waste management is considered alongside other spatial planning concerns such as housing and transport, and helping to secure the re-use, recovery or disposal of waste without endangering human health and without harming the environment.
47. At paragraph 7, it states that when determining applications waste planning authorities should consider the likely impact on the local environment and on amenity as set out against the criteria listed in Appendix B, which include protection of water quality and resources and flood risk management; land instability; landscape and visual impacts; nature conservation; conserving the historic environment; traffic and access; air emissions, including dust; odours; vermin and birds; noise; light and vibration; litter; and potential land use conflict.
48. Waste planning authorities should also ensure that waste facilities are well designed so that they contribute positively to the character and quality of the area in which they are located. Proposals that involve landfill or land raising must demonstrate that the sites can be restored to beneficial after uses at the earliest opportunity and to high environmental standards, through the application of appropriate conditions where necessary.
49. In the same vein as paragraph 183 of the NPPF, waste planning authorities should work on the assumption that the relevant pollution control regime will be properly applied and enforced.

Peak District National Park Core Strategy (2011)

50. Policy GSP1 (Securing National Park purposes and sustainable development) sets out the broad strategy for achieving the National Park's objectives having regard to the Sandford Principle, (that is, where there are conflicting desired outcomes in achieving national park purposes, greater priority must be given to the conservation of the natural beauty, wildlife and cultural heritage of the area, even at the cost of socio-economic benefits). GSP1 also sets out the need for sustainable development and to avoid major development unless it is essential, and the need to mitigate localised harm where essential major development is allowed. For all development, where national park purposes can be secured, opportunities must be taken to contribute to the sustainable development of the area.
51. Policy GSP2 is concerned with looking for opportunities for enhancing the National Park. Proposals that are 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. They should not undermine the achievement of other Core Policies. Work must be undertaken in a manner which conserves the valued characteristics of the site and its surroundings. When development is permitted, a design will be sought that respects the character of the area, and where appropriate, landscaping and planting schemes will be sought that are consistent with local landscape characteristics and their setting, complementing the locality and helping to achieve biodiversity objectives.

52. 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, the scale of the development appropriate to the character and appearance of the National Park, siting, landscaping and building materials, form and intensity of proposed use or activity, impact on living conditions of communities, and the impact on access and traffic levels.
53. 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 (policy GSP4).
54. Policy DS1 (Development Strategy) indicates what types of development are acceptable in principle in settlements and in the countryside. The policy is centred on promoting a sustainable distribution and level of growth, and supporting the effective conservation and enhancement of the National park, through the application of a number of principles that must be considered in relation to specific core policies within the Core Strategy and the Development Management Policies DPD.
55. Policy L1 identifies that development must conserve and enhance valued landscape character as identified in the Landscape Strategy and Action Plan and other valued characteristics, and other than in exceptional circumstances, proposals in the Natural Zone will not be permitted.
56. Policy L2 is similarly concerned with biodiversity and geodiversity. Development must conserve and 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 of biodiversity or geodiversity importance.
57. Policy L3 requires that development must conserve and where appropriate enhance or reveal the significant 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.
58. Under the Core Strategy chapter on climate change and sustainable building, policy CC1 requires that all development must make the most efficient use of land, buildings and natural resources. Development should be directed away from flood risk areas and seek to reduce overall risk from flooding within the National Park and areas outside it, upstream and downstream. Part E of the policy states that all development must achieve the highest possible standards of water efficiency.
59. Policy CC3 is concerned with waste management. The purpose of the policy is to achieve more sustainable use of resources. The national park designation and the geographical nature of the area are barriers to the the local provision of waste facilities and therefore proposals for the disposal of domestic, industrial and commercial waste are deemed incompatible with national park purposes because of their adverse environmental impacts. However, small scale waste facilities may be permitted to serve local communities where they are in accordance with, or do not undermine, the relevant Municipal Waste Management Strategy. Such schemes should meet only the need of the community and must not involve the importation of waste from outside that community. The National Park Authority will require the appropriate restoration and after-use of waste sites so that they can contribute to the recreation and biodiversity value of the National Park.

60. In terms of flood risk and water conservation, policy CC5 states that development proposals which may have a harmful impact upon the functionality of floodwater storage, or surface water conveyance corridors, or which would otherwise unacceptably increase flood risk, will not be permitted unless net benefits can be secured for increased floodwater storage and surface water management from compensatory measures.
61. Under Chapter 15 of the Core Strategy (Accessibility, travel and traffic), policy T1 is concerned with conserving and enhancing the National Park's valued characteristics; cross-Park traffic is deterred and the impacts of traffic within environmentally sensitive locations will be minimised. Policy T4 states that developments requiring access by Large Goods Vehicles must be located on and/or be readily accessible to the Strategic or Secondary Road Network. The Rights of Way network will be safeguarded from development (policy T6).

Development Management policies DPD

62. The Development Management policies build on the strategic principles set out in the Core Strategy. The Development Management Policies document conforms with, and helps implement, the policies and objectives of the Core Strategy. It supplements the spatial strategy and core policies with detailed operational policies. Those policies of direct relevance to the proposed development are considered below.
63. Policy DM1 sets out how the presumption in favour of sustainable development, as set out in the NPPF, should be applied in the National Park to ensure that it does not conflict with statutory purposes.
64. Chapter 3 of the DMP document is concerned with conserving and enhancing the national park's valued characteristics. Policy DMC1 (Conservation and enhancement of nationally significant landscapes) builds on Core Strategy policy L1 and, for projects with a wide scale landscape impact, there needs to be a proportionate assessment of how a proposal will conserve and enhance valued landscape character, including natural beauty, biodiversity, cultural heritage features and other valued characteristics, with particular reference to the Landscape Strategy and Action Plan.
65. Where the principle of a development is acceptable, Policy DMC3 provides further detail on the standards expected in proposals in regard to siting, design, layout and landscaping, to ensure it is of a high standard and respects, protect 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.
66. Similarly, building in Core policy L3, policy DMC5 sets out details in assessing the impact of development on designated and non-designated heritage assets and their settings, requiring an appraisal of how the significance of any identified features of value will be conserved and, where possible, enhanced. Likewise, policies DCM7 and DMC8 are concerned with listed buildings and conservation areas, respectively, and set out the detailed assessment required for developments affecting these interests.
67. Building on Core Strategy policy L2, DPD policies DMC11 (Safeguarding, recording and enhancing nature conservation interests) and DMC12 (Sites, features or species of wildlife, geological or geomorphological importance) set out in further detail the assessment required to determine whether a proposal conserves and enhances sites, features or species of wildlife, geological or geomorphological importance, with a priority order of matters to take into consideration to avoid net loss. Proposals should aim to achieve net gains to biodiversity or geodiversity as a result of the development.

68. Under policy DMC14 (Pollution and disturbance), development that presents a risk of pollution or disturbance including soil, air, light, water or noise pollution, or odour that could adversely affect specific interests (amenity of neighbours and neighbouring uses; the amenity, tranquility, biodiversity or other valued characteristics of the area; existing recreation activities; land uses such as forestry or agriculture; ecosystem services including water supply, groundwater resources and the water environment; established businesses; potential future uses; or nuisance or harm to rural character and dark skies) will not be permitted unless adequate control measures can be put in place to bring the pollution within acceptable limits.
69. Chapter 11 is concerned with minerals and waste developments specifically and there are a host of detailed policies that are relevant to the present proposal. Under DMMW1 (The justification for minerals and waste development), minerals and waste development will only be permitted where there is evidence in relation to viability and need, to include reference to the proximity of the waste operation to the supply-chain. In assessing whether the development is in the public interest, consideration should include an assessment of the need for the development, the cost and scope of developing elsewhere and the detrimental effect on the environment, landscape and recreational opportunities and the extent to which these can be moderated.
70. Policy DMMW2 is specifically concerned with the impact of minerals and waste development on amenity and states that development will only be permitted where the adverse impacts on amenity can be reduced to an acceptable level, or eliminated, particularly in relation to: nuisance and general disturbance from transport; noise, vibration; dust; fumes and odour; water run-off and flooding; visual impact; potential impacts on land instability; effects on human health; and impacts on recreation and public rights of way.
71. Similarly, policy DMMW3 relates to the impact of minerals and waste development on the environment, with reference to a comprehensive list of impacts, including landscape and visual, risk to environmental receptors, minimising residual waste arising from the development, effects on surface and groundwater, and the efficiency and effectiveness of the proposed working scheme or operation.
72. Subject to conformity with Core policy CC3, policy DMMW4 requires waste management facilities to be located in accordance with a specified sequential approach, having regard to the relevant Municipal Waste Management Strategy. Proposals must be of an appropriate scale, reflecting the needs of the local residents and business community, they must minimise the need for transportation of waste to the facility, avoid where possible outside storage, minimise impacts on valued characteristics and minimise adverse impacts on the amenity of resident and visitor communities. Part (vi) of the policy states that proposals for waste management facilities must not involve land raising.
73. Policy DMMW5 states that minerals development or disposal of waste by deposit or landfill will only be permitted where the restoration and aftercare contributes to the enhancement of the National Park, being able to demonstrate *inter alia* that the restoration can be achieved in the timescale proposed, sufficient material is available to achieve the levels and no future land stability or public safety issues will arise. Restoration will contribute to the enhancement of biodiversity, geodiversity and amenity, as appropriate within the Landscape Strategy context. A comprehensive aftercare scheme to ensure the restored land can be returned to the required standard for use for agriculture, woodland, nature conservation or amenity will be required.

74. Cumulative impacts of minerals or waste developments will need to be assessed and the proposal will only be permitted where those impacts are considered acceptable taking into account existing operations on site and in the locality, other impacts from existing or planned developments, the setting, and any off-site impacts of any utility or infrastructure improvements necessary to serve the development.

Assessment

Environmental Impact Assessment (EIA) and 'major development' appraisal

75. The proposal has been screened to determine whether there are likely to be significant environmental effects arising from the development. In consideration of the criteria listed in the Town and Country (Environmental Impact Assessment) Regulations (2017) the development has been screened negatively, which means that the development is not EIA development and an EIA is not required to accompany the application.
76. The application is for waste development, and therefore, applying the definition provided for in the Town and Country Planning (Development Management Procedure) (England) Order 2010, the proposal falls into the category of 'major development'. However, for development in protected areas such as National Parks, the NPPF (paragraphs 172 and 173 and footnote) make it clear that whether a proposal is 'major development' is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.
77. In view of the limited scale, intensity and duration of the development, the proposal is not being treated as 'major development' for the purposes of the following policy assessment.

Principle of the development

78. The proposed development involving the deposit of silt on agricultural land results from the need to dredge the River Noe weir in order to enable the effective and safe operation of the weir. Once the silt has been removed and the damaged infrastructure has been repaired, the weir can start to be used again to more effectively and sustainably manage the build-up of silt in the watercourse. The dredging works will ensure the continued supply of water to Ladybower Reservoir, which goes on to serve Severn Trent's region with the supply of drinking water.
79. Core Strategy policy CC3 concerns waste management proposals. The nature of the material resulting from the dredging works falls into the category of 'waste' and therefore assessment against this policy is necessary. Part B of the policy does not permit new, expanded or replacement large scale facilities. The proposal does not fit into the category of a 'large scale' facility. Part C of the policy allows small-scale facilities but only where they meet the needs of community and they do not involve importation. Whilst the proposal to spread the tailings onto the agricultural land is not specifically meeting the needs of the immediate local community, taking a broader approach to look at the purpose of the entire operation as a whole does indicate that there are considerable benefits to the wider national park community that rely on the safe and efficient functioning of the weir and the water it provides to Ladybower Reservoir.
80. The proposal does not involve the importation of waste material from off-site, rather, the dredgings, once screened, will be transferred into the adjacent field to form temporary stockpiles and allowed to de-water before spreading and incorporation take place. By utilising the dredging material on site, it avoids the need to transport the material off site

to landfill, which could potentially result in over 200 lorry movements from the site. Given the locality within which the development is set, which is a very popular part of the National Park serving a large tourist market, the addition of such lorry movements onto the local road network would not represent the most sustainable solution for the management of the silt dredgings.

81. In the current proposal, the waste 'facility' is localised in scale and extent, and will only be of very short duration, covering the period from when the dredgings are deposited on the land through to when they are spread and incorporated into the soil. This period could be a matter of weeks, or, if the weather prevents spreading, may extend into spring 2021, thereby occupying roughly six months as a maximum.
82. Part D of policy CC3 requires appropriate restoration and afteruse of waste sites so that they can contribute to the recreation and biodiversity value of the National Park. The application sets out the restoration of the site as simply the spreading of the dredgings evenly across the field and incorporation of the material into the soil as part of routine agricultural operations. A draft aftercare scheme has also been submitted with the application which sets out how the land will be returned to agriculture and how it will be managed for a five year statutory aftercare period.
83. With reference to DM policy DMMW1, waste development will only be permitted where there is evidence in relation to viability and need, and an assessment as to whether the development is in the public interest, with reference to need, alternatives and effects on landscape and recreational opportunities. There is a clear and justifiable need for the dredging works within the River Noe itself, as set out in paragraph 79 above, and therefore a consequential need to manage or dispose of the material that arises from the dredging operation. In reality there are only two options to deal with the dredgings, either deposit the material on agricultural land, as proposed, or take the material off-site to a waste facility elsewhere. As described in paragraph 81 above, there would be considerable impacts associated with taking the material off site onto the local road network, to landfill, which would not be in the wider public interest and would adversely impact on recreational amenity in this area of the National Park, with little opportunity to moderate those impacts.
84. At part (iv) of Development Management (DM) policy DMMW4, it states that proposals for waste management facilities must not involve land raising. There is therefore a potential conflict with policy DMMW4 in that the proposal involves land raising. However, the area intended to be covered by the dredgings is 2.7 hectares, with an estimated maximum volume of 4,500m³ of material spread evenly across that entire area. The application states that this equates to a depth of 165mm. Once the material has been spread, it will be incorporated into the top layer of soil as part of routine agricultural operations. Given that typical plough depths can range from between 15cm and 40cm, the impact of incorporating 16.5cm of dredgings into the soil over this area will result in a negligible increase in overall land height.
85. In reviewing the scale, intensity and duration of the intended development, and the broader purposes behind it, and assessing these factors against relevant policies of the Development Plan, the principle of this specific development is considered to be acceptable insofar as it does not raise any significant policy issues with respect to Core Strategy CC3 or Development Management policies DMMW1 and DMMW4.

Landscape and visual impacts

86. The agricultural receptor field lies within a defined river valley within the Upper Valley Pastures Landscape Character Type in the wider Dark Peak Landscape Character Area. To the north and south lie Enclosed Gritstone Uplands and beyond those, occupying the

higher ground, are Open Moors. There are some long-range views of the site from vantage points both north and south, particularly from well-used footpath routes to the south, between Lose Hill and Hollins Cross. However, there are no footpaths in close proximity to the site and existing pockets of woodland in the surrounding area help to screen views from short- to mid-range vantage points.

87. During the movement, screening and stockpiling period, there will be slight visual impacts as the silt-fenced stockpiles and silt fence barrier on the south-eastern field edge will create unusual features in the landscape. However, these impacts are temporary and will cease once the material is spread across the field and the grass crop is established. Whilst there will be an increase in overall height of the landform of 165mm, because of the field size, the increase will be negligible and the gradient profile from north west to south east will still be retained.
88. No shrubs, trees or hedges will need to be removed as part of the development proposal. The Authority's Landscape Architect has not raised any objections to the proposal but has recommended that all hedges and trees within the site or on the boundary should be protected by tree protection fencing around the Root Protection Areas (RPAs) to ensure no accidental damage during construction operations. Additionally, ground levels should not be altered within the RPAs of trees/hedges. In a draft restoration and aftercare scheme submitted with the application, these mitigation measures are included and can be embedded into a permission by condition or required through inclusion in a scheme for formal submission of a scheme via a discharge application.
89. Once the material has been spread on the field and the land re-seeded, the field will revert to its original visual appearance as semi-improved pasture land. The adjacent field, which was subject to silt spreading in 2012, quickly re-established its original appearance following silt spreading and incorporation and assimilated into the landscape with little visual impact overall.
90. The nearest residential property is located 140m to the north west of the proposed field, on the other side of the railway line. The topography falls gently towards the River Noe, looking south, which, in combination with the nature of the works set at ground level and intervening hedgerows and buildings, will mean that the development is unlikely to be visible. In considering the temporary nature of the development and its setting within the valley bottom, there will not be any significant or lasting landscape impacts arising from the development. The proposal is therefore considered to be in accordance with Core Strategy policies GSP3 and L1, DM policies DMC3, DMC14, DMMW2, DMMW3, DMMW5, and with the criteria set out in Appendix B of the National Planning Policy for Waste.

Flooding and drainage

91. The Flood Risk Assessment (FRA) accompanying the application confirms that although the dredging activity in the channel is in Flood Zone 3, the disposal site lies on higher ground within Flood Zone 1, which is at very low risk of fluvial flooding. Given the nature of the material, the spreading of silt dredgings on the land does not increase the impermeable area and therefore no additional drainage is required.
92. The temporary stockpiling of silt is proposed at the top NW corner of the field and each stockpile will be fenced on the downslope side to allow the dredgings to de-water before spreading. Additional silt fencing and straw bales are proposed at the field's lower edge to prevent any silt re-entering the River Noe. The silt spread on the land will be permeable and so there will be no undue increase in surface water runoff.

93. There are overland flow routes through the field which occupy the marginally lower central band running through the field. The FRA advises that care must be taken to ensure that those overland flow routes are not impeded by maintaining existing site depressions in the receptor field, so that those natural flow paths through the field to the River Noe can continue to operate. The spreading operation will ensure that the maximum depth of 165mm is achieved across the site and therefore the existing micro-topography of the field will be maintained, enabling the overland flow routes to continue to operate unimpeded.
94. At a wider level, once the de-silting operation is completed, the River Noe channel and weir infrastructure will be able to operate far more effectively and will have greater capacity to accommodate increases in flow rates in the longer term. In consideration of the impacts on flooding and drainage, the development will not cause any significant adverse effects and is therefore in compliance with Core Strategy (CS) policies CC1 and CC5, and DM policies DMC3, DMC14 and DMMW3.

Traffic and access

95. Access to the site is via an existing private gated farm track leading from Edale Road to the north west. The route passes through a farmstead, over the railway and joins the northern and eastern boundaries of the agricultural receptor field. With the exception of employees vehicles and any plant brought specifically onto site from elsewhere, all movements involved in the proposed development will be internal, comprising the movement of dredgings from the riverside up onto the field, initially for stockpiling, and then latterly for spreading. All access into the field will be undertaken via a temporary access point off the main track, and access will only be for tractor and trailer, or dumping plant.
96. The application is accompanied by a Traffic Management Plan (TMP) which sets out expected movements to and from the site for all aspects of the dredging activity, although the majority of these movements relate to the element that is permitted development. This includes a site layout plan identifying the main compound area and delivery area near the farmstead, the access route running along the northeastern edge of the receptor field and a second compound close to the weir infrastructure.
97. The TMP states that large vehicles accessing the site must not approach the site from the east via Hope, due to the tight and narrow bridge which could be easily damaged and cause traffic problems. The site approach plan is to be issued to all delivery drivers with strict instructions to access via Edale from the west. The TMP anticipates that the only vehicles that may cause noticeable disruption would be the delivery of any heavy plant at the start and end of the project, but a plan will be put in place to marshal these vehicles into site to minimise disruption to the local road network. The traffic and access arrangements for the development will be limited in scope and duration, with measures put in place, through the TMP, to reduce and mitigate impacts on the local road network.
98. Also, by spreading the silt on the adjacent farmland rather than exporting the material off site, it will avoid an additional 200 lorry loads using the local road network to transport the dredgings to landfill. It will also avoid the need to construct a temporary access road which would be needed to enable the effective removal of silt from site, as the existing access is not suitable for large vehicles. This new temporary access would require stone to be imported into the site, creating further lorry movements. To minimise the traffic movements associated with the development overall, the proposed spreading of dredged silt on adjacent farmland is considered to be the most sustainable option overall, keeping carbon emissions to a minimum and reducing the impact on the local road network. The proposal is therefore considered to be in accordance with Core policies GSP1, GSP3, CC1, T1, T4 and T6, as well as DM policies DM1, DMMW2,

DMMW4, DMC3 and paragraph 102 of the NPPF.

Environmental emissions – noise, dust, odour, pollution

99. The nearest residential noise receptors to the development site lie 140m to the north west. Whilst there will be short term noise impacts associated with the desilting, stockpiling and spreading works, the period over which they will occur is limited – the construction period, including enabling works, desilting works and through to the point of stockpiling, is expected to last 10 weeks. Additionally, the nature of these operations on the field are similar to routine agricultural operations and therefore the potential for any significant noise emissions arising from the development, over and above base level emissions, is low.
100. Similarly, the potential for dust emissions is low. The dredgings will need to be de-watered before spreading on the land and therefore their potential for causing extraneous dust emissions will be negligible. The Traffic Management Plan requires adherence to speed limits through the site which will reduce the potential for any dust emissions arising from the internal access routes. The application advises that the proposed works will not produce any odour emissions.
101. The silt within the River Noe does not contain any significant harmful substances or have any characteristics which would cause significant pollution to the environment. Evidence to support this is provided by way of a chemical analyses report on the silt dredgings, which provides data on levels of organic matter, total nitrogen, potassium, phosphorus, magnesium, pH and other trace metals. The chemical analyses indicated slightly elevated copper levels in the dredgings. However, this is stated to offer agricultural benefit as the farmer currently has to incorporate supplementary copper feed as part of routine farming operations to address low copper levels in the soil, therefore this need may be negated in the future. The insertion of silt barriers and straw bales around each dredgings stockpile, and around the downslope edge of the field, will ensure that the silt does not re-enter the River Noe.
102. The addition of the silt dredgings to the land will increase organic matter levels and certain plant nutrients, which will be of overall agricultural benefit to the land. The subsoil of the receptor field is coarse-textured and stoney, therefore moisture retention can be an issue during drought periods. The incorporation of the silt will increase moisture holding capacity and lead to better grass growth.
103. In terms of additional regulatory control, the application advises that a Land Spreading permit, a deployment notice and T5 exemption for mechanical screening of the dredgings prior to stockpiling have been, or are in the process of being, determined by the Environment Agency. In their consultation response, the Environment Agency raise no objections to the development.
104. In consideration of the impacts of the development on environmental emissions, the development will have minimal impact on noise, dust and odour emissions, and there will be no significant pollution risk to the environment. In broad terms the whole development will allow significant improvements to be made to the watercourse both upstream and downstream of the River Noe weir. The development is therefore considered not to raise any policy conflict with respect to Core Strategy policies GSP2, GSP3 and GSP4, DM policies DMC3, DMC14 and DMMW3, as well as the policy direction in the NPPF and NPPW.

Biodiversity impacts

105. A Preliminary Ecological Appraisal was undertaken in January 2020 and submitted with

the application. The report covers all the areas affected by the entire operation, including the permitted development works in and around the channel as well as the receptor field identified for proposed stockpiling and spreading.

106. Habitats immediately adjacent to the weir (unimproved acid grassland, marshy grassland, floodplain mire and an area of alder regrowth and reed canary grass on stone riprap) were generally of much greater ecological value than the semi-improved grassland pasture field identified for the silt spreading. Key species interest includes nesting birds, herpetofauna, potential for water vole, white clawed crayfish and brown trout. Also noted was the presence of invasive New Zealand pygmyweed.
107. The report makes a number of recommendations, largely reflecting the contrast between the more diverse biodiversity rich areas close to the River Noe and the semi-improved agricultural land, which they recommend the spreading of dredged silt be limited to. Protection should also be given to the areas of unimproved grassland and heath downslope of the spreading area from inadvertent nutrient loading and runoff. This protection will be achieved through the imposition of silt fence barriers and straw bales around each dredging stockpile and at the downslope edge of the field, the requirement of which can be effectively imposed through condition.
108. A Clerk of Ecological Works will be present throughout the works to ensure that the recommendations within the report are adhered to at all times. This will include pre-works checks for nesting birds, reptiles and common amphibians, water vole, white clawed crayfish and brown trout. The applicant has committed to taking a proactive approach to ecological enhancement in and around the working area. For example, any opportunity to re-use unwanted materials or debris arising from the dredging operation to create suitable habitat for wildlife will be taken.
109. The Authority's ecologist has commented on the proposals and raises no objections to the development, subject to the recommendations in the Preliminary Ecological Assessment being followed in full. In addition, a request has been made that:
- The pre-works checks for water vole also include otter
 - Checks for Japanese Knotweed should be undertaken, as they may not have been picked up in the January survey
 - Support Landscape Architects comments on need for root protection areas to protect trees and hedges. Also require a 10m buffer strip between spreading area and unimproved grassland to the south of the field.

In respect of the Aftercare scheme submitted:

- Species mix for grassland post-spreading should omit clover and timothy and other amendments made to certain species, with source to be agreed with PDNPA
 - Grass not to be cut until 15th July to allow plants to flower and seed
 - Ideally be aftermath grazed with cattle at stocking rate of 0.6LU/ha
 - Ensure the aftercare plan includes details on weed management
110. The additional requests have all been addressed by the applicant. The suggested variations to the seed mix have been partially met in order to balance the need to increase species diversity, for enhancement purposes, whilst at same time addressing concerns over the long term agricultural viability of the field and future grass yields from a field which is described as being the most productive on the farm unit. The agreed aftercare scheme can be embedded into a planning permission by condition to ensure that the land is returned to full agricultural use as quickly as possible whilst ensuring that there will be some level of biodiversity enhancement

within the statutory five year aftercare period.

111. Looking more broadly at the desilting project overall, the removal of silt from the River Noe will enable the effective flow of water to continue downstream as well as into the compensation channel which feeds Ladybower Reservoir. The removal of the silt built up behind the weir will prevent unacceptable levels of silt travelling downstream when the penstocks are operated, which could have adverse impacts on habitats and species downstream within and around the watercourse.
112. Given the proximity of the designated areas (Dark Peak SSSI, Lower Hollins SSSI, South Pennine Moor SAC and Peak District Moors SPA) to the development site, there will be no adverse impacts on these areas. Sufficient measures are in place to protect existing habitat and species within the site and to provide a level of biodiversity enhancement, with an agreed aftercare scheme in place for the receptor field, therefore the proposal is considered to be in accordance with Core Strategy policies GSP1, GSP2, DS1 and L2, and with DM policies DMC3, DMC11, DMC14, DMMW1, DMMW3 and DMMW5.

Heritage

113. The proposed works are not in close proximity to any listed buildings, the nearest being over 1km to the south west. In view of the nature, scale and duration of the works and the fact that the land will revert to agriculture within a short timeframe once spreading of the silt has been completed, it is considered that there will not be any discernible impacts on the listed building or on the Conservation Area, which lies to the north.
114. The works within the field will not take place at any depth greater than that ordinarily affected by ploughing or other agricultural operations, therefore it is not expected that any buried archaeology will be affected by the proposed stockpiling and spreading of dredged silt. The Authority's cultural heritage officer has raised no issues or concerns with the proposal and confirmed there is no requirement for a desk-based study to support the application. It is therefore concluded that there will be no adverse impacts on cultural heritage interests in and around the site and the proposal is in accordance with Core Strategy policy L3, DM policies DMC3, DMC7, DMC8, DMC14 and DMMW3, and with the policies set out in the NPPF and NPPW.

Conclusion

115. The proposal seeks permission for the temporary stockpiling and deposition of dredged silt from the River Noe onto adjacent agricultural land. The silt would be spread to a depth of 165mm and then incorporated into the soil as part of routine agricultural operations.
116. The development forms a component part of a wider project which will enable repair works to be undertaken to the River Noe weir infrastructure and, through the removal of silt build up behind the dam, will ensure the safe and effective operation of the weir for the future, where the penstocks can be used more efficiently and regularly to sustainably manage the build up of silt in the watercourse. This will in turn enable a more effective and continued supply of water to Ladybower Reservoir via a 2.5 km compensation channel, which goes on to serve the Severn Trent region with a supply of drinking water.
117. The spreading of silt on adjacent agricultural land is considered to be the most sustainable solution for the disposal of the silt, as opposed to the alternative option of removing the material off-site to be taken to landfill, which would require around 200

lorry movements on the local road network.

118. The scope and nature of the works, and the temporary duration over which the storage and spreading will take place, does not give rise to any significant landscape or visual impacts, and there are no significant environmental emissions likely to arise as a result of the development. Additional regulatory controls over the operation and process for pollution control are in the process of being, or have already been, determined by the Environment Agency.
119. Low level enhancement of the semi-improved agricultural receptor field can be achieved through a statutory five year aftercare plan and there are wider biodiversity benefits arising from the in-channel works to habitats and species in the area. On balance, the development does not raise any significant conflict with Development Plan policies and is in accordance with national policy guidance set out in the NPPF and NPPW. The application is therefore recommended for approval subject to the imposition of conditions.

Human Rights

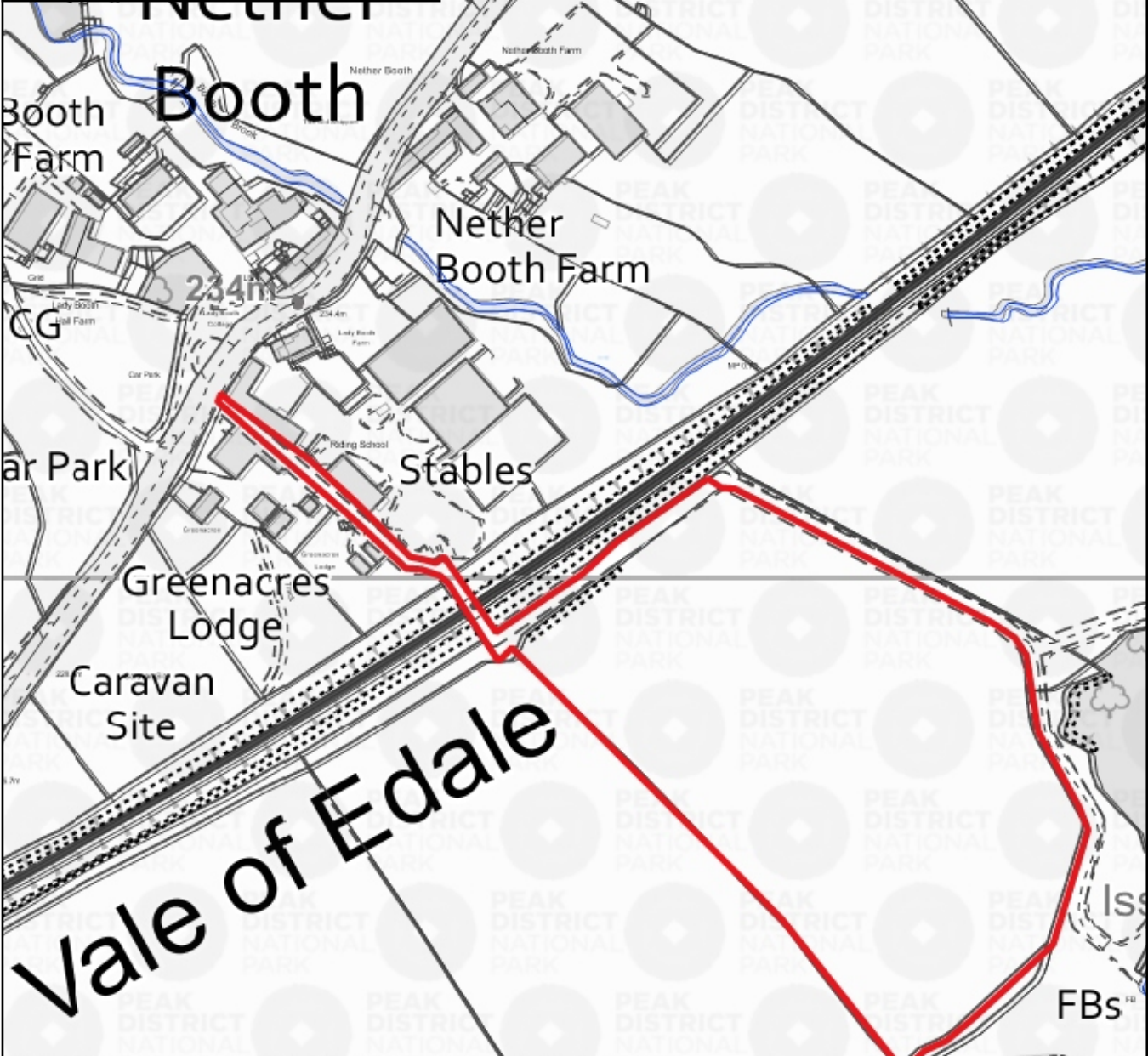
120. Any human rights issues have been considered and addressed in the preparation of this report.

List of Background Papers (not previously published)


121. Nil
122. Senior Minerals Planner – Andrew Barton



1:2500



© Crown copyright and database rights 2020 Ordnance Survey 0100022750
 You are not permitted to copy, sub license, distribute or sell any of this data to third parties in any form

Committee Date:	21st August 2020	Title: Land Adj River Noe Weir	 PEAK DISTRICT NATIONAL PARK
Item Number:		Off Edale Road	
Application No:	NP/HPK/0620/0537	Nether Booth	
Grid Reference:	414428, 385949	Edale	

This page is intentionally left blank

6. FULL APPLICATION – MODIFICATIONS TO THE PATHWAYS, ALTERATIONS TO THE LEVEL OF THE ENTRANCE PORCH AND DOORS ; THE IMPLEMENTATION OF AN INTERNAL RAMP BETWEEN THE NORTH AND CHANCEL AISLE; AS WELL AS THE CREATION OF A SECOND DOORWAY IN THE NORTH CHANCEL AISLE AT PARISH CHURCH OF ST. LAWRENCE EYAM, CHURCH STREET, EYAM (NP/DDD/0420/0313 AM)

APPLICANT: REV MIKE GILBERT

Summary

1. The church of St Laurence; Eyam is a Grade II* building located within the centre of Eyam.
2. This application proposes alterations to the building and pathways within the site to provide level access through the south porch and a new emergency exit to the north elevation.
3. The application demonstrates that the development will conserve the significance of the church and its setting.
4. We recommend that the application is granted permission subject to conditions.

Site and Surroundings

5. The church of St Laurence; Eyam is a Grade II* building located within the centre of Eyam and within the designated conservation area.
6. There is pedestrian access to the site from a number of points along Church Street and from the church centre / rectory to the east. There are neighbouring residential properties to the west and south.

Proposal

7. Alterations to the church and its grounds to facilitate level access and provide a means of escape. The proposed alterations include:
 - Raising the level of pathways leading to the principal (south) entrance.
 - Raising the floor level within the south entrance porch to meet the new level of the pathway and thereby provide level access.
 - Extension of existing pathway to the rear of the church.
 - Formation of new doorway within the rear (north) elevation of the north aisle.
8. Alterations are proposed to the interior of the church, including the removal of the organ and introduction of an oak ramp. These works do not require planning permission.
9. The application originally proposed the replacement of the existing timber external doors to the south entrance porch with new glazed doors. The applicant has written to us to omit this element from the scheme.

RECOMMENDATION

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

1. **Statutory three year time limit for implementation.**
2. **In accordance with submitted plans and specifications.**

3. **No development shall commence until a written scheme of investigation for a programme of historic building recording has been submitted and approved. No development shall take place until all on-site elements of the approved scheme have been completed. Within 12 week from completion of the development reporting shall be completed and provision made for publication, dissemination and archiving of results.**
4. **Notwithstanding the approved plans, no planning permission is granted for the removal or replacement of the existing external doors to the south porch.**
5. **Agree details of alterations to existing external doors to the south porch to facilitate raised floor level.**
6. **Agree details of new doors to north elevation including construction, finish and method of fixing.**
7. **Agree sample of stone type and dressing for the new north doorway.**
8. **Agree details of new mortars for bedding and pointing stonework (including proposed mortar mix(es) and joint profile).**
9. **Agree samples of flagstone paving and kerbs including dressing, coursing and joint profile.**
10. **Agree construction details and finish and method of fixing for new handrail.**

Key Issues

- The impact of the proposed development upon the significance of the Grade II* listed church and its setting.

Relevant Planning History

10. None relevant.

Consultations

11. Parish Council: No response to date.
12. District Council: No response to date.
13. Highway Authority: No response to date.
14. Historic England: *“Historic England has no objection on heritage grounds to the proposed new North door but has serious concerns as regards the impact of the preferred design for new outer South doors. We cannot support the preferred design for the outer South Porch doors and recommend that the applicants’ architect (in discussion with the DAC, the Local Planning Authority, ourselves and the Victorian Society) bring forwards alternative solutions which better sustain the significance of the church as a listed building.”*
15. Victorian society: Make the following comments:

“Broadly we are content with the proposed new entrance on the north side of the church, and on the disposal of the organ we are content to defer to more knowledgeable and specialist organisations, such as the BIOS and the CBC. The only aspect of the proposals with which we are not content – and which, on the basis of the information provided, we would have to oppose – is the proposed works to the south porch.”

The porch is, as the Statement of Significance underlines, a clear focus of the building – naturally so as its main entrance – and a major component of this most conspicuous and public aspect of the building. The prominence of the south porch, and the fact that all paths lead to it, in our view automatically renders it a more involving, inviting and welcoming structure than many porches can appear. In addition, few things are quite as effective at fostering a sense of welcome as leaving the outer doors propped open and a sign clearly erected stating the building is open and all are welcome to enter: a simple solution that the church, if it does not already, should certainly adopt. The present historic doors are fitted with pleasing ironmongery and their loss would be regrettable in fabric terms, quite apart from the impact their replacement would have on the character, appearance and experience of the porch.

We are not convinced by the notion that glass doors would render the entrance to St Lawrence's any more welcoming than it is already. Glass is not as transparent as people often assume, tending instead to reflect its surroundings (and light), and having a material presence that can be (and here would be) quite strident in the context of historic buildings and materials. It also presents an additional practical issue in that it can attract dust, grime and finger prints, which necessitates cleaning. Also thinking practically, visibility through two sets of glass doors placed a few feet apart would be almost nil. Indeed, the rationale for two sets of glass doors – inner and outer – is unclear. In addition, two-leaved doors, where one leaf is larger than the other, could look very odd indeed, and would fail to respond to the inherent symmetry and balance of the historic portals.

Proposals to provide level access into the church are acceptable. However, these do not necessitate the removal of Webster's porch doors (certainly not both of them), or their replacement with glass doors, which we consider would erode the character and appearance of the II listed building."*

16. PDNPA Built Environment: Makes the following comments:

"The building has medieval origins, and may possibly be earlier, and there is evidence of adaptation in the 16th and 17th centuries. However, the church was extensively rebuilt in the mid-19th century to the designs of the eminent Victorian architect, G. E. Street. In the 1880s, further alterations were carried out to the south aisle, porch and the belfry under the supervision of the Sheffield-based architect, J. D. Webster.

Four listed structures stand within the churchyard and one of these, the Anglian high cross, is scheduled. Clusters of buildings within the setting of St. Lawrence's Church are also listed. The site lies within the historic core of Eyam and its conservation area. The conservation area was designated on the 10th July 1981 and its boundary amended, and a character appraisal adopted, on the 2nd July 1993.

This planning application proposes alterations to the church and its setting to allow level access and improve the means of escape, thus providing access for all and improving provisions for the large number of worshippers and visitors. The proposed alterations include: (1) modifying the pathways that lead to the principal (south) entrance; (2) changing the floor level within the south entrance porch; (3) replacement doors to the south entrance porch; and (4) forming a new doorway within the north elevation of the north aisle.

Alterations are proposed to the interior of the church, including removal of the organ and the introduction of an oak ramp. However, these particular works do not require planning permission.

There is no objection to forming a new doorway within the north elevation of the north aisle or the works proposed to the setting of the listed building, as this part of the proposed works will not harm the significance of the listed building.

However, replacement of the outer timber doors to the south entrance porch will harm the significance of the listed building. This harm will not be outweighed by the other works proposed in this application and /or the public benefits.

This application is therefore contrary to local and national planning policy and Section 66 of the

Planning (Listed Buildings and Conservation Areas) Act 1990. I therefore strongly encourage the applicant to investigate the retention of the outer solid timber doors to the south porch.”

17. PDNPA Archaeology: Makes the following comments:

“The Church of St Lawrence, Eyam has significant archaeological interest due to the hidden information and concealed information relating to the development of the church within the building of the church itself. The site also has significant archaeological interest with respect to buried archaeological remains and features related to the development to the church and churchyard from the medieval period, medieval and later burial practices and any the development of the village.

Any such remains would be considered to be non-designated heritage assets of archaeological interest in their own right and will also contribute to the understanding and significance of the listed church and the listed and scheduled stone cross.

There are no concerns with respect to the proposals and the impacts upon buried archaeological remains and features. I welcome the level of thought that have been put into these proposals to ensure they are sensitive to the archaeological interest of the site and building by removing all groundworks and building up ground levels when changes of levels are required, and incorporating the required drainage within the raised levels. This means that there will be no harm to the below ground archaeological interest of the site.

However, the proposed changes, particularly with the installation of a new emergency exit, will result in irreversibly changes to the north wall and permanent loss of historic (Victorian) fabric and the design of this elevation. This will impact the archaeological and historic interest of the building resulting in harm to the significance of the listed building. From an archaeological perspective this harm is less than substantial.

The historic and architectural interest of the building, and the impact of or acceptability of the proposed changes are the key considerations for this proposals. I recommend that you are guided by the advice Historic England and the Building Conservation Officer with respect to these matters.

If with respect to the advice from Historic England and the Building Conservation Officer, and with respect to the planning balance, it is considered that the harm to significance of listed building and wider site is justified with respect to the balance of public benefit, then I recommend that an appropriate programme of historic building recording is secured by condition in order to mitigate the harm identified above.

This is required to ensure that a record is made of the church and the areas affected before the alteration and changes to its historic fabric and designed aesthetic, to mitigate the harm resulting from the proposed development and is in accordance with NPPF para.199. This needs to comprise a visual and descriptive record that makes use of the high quality drawn record provided by the ‘as existing’ architect’s drawings, and should be the equivalent of the Historic England Level 2/3 record. It needs to be undertaken by a suitably qualified and experienced historic building specialist/archaeologist to a written scheme of investigation that has been approved by the Senior Conservation Archaeologist.”

Representations

18. We have received 24 representation letters to date. 10 object to the application, 12 support and 2 make general comments. The reasons are summarised below.

Objection

- Object to the removal of the pipe organ from within the church.
- The proposed glass doors look out of character with the historic church and would be harmful.
- The existing outer doors should be re-used and left open when the church is open. The

doors should be retained as existing apart from any change due to the change in ground levels.

- The proposals would harm the significance of the historic building.
- The creation of a second doorway in the north walls seems over elaborate, particularly where there is an existing door via the vestry that could be widened.
- The applicant has not undertaken consultation with the local community.

Support

- The proposals would significantly improve accessibility for disabled people.
- Access for disabled people to the building is essential and overdue.
- These proposals strike a good balance between the preservation of the early elements of the building and most elements of (ill-considered) Victorian rebuilding with enabling access for all.
- The present heavy wooden doors most resemble prison doors. Doors with glass so that people can see inside will transform the appearance from 'forbidding' to 'welcoming'.

General comments

- Request that the planning process is delayed due to the current pandemic until such time that the proposals can be presented to the village as a whole so that residents can comment.

Main Policies

Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, CC1 and L3

Relevant Development Management Plan policies: DMC3, DMC5, DMC6, DMC7 and DMC8

National Planning Policy Framework

19. National Park designation is the highest level of landscape designation in the UK. The Environment Act 1995 sets out two statutory purposes for national parks in England and Wales: Which are; to conserve and enhance the natural beauty, wildlife and cultural heritage and promote opportunities for the understanding and enjoyment of the special qualities of national parks by the public. When national parks carry out these purposes they also have the duty to; seek to foster the economic and social well-being of local communities within the National Parks.
20. The latest version of the National Planning Policy Framework (NPPF) was published on 19 February 2019. The NPPF is a material consideration and carries particular weight where a development plan is absent, silent or relevant policies are out of date. In the National Park the development plan comprises the Authority's Core Strategy 2011 and policies of the Development Management Policies document 2019. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application.
21. In this case there is no conflict between our development plan policies and the NPPF Our development plan policies should therefore be afforded full weight in the determination of this application.
22. Paragraph 172 of the NPPF states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage should also be given great weight in National Parks.
23. Para 190 of the NPPF states that Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available

evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

24. Para 192 of the NPPF states that in determining applications, local planning authorities should take account of:
- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - c) the desirability of new development making a positive contribution to local character and distinctiveness.
25. Para 193 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
26. Para 194 of the NPPF states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:
- b) grade II* listed buildings, should be wholly exceptional.
27. It is worth setting out that 'substantial harm' is harm which is very serious and is the greatest level of harm after total loss. 'Substantial harm' would often lead to irreversible loss of significance to a point where the designation is likely to be compromised. All other harm falls under the umbrella of 'less than substantial harm', and it is important that this is not underestimated as harm that falls into this category can still be very damaging cumulatively or in its own right. Para 196 of the NPPF states that where a development proposal will lead to less than substantial harm (but there is still harm) to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
28. Para 199 of the NPPF states that Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.

Core strategy policies

29. GSP1 sets out the broad strategy for achieving our objectives having regard to the Sandford Principle. GPS1 also sets out the need for sustainable development and to avoid major development unless it is essential.
30. 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.
31. The Authority's conservation policies reflect the approach taken in the NPPF. Policy L3

says that development must conserve and where appropriate enhance cultural heritage assets and their setting and that other than in exceptional circumstances, development will not be permitted where it is likely to cause harm.

32. HC4 A says that the provision or improvement of community facilities will be encouraged within settlements listed in core policy DS1.

Development management policies

33. DMC3 sets out that where development is acceptable in principle, it will be permitted provided that its detailed treatment is of a high standard that respects, protects and where possible enhances the natural beauty, quality and visual amenity of the landscape, including the wildlife and cultural heritage assets. Particular attention will be paid to siting, scale, form, mass, landscape setting and the valued character and appearance of the area.
34. DMC5 makes the submission of a heritage statement with applications a policy requirement and reflects policies in the NPPF by requiring great weight to be given to the conservation of heritage assets, weighing harm against public benefits.
35. DMC7 and DMC8 say that applications affecting a listed buildings and conservation areas should be determined in accordance with DMC5 and clearly demonstrate how the significance of the affected heritage assets will be preserved and why the proposed development is desirable or necessary. DMC7 C. and D set out specific types of alterations to listed buildings that will not be permitted.
36. In considering whether to grant planning permission for the proposals we are obliged to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. We must give great weight to the desirability of conserving a designated heritage asset weighing against any public benefit where harm is less than substantial.

Assessment

Principle

37. A heritage statement has been submitted with the application. We have consulted Historic England, the amenity bodies and our conservation officer and senior archaeologist and all parties agree with the description of significance.
38. The building dates to the medieval period with fabric of the 13th and 15th centuries. The church was partially rebuilt in 1619 and later restored by Street in 1868-69 and J.D. Webster in 1882-83.
39. Four listed structures stand within the churchyard and one of these, the Anglian high cross, is a scheduled monument. Clusters of buildings within the setting of St. Lawrence's Church are also listed. The site lies within the historic core of Eyam and its conservation area.
40. The church of St Lawrence; Eyam is a Grade II* listed building and therefore is a designated heritage asset of more than special architectural and historic interest. Local and national planning policies are clear that while alterations to designated heritage assets such as listed buildings are acceptable in principle, development must conserve or enhance the significance of the affected heritage assets.
41. There is a very strong presumption against development that would have a harmful impact upon significance, unless the public benefits arising from the development outweigh the harm.

42. The church benefits from ecclesiastical exception, which means that the church is exempt from certain provisions of the planning acts, including the need to apply for listed building consent for church buildings used for worship. Historic England advise that the church has its own arrangements for handling changes to historic buildings which provide the same standards of protection as the secular system operated by local planning authorities.
43. A number of representations raise concerns about proposed internal works. However, this application is for planning permission only and therefore we can only consider the impact of development, which does not include internal works. The consideration of works that would normally require listed building consent is a separate matter for the church in consultation with Historic England.
44. The key issue therefore is the impact of the proposed development upon the significance of the church and its setting.

Impact of development

45. The development comprises two elements, the provision of level access through the south porch on the principal (south) elevation and the creation of a new emergency exit door and path to the rear (north) elevation.

Alterations to levels and porch on the principal elevation

46. The level of the surfacing adjacent to the south porch and nearby sections of five pathways would be raised to match the proposed floor level within the porch. The raised sections would have an asphalt surface with sandstone kerbs to match the existing. The level area in front of the door would be paved with stone flags over a concealed drain. The grass adjacent to the raised areas would be raised to avoid a step. The existing turf would be removed and replaced after additional topsoil is added.
47. The floor level within the porch would be raised to meet the level of the hardstanding. The existing historic stone flags would be left in place with a new stone floor bedded in a reversible mortar over the existing flags. The new flags would be cut around historic details including the plinths to the engaged columns that frame the main entrance.
48. The proposed works to raise the pathways would be undertaken over a relatively wide area and therefore the change in levels would have no significant visual impact and conserve the setting of the church and the conservation area. The proposed works to raise the floor level within the porch would not harm its significance or the historic detailing of the porch.
49. Therefore, there are no objections to this element of the proposals. If permission were, granted, conditions would be recommended to secure samples of the proposed flagstone paving and kerbs prior to installation. It is noted that the works to porch floor have been designed to be reversible without harm to the existing floor and this is welcomed.
50. The application originally proposed the replacement of the existing outer timber porch doors with new glazed doors. The applicant has omitted this alteration from the scheme following consultation responses from Historic England, the Victorian Society and our Conservation Officer objecting to their removal.
51. The application now only proposes modifications to the base of the doors to accommodate the raised level of the external path and porch floor. The modifications would also include raising the position of the lower hinges to suit. Maintenance works to the doors would be undertaken at the same time and existing modern signage removed. No works to mechanise the doors are proposed, the external doors would be kept fully open when the church is open to the public.

originally proposed would unacceptable harm the significance of the listed building. We welcome the revised proposals to omit this element and we have no objection to the proposals to retain the existing doors with minor modifications to the base.

53. If permission is granted, we would recommend a planning condition is imposed to ensure that the precise details of the alterations to the external doors are approved.

New emergency exit door and path to the rear elevation

54. A new door is proposed in the rear (north) elevation to provide an emergency exit. The applicant has been advised by building control that alterations to the existing church access would necessitate improving emergency exits within the building. The application demonstrates that the applicant has explored a number of alternatives, including altering the existing vestry doors. Following this process a new doorway within the north elevation of the north aisle was considered the least invasive approach.
55. Concern has been raised about the impact of the proposed new door in representations. Our Conservation Officer advises that since construction the church has undergone a series of remodelling and alterations and that the north elevation of the north aisle is asymmetrical in design. Therefore the principle of a door in the proposed location will not harm the significance of the building. Historic England and the Victorian Society have been consulted and raise no objection to the new doorway.
56. The proposed emergency exit will result in irreversible changes to the north wall and loss of historic fabric. This will result in some harm to the archaeological significance of the building. However, our Senior Archaeologist advises that the historic and architectural interest of the building and the impact of or acceptability of the proposed alterations are the key considerations and that the decision should be guided by advice from Historic England and our Conservation Officer.
57. Therefore, in accordance with advice from our Conservation Officer we conclude that the proposed new door opening would not harm the significance of the listed building or its setting. If permission is granted we would recommend conditions to agree samples of the new building stone, mortar mix, details of the proposed door and details of the new / re-sited downpipe currently located where the new door is proposed.
58. If permission is granted we would also recommend a planning condition to secure an appropriate programme of historic building recording in accordance with advice from our Senior Archaeologist and our conservation policies.
59. An extended path is proposed along the rear of the church to provide access to the new door. There is no objection to the proposed pathway subject to agreement of the proposed flagstone paving and handrail.
60. Overall, it is concluded that subject to conditions the proposed development would be less than substantial harm which conserve the significance of the church and its setting in accordance with our policies. The proposals would also significantly enhance accessibility for the public to an important community facility, this is welcomed and the public benefit offsets the less than substantial harm.
61. Given the location, scale and nature of the proposed alterations we have no concerns that the development would harm the amenity of any neighbouring property. The proposals would not harm highway safety.

Conclusion

62. The proposed development would conserve the significance of the Grade II* listed church and its setting.
63. Therefore having taken into account all matters raised we consider that subject to

conditions the development is in accordance with the development plan. There are no other material considerations that indicate that permission should be refused. The application is therefore recommended for approval subject to conditions.

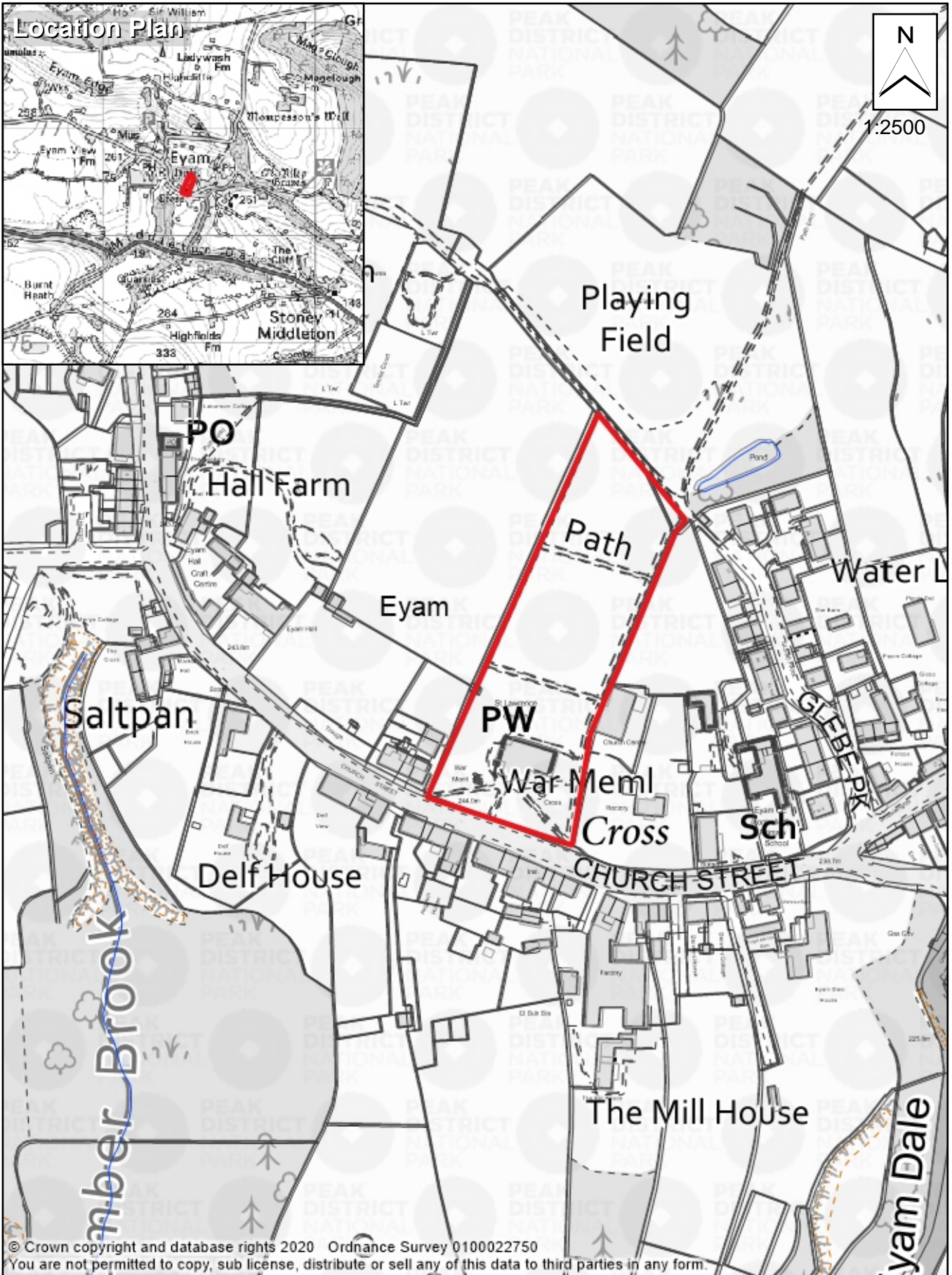
Human Rights


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

List of Background Papers (not previously published)

None

Report Author: Adam Maxwell, Senior Planner



<p>Committee Date: 21st August 2020</p> <p>Item Number:</p> <p>Application No: NP/DDD/0420/0313</p> <p>Grid Reference: 421775, 376417</p>	<p>Title: Parish Church of St. Lawrence, Eyam</p>	 <p>PEAK DISTRICT NATIONAL PARK</p>
---	--	---

This page is intentionally left blank

7. FULL APPLICATION – CHANGE OF USE OF APPROVED STABLE BUILDINGS TO 4 NO. BEDROOM SUITES, AN M&E ROOM AND A DOMESTIC STORE – BLEAKLOW FARM, BRAMLEY LANE, HASSOP (NP/DDD/0520/0404 TS)

APPLICANT: MR P HUNT

Summary

1. The application is for the change of use of a building that was previously approved as stables to be used for additional bedrooms for the main house instead. The development would not result in adverse planning impacts. In a recent appeal decision the Planning Inspector considered the cumulative impacts of using the stables as ancillary accommodation and a now approved change of use of a barn to letting rooms. The Inspector concluded that there would be no harmful amenity or highways impacts. The application is recommended for approval.

Site and surroundings

2. Bleaklow Farm is a vacant farmstead situated in an isolated hilltop position close to the ridge of Longstone Edge, 900m north of Rowland hamlet. The farmstead is situated in a slight hollow and is bounded to its north, east and west sides by mature tree plantations. Although it is situated in a remote and isolated position it is not unduly prominent in the wider landscape, but is visible from a public footpath which passes directly through the farmstead.
3. The farmstead originally comprised a farmhouse in a deleterious condition with adjacent outbuildings to the west and north sides, forming a courtyard. There is a further detached traditional outbuilding to the north of the farmhouse (subject to the current application) and formerly to the north of the courtyard buildings was a dilapidated range of modern farm buildings.
4. The former farmhouse was vacant and in a poor structural condition and appearance and had been the subject of inappropriate additions, including a 16.7m long x 4.5m wide single-storey extension attached to its western side.
5. Consent was granted in June 2014 for the demolition of the existing farmhouse and erection of a larger replacement farmhouse of a similar character to the original farmhouse. The approved scheme included the replacement of the single-storey extension with a contemporary extension, part rebuilding of the stable building at the western end of the courtyard, and the erection of a secondary courtyard of buildings behind the main building courtyard to accommodate stabling and garaging.
6. The applicant then began constructing the replacement dwelling, which has been constructed up to first floor level. However, following an officer site inspection it was subsequently discovered that the replacement dwelling was being constructed to significantly larger dimensions than that given approval, and other unauthorised design changes had been made to the scheme.
7. Rather than revert to the originally approved scheme, the applicant chose to submit a retrospective planning application to build the replacement dwelling to the larger dimensions and amended design, as presently constructed. This application was refused by Planning Committee on 11 December 2015. A subsequent appeal against the Authority's decision to refuse planning permission was dismissed on 19 May 2016. An amended scheme was subsequently applied for in November 2016 under application reference NP/DDD/1116/1095 which was approved in January 2017. An

amendment was made to this permission (reference NP/DDD/1117/1128). That permission has now been implemented and construction work is ongoing.

8. Under the approved scheme, the wing that projects northwards at the western side of the main dwelling is to be a stable block, tack room and office. Condition 1 of the approval pursuant to NP/DDD/1117/1128 requires that the development is carried out in accordance with the submitted plans. Condition 2 of that approval states that the stables shall remain as stabling in perpetuity and shall be used for no other purpose. The stabling shall be ancillary to and for the personal use of the occupants of Bleaklow Farmhouse.

Proposal

9. The application seeks to change the use of the building that has been approved for use as stables to additional bedrooms, plant room and storage for the main house.
10. The bedrooms would not form a self-contained living unit as they do not have any kitchen or living facilities. They would be additional accommodation for the main house and would not form an independent unit.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions:

1. **Development to be carried out in accordance with specified plans.**
2. **The accommodation hereby approved shall only be used in a manner that is ancillary to the use of the main house.**
3. **The external doors and windows shall be of timber construction.**
4. **All timber work shall be in accordance with the details submitted for application NP/DIS/0217/0144 and shall be permanently so maintained.**
5. **The window frame glazing bars shall not exceed 18mm in thickness.**
6. **The rainwater goods shall be cast metal, painted black. The gutters shall be fixed directly to the stonework with brackets and without the use of fascia boards. There shall be no projecting or exposed rafters.**
7. **All pipework, other than rainwater goods, shall be completely internal within the building.**
8. **There shall be no external meter boxes.**
9. **Prior to the installation of any external lighting or any source of illumination attached to the replacement dwelling, within its curtilage, or associated with the access or access track to the replacement dwelling, full details of the precise design and specifications of the lighting, or source of illumination including its location, and luminosity, shall be submitted to and approved in writing by the National Park Authority. The lighting or any other source of illumination shall thereafter be carried out in accordance with the approved specification and shall be permanently so maintained.**

Key Issues

- The impact of the development on the character and appearance of the building
- Amenity Impacts
- Highways Impacts

History

11. The most relevant planning history is application NP/DDD/0519/0460. This application proposed the same development that is under consideration now, i.e. the use of the approved stables as additional accommodation for the main house. The application was submitted as a section 73 application to vary the conditions on the original planning permission for redevelopment of the site.
12. The application was therefore a Section 73 application for the development of land without complying with conditions subject to which a previous planning permission was granted, rather than being a new full planning application.
13. A S73 application can be used to seek an amendment, where there is a relevant condition that can be varied to effect this. The resulting development cannot be substantially different from the one which was initially approved.
14. The inspector dismissed the appeal because he felt that the proposed change of the stables to ancillary accommodation was development that was not covered by the original development description. The inspector said that *“permission would be for something that was not covered by the original description of development, ie ancillary accommodation, rather than stable buildings. Although I acknowledge that the external appearance of the building would not be significantly altered, I consider the proposed ancillary accommodation, in terms of use, to be fundamentally different to the approved stable buildings. As such, I conclude that the proposal would go beyond the parameters of a ‘minor material amendment’.”*
15. This means that the proposed use of the stables as ancillary living accommodation was outside of the scope of the original planning permission because the original development description referred to stables and not ancillary accommodation. The application should therefore have been a new full planning application instead of a section 73 application.
16. In coming to the decision that the proposed development could not be considered under a section 73 application, the Inspector referred to some recent case law. This was a high profile court case that was determined a short time before the appeal. It is commonly known as the “Finney” case. In that case the Court of Appeal quashed a secretary of state decision to allow the height of a wind turbine to be increased under a section 73 application. The court of appeal found that as the height of the wind turbine had been set out in the original development description it could not be changed through a section 73 application. The key finding aspect relevant to this proposal was, therefore, that development which does not reflect the original description cannot be permitted by a section 73 application. The Inspector has strictly followed that finding in dismissing the appeal.
17. The appeal was dismissed because of this procedural issue, and not because of any unacceptable planning impacts. As the inspector took the view that the wrong type of application had been made, he did not consider the planning merits in detail. The inspector did however note that he had considered the cumulative impacts of this development and a proposed change of use of a barn to holiday accommodation together in a separate appeal that was considered at the same time (and allowed).

Costs were awarded to the appellant against the Authority.

June 2014 – Full planning consent granted for the replacement farmhouse, demolition and rebuilding of stables to form additional living accommodation, erection of stable buildings and garaging.

December 2015 – Full planning application to regularise unauthorised amendments to the previously approved scheme. The application was refused by Planning Committee. A subsequent appeal was dismissed.

January 2017 – Application for an amended scheme for the replacement dwelling approved.

October 2017 – Application approved for a variation to the approved plans for the replacement dwelling. This approval has been implemented.

Several applications to make non-material amendments to the approved scheme and to discharge conditions have also been approved.

A separate planning application is current under consideration for the retention of a parking area.

Consultations

Rowland Parish Meeting – Object to the application noting *“Once again, in the application submission, the developer dismisses the concern of the residents of Rowland. We cannot state strongly enough the impact this extensive development is already having on the traffic through our village. This request, for a further four bedrooms, making 14/15 bedrooms in total, will obviously generate even more traffic.”*

Great Longstone Parish Council – no objections.

Derbyshire County Council Highways – *“In view of recent appeal decisions (APP/M9496/W/19/3238013 and APP/M9496/W/19/3238015), together with previous highway comments in relation to planning applications NP/DDD/1117/1128, NP/DDD/0519/0460 and NP/DDD/0519/0462 associated with the site, it is considered the Highway Authority is not in a position to raise objections to the above proposal.”*

Representations

18. Two letters of objection have been received which raise the following concerns:

- Increase in traffic and harm to highway safety.
- Contrary to policy DMT5.
- Adverse landscape impacts.
- Harm to amenity from additional traffic movements.
- Access to the site should be via Bramley Lane instead of through Rowland.
- The proposed plans are inaccurate in respect of parking and curtilage.
- If approved, the extra bedrooms should not be let out to paying guests.

Main policies

19. Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1.

20. Relevant Development Management Plan policies: DMC3, DMH5, DMH7, DMH8, DMT3, DMT5.

National Planning Policy Framework

21. National Park designation is the highest level of landscape designation in the UK. The Environment Act 1995 sets out two statutory purposes for national parks in England and Wales which are to conserve and enhance the natural beauty, wildlife and cultural heritage and promote opportunities for the understanding and enjoyment of the special qualities of national parks by the public. When National Parks carry out these purposes they also have the duty to seek to foster the economic and social well-being of local communities within the National Parks.
22. The National Planning Policy Framework (NPPF) has been revised (2019). This replaces the previous document (2012) with immediate effect. The Government's intention is that the document should be considered as a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. In particular Paragraph 172 states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, which have the highest status of protection in relation to these issues.
23. In the National Park the development plan comprises the Authority's Core Strategy 2011 and the Adopted Development Management Policies. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and government guidance in the NPPF with regard to the issues that are raised.

Development plan

24. Core Strategy policies GSP1, GSP2 and GSP3 together say that all development in the National Park must be consistent with the National Park's legal purposes and duty and that the Sandford Principle will be applied where there is conflict. Opportunities for enhancing the valued characteristics of the National Park will be identified and acted upon and development which would enhance the valued characteristics of the National Park will be permitted. Particular attention will be paid to impact on the character and setting of buildings, siting, landscaping and building materials, design in accordance with the Design Guide and the impact upon living conditions of local communities. Core Strategy policy GSP4 highlights that the National Park Authority will consider using planning conditions or obligations to secure the achievement of its spatial outcomes.
25. Core Strategy policy DS1 outlines the Authority's Development Strategy, and in principle permits the conversion of buildings to provide visitor accommodation.
26. Development Management Policy DMC3 requires development to be of a high standard that respects, protects, and where possible enhances the natural beauty, quality and visual amenity of the landscape, including the wildlife and cultural heritage that contribute to the distinctive sense of place. It also provides further detailed criteria to assess design and landscaping, as well as requiring development to conserve the amenity of other properties.
27. DMH5 supports the conversion of outbuildings close to a dwelling to ancillary dwelling use providing that it would not result in over-intensive use of the property, the site can meet the access and parking requirements of the development and the new accommodation would remain under the control of the main dwelling.

28. DMH7 supports extensions and alterations to dwellings provided that the proposal does not detract from the character, appearance or amenity of the original building, does not dominate the original dwelling and does not have adverse impacts on the landscape or other valued characteristics.
29. Policy DMH8 states that alterations and extensions to existing outbuildings will be permitted provided changes to the mass, form, and appearance of the existing building conserves or enhances the immediate dwelling and curtilage, any valued characteristics of the adjacent built environment and/or the landscape,
30. Policy DMT3 sets out that development will only be permitted where a safe access that is achievable for all people can be provided in a way that does not detract from the character and appearance of the locality.
31. Policy DMT5 states that Development that would increase vehicular traffic on footpaths, bridleways or byways open to all traffic to the detriment of their enjoyment by walkers and riders will not be permitted unless there are overriding social, economic or environmental conservation benefits arising from the proposal.
32. Development Management Policy DMT8 states that off-street parking for residential development should be provided unless it can be demonstrated that on-street parking meets highways standards and does not negatively impact on the visual and other amenity of the local community. It notes that the design and number of parking spaces must respect the valued characteristics of the area, particularly in conservation areas.

Assessment

Principle

33. The application seeks to alter the approved stables building in order to provide four bedrooms a plant room and store that would be ancillary to the main house.
34. The proposed development is essentially the same as that proposed under previous application NP/DDD/0519/0460. That application was deferred at the Planning Committee meeting in August 2019. Members deferred the application for the following reasons:
 1. Further details of overall scheme, including access arrangements
 2. Clarification on changes to plan for garage/games room
 3. Clarification on additional parking and extension of rear curtilage
 4. Clarification of extension of curtilage at front of property
 5. Intended use of barn
35. The applicant appealed against non-determination of the application. As outlined further above, the appeal was dismissed because the wrong application type had been made. However, the Planning Inspector found that the Authority's failure to determine the application was unreasonable behaviour. This was because there was sufficient information to understand the impacts of the development without any more information being submitted. He considered that: the applicant has been clear that the proposed additional bedrooms would be ancillary that the appellant has confirmed that their intention is to use the renovated dwelling as permitted within the scope of approved application Ref NP/DDD/1117/1128, ie C3 use class, and that the appellant has made it clear, via the 2 applications, what the proposed uses on the site would be and how they would be accessed.
36. The Inspector noted that other than what has been approved and what was applied for,

from which the cumulative impacts can be appreciated, in order to determine the proposals, the Authority was not required to consider whether the appellant wishes to use the site, or parts of it, for different uses in the future. In addition, as noted in the decision for allowed appeal for three letting rooms, if the Authority considers that a breach of planning control has occurred, it has the necessary powers to act to address such matters. The aspects that were being considered as possible breaches of planning control did not form part of the applications. The Inspector concluded that sufficient information was available to the Authority to be able to determine the application.

37. The Inspector was therefore absolutely clear that there is sufficient information on which to base a decision. Any fears about potential change of use of the site in the future must be set aside for the purpose of considering the current application. The application is submitted on the basis that the additional bedrooms, plant room and store are extra rooms for the main house. The application must be assessed on that basis. If the applicant wished to change the use in the future then further planning permission would be required. If the use of the property changes in the future without planning permission being obtained then the Authority can address that through planning enforcement. If the Authority fails to determine this application there is a very high likelihood that further costs will be awarded against the Authority.
38. Policy DMH5 supports the conversion of existing outbuildings to ancillary dwellings. The supporting information describes the proposed new rooms as being ancillary accommodation. It is important to note though that the application does not propose a new self-contained ancillary dwelling. The new rooms would simply be four extra en-suite bedrooms to the main house. No kitchen or living facilities would be proposed so the new space could not be used independently of the main dwelling. The additional rooms could only be used as part of the main house. The supporting information notes that the additional bedrooms might be used by live-in staff or by visitors. Because of the large scale of the main dwelling and because the new bedrooms could not be used independently of the main house, there is no doubt about the scale and extent of the use being ancillary to the main house. The proposal accords with policy DMH5.
39. DMH7 and DMH8 both support extensions and alterations to existing dwelling, provided there are no adverse impacts on amenity, landscape or other special characteristics. These issues are discussed further below.
40. The proposal to use the space as additional accommodation for the main house is acceptable in principle.

Impacts on the character and appearance of the landscape

41. The building lies within the defined curtilage of Bleaklow Farm, adjoining the main house and is positioned in very close proximity to other outbuildings. As the proposal is for additional bedroom space to the main house, no additional outdoor amenity space is required beyond the existing defined area. Externally, only minimal alterations are proposed with the previously approved stable doors being replaced with glazed openings and the insertion of new windows. These alterations are acceptable and preserve the character of the new development as a whole. As such, the proposed use of the stables as additional accommodation would have a minimal impact on the character of the site as a whole and would have no impact on the character of the wider landscape.
42. The development would conserve the landscape character of the area as required by policies L1, DMC3, DMH5, DMH7 and DMH8.

Ecological impacts

43. The site has previously been surveyed for protected species on 2016, 2015 and 2013 as part of the previous applications. Ecological mitigation measures are a condition of the implemented permission and should be carried forward if this application is approved. .
44. Subject to this, the development would not be harmful to protected species or ecological interests and accords with policy LC2.

Parking Provision

45. The parking provision as already approved is for parking to be within the large central courtyard and a garage. A separate application is also under consideration for the retention of an car parking area to the rear of the site. Even if the application for the parking area to the rear is refused, there is ample parking for the host dwelling as proposed to be extended by the additional bedrooms and the approved letting rooms within the central courtyard.

Highways Impacts

46. Letters from a local resident and the Parish Meeting have raised concerns about traffic generated by the site and that the road through Rowland is unsuitable to accommodate this traffic. Such concerns are noted.
47. The Highway Authority has raised no objections to the application. The scheme would add four additional bedrooms to the main dwelling. This would increase the number of bedrooms from seven to eleven.
48. The as approved scheme for a seven bedroom dwelling would appeal to a large family, it is quite possible that a future household could have more cars than an average household. It is very difficult to quantify or predict that though. The proposed addition of four further bedrooms may result in some further increase in traffic movements if extra people live at the site or if there are more visitors as a result of it having more space, but these bedrooms would still be extra bedrooms for the main house and would not create a separate dwelling. No significant increase in traffic could be attributed to creating four additional bedrooms for an already substantial private dwelling because those four bedrooms would only be extra space for the existing dwelling.
49. It is also important to note that the site would no longer have any stables. Whilst the stables are only approved for the private use of the site, and not for commercial livery purposes, even private stables would inevitably generate some traffic through vets trips, feed and bedding deliveries, horse box movements to take horses to and from the site etc. As such, it would be very difficult to argue that four additional bedrooms for a private house would generate significantly more traffic than the existing stables that would be lost.
50. Overall, it is possible that an eleven bedroom dwelling might generate more car trips than a seven bedroom dwelling. However, the car trips generated by the four extra bedrooms are unlikely to be more than the trips that would be generated by a four-horse stable block. The development is therefore unlikely to generate any notable material increase in vehicular movements to and from the site over and above the approved development.
51. Even if the development was to generate an increase in traffic movements (and it is

impossible to say with any degree of confidence that it would) any such increase would inevitably be limited and is highly unlikely to be more than a handful of trips per day.

52. Given the lack of objection from the Highway Authority, and that it is not possible to evidence a likely increase in traffic from providing extra bedrooms for the main house, the view must be taken that the development would not result in harm to highway safety over and above the established situation.
53. The submitted plans for the approved application show that the site is to be accessed from the track to the south via Rowland village. There is a second access to the north of the site that joins Moor Road and heads west towards Great Longstone.
54. The applicant's agent has confirmed that the site can indeed be accessed from either of these routes. Both routes already have access points to the Bleaklow Farm site and both have historically been used to access it. It is understood that construction traffic has been using the Moor Road access during the construction of the new dwelling. The applicant's agent has stated that once the site is brought into use that the applicant is willing to direct any visitors to the site to use the Moor Road access. The Moor Road access is therefore available to use for access to and from the site. The use of the Moor Road access would seem to alleviate the concerns that residents of Rowland have about the traffic impacts.
55. It must be remembered though that the road through Rowland is adopted public highway all the way through the village and the public highway continues along Bramley Lane to Hassop Road. Only the unsurfaced section of the access track from Bramley Lane to Bleaklow Farm is a private road. As such, whilst two access routes are available and the applicant can direct visitors towards the Moor Road route, it would not be possible to apply a planning condition to stop residents and visitors from using the Rowland access and they would be entitled to do so should they make that choice. As such, there are two access routes available but it is not possible to dictate through the planning application which one should be used. The option to use Moor Road is available though and that further weakens any argument that traffic levels through Rowland would be unacceptable, as is discussed further below.
56. During the consideration of the allowed appeal for the three letting rooms in a detached outbuilding, the Inspector made it clear that they had considered the cumulative impacts of the traffic generated by both the letting rooms and main house with the additional bedrooms proposed under this application. The Inspector stated:
- “The proposals would result in the cessation of vehicle movements that could currently be generated from the use of the appeal buildings for agriculture and stabling, e.g. agricultural vehicles and horse boxes. I note that the Highway Authority did not object to either of the proposals, having concluded vehicle volumes on the surrounding highway network are low, and taking account of the corresponding vehicle speeds.*
- I conclude that the nature and extent of the proposed uses, both individually and/or cumulatively with development already approved within the site, would not result in an increase in traffic of an extent that would be raise any highway safety concerns or be detrimental to the enjoyment of any users of the surrounding highway network.”*
57. The Inspector has essentially already considered the highway impacts of the proposed development, only not allowing the appeal because of a procedural issue with the type of application that was made. In light of the continued lack of objection from the Highway Authority and the Inspector's comments, there are absolutely no grounds on which the Authority could justify refusal of the current application on highways grounds.

58. The proposal accords with policies DMH5, DMT3, DMT5 and DMT8.

Amenity impacts

59. The site is located approximately 900 metres from the nearest neighbouring property. There would clearly be no harm to the amenity of any neighbouring dwelling by way of overlooking from the proposed additional bedrooms or from any noise and disturbance associated with their use.

60. Concerns have however been raised about harm to the amenity of residents within Rowland caused by an increase in traffic through the village caused by the Bleaklow site. These concerns are noted. It is also acknowledged that Rowland is a small village with only 12 houses that lie either side of the road. As such, existing levels of car movements are likely to be low and residents may be more sensitive to increases in traffic than settlements in busier places with the National Park.

61. However, as is discussed above, it is very unlikely that the provision of four additional bedrooms for an already large private dwelling would result in any significant increase in traffic movements, particularly considering that the additional bedrooms would replace a stables block that would itself generate some traffic.

62. Even taking the very quiet and tranquil nature of the village into account, there is no way that an argument that the noise and disturbance caused by traffic from the additional bedrooms would be significantly harmful could be substantiated when it is not possible to identify that there would be any increase in traffic over and above the approved situation.

63. The use of the Moor Road access would have no impact at all on the residents of Rowland. Whilst we cannot control visitors to the site using the Rowland access, the applicant has stated that visitors would be asked to use the Moor Road access. Assuming that some visitors take note of this advice, the low level of traffic associated with the proposed additional bedrooms would be further reduced in terms of movements through Rowland village.

64. It is not possible to identify any significant harm to the amenity of residents of Rowland village given the low level of traffic that would be generated by the proposed additional bedrooms and it would not be possible to substantiate a reason for refusal on this basis.

65. As with the highways impacts, the Inspector's decision for the letting rooms application was also absolutely clear in respect of the cumulative amenity impacts, noting:

"I have concluded above that the proposals would not result in an increase in traffic of an extent that would be raise any highway safety concerns. Also as noted, as traffic increase, if any, would be minimal, I also therefore consider that there would not be a noticeable change in the number of vehicles passing any of the residential properties in the surrounding area, particularly those located in the hamlet of Rowland. As such, I conclude that the proposals, both individually and/or cumulatively, would not result in additional noise and disturbance from vehicle movements that would be harmful to the living conditions of occupiers of existing residential properties within the surrounding area."

66. The recent appeal decision makes it clear that there are no grounds on which to refuse the application due to amenity impacts.

67. The proposal to allow the approved stables to be used as additional bedrooms for the main house would not result in any identifiable harm to the amenity of the locality and the development accords with policies DMC3, DMH5, DMH7 and DMH8 in this respect.

Conclusion

68. The proposal will conserve character and appearance of the building and those of the landscape, would conserve the ecological interests of the site and would not give rise to harm to amenity or highways safety in accordance with policies L2, L3, DMC3, DMH5, DMH7, DMH8, DMT3, DMT5 and DMT8.

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

70. We therefore recommend the application for conditional approval.

Human Rights

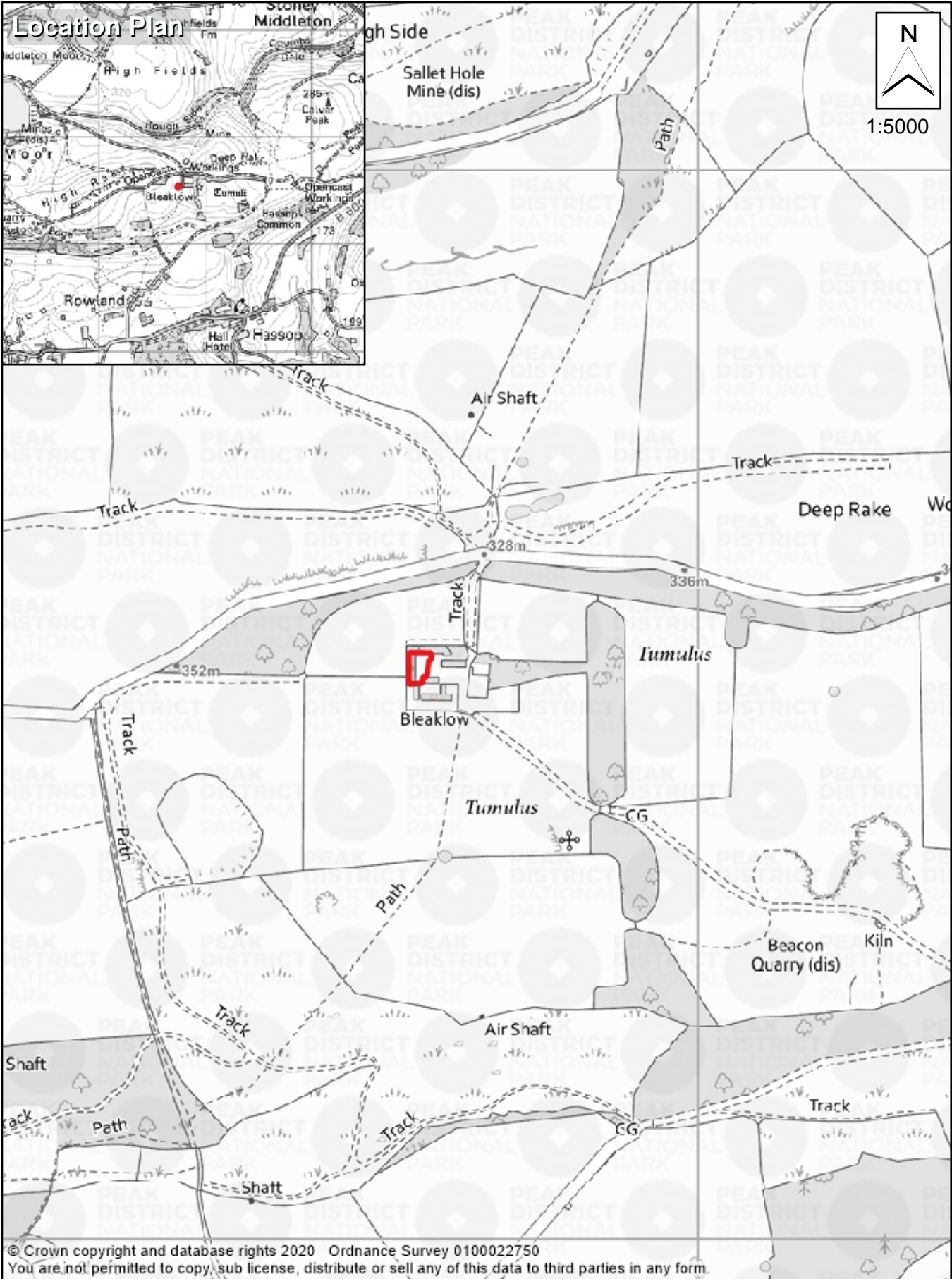
Any human rights issues have been considered and addressed in the preparation of this report.

List of Background Papers (not previously published)


Nil

Report Author: Tom Shiels, Area Team Manager

This page is intentionally left blank



© Crown copyright and database rights 2020 Ordnance Survey 0100022750
 You are not permitted to copy, sub license, distribute or sell any of this data to third parties in any form.

Committee Date:	21st August 2020	Title: Bleaklow Farm, Hassop	 PEAK DISTRICT NATIONAL PARK
Item Number:			
Application No:	NP/DDD/0520/0404		
Grid Reference:	421752, 373507		

This page is intentionally left blank

8. FULL APPLICATION – RETENTION OF A CONSTRUCTION COMPOUND AS A PERMANENT CAR PARKING AREA ONCE BUILDING AND FIT-OUT WORKS AT BLEAKLOW FARM ARE COMPLETE – BLEAKLOW FARM, BRAMLEY LANE, HASSOP (NP/DDD/1119/1179 TS)

APPLICANT: MR P HUNT

Summary

1. The application is for the retention of a parking area to the north of the building group at Bleaklow Farm. Subject to proposed planting being carried out, which can be secured by condition, the parking area would have no adverse landscape impacts. The application is recommended for approval.

Site and surroundings

2. Bleaklow Farm is a replacement dwelling under development on the site of a historic farmstead situated in an isolated hilltop position close to the ridge of Longstone Edge, 900m north of Rowland hamlet. The farmstead is situated in a slight hollow and is bounded to its north, east and west sides by mature tree plantations. Although it is situated in a remote and isolated position it is not unduly prominent in the wider landscape, but is visible from a public footpath which passes directly through the farmstead, from the county road which is a restricted byway running along the edge and from footpaths on the north of the byway.
3. The farmstead originally comprised a farmhouse with adjacent outbuildings to the west and north sides, forming a courtyard. There is a further detached traditional outbuilding to the north of the farmhouse (subject to the current application) and formerly to the north of the courtyard buildings was a dilapidated range of modern farm buildings.
4. The former farmhouse was vacant and in a poor structural condition and appearance and had been the subject of inappropriate additions, including a 16.7m long x 4.5m wide single-storey extension attached to its western side.
5. Consent was granted in June 2014 for the demolition of the existing farmhouse and erection of a larger replacement house of a similar character to the original farmhouse. The approved scheme included the replacement of the single-storey extension with a contemporary extension, part rebuilding of the stable building at the western end of the courtyard, and the erection of a secondary courtyard of buildings behind the main building courtyard to accommodate stabling and garaging.
6. The applicant then began constructing the replacement dwelling, which has been constructed up to first floor level. However, following an officer site inspection it was subsequently discovered that the replacement dwelling was being constructed to significantly larger dimensions than that given approval, and other unauthorised design changes had been made to the scheme.
7. Rather than revert to the originally approved scheme, the applicant chose to submit a retrospective planning application to build the replacement dwelling to the larger dimensions and amended design, as presently constructed. This application was refused by Planning Committee on 11 December 2015. A subsequent appeal against the Authority's decision to refuse planning permission was dismissed on 19 May 2016. An amended scheme was subsequently applied for in November 2016 under application reference NP/DDD/1116/1095 which was approved in January 2017. A material amendment was made to this permission (reference NP/DDD/1117/1128).

That permission has now been implemented and construction work is ongoing.

Proposal

8. The application seeks the retention of an existing parking area to the northern side of the main building group. The area is already hard surfaced and is permitted development as a construction compound whilst the redevelopment works at Bleaklow Farm are ongoing. Upon completion of the construction works, the area would no longer be permitted development and would need to be returned to its previous condition. The application seeks to retain the area to provide permanent parking for Bleaklow Farm.
9. The proposed parking area measures approximately 852sqm, and is covered by limestone chert with dry stone boundary walls. As originally submitted, the application sought to retain the entire area in its current hard surfaced state. However, amended plans have been submitted that show large areas of new planting at the eastern and western ends of the parking area. As well as reducing the amount of hard surfacing, this also serves to reduce the number of parking spaces to 10.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions:

- 1. Development to be carried out in accordance with specified plans.**
- 2. Planting to be completed in the first planting season following approval of the application and retained for the lifetime of the development.**
- 3. Any external lighting to be submitted to and approved by the Authority**
- 4. The parking area shall not be brought into use until the gates between the parking area and the yard have been installed.**
- 5. No parking shall take place in the yard save for visitors or residents with blue badges, loading or unloading, tradespeople, maintenance and deliveries.**

Key Issues

- Landscape Impacts
- Amenity Impacts
- Highways Impacts

History

August 2013 – Full planning application submitted for the demolition of the farmhouse and erection of a replacement dwelling – Withdrawn

June 2014 – Full planning consent for the replacement farmhouse, demolition and rebuilding of stables to form additional living accommodation, erection of stable buildings and garaging.

August 2015 – Application for discharge of several conditions on the June 2014 approval. This confirmed that condition 1 could not be discharged as the development as partially built had not been lawfully implemented in accordance with the approved plans. The applicant was also reminded that many of the conditions being sought for discharge should have been discharged prior to the commencement of the development.

December 2015 – Full planning application to regularise unauthorised amendments to the previously approved scheme. The application was refused by Planning Committee.

May 2016 – Appeal against the refusal of the above application dismissed

January 2017 – Application 1116/1095 for an amended scheme for the replacement dwelling approved.

February 2017 – Application for discharge of conditions on the above application approved.

June 2017 – Non-material amendment allowed for alterations to window openings.

August 2017 – Non-material amendment allowed for insertion of an additional window.

September 2017 – Non-material amendment allowed for the insertion of two roof lights to the rear elevation but refused for the insertion of 3 no. rooflights to the front elevation roof slope. The roof lights to the front elevation were refused as it was considered that they would not constitute a non-material amendment and would also be harmful to the overall appearance of the dwelling.

October 2017 – Application NP/DDD/1117/1128 was approved for the removal or variation of condition 2 on NP/DDD/1116/1095.

May 2019 – A S.73 application was submitted for the removal or variation of condition 1 on NP/DDD/1117/1128 under application NP/DDD/0519/0460. An appeal against non-determination was dismissed because the development cannot be considered under a section 73 application and requires full planning permission.

May 2019 – Application NP/DDD/0519/0462 was submitted for the change of use of agricultural barn to 3 No. letting rooms. An appeal against non-determination was allowed.

A separate planning application is currently under consideration for full planning permission for change of use of the stables to ancillary bedrooms, plant room and store.

Consultations

Highway Authority: *“No highway objections to the proposed retention of construction compound for parking, on the basis that the proposal will not result in an intensification in use associated with site.”*

Rowland Parish Meeting: Objection, noting the following:

“This application should be refused on the grounds that it contravenes key Peak Park policies, principles and strategies. In addition, any land illegally developed outside the curtilage of the property should be restored to the original field status.

The developer ‘s covering letter states, ‘The applicant is willing to erect a pair of gates to separate the proposed car park from the stable yard area and prevent general access and parking on the existing yards areas to the east and north of the farm buildings.’ However, whichever way it is described, this application would result in parking for up to 40 vehicles. This is totally disproportionate to the size of the property and is in opposition to the characteristics of the Peak Park. The threat of increased traffic through Rowland is compounded by this application.

The recently adopted Development Management Policies states: ‘Development can

sometimes lead to an increase in motor vehicle use on footpaths, bridleways or byways open to all traffic. This often has detrimental effects on the enjoyment of those routes by walkers, cyclists and horse riders. Therefore, unless there are overriding social, economic or environmental conservation benefits as a result of the development, it will not be permitted. (Ref DMT 5 9.4.9). Despite the fantastical advantages claimed by the developer in their covering letter, there are absolutely no benefits of any sort which justify this huge carpark.

As outlined in the CPRE's excellent letter, 'PDNPA Core Strategy T7B restricts residential parking and operational parking for service and delivery vehicles to the minimum required for operational purposes, taking into account environmental constraints and future requirements. DMT7 does not allow new car parks unless there is a demonstrable need. Development Management Policies Appendix 9 limits parking for new houses of more than 4 bedrooms to a maximum of 4 car parking spaces.' We totally agree with this observation.

The planning committee has been very patient with this developer and reasonably requested additional information about their genuine intentions for this site. The planning history of Bleaklow Farm is clear:

The story so far: A) A simple farmhouse discretely sited with no impact on the wider landscape. Then B) A larger farmhouse similar to the previous building. Then: C) An enormous multi-roomed house with a huge glass front which dominates the hillside from Bakewell. then:

D) An enormous multi-roomed house with a huge glass front which will dominate the hillside from Bakewell with three additional holiday opportunities. To now E) An application which would allow parking for 40 cars

It is absolutely imperative that the application is rejected at the first opportunity. In addition, any land illegally developed outside the curtilage of the property should be restored to the original field status."

Hassop Parish Meeting: No objections.

Archaeology: No response received to date.

Landscape: Objection to the originally submitted scheme, noting:

"I can see no evidence that this application 'offers and benefits to the character and appearance of the National Park and its assets'. Given this, and the fact that it does not fit with priorities in the landscape guidelines for the LCT, my view is that this is contrary to policy L1 Landscape character and valued characteristics in that the development does not conserve or enhance valued landscape character."

Representations

Friends of the Peak District: Object, noting the following:

"We see no benefits to the valued characteristics of the National Park from changing the current permitted parking arrangements, which are well concealed within the curtilage of the buildings and do not impact adversely on the non-designated heritage that is Bleaklow Farm. The current permissions therefore already meet the NPPF para 197 requirements. Indeed the proposed car park provides a new intrusion on the immediate landscape and would be visible from the RoW to the north. The proposal is therefore not compliant with NPPF paragraph 172, PDNPA Core Strategy policies GSP1 and L1, and Development Management policy DMC3. Alteration of the location is unlikely to impact on access arrangements as the route through

Rowland hamlet remains the shorter one.

PDNPA Core Strategy T7B restricts residential parking and operational parking for service and delivery vehicles to the minimum required for operational purposes, taking into account environmental constraints and future requirements. DMT7 does not allow new car parks unless there is a demonstrable need. Development Management Policies Appendix 9 limits parking for new houses of more than 4 bedrooms to a maximum of 4 car parking spaces.

10. *The current proposal, with the additional space in the yards, would potentially provide space for up to 40 vehicles. This would materially increase traffic movements to the site, leading to an adverse impact on the quiet enjoyment and amenity of users of the surrounding highway network and on the amenity of the residents of Rowland. However, without the requested traffic and highway data it is not possible to comment further. As the development is for use as private residential dwelling, no more than 4 parking spaces should be allowed.*
11. Four letters of objection have been received which raise the following concerns:
 - Increase in traffic and harm to highway safety.
 - Contrary to policy DMT5.
 - The amount of parking proposed is unnecessary and unjustified.
 - Harm to amenity from additional traffic movements.
 - The car park should not be considered without inclusion of the new access road from Bramley Lane which is not shown on the plans.
 - Trees and hedges have been cut down in Rowland village.

Main policies

12. Relevant Core Strategy policies: GSP1, GSP2, L1, L2, T7
13. Relevant Development Management Plan policies: DMC1, DMC3, DMT3, DMT8

National planning policy framework

14. National Park designation is the highest level of landscape designation in the UK. The Environment Act 1995 sets out two statutory purposes for national parks in England and Wales which are to conserve and enhance the natural beauty, wildlife and cultural heritage and promote opportunities for the understanding and enjoyment of the special qualities of national parks by the public. When National Parks carry out these purposes they also have the duty to seek to foster the economic and social well-being of local communities within the National Parks.
15. The National Planning Policy Framework (NPPF) has been revised (2019). This replaces the previous document (2012) with immediate effect. The Government's intention is that the document should be considered as a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. In particular Paragraph 172 states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, which have the highest status of protection in relation to these issues.
16. In the National Park the development plan comprises the Authority's Core Strategy 2011 and the Adopted Development Management Policies. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and government guidance in the NPPF with regard to the issues that are raised.

Development plan

17. Core Strategy policies GSP1, GSP2 and GSP3 together say that all development in the National Park must be consistent with the National Park's legal purposes and duty and that the Sandford Principle will be applied where there is conflict. Opportunities for enhancing the valued characteristics of the National Park will be identified and acted upon and development which would enhance the valued characteristics of the National Park will be permitted. Particular attention will be paid to impact on the character and setting of buildings, siting, landscaping and building materials, design in accordance with the Design Guide and the impact upon living conditions of local communities. Core Strategy policy GSP4 highlights that the National Park Authority will consider using planning conditions or obligations to secure the achievement of its spatial outcomes.
18. Development Management Policy DMC3 requires development to be of a high standard that respects, protects, and where possible enhances the natural beauty, quality and visual amenity of the landscape, including the wildlife and cultural heritage that contribute to the distinctive sense of place. It also provides further detailed criteria to assess design and landscaping, as well as requiring development to conserve the amenity of other properties.
19. Development Management Policy DMT3 emphasises the importance of safe access to developments.
20. Policy DMT5 states that Development that would increase vehicular traffic on footpaths, bridleways or byways open to all traffic to the detriment of their enjoyment by walkers and riders will not be permitted unless there are overriding social, economic or environmental conservation benefits arising from the proposal.
21. Development Management Policy DMT8 states that off-street parking for residential development should be provided unless it can be demonstrated that on-street parking meets highways standards and does not negatively impact on the visual and other amenity of the local community. It notes that the design and number of parking spaces must respect the valued characteristics of the area, particularly in conservation areas.
22. Development Management Policies Appendix 9 limits parking for new houses of more than 4 bedrooms to a maximum of 4 car parking spaces.

Assessment

Principle of Development and Landscape Impacts

23. The application as originally submitted proposed for all of the existing construction compound to be retained to provide permanent parking for Bleaklow Farm. The area is approximately 60m x 14.2m (852 square metres). In its current form with the entire area laid to limestone chert, it would form parking provision for a very large number of cars. The submitted information suggested 16 cars, and that is in addition to the existing parking provision within the central yard which the application states can accommodate 20 vehicles.
24. The site lies within the 'Limestone Hills and Slopes' Landscape Character Type within the White Peak Landscape Character Area. The site is not particularly prominent in wider views due to topography and tree cover. In closer views though, including from the public footpaths that lie in close proximity to the site, the parking area as exists now is visible a large area of enclosed hard surfacing. It is in close proximity to the existing buildings and yard but is still harmful to the rural character of the land that surrounds the main building group. In its current form, the development is harmful to the landscape

character of the area.

25. Appendix 9 of the DMP sets a maximum of 4 car parking spaces for residential property of this size. In addition there are 3 letting rooms on the site which appendix 9 states would lead to a need of an additional 3 car parking spaces. In policy terms the site has a parking requirement of a total of 7 spaces.
26. The application originally proposed represented a significant overprovision of parking. Furthermore, having the full extent of the 60m width of the site surfaced in limestone chatter has an adverse landscape impact. The application as originally submitted was contrary to policies GSP1, GSP3, L1, T7, Development Management Policies DMC1, DMC3, DMT8 and Appendix 9, and the NPPF.
27. Amended plans have now been submitted. The extent of the area enclosed by stone boundary walls remains as is now. This is a logical location for the boundary walls as it reflects the width of the built-up area of the site. However, the amended scheme significantly reduces the extent of the area laid to limestone chatter because large areas of planting have been introduced at either end of the parking area. It is considered that with planting at either end, the area would no longer be harmful to landscape character.
28. As well as reducing the landscape impact to a level that would not be significantly harmful, the introduction of the planting also reduces the number of cars that can be parked to 10. This is a significant reduction from the original submission.
29. It is acknowledged that the parking provision is still over the maximum of 7 spaces as set out in appendix 9, especially when taking the additional parking area already provided within the central yard into account.
30. The application suggests that the parking area proposed would generally be used in favour of the parking in the central yard and the three garages on site (which are proposed to be used for storage). To this end the proposal includes gates to separate to parking area from the yard. While access to the yard must be maintained to allow access to the garages and for the emergency services the applicant has agreed to a condition preventing residential parking in the yard save for visitors or residents with blue badges, loading or unloading, tradespeople, maintenance and deliveries.
31. The site is a former farm. Whilst it is entirely in residential use now, farms typically have extensive yard areas and commonly have parking for many more than 4 cars. Whilst the parking within the central yard is sufficient to meet the needs of the main house and letting rooms, the proposed additional parking to the rear (as amended) is not disproportionate to the size of the main house and approved letting rooms (particularly if it largely replaces the parking in the yard area and it is not unusual for this volume of parking to be available in the context of a former farmstead. On balance, it is therefore considered that it is reasonable to support a parking provision of over the maximum of 4 as set out in the DMP in this particular instance.
32. Given that there would be no adverse landscape impacts, subject to a condition to ensure planting is carried out and maintained, and site circumstances justify a larger provision of parking than the DMP recommends, it is considered that the principle of the development is acceptable.

Ecological impacts

33. Whilst we are not aware of the parking area having caused any adverse impacts to ecology, as the development is permitted development in its current form until such

time that construction works are complete, any adverse ecology impacts of surfacing the area have already happened and are outside of our control. The scheme includes significant new planting and is therefore likely to result in net ecological gain compared to the existing situation.

34. The development would not be harmful to protected species or ecological interests and accords with policy LC2.

Highways Impacts

35. Letters from local residents and the Parish Meeting have raised concerns about traffic generated by the site and that the road through Rowland is unsuitable to accommodate this traffic. Such concerns are noted.
36. The Highway Authority has raised no objections to the application. The parking area does not alter the approved use of the main house as a private dwelling house and the approved three letting rooms. The proposal would therefore not result in any intensification in traffic movements over and above the situation as already permitted.
37. The applicant has set out in the supporting information that the location of the parking area to the north of the building group could encourage residents and visitors to the site to use the Moor Lane access to the site, thereby reducing traffic movements through Rowland village. That possibly could happen but, as with other recent and current applications at the site, it must be remembered though that the road through Rowland is adopted public highway all the way through the village and the public highway continues along Bramley Lane to Hassop Road. Only the unsurfaced section of the access track from Bramley Lane to Bleaklow Farm is a private road. As such, whilst two access routes are available and the applicant can direct visitors towards the Moor Road route, it would not be possible to apply a planning condition to stop residents and visitors from using the Rowland access and they would be entitled to do so should they make that choice. As such, there are two access routes available but it is not possible to dictate through the planning application which one should be used.
38. As such, whilst it may be the case that the location of the parking to the north of the buildings may encourage residents and visitors to use the northern access to the site, care should be taken about how much weight can be attributed to this as a benefit of the scheme.
39. In any case though, the key consideration is that the parking area must be assessed on its own merits in the context of the approved use of the site as a private dwelling house with three lettings rooms. There is no basis on which to take a view that the parking area would increase traffic movements to and from the site, it simply provides an additional parking area for the already approved use of the site.
40. Letters of objection have raised concerns that the additional parking confirms the developer's intention to turn the site into a major leisure venue. It confirms the developer's plans to turn the site into a major leisure venue. The Planning Inspector was very clear in the recent appeal decisions that any concerns about future unauthorised uses of the site cannot be taken into consideration and the application must be assessed on the basis that it is a parking area for the approved dwelling and letting rooms. Refusal of the application because of speculative concerns about potential future breaches of planning control is highly likely to amount to unreasonable behaviour on the part of the Authority.
41. A letter of objection has raised concerns that an additional access track into the western side of the parking area that has been constructed without any planning permission has not been included in the application. That access road is unauthorised

and is subject to an enforcement case. It is not necessary to consider the two developments together though. The car park has been submitted as a stand-alone application and it must be considered on that basis. It is perfectly possible to consider the planning impacts of the car park without considering the unauthorised new access track at the same time.

42. The proposed parking area would not result in any increase to established levels of traffic movements to and from the site. It must therefore be concluded that the development is not harmful to highway safety and would not have a detrimental impact on users of the local highway and public footpath network.
43. The proposal accords with policies DMH5, DMT3, DMT5 and DMT8.

Amenity impacts

44. The site is located approximately 900 metres from the nearest neighbouring property. There would clearly be no harm to the amenity of any neighbouring dwelling by way of overlooking from the proposed additional bedrooms or from any noise and disturbance associated with their use.
50. Concerns have however been raised about harm to the amenity of residents within Rowland caused by an increase in traffic through the village caused by the Bleaklow site. These concerns are noted. It is also acknowledged that Rowland is a small village with only 12 houses that lie either side of the road. As such, existing levels of car movements are likely to be low and residents may be more sensitive to increases in traffic than settlements in busier places with the National Park.
51. However, as with the highways impacts, there is no basis on which to take a view that the parking area would increase traffic movements to and from the site, it simply provides an additional parking area for the already approved use of the site. As no increase in traffic can be reasonably attributed to the proposed development, it follows that there would be no identifiable harm to amenity of residents of Rowland village either.
52. The proposal would not result in any identifiable harm to the amenity of the locality and the development accords with policies DMC3, DMH5, DMH7 and DMH8 in this respect.

Conclusion

53. The proposed parking area, as amended, will conserve the landscape character of the area and would not give rise to harm to amenity or highways safety in accordance with policies L2, L3, DMC3, DMH5, DMH7, DMH8, DMT3, DMT5 and DMT8.
54. There are no other policy or material considerations that would indicate that planning permission should be refused.
55. We therefore recommend the application for conditional approval.

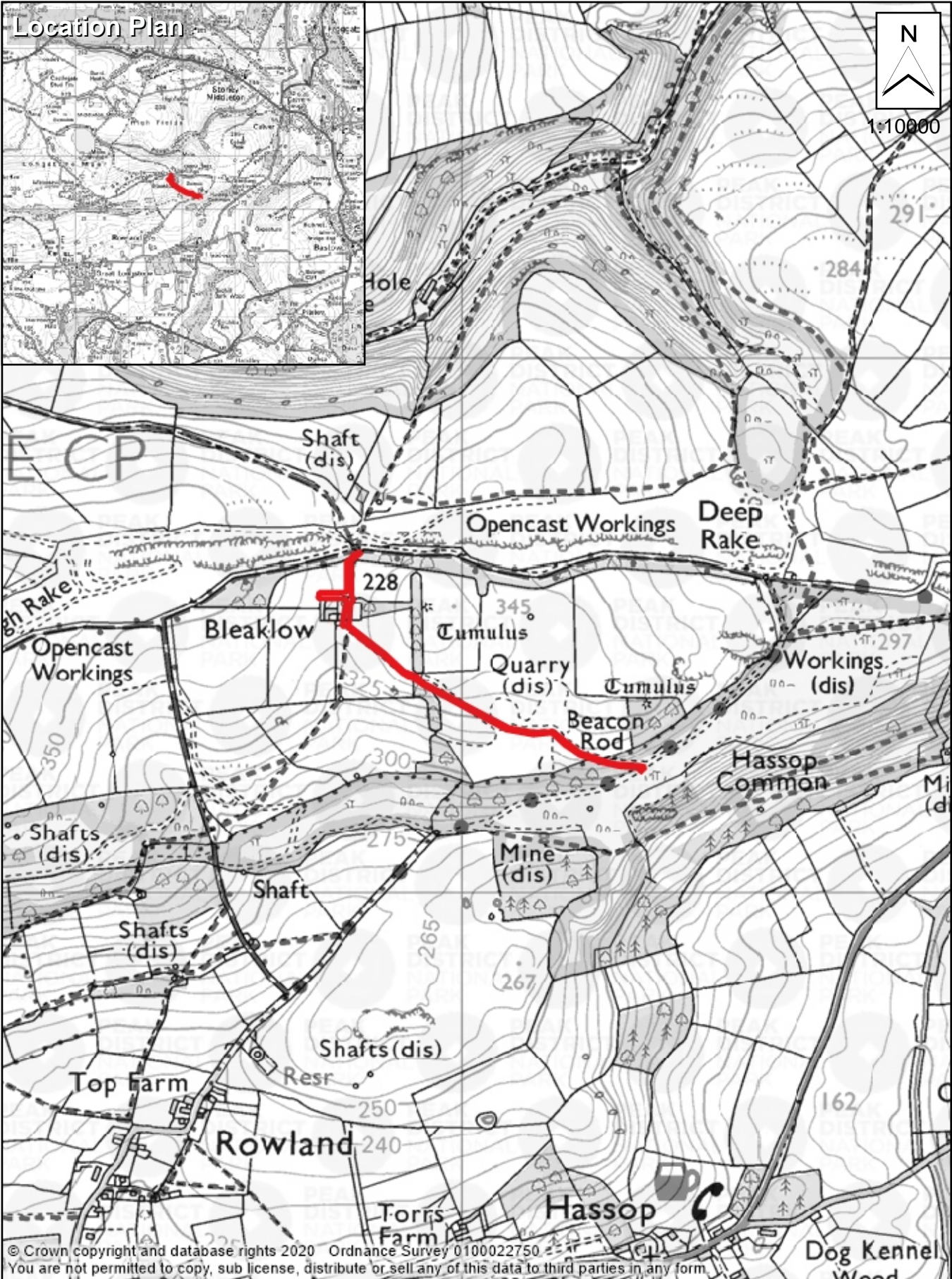
Human Rights

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: Tom Shiels, Area Team Manager



Committee Date: 21st August 2020
 Item Number:
 Application No: NP/DDD/1119/1179
 Grid Reference: 421752, 373507

Title: Bleaklow Farm, Hassop



This page is intentionally left blank

9. FULL APPLICATION – RELOCATION OF HORSE SHELTER AT FIELD OFF CLIFF LANE, CURBAR (NP/DDD/0220/0200 AM)

APPLICANT: MRS ELAINE HILL

Summary

1. The application site is a field located near Curbar / Calver. A timber field shelter is located within the site. The field shelter is unauthorised and subject to an enforcement notice which requires its removal.
2. This application proposes to re-locate the field shelter to a different part of the field.
3. Relocating the field shelter as proposed would reduce the visual impact of the development, particularly in nearby viewpoints but the building would still be viewed as isolated in the wider landscape.
4. We recommend that the development is granted on a temporary basis, personal to the applicant and subject to planning conditions to secure its removal and minimise impact in the short term.

Site and Surroundings

5. The application site is a field located on the hillside to the west of Curbar Primary school as the land rises steeply towards Cliff Lane. The site is located in open countryside and outside of the designated Curbar conservation area.
6. The field is grass pasture and bounded by dry stone walls on three sides and a post and wire fence along the southern boundary. There are also mature trees along the southern boundary. The site is in use used by the applicant for keeping two horses.
7. A timber field shelter is located adjacent to the eastern field boundary. This field shelter is unauthorised and subject to an enforcement notice which requires its removal. The field shelter measures 8m long by 3.6m wide (excluding the overhang of the roof), 2.7m to eaves and 3.25m to ridge. The walls are clad with timber and the roof clad with corrugated steel sheeting. Three doors on the east elevation provide access to two loose boxes and a store room.
8. For the purposes of the Landscape Character Assessment, the application site is located within the Valley Farmlands with Villages character type within the Derwent Valley.
9. Access to the site is via Cliff Lane. The nearest neighbouring properties are four dwellings on the far side of Cliff Lane approximately 50m from the position of the field shelter.

Proposal

10. The relocation and retention of the field shelter in a position lower down the field and closer to the southern boundary.

RECOMMENDATION

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

1. **Temporary permission for a period of five years.**
2. **In accordance with submitted plans.**
3. **Personal consent for the benefit of the applicant only.**

4. **Notwithstanding the plans the rear elevation of the stable shall be sited no further than 13m from the southern field boundary.**
5. **The field shelter shall be moved to the approved position within two months of the date of this permission. The land shall be restored to its original condition.**
6. **No changes to colour of shelter.**
7. **No replacement of the shelter with a replacement structure.**
8. **No permission is granted for any changes to ground levels or the laying of hardstanding or tracks.**
9. **Removal of field shelter at end of temporary period. The land shall be restored to its original condition.**

Key Issues

- The visual and landscape impact of the proposed development.
- Whether a temporary planning permission is appropriate in this case.

Relevant Planning History

2007: NP/DDD/0907/0837: Planning permission granted for improved access to the land.

2015: NP/DDD/0415/0295: Planning permission refused for the retention of the existing field shelter. Permission was refused for the following reason:

“The proposed development would have a significant adverse visual impact and would significantly harm the scenic beauty of the National Park, contrary to Core Strategy policies GSP1, GSP3 and L1, saved Local Plan policies LC4 and LR7, adopted design guidance and the National Planning Policy Framework”.

2015: Enforcement notice issued requiring the removal of the field shelter.

2016: Appeals against enforcement notice dismissed and the enforcement notice upheld. The Inspector varied period of compliance from 3 months to 9 months.

2019: As the building had not been removed as required by the enforcement notice, the Authority undertook prosecution in the Magistrates Court. The land is owned jointly by the applicant and her husband and another couple. All owners were prosecuted.

One couple pleaded guilty in the first instance and were fined and ordered to pay costs, by HH Judge Healy.

The second couple including the applicant initially refused to plead guilty and their case was set down for trial. It is they, who by private informal agreement, use the part of the land on which the shelter is built.

They then changed their plea to guilty and the case was then considered separately in the Magistrates Court by HH Judge Redbridge. At the second hearing the applicant and her husband pleaded guilty and committed to removing the shelter. They were fined a nominal sum and ordered to pay costs. However the Judge was sympathetic to the applicant and strongly advised all parties to discuss a resolution.

Officers have met the applicant and discussed potential alternative sites. We suggested that a site lower down the site to the rear of the school would be more appropriate however the

applicant raised concerns about access down the slope.

The proposed site was discussed and the applicant made the suggestion of permission for a temporary period to provide shelter for her two aging horses. (The other couple have other horses, who may also use the shelter). We advised this site may be acceptable on a temporary basis as while bringing the field shelter off the ridge and closer to the mature trees would be an improvement, the structure would still be visible in the wider landscape and would not be acceptable on a permanent basis.

Consultations

11. Curbar Parish Council: Objects to application and makes the following comments:

- Main concern is the visibility of the stables from Calver because of the proposed location.
- An ancient field system and lynchet has been identified and must be protected.
- No engineering works should be undertaken to create a level area which could lead to a permanent siting. Limestone should not be brought onto the site as this would contaminate the ancient gritstone pasture.
- The stables will be some distance from Cliff Lane and the creation of any type of track should not be permitted.

12. District Council: No response to date.

13. Highway Authority: No objections.

14. PDNPA Archaeology: No objection make the following comment:

15. This area was part of an archaeological survey of Stanton Fold Farm by our archaeology service in 2000. The survey identified a lynchet associated with a removed field boundary within the field close to where the horse shelter is proposed to be relocated. This is an area of former medieval strip field system, and it is possible that this lynchet represents the edge of a former strip.

16. The survey plans demonstrate that the lynchet is located c.8-9m off the fence that forms the field boundary. The annotated block plans with measurements demonstrates that the horse shelter will be located beyond the canopy of the mature trees that sit between the proposed site and the field boundary fence. This is over 18.4 from the field boundary fence, and therefore at least 10m away from the recorded lynchet.

Representations

17. No representations have been received to date.

Main Policies

18. Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L1, L3, CC1 and RT1

19. Relevant Development Management Plan policies: DMC1, DMC3, DMC5, DMC13 and DMR4

National Planning Policy Framework

20. National Park designation is the highest level of landscape designation in the UK. The Environment Act 1995 sets out two statutory purposes for national parks in England and Wales: Which are; to conserve and enhance the natural beauty, wildlife and cultural heritage and promote opportunities for the understanding and enjoyment of the special qualities of national parks by the public. When national parks carry out these purposes they

also have the duty to; seek to foster the economic and social well-being of local communities within the National Parks.

21. The latest version of the National Planning Policy Framework (NPPF) was published on 19 February 2019. The Government's intention is that the document should be considered as a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. In the National Park the development plan comprises the Authority's Core Strategy 2011 and policies of the Development Management Policies document 2019. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application.
22. 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. Our development plan policies should therefore be afforded full weight in the determination of this application.
23. Paragraph 172 of the NPPF states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage should also be given great weight in National Parks.

Core strategy policies

24. GSP1 sets out the broad strategy for achieving our objectives having regard to the Sandford Principle. GPS1 also sets out the need for sustainable development and to avoid major development unless it is essential.
25. GSP2 states that opportunities for enhancing the National Park will be identified and acted upon. Proposals must demonstrate that they offer significant overall benefit to the natural beauty, wildlife and cultural heritage of the area and must not undermine the achievement of other core policies. When development is permitted a design will be sought that respects the character of the area along with appropriate landscaping.
26. 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.
27. L1 states that development must conserve and enhance valued landscape character as identified in the Landscape Strategy and Action Plan and other valued characteristics. Development will not be permitted in the Natural Zone other than in exceptional circumstances.
28. L3 states that development must conserve and where appropriate enhance cultural heritage unless there are exceptional circumstances.
29. RT1 A. states that we will support facilities which enable recreation, which encourage understanding and enjoyment of the National Park and are appropriate to the National Park's valued characteristics. RT1 B. states that in open countryside, clear demonstration of need for such a location will be necessary

Development Management policies

30. DMC3 sets out that where development is acceptable in principle, it will be permitted provided that its detailed treatment is of a high standard that respects, protects and where possible enhances the natural beauty, quality and visual amenity of the landscape, including the wildlife and cultural heritage assets. Particular attention will be paid to siting, scale, form, mass, landscape setting and the valued character and appearance of the area.
31. DMC5 A. says that applications for development affecting a heritage asset must clearly demonstrate its significance including how any features of value will be conserved and where possible enhanced and why the proposed development is desirable or necessary.
32. DMC5 B. says proposals likely to affect heritage assets with archaeological and potential archaeological interest should be supported by appropriate information that identifies the impacts or a programme of archaeological works to a methodology approved by the Authority.
33. DMC5 F. says that development will not be permitted if it would result in any harm to or loss of significance unless the development is considered by the Authority to be acceptable following a balanced judgement that takes into account the significance of the heritage asset.
34. DMC13 requires applications to provide sufficient information to enable impact upon trees to be properly considered. Trees and hedgerows which positively contribute will be protected. Development should incorporate existing trees within the site layout and these should be protected during the course of the development.
35. DMR4 is specific for proposals for keeping horses and says that facilities for keeping horses will be permitted provided that the development:
 - i. is specifically designed to accommodate horses; and
 - ii. is constructed of a scale or design, utilising materials that are appropriate to the function of the building; and
 - iii. is located adjacent to existing buildings or groups of buildings; and
 - iv. does not alter the valued landscape character by changing the landform or in any other way have an adverse impact on its character and appearance; and
 - v. is not likely to cause road safety problems; and
 - vi. in the case of commercial stables/riding centres, has good access from the strategic and secondary road networks and to an adequate bridleway network that can accommodate the increased activity without harming the valued characteristics of the area or their enjoyment by others.

Assessment

Principle

36. A summary of the relevant planning history is detailed above. The existing field shelter is unauthorised and subject to an enforcement notice which requires its removal.
37. We have met the applicant to try to find a solution and initially suggested a site lower down the field to the rear of the school because this would be better related to existing buildings and have a reduced landscape impact. The applicant raised concerns over access to the lower part of the field due to the gradient of the field and so the current site was discussed as an alternative. During discussions the applicant stated that the shelter is only required on a temporary basis for her current horses and therefore that permission could be granted on a temporary basis.

38. Our policies in principle allow for recreation development in the countryside and for facilities for keeping horses (policies DS1 and DMR4). Therefore the key issues are considered to be whether the proposed site is acceptable in terms of landscape and visual impact and whether a temporary permission is appropriate in this case.

Impact of development

39. There are no concerns that the proposed development would have an adverse impact upon the amenity of any neighbouring property or land use given the intervening distances and we agree with the Highway Authority that there are no concerns that the proposed development would have an adverse impact upon highway safety.
40. The field is improved grassland and used by the applicant for grazing horses therefore the development would not harm any protected species or their habitat. The proposed site is also well away from the canopy of mature trees along the southern boundary.
41. The Authority's Senior Archaeologist has identified a lynchet associated with a removed field boundary possibly representing the edge of a former medieval strip field. The proposed site would be located 10m from the lynchet therefore the development would not impact upon this feature.
42. For the purposes of the Landscape Character Assessment, the application site is located within the valley farmlands with villages character type within the Derwent Valley. This is a settled pastoral landscape with low lying undulating topography where small to medium sized fields are enclosed by hedgerows and drystone walls and often close to gritstone villages and outlying farms.
43. The site forms one of the fields located on the hillside to the west of Curbar Primary school as the land rises steeply towards Cliff Lane. The field is grass pasture and bounded by dry stone gritstone walls on three sides and a post and wire fence along the southern boundary. The re-located building would be sited on the south side of in the upper half of the field.
44. Concern has been raised by the Parish Council in regard to the siting and landscape impact of the development. We have visited the site and viewed the existing building and proposed site from nearby vantage points along with other positions where the building is visible from Cliff Lane and in the wider landscape.
45. The existing building is prominent from views along parts of Baslow Road and from within Calver and is also visible in the wider landscape across the valley to the south west. The prominence of the building is due to its position at the crest of the hill where it is viewed against the more distant backdrop of Baslow Edge and the fact that the building is viewed as an isolated structure poorly related to nearby built development and mature trees. It is for these reasons planning permission was refused for the retention of the building in its current position.
46. This application proposes to re-locate the existing field shelter closer to the southern field boundary and further down the slope of the hill. The building would also be turned so that its rear elevation faces south, towards the trees.
47. The proposed site would be less prominent from local vantage points primarily because the building would be brought down from the crest of the hill and therefore would not break the skyline from views along Baslow Road. The building would also not be visible from Cliff Lane due to the position lower down the hill and the high boundary wall that faces Cliff

Lane. In the wider landscape the building would no longer be viewed against the backdrop of Baslow Edge but would still be viewed as an isolated structure, albeit marginally better related to the mature trees along the southern boundary.

48. The construction of the building would remain unchanged and the timber and metal sheeting do not reflect the local vernacular. However this type of construction is more temporary in nature and is in some contexts appropriate for a field shelter as set out by the supporting text to policy DMR4.
49. Therefore while the proposed site would have less impact than the existing, particularly from nearby vantage points, we would still have concerns that the retention of the field shelter in the proposed location on a permanent basis would be inappropriate and contrary to our landscape conservation policies.
50. At pre-application discussions the applicant indicated that the shelter would only be required on a short term basis for the current horses and that her intention was to remove the shelter when it is no longer needed for that purpose. However the other couple have horses on part of the land, which also use the shelter.
51. A temporary planning permission could provide a solution allowing the applicant to retain the field shelter while it is needed and for the Authority to require that it is removed when the permission ends. Normally a temporary planning permission is not appropriate when a development would be contrary to our policies, however, taking into account the planning history and that the proposed site would provide some mitigation of landscape impact a temporary planning permission would provide an appropriate resolution.
52. Therefore, if permission is granted we recommend that it is on the basis of a temporary five year period (or to be removed sooner if the building ceases to be used for keeping horses). We would also in the circumstances recommend a personal consent for the benefit of the applicant only.
53. If permission is granted we would also recommend planning conditions requiring the field shelter to be moved within three months of the permission and to be removed at the end of the temporary period (or when no longer required) and for the land to be restored to its original condition.
54. We would also recommend that the position of the field shelter is brought 5m closer to the southern field boundary so that it is better related to the trees while remaining far enough to avoid impact upon the trees or the lynchet feature.
55. Finally, the concerns raised by the Parish Council are noted. The application does not propose to change ground levels or create a hardstanding for the field shelter but if permission is granted we would recommend a planning condition to secure this.

Conclusion

- 56 The proposed site would reduce the impact of the field shelter in nearby views. In the wider landscape the building would be better related to existing mature trees but would still be read as an isolated building which would have an adverse impact. The proposed development would not harm the biodiversity or cultural heritage of the National Park, highway safety or amenity.
- 57 Taking into account the planning history of this case and that the proposed site would significantly reduce the impact of the development that a temporary planning permission personal to the applicant is an appropriate solution.

58 Therefore having taken into account all matters raised we consider that the development is acceptable on a temporary basis and subject to planning conditions to ensure that the building is moved from its current position and removed at the end of the temporary period that the proposal is acceptable. The application is therefore recommended for approval subject to conditions.

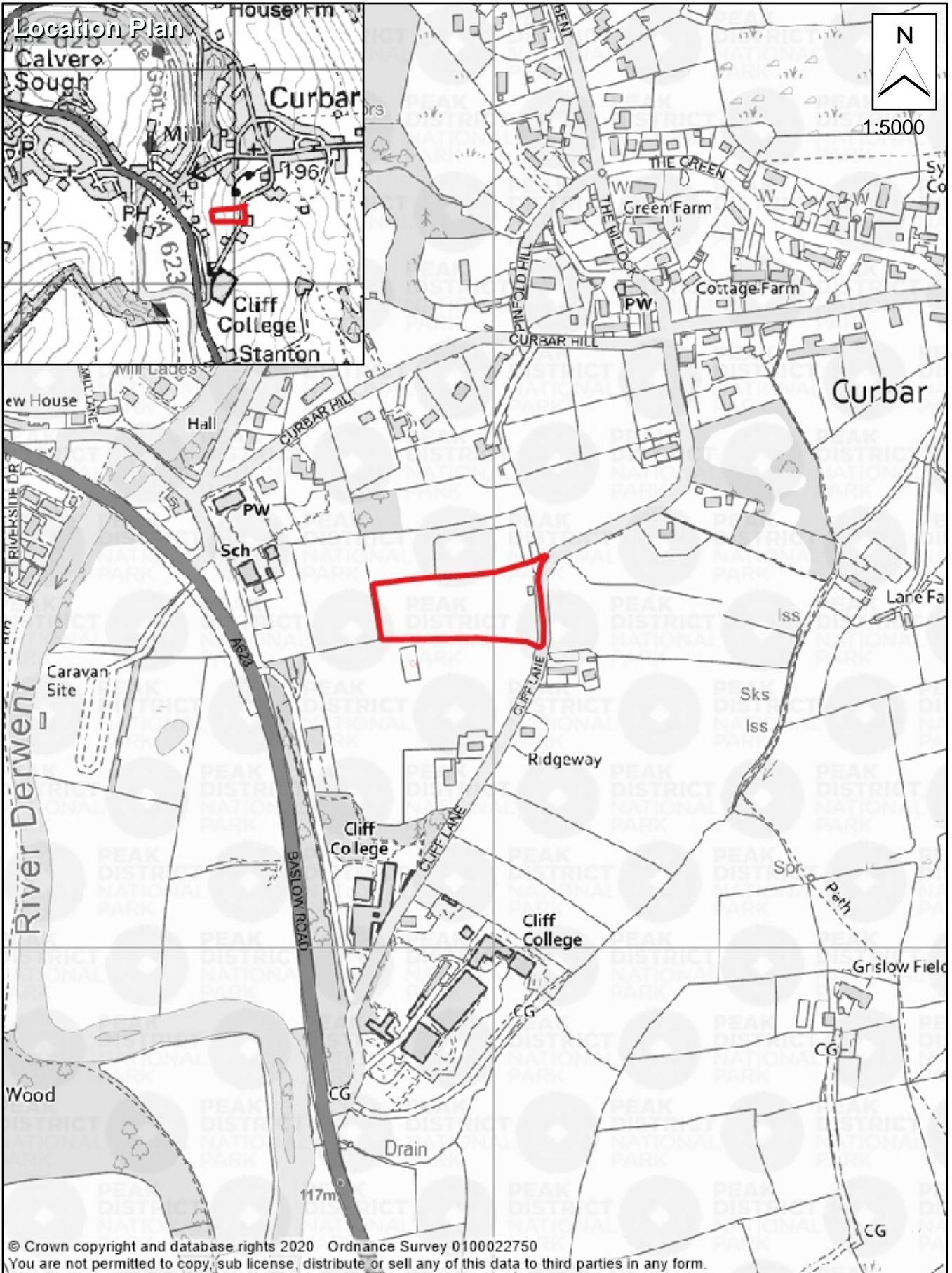
Human Rights


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

List of Background Papers (not previously published)

None

Report Author: Adam Maxwell, Senior Planner



Committee Date:	21st August 2020	Title: Field off Cliff Lane Curbar	 PEAK DISTRICT NATIONAL PARK
Item Number:			
Application No:	NP/DDD/0220/0200		
Grid Reference:	424922, 374267		

This page is intentionally left blank

10. FULL APPLICATION – PROPOSED REAR EXTENSION TO DWELLING AT 2 CHURCH STREET, MONYASH (NP/DDD/0520/0420 - ALN)

APPLICANT: MS L SHOULS

Summary

1. The application is for a single storey rear extension to a semi-detached property within the Monyash Conservation Area. The Parish Council have objected.
2. The massing and design of the extension is acceptable. The scheme would not result in additional demand for parking and off-street parking provision would remain the same as at present.
3. The application is recommended for conditional approval.

Site and Surroundings

4. 2 Church St is a semi-detached property located on the eastern edge of the village of Monyash, and on the south side of Church St. The site is within the Monyash Conservation Area.
5. To the east of the site are open fields. The property is the first dwelling visible on the edge of the village, when approaching from the Bakewell direction to the east.
6. Vehicular access to a rear yard is via a narrow track to the east of the dwellinghouse. The track also gives access an off street parking area serving another property as well as the neighbouring field.
7. The property is modest in its proportions. It is constructed in natural limestone with gritstone dressings under a concrete tiled roof.

Proposal

8. The erection of a single storey gabled extension off the rear (north facing) elevation. The extension would accommodate a kitchen/dining room.

RECOMMENDATION

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

1. 3 year time limit.
2. In accordance with amended plans.
3. Off street parking space as shown on the approved plans to be provided before the extension is first brought into use and maintained throughout the life of the development.
4. Sample panel of external walling to be agreed.
5. Environmental Management measures as outlined in the submitted Climate Change Mitigation Strategy to be adhered to.
6. Design details.

Key Issues

- The impact of the extension on the character and appearance of the property and its setting within the Conservation Area.
- Impact on Residential Amenity
- Highways and parking issues.
- Environmental Management

Relevant Planning History

9. There is no planning history held on file with regard to this property.

Consultations

10. Monyash Parish Council: Objects to application and makes the following comments:

- Inadequacy of parking
- Loss of a historical building within a conservation area. This cottage is in what used to be a row of three miner's cottages.
- Application changes the house from a 3 bedroom family property into a 2 bedroom property.

11. District Council: no response.

12. Highway Authority: no highway objections subject to no loss of parking.

Representations

13. Two letters of objection have been received from the occupiers of neighbouring properties, raising the following concerns (in summary):

- Height of extension would block light and affect the view.
- Concerns about impact on off-street parking provision.
- Lack of information about siting of gas/oil tanks.
- Concerns about impact on rainwater drainage.

Main Policies

14. Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L3, CC1

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

National Planning Policy Framework

16. National Park designation is the highest level of landscape designation in the UK. The Environment Act 1995 sets out two statutory purposes for national parks in England and Wales: Which are; to conserve and enhance the natural beauty, wildlife and cultural heritage and promote opportunities for the understanding and enjoyment of the special qualities of national parks by the public. When national parks carry out these purposes they also have the duty to; seek to foster the economic and social well-being of local communities within the National Parks.

17. The latest version of the National Planning Policy Framework (NPPF) was published on 19

February 2019. The Government's intention is that the document should be considered as a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. In the National Park the development plan comprises the Authority's Core Strategy 2011 and policies of the Development Management Policies document 2019. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application.

18. 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. Our development plan policies should therefore be afforded full weight in the determination of this application.
19. Paragraph 172 of the NPPF states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage should also be given great weight in National Parks.

Core strategy policies

20. GSP1 sets out the broad strategy for achieving our objectives having regard to the Sandford Principle. GPS1 also sets out the need for sustainable development and to avoid major development unless it is essential.
21. GSP2 states that opportunities for enhancing the National Park will be identified and acted upon. Proposals must demonstrate that they offer significant overall benefit to the natural beauty, wildlife and cultural heritage of the area and must not undermine the achievement of other core policies. When development is permitted a design will be sought that respects the character of the area along with appropriate landscaping.
22. 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.
23. L3 states that development must conserve and where appropriate enhance cultural heritage unless there are exceptional circumstances.

Development management policies

24. DMC3 sets out that where development is acceptable in principle, it will be permitted provided that its detailed treatment is of a high standard that respects, protects and where possible enhances the natural beauty, quality and visual amenity of the landscape, including the wildlife and cultural heritage assets. Particular attention will be paid to siting, scale, form, mass, landscape setting and the valued character and appearance of the area.
25. Policy DMH7 allows for extensions and alterations to dwellings provided that the proposal does not detract from the character or amenity of the original building, its setting or neighbouring buildings; does not dominate the host building especially where it is a designated or non-designated heritage asset; does not amount to a separate dwelling or annexe; and does not create or lead to undesirable changes to the landscape or other valued characteristic.
26. Policy DMT8 states that off-street car parking for residential development 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.

This should either be in the curtilage of the property or allocated elsewhere. The design and number of parking spaces must respect the valued character of the area, particularly in Conservation Areas.

Assessment

The impact of the extension on the character and appearance of the property and its setting within the Conservation Area.

27. 2 Church Street is a semi-detached cottage. It appears that the property was once two smaller cottages, knocked into one. It is a vernacular property of modest proportions, with typically low eaves, narrow gable and constructed in limestone with gritstone detailing and a concrete tile roof on the main part of the property and a blue slate roof on the lean to extension on the side gable. The property has a one-room deep floor plan with single storey lean-to additions on the rear (south facing) elevation and the east facing gable end. Being located at the entrance to the village and abutting Church Street the property is prominent and contributes positively to the character of the Conservation Area.
28. The proposals are to erect a single storey gabled extension projecting southwards off the rear lean-to. The extension would be of modest proportions, at 3m long by 3.5m wide.
29. At present, the proportions of the property mean that the rooms are laid out with a west-east emphasis and the proposed extension would alter this form to some extent by jutting out in a northwards direction, into the rear yard. However, the extension would be simply detailed and although it would be visible on the approach to the village from the east, it would be modest in scale and would be set back from the east elevation. It is considered that the impact upon the significance of the Conservation Area would be neutral.
30. It is proposed that the extension be provided in materials to match the existing building. This would be limestone walls with gritstone detailing (without quoins). The roof on the main part of the property is hardrow concrete tiles and the side lean to is blue slate. From public views the main house roof is not very visible, but the lean to extension is clearly visible when approaching the village and this roof is much more apparent. The proposed extension will be visible in that same view approaching the village and in that context it is more appropriate that the extension be conditioned to match the lean to with blue slate rather than hardrow tiles. This will have less impact on the conservation area.
31. The Parish Council comments about a historic building being lost are inaccurate because the existing building would be retained in its entirety (albeit altered). The plans do show that the number of bedrooms would be reduced from three to two (by the conversion of bedroom 3 to a bathroom) but this element of the scheme is permitted development.
32. In summary the proposals would conserve the character of the dwelling and the Monyash Conservation Area in accordance with adopted policies.

Impact on Residential Amenity

33. The property is semi-detached and so consideration must be given to the impact of the proposals on the privacy and amenity of the adjoining property (no.3 Church Street).
34. The submitted plans demonstrate that the extension would fall outside of a 45 degree line drawn from the centre of the nearest window on the rear elevation of the neighbouring property. As such, as advised in the Authority's Supplementary Planning Document on 'Alteration and Extensions', the extension would be unlikely to cause harm to amenity through impact on daylight or by being overbearing.
35. The property whose owner has objected with regard to impact on amenity is no.3 The Paddock. This property is two doors away to the west of the application site and due to the

intervening distances there would be no impact upon privacy and amenity as a result of the proposed single storey extension. Impact upon views is not a material consideration.

36. Another issue raised by the objectors is with regard to the siting of gas/oil tanks. The agent has confirmed that the heating system would be electric so there would no fuel tanks located on the site.
37. The issue of how rainwater from the neighbour's property is dealt with (where it discharges over the application site) is a civil matter or a building regulations matter – it is not a material planning consideration. Nonetheless the agent has provided significant detail on this issue and we are satisfied with the information provided.

Highways and Parking

38. At present due to the narrow nature of the lane to the side of the property and the position of the dwelling in relation to the rear yard, it is only possible to park on average sized car in the yard area to the area. There is no space for vehicles to manoeuvre within the site and so they cannot currently exit in a forward gear.
39. As proposed there would still be space for one vehicle to park within the curtilage of the property. Amended plans have been provided which show the alignment of the boundary wall between the yard and the lane adjusted to allow a vehicle to turn on the lane and exit onto the public highway in a forward gear. However it appears that the applicant does not own the part of the track that would facilitate the reversing of a vehicle and so use of this area cannot be guaranteed. Whilst this is unfortunate and would mean that parking provision would not be enhanced, the proposed extension would not in fact result in a demand for more parking at the property than at present and therefore a scheme that maintains the status quo is acceptable and in compliance with DMT8.
40. We consider that the amended plans with the wall alignment slightly altered should form the basis of the approved scheme as the altered wall would facilitate an improvement to the access should the agreement of the adjacent landowner be gained in the future.

Environmental Management

41. A Climate Change Mitigation Strategy has been submitted during the course of the application. This explains that the proposed insulation would exceed current building regulation insulation requirements. It is proposed to use locally quarried limestone and lime mortar will be used where possible for its carbon sequestering properties. The property doesn't use fossil fuels for heating directly, and is heated and hot water provided by electricity which can be sourced from renewable suppliers. Subject to a condition that requires the specifications on the Statement to be adhered to we consider that the proposals meet the requirement of policy CC1.

Conclusion

42. The proposed extension would conserve the character of the host property and the Monyash Conservation Area and would not cause harm to residential amenity in accordance with policies GSP3, DS1, L3, DMC3 and DMH7. Due to the size and nature of the extension it is unlikely that it would lead to a demand for additional parking and therefore the proposals to retain one off street parking space are acceptable. Consequently the proposals are recommended for conditional approval.

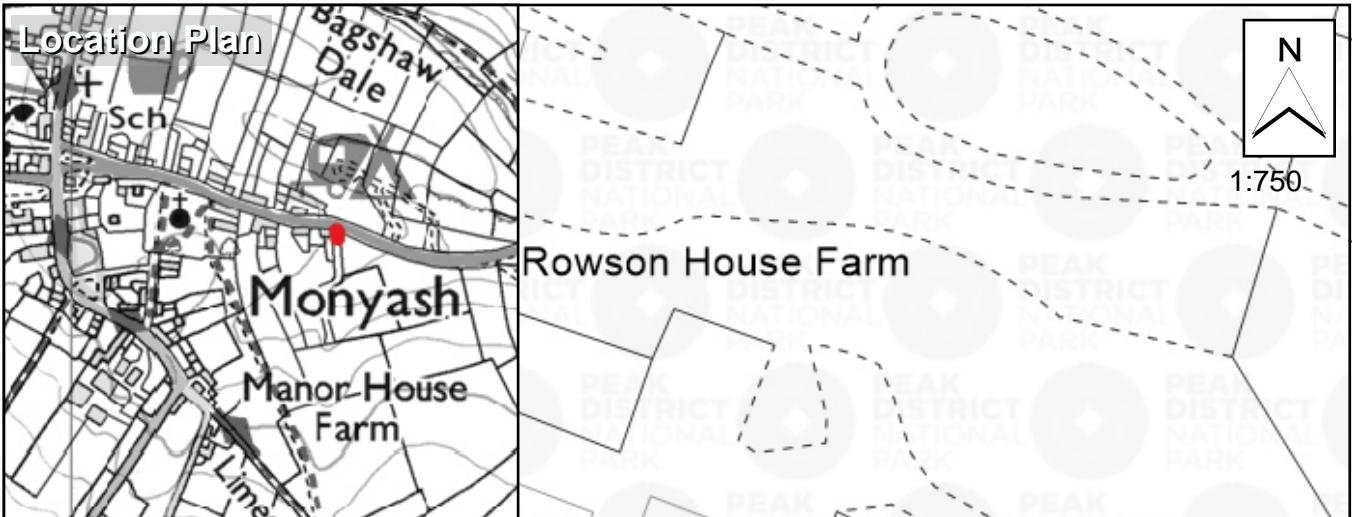
Human Rights

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


List of Background Papers (not previously published)

None

Report Author: Andrea Needham, Senior Planner



© Crown copyright and database rights 2020 Ordnance Survey 0100022750
 You are not permitted to copy, sub license, distribute or sell any of this data to third parties in any form.

Committee Date:	21st August 2020	Title: 2 Church Street Monyash	 PEAK DISTRICT NATIONAL PARK
Item Number:			
Application No:	NP/DDD/0520/0420		
Grid Reference:	415344, 366456		

This page is intentionally left blank