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Peak District National Park Authority

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



Our Values: Care – Enjoy – Pioneer

Our Ref: A.1142/3076

Date: 31 March 2022



NOTICE OF MEETING

Meeting: **Planning Committee**

Date: **Friday 8 April 2022**

Time: **10.00 am**

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

ANDREA McCASKIE
INTERIM CHIEF EXECUTIVE

Link to meeting papers:

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

AGENDA

1. **Roll call of Members Present, Apologies for Absence and Members' Declarations of Interest**
2. **Minutes of previous meeting of 11 March 2022** *(Pages 5 - 10)*
3. **Urgent Business**
4. **Public Participation**
To note any questions or to receive any statements, representations, depositions and petitions which relate to the published reports on Part A of the Agenda.
5. **Conservation of Habitats and Species Regulations 2019 - Creation of steps and improvement of surfacing to a very heavily used right of way. Installation of new access furniture at Thors Cave, Wetton (NP/SM/1121/1255, ALN)** *(Pages 11 - 16)*
Site Plan
6. **Full Application - Creation of steps and improvement of surfacing to a very heavily used right of way. Installation of new access furniture at Thors Cave, Wetton, (NP/SM/1121/1255, ALN)** *(Pages 17 - 28)*
Site Plan
7. **Full Application - Conversion of field barn to dwelling at Twin Dales Barn, field to west of Over Haddon, (NP/DDD/0122/0074), ALN** *(Pages 29 - 42)*
Site Plan
8. **Full Application - Proposed agricultural building to house and feed livestock and store fodder at South View Farm, Washhouse Bottom, Little Hucklow (NP/DDD/0821/0916 SPW)** *(Pages 43 - 52)*
Site Plan
9. **S73 Application - Variation of Condition 23 on planning approval no NP/DDD/1220/1211 for the change of use of barns to create 2 holiday cottages with associated works to buildings; minor alterations to listed farmhouse to enable its use as a holiday cottage; associated works to access at Greenwood Farm, Sheffield Road, Hathersage (NP/DDD/0721/0775 JK)** *(Pages 53 - 68)*
Site Plan
10. **Full Application - Conversion of the building to create new residential dwelling, external alterations, works of hard and soft landscaping, and other works incidental to the application, former Newfoundland Nursery, Sir William Hill Road, Grindleford (NP/DDD/0121/0025, BJT)** *(Pages 69 - 90)*
Site Plan
11. **Full Application - Change of use of land to additional domestic curtilage and extension to dwelling, for wheelchair accessible bedroom/wetroom and secure vehicle storage at Tideslow Farm, Tideswell (NP/DDD/1121/1260, AM)** *(Pages 91 - 102)*
Site Plan

12. **Monitoring & Enforcement Annual Review - APRIL 2022 (A.1533/AJC)**
(Pages 103 - 108)
13. **Head of Law Report - Planning Appeals (A.1536/AMC)** (Pages 109 - 110)

Duration of Meeting

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

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

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

Agendas and reports

Copies of the Agenda and Part A reports are available for members of the public before and during the meeting on the website <http://democracy.peakdistrict.gov.uk>

Background Papers

The Local Government Act 1972 requires that the Authority shall list any unpublished Background Papers necessarily used in the preparation of the Reports. The Background Papers referred to in each report, PART A, excluding those papers that contain Exempt or Confidential Information, PART B, can be inspected on the Authority's website.

Public Participation and Other Representations from third parties

In response to the Coronavirus (Covid -19) emergency our head office at Aldern House in Bakewell has been closed. However as the Coronavirus restrictions ease the Authority is returning to physical meetings but within current guidance. Therefore meetings of the Authority and its Committees may take place at venues other than its offices at Aldern House, Bakewell. Public participation is still available and anyone wishing to participate at the meeting under the Authority's Public Participation Scheme is required to give notice to the Head of Law to be received not later than 12.00 noon on the Wednesday preceding the Friday meeting. The Scheme is available on the website <http://www.peakdistrict.gov.uk/looking-after/about-us/have-your-say> or on request from the Democratic and Legal Support Team 01629 816352, email address: democraticandlegalsupport@peakdistrict.gov.uk.

Written Representations

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

Recording of Meetings

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

The Authority will make a digital sound recording available after the meeting which will be retained for three years after the date of the meeting. During the period May 2020 to April 2021, due to the Covid-19 pandemic situation, Planning Committee meetings were broadcast via Youtube and these meetings are also retained for three years after the date of the meeting.

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

This meeting will take place at Aldern House, Baslow Road, Bakewell, DE45 1AE.

Aldern House is situated on the A619 Bakewell to Baslow Road, the entrance to the drive is opposite the Ambulance Station. Car parking is available. Local Bus services from Bakewell centre and from Chesterfield and Sheffield pick up and set down near Aldern House. Further information on Public transport from surrounding areas can be obtained from Traveline on 0871 200 2233 or on the Traveline website at www.travelineeastmidlands.co.uk Please note that there is no refreshment provision for members of the public before the meeting or during meeting breaks. However, there are cafes, pubs and shops in Bakewell town centre, approximately 15 minutes walk away.

To: Members of Planning Committee:

Chair: Mr R Helliwell
Vice Chair: Mr K Smith

Cllr W Armitage
Cllr D Chapman
Cllr A Hart
Cllr A McCloy
Cllr V Priestley
Cllr K Richardson
Cllr J Wharmby

Cllr P Brady
Ms A Harling
Cllr I Huddlestone
Cllr Mrs K Potter
Cllr D Murphy
Cllr S. Saeed

Other invited Members: (May speak but not vote)

Mr Z Hamid

Prof J Haddock-Fraser

Constituent Authorities
Secretary of State for the Environment
Natural England

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



MINUTES

Meeting: **Planning Committee**

Date: Friday 11 March 2022 at 10.00 am

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

Chair: Mr R Helliwell

Present: Mr K Smith, Cllr P Brady, Cllr A McCloy, Cllr Mrs K Potter and Cllr D Murphy

Apologies for absence: Cllr W Armitage, Cllr D Chapman, Ms A Harling, Cllr A Hart, Cllr I Huddleston, Cllr K Richardson, Cllr S. Saeed and Cllr J Wharmby.

21/22 ROLL CALL OF MEMBERS PRESENT, APOLOGIES FOR ABSENCE AND MEMBERS' DECLARATIONS OF INTEREST

Items 5 and 6.

All Members declared that they had received an email from the Canal and River Trust.

Cllr Mrs Potter declared that she was a Member of the RSPB.

22/22 MINUTES OF PREVIOUS MEETING OF 11TH FEBRUARY 2022

The minutes of the last meeting of the Planning Committee held on 11th February 2022 were approved as a correct record.

23/22 URGENT BUSINESS

There was no urgent business.

24/22 PUBLIC PARTICIPATION

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

25/22 CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2017 - THE CONSTRUCTION OF A PERMANENT ACCESS TRACK LEGALLY REQUIRED AS A MEASURE IN THE INTERESTS OF SAFETY UNDER THE RESERVOIRS ACT FOR ESSENTIAL SAFETY WORKS AND ONGOING INSPECTION, MAINTENANCE, AND EMERGENCY ACCESS TO SWELLANDS AND BLACK MOSS RESERVOIRS, OFF THE A62 HUDDERSFIELD ROAD, DIGGLE, SADDLEWORTH (NP/O/1221/1393, JK)

Item 5 was dealt with at the same time as Item 6 but the votes were taken separately. Please see full minute detail in minute 26/22 below.

RESOLVED

To adopt this report as the Authority's assessment of likely significant effects on internationally important protected habitats and species under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) in relation to the construction of a permanent access track to facilitate essential safety works, ongoing inspection, maintenance, and emergency access to Swellands and Black Moss reservoirs.

26/22

FULL APPLICATION - THE CONSTRUCTION OF A PERMANENT ACCESS TRACK LEGALLY REQUIRED AS A MEASURE IN THE INTERESTS OF SAFETY UNDER THE RESERVOIRS ACT FOR ESSENTIAL SAFETY WORKS AND ONGOING INSPECTION, MAINTENANCE, AND EMERGENCY ACCESS TO SWELLANDS AND BLACK MOSS RESERVOIRS, OFF THE A62 HUDDERSFIELD ROAD, DIGGLE, SADDLEWORTH (NP/O/1221/1393, JK)

Members had visited site the previous day.

The reports for Items 5 and 6 were introduced by the Head of Planning who outlined the reasons for adoption and approval as set out in the reports. He also advised that an application had subsequently been submitted for works to the dam at Swellands Reservoir which would be considered in due course.

The following spoke under the public participation at meetings scheme:

- Tania Snelgrove, Canal and River Trust – Applicant

Other employees of the Canal and River Trust attended to answer any technical questions from Members. They were able to confirm the following:

- Bog Mat is a lightweight track material which allows water to flow through it to the peat below, also when heavy machinery is driven over it, it enables the load to be spread.
- 8 passing places are necessary because the track will be long and undulating with poor lines of sight. They have been positioned to maximise visibility and to mitigate the tight bends. For safety reasons, it is necessary to avoid vehicles reversing for long distances.
- That two "lay down" areas for maintenance will be retained for future use, near Black Moss Reservoir.
- Measures will be taken to prevent misuse of the track, including padlocked gates, new signage both on site and on principal nearby routes, twice weekly inspections, and that the construction of the track being from large stone will make it uncomfortable to walk or ride on.
- That the closure of Brun Clough car park to allow the works, will be advertised in advance by the local authority, but that the Canal and River Trust were amenable to exploring whether other sites which they own could be used for temporary car parking during its closure.

Members particularly welcomed the proposed mitigation measures and felt that the concerns which led to the previous refusal had been addressed.

A motion to approve the application in accordance with Officer recommendation was moved and seconded and a vote was taken and carried.

RESOLVED

1. That the Authority resolves to approve the application subject to prior notification of the Secretary of State and subject to the signing of a Section 106 Agreement to secure the proposed off site, off-setting and biodiversity net gain works.
2. That the Secretary of State is notified of the resolution; and
3. Subject to the agreement of the Secretary of State, the Head of Planning be authorised to issue a decision notice in the terms set out.

And subject to the following conditions:

- 1) Statutory time limit for implementation
- 2) Development in accordance with the submitted plans and specifications, subject to the following conditions:
- 3) A programme of phasing/timing of the construction works be agreed to avoid the bird nesting season in the designated SPA.
- 4) Agree sample/specifications of stone to be used for surfacing and geotextile matting.
- 5) Submit and agree details of any new gates and barriers.
- 6) Carry out habitat creation, pond creation, and tree-planting works in accordance with agreed timetable.
- 7) Gates to be kept locked other than when the track is in use; any signage to be agreed before installation.
- 8) Restoration scheme to be submitted and agreed in the event that any part of the track is removed.
- 9) Archaeological conditions:
 - a) No development shall take place other than in accordance with the approved archaeological Written Scheme of Investigation, produced by WYAS Archaeological Services, Version 6
 - b) Within a period of 12 weeks from completion of the development the archaeological site investigation and post investigation analysis and reporting shall have been completed in accordance with the programme set out in the approved Written Scheme of Investigation and the provision to be made for publication and dissemination of results and archive deposition shall have been secured.

The meeeting adjourned for a short break at 11.15 and reconvened at 11.25

27/22

FULL APPLICATION - ERECTION OF TIMBER SHED AT THE REAR OF THE PUBLIC HOUSE TO HOUSE A MICRO BREWERY FOR SMALL SCALE BREWING, AND STORE - THE GREYHOUND INN, WARSLOW - (NP/SM/1121/1172, MN)

The report was introduced by the Planning Officer who set out the reasons for approval as outlined in the report.

A motion to approve the application in accordance with Officer recommendation was moved and seconded.

Members queried why the applicants were being required to paint the window frames grey and were advised that this was to ensure that the door and window frames matched, and to reduce the visual prominence of the building.

A vote was taken and carried.

RESOLVED

To APPROVE the application subject to the following conditions:

- 1) 3 year time limit**
- 2) In accordance with submitted plans**
- 3) Microbrewery to remain ancillary to The Greyhound Inn**
- 4) Boarding and window and door frames to be painted grey within 6 months of the decision**

28/22

FULL APPLICATION - PROPOSED CHANGE OF USE OF Paddock TO PERMIT THE SITING OF A SHEPHERDS HUT FOR USE AS A HOLIDAY LET - TOWN END COTTAGE, MAIN STREET, SHELDON - (NP/DDD/1121/1235, SC)

The report was introduced by the Planning Officer who outlined the reasons for refusal as set out in the report.

The following spoke under the public participation at meetings scheme:

- Sir Richard Fitzherbert, Supporter
- Lindsey Jones. Applicant

Members noted that the application had received 43 letters of support. The supporting text of Core Strategy Policy RT3 was discussed, which states that static caravans, chalets and lodges may be acceptable in locations where they are not intrusive in the landscape. Members considered that this development was small scale and not intrusive.

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

Members requested clarification as to whether Policy DME7 regarding business expansion was applicable in this case.

The Head of Planning advised that when specific policies addressed an issue, in this case DMR1, the specific policy should be relied upon rather than more general policies, and that an approval would remain contrary to the Authority's policies relating to tourism, even if Members felt that it could be justified under the business development policies. Also whilst there was always scope for exceptions, in this case the more recent Development Management Policies had defined the circumstances in which those exceptions would apply.

Members noted that the location of the Shepherd's Hut was close to a steel framed agricultural building which helped it to fit into the surrounding location.

The motion to approve the application contrary to Officer recommendation and as an exception to policy DMR1, with final agreement of conditions delegated to the Head of Planning in consultation with Chair and Vice Chair of Planning was voted on and carried.

RESOLVED

To APPROVE the application with final agreement of conditions delegated to the Head of Planning in consultation with Chair and Vice Chair of Planning.

29/22 HEAD OF LAW REPORT - PLANNING APPEALS (A.1536/AMC)

Members requested more detailed feedback about the appeal which had been submitted at Wincle.

RESOLVED

To note the report.

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5. CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2019 - CREATION OF STEPS AND IMPROVEMENT OF SURFACING TO A VERY HEAVILY USED RIGHT OF WAY. INSTALLATION OF NEW ACCESS FURNITURE AT THORS CAVE, WETTON, (NP/SM/1121/1255, ALN)

APPLICANT: CHARLOTTE LEECH - TRUSTEES OF THE DEVONSHIRE MAINTENANCE FUND

Summary

1. The application is for a scheme of works to repair and improve paths that give public access to Thor's Cave.
2. Part of the land within the application site falls within the Peak District Dales Special Area of Conservation and the Hamps and Manifold Valleys SSSI.
3. It is considered that the development is necessary for the conservation management of the Special Area of Conservation and would not result in significant impacts to the SAC so **an appropriate assessment is not required.**

Site and Surroundings

4. Thors Cave is located in open countryside approximately 900m to the west of the village of Wetton. It is a natural cavern positioned within a limestone crag on the steeply sloping eastern valley side, approximately 80m above the river Manifold.
5. The cave is a very popular tourist destination. Public access is gained either from a public footpath that rises steeply from the Manifold trail in the valley bottom to the north, or along a concessionary path from Wetton (along Thor's Lane) to the east.
6. The application site edged red relates to the network of paths around the cave including the concessionary path from the western end of Thor's Lane that leads across fields towards the cave, and a further concessionary path proposed leading to the area above the cave from the east.
7. Part of the application site falls within the Natural Zone.
8. Part of the application site falls within the Hamps and Manifold Valleys SSSI and the Peak District Dales Special Area of Conservation.

Proposal

9. Planning permission is sought for repairs and improvements to the paths that give access to the cave entrance from the east and to the path that leads to an area above the cave (a popular vantage point). The works can be viewed in detail on the submitted plans but they include:
 - New surfacing on the concessionary path between points A and C.
 - New surfacing on a route from point C to the head of the cave (points C to G) including new steps and vegetation removal.
 - New surfacing and steps from points C to K.
 - Step improvements between points M to N and a new step at point P at the cave entrance.
 - New hazel planting and post and rail fencing on 'desire line' on steep hillside to west of route C to F to discourage access.

RECOMMENDATION:

- I. **That this report be adopted as the Authority's assessment of likely significant effects on internationally important protected habitats and species under Regulation 63 of the Conservation of Habitats and Species Regulations 2019 (as amended) in relation to the current planning application at Thor's Cave.**
- II. **It is determined that the development is necessary for the conservation management of the Special Area of Conservation and would not result in significant impacts to the SAC, so an appropriate assessment is not required. Therefore, the development is not contrary to the provisions of the Conservation of Habitats and Species Regulations 2017 (as amended) and the EU Habitats Directive.**

Key Issues

10. Under Section 63 of the Conservation of Habitats and Species Regulations 2019 (as amended) (the Habitats Regulations) any development that has the potential to result in a likely significant effect (LSE) on a European site and is not directly connected with the management of the site for nature conservation reasons, must be subject to a Habitat Regulations Assessment (HRA).
11. Where the potential for likely significant effects cannot be excluded, a competent authority (in this case the National Park Authority) must make an appropriate assessment of the implications of the development for that site, in view the site's conservation objectives. The competent authority may agree to the plan or project only after having ruled out adverse effects on the integrity of the habitats site.
12. Where an adverse effect on the site's integrity cannot be ruled out, and where there are no alternative solutions, the plan or project can only proceed if there are imperative reasons of over-riding public interest and if the necessary compensatory measures can be secured.
13. The Habitat Regulation Assessment (HRA) process involves several stages, which can be summarised as follows:
14. Stage 1 – Likely Significant Effect Test (HRA screening). This stage requires a risk assessment to be undertaken utilising existing data, records and specialist knowledge. This stage identifies the likely impacts of a project upon a European Site and considers whether the impacts are likely to be significant. The purpose of the test is to screen whether a full appropriate assessment is required. Where likely significant effects cannot be excluded, assessing them in more detail through an appropriate assessment is required to reach a conclusion as to whether an adverse effect on the integrity of the site can be ruled out.
15. Stage 2 - Appropriate Assessment. This stage involves consideration of the impacts on the integrity of the European Site with regard to the structure and function of the conservation site and its objectives. Where there are adverse effects an assessment of mitigation options is carried out. If the mitigation cannot avoid any adverse effect or cannot mitigate it to the extent that it is no longer significant, then development consent can only be given if an assessment of alternative solutions is successfully carried out or the Imperative Reasons of Overriding Public Interest (IROPI) test is satisfied.

16. Stage 3&4 - Assessment of Alternative Solutions and Imperative Reasons of Overriding Public Interest Test (IROPI). If a project will have a significant adverse effect and this cannot be either avoided or mitigated, the project cannot go ahead unless it passes the IROPI test. In order to pass the test, it must be objectively concluded that no alternative solutions exist. The project must be referred to the Secretary of State because there are imperative reasons of overriding public interest as to why the project must proceed. Potential compensatory measures needed to maintain the overall coherence of the site or integrity of the European Site network must also be considered.

Assessment

Stage 1 – Likely Significant Effect Test (Habitat Regulations Assessment Screening).

17. The carboniferous limestone that is found within the SAC is cut by valleys, the 'dales', which contain a wide range of wildlife habitats, particularly woodland, scrub and grassland. This mosaic of habitats and the transitions between them are of exceptional interest for a wide range of characteristic, rare and uncommon flora and fauna. The habitats that are the primary reason for designation of the Peak District Dales SAC are semi-natural dry grasslands and scrubland facies on calcareous substrates and Tilio-Acerion forests of slopes, screes and ravines; mixed woodland on base-rich soils association with rocky slopes.
18. The conservation objectives of the SAC are to ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;
- The extent and distribution of qualifying natural habitats and habitats of qualifying species.
 - The structure and function (including typical species) of qualifying natural habitats.
 - The structure and function of the habitats of qualifying species.
 - The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely.
 - The populations of qualifying species, and,
 - The distribution of qualifying species within the site.
19. The westernmost 70m of the concessionary footpath from Wetton to the mouth of Thor's cave is within the SAC. This relates to point J to P inclusive on the submitted Reference Plan
20. If the whole proposal is for the conservation management of the habitats or species for which the European site has been designated, then an 'appropriate assessment' does not need to be carried out.
21. The area affected by the proposed footpath repairs, within the SAC, is already a concessionary footpath. Severe and extensive erosion has taken place both on and around the footpath, which is inevitably causing harm to the habitats for which the SAC has been designated.
22. The proposed footpath improvements are required in order to contain visitor footfall onto the designated route and in turn to prevent further damage to the surrounding area and to facilitate the conservation objectives of the SAC. We are satisfied that the development is necessary for the conservation management of the SAC and so it is not necessary to further screen the development for the likely significant impacts upon the designated site. Consequently an appropriate assessment is not required.

23. Even if that was not the case, harm to the landscape and ecological interest of the area is currently occurring by virtue of the extent of the erosion that has taken place as a result of poaching of the land by visitors using the increasingly eroded and (in places) impassable footpaths. The proposed works are in areas that are already used extensively by walkers and so are unlikely in themselves to cause any significant ecological impacts over and above those that are already taking place, and improving the path surfacing will result in a longer term landscape improvement as the poached land becomes less trodden and is able to recover. Consequently we are of the view that overall the proposals are not only essential for the management of the SSSI but would also result in a net benefit to the ecological and landscape value of the area, and as such the works would not result in significant impacts to the SAC and would not require appropriate assessment.

Conclusion

24. At stage 1 of the HRA, in view of the fact that the development is necessary for the conservation management of the Special Area of Conservation and would not have significant impacts upon its reasons for designation, **an appropriate assessment is not required** and the development is not considered to be contrary to the provisions of the Conservation of Habitats and Species Regulations 2019.

Human Rights

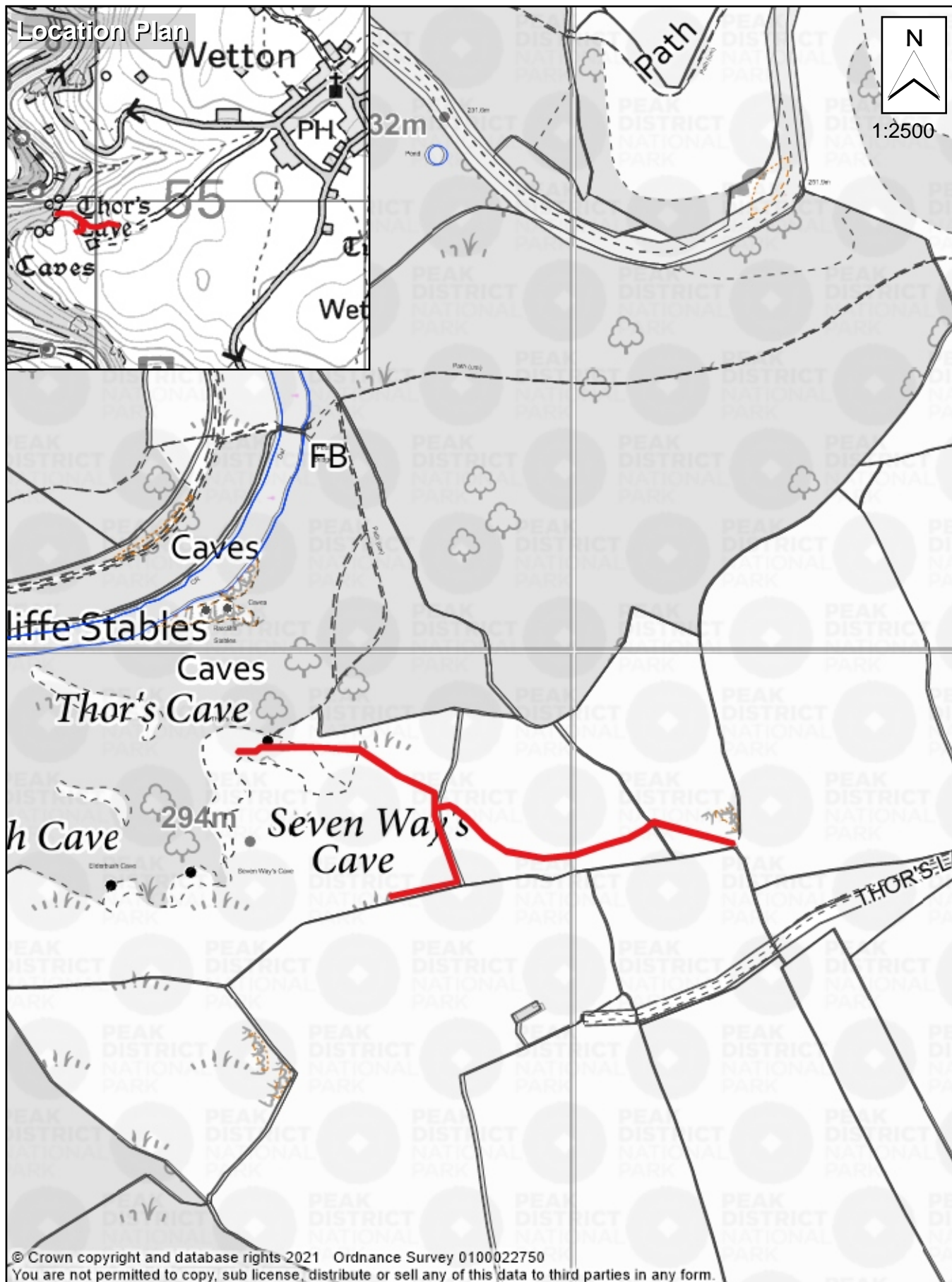
25. Any human rights issues have been considered and addressed in the preparation of this report.


List of Background Papers (not previously published)

26. Nil

Report Author and Job Title

27. Andrea Needham – Senior Planner - South



Committee Date:	8th April 2022	Title: Thors Cave, Wetton	 PEAK DISTRICT NATIONAL PARK
Item Number:	Item 5 & 6		
Application No:	NP/SM/1121/1255		
Grid Reference:	409935, 355232		

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6. FULL APPLICATION - CREATION OF STEPS AND IMPROVEMENT OF SURFACING TO A VERY HEAVILY USED RIGHT OF WAY. INSTALLATION OF NEW ACCESS FURNITURE AT THORS CAVE, WETTON, (NP/SM/1121/1255, ALN)

APPLICANT: CHARLOTTE LEECH - TRUSTEES OF THE DEVONSHIRE MAINTENANCE FUND

Summary

1. The application is for a scheme of works to repair and improve paths that give public access to Thor's Cave.
2. In accordance with policies L1 and DMC2, the development is considered to be essential for the management of the Natural Zone.
3. The development would enhance the landscape character of the area and the ecological value of the site. Impact on archaeology can be mitigated by an appropriate watching brief.
4. Any wider impacts upon the amenity of local residents in Wetton would be neutral.
5. The application is recommended for conditional approval.

Site and Surroundings

6. Thors Cave is located in open countryside approximately 900m to the west of the village of Wetton. It is a natural cavern positioned within a limestone crag on the steeply sloping eastern valley side, approximately 80m above the river Manifold.
7. The cave is a very popular tourist destination. Public access is gained either from a public footpath that rises steeply from the Manifold trail in the valley bottom to the north, or along a concessionary path from Wetton (along Thor's Lane) to the east.
8. The application site edged red relates to the network of paths around the cave including the concessionary path from the western end of Thor's Lane that leads across fields towards the cave, and a further concessionary path proposed leading to the area above the cave from the east.
9. Part of the application site falls within the Natural Zone.
10. Part of the application site falls within the Hamps and Manifold Valleys SSSI and the Peak District Dales Special Area of Conservation.

Proposal

11. Planning permission is sought for repairs and improvements to the paths that give access to the cave entrance from the east and to the path that leads to an area above the cave (a popular vantage point). The works can be viewed in detail on the submitted plans but they include:
 - New surfacing on the concessionary path between points A and C.
 - New surfacing on a route from point C to the head of the cave (points C to G) including new steps and vegetation removal.
 - New surfacing and steps from points C to K.

- Step improvements between points M to N and a new step at point P at the cave entrance.
- New hazel planting and post and rail fencing on 'desire line' on steep hillside to west of route C to F to discourage access.

RECOMMENDATION:

12. That the application be APPROVED subject to the following conditions:

- 1. 3 year implementation time limit.**
- 2. Adopt submitted plans.**
- 3. a) No development shall take place until a Written Scheme of Investigation for an archaeological watching brief has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and**
 - I. The programme and methodology of site investigation and recording;**
 - II. The programme and provision to be made for post investigation analysis and reporting;**
 - III. Provision to be made for publication and dissemination of the analysis and records of the site investigation;**
 - IV. Provision to be made for archive deposition of the analysis and records of the site investigation;**
 - V. Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation".**

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

c) Within a period of 12 weeks from completion of the development the archaeological site investigation and post investigation analysis and reporting shall have been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (a) and the provision to be made for publication and dissemination of results and archive deposition shall have been secured.

Key Issues

13. The key planning issues relating to the development are:

- Principle of development in the natural zone.
- Impact on the landscape character of the area.
- Archaeological considerations.
- Impacts on ecology.
- Parking and amenity of local residents.

History

14. There is no planning history directly related to the application site.

Consultations

15. **Highway Authority** – no objections subject to a condition that no mud or other deleterious material to be deposited on the public highway
16. **District Council** – no response
17. **Parish Council** – *‘The Parish Council finds this to be a constructive proposal by the applicant, demonstrating their recognition that the recent significant increase in visitor numbers is damaging the environment. Accordingly, the Parish Council supports this application and hopes that it is just the beginning of a series of further projects to manage pedestrian and vehicular access to this popular attraction and normalise the residents’ peaceful enjoyment of their homes and surroundings.’*
18. **Natural England** – no response to date
19. **Authority’s ecologists** – no response
20. **Authority’s archaeologist** – *There has been (and may still be) material of archaeological sensitivity outside the cave mouth as well as inside the cave.*
21. *A whole series of excavations from the 1860s onwards has revealed artefacts and evidence of occupation from the Palaeolithic period onwards (including Neolithic, Bronze Age, Iron Age, Romano-British finds). There was a human burial in the cave, possibly of Neolithic date (approx. 4000 – 2000BC).*
22. *A cave survey report we have (done by Trent and Peak Archaeological Trust for the National Trust in 1992) covering the whole of the Manifold Valley notes that the spoil from Carrington’s excavations in 1864-5 **now forms the steep grassy slope up to the cave entrance**. This may well have archaeological remains within it. Likewise, the report notes that the ‘talus’ slope outside the adjacent Elderbush Cave (which is a scheduled monument) also contains important archaeological remains. Given the scheduled status of Elderbush, and the similar deposits that have been found in Thor’s Cave, I consider that any archaeological remains in and around Thor’s cave are likely to be of national significance.*
23. *I am mindful of the need to be proportionate. So I suggest that archaeological monitoring is required, but only for the section nearest the cave mouth. i.e. **Step at P, new path section and steps M-L, as shown on drawing 03 Rev 1**. This is a length of around 25m according to the plan.*
24. **Authority’s Access and Rights of Way Officer** – *‘The application to carry out repairs and provide for the continued public access at Thor’s Cave is welcomed and supported. The proposed surfacing of the permissive path to Thor’s Cave will improve its condition and help to limit the spread of footfall. The proposed path to the hillside above Thor’s Cave will provide for a formal means of access and, in combination with deflector fencing and planting, assist in the recovery of the eroded bank and botanical interest.’*
25. **Authority’s Landscape Architect** – *‘No landscape objections to the proposed works. It is clear that the damage being done to the ground is visually detrimental and resurfacing should reduce the visual impact.’*

Representations

26. Four letters of 'general comment' and five letters of objection have been received from local residents. These raise the following issues:

- Number of visitors increased hugely during last 2 years.
- Wetton is inundated with cars and visitors to the cave causing antisocial behaviour, litter, drugs etc.
- Village becomes overrun by traffic creating access and road safety problems.
- The village car park is inadequate for the number of cars that arrive.
- The improvements will encourage even more visitors to park in the village.
- The concessionary footpath should be closed and access to the cave should be from the Manifold Valley only.
- Residents are leaving the village as a result of the influx of visitors.
- Signage should direct visitors away from Wetton.
- Damage to the natural environment in the area caused by visitors.
- Issues with accidents around Thors cave and difficulty with emergency services access.

Main Policies

27. Relevant Core Strategy policies: GPS1, GSP2, GSP3, L1, L2, L3, T1, T6

28. Relevant Local Plan policies: DMC2, DMC3, DMC5, DMC12, DMT3, DMT5

National Planning Policy Framework

29. The National Planning Policy Framework (NPPF) replaced a significant proportion of central government planning policy with immediate effect. A revised NPPF was published in July 2021. The Government's intention is that the document should be considered as a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. In the National Park the development plan comprises the Authority's Core Strategy 2011 and policies in the Peak District National Park 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.

30. In particular, paragraph 176 states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, which have the highest status of protection in relation to these issues.

31. Section 16 of the NPPF sets out guidance for conserving the historic environment.

32. Paragraph 199, 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).

33. In the National Park, the development plan comprises the Authority's Core Strategy and the Development Management Policies (DMP). These Development Plan policies provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application.

Main Development Plan Policies

Core Strategy

34. GSP1, GSP2 - *Securing National Park Purposes and sustainable development & Enhancing the National Park*. These policies jointly seek to secure national park legal purposes and duties through the conversion and enhancement of the National Park's landscape and its natural and heritage assets.
35. GSP3 - *Development Management Principles*. Requires that particular attention is paid to the impact on the character and setting of buildings and that the design is in accord with the Authority's Design Guide and development is appropriate to the character and appearance of the National Park.
36. DS1 - *Development Strategy*. States, that recreation and tourism development is acceptable in principle in open countryside.
37. L1 - *Landscape character and valued characteristics*. Seeks to ensure that all development conserves and enhances valued landscape character and sites, features and species of biodiversity importance.
38. L2 – *Sites of biodiversity or geo-diversity importance*. States that development must conserve and enhance any sites, features or species of biodiversity importance and where appropriate their setting. Other than in exceptional circumstances development will not be permitted where it is likely to have an adverse impact on any site, features or species of biodiversity importance or their setting.
39. L3 - *Cultural Heritage assets or archaeological, architectural, artistic or historic significance*. Explains that development must conserve and where appropriately enhance or reveal the significance of historic assets and their setting. Other than in exceptional circumstances, development will not be permitted where it is likely to cause harm to the significance of any cultural heritage asset or its setting.
40. T1 – *Reducing the need to travel and encouraging sustainable transport*. States that sustainable access for the quiet enjoyment of the National Park, that does not cause harm to the valued characteristics will be promoted.
41. T6 – *Routes for walking, cycling and horse riding, and waterways*. States that the Rights of Way network will be safeguarded from development and wherever possible enhanced to improve connectivity, accessibility and access to transport interchanges.

Development Management Policies

42. DMC3 - *Siting, Design, layout and landscaping*. Reiterates, that where developments are acceptable in principle, policy requires that design is to high standards and where possible enhances the natural beauty, quality and visual amenity of the landscape. The siting, mass, scale, height, design, building materials should all be appropriate to the context. Accessibility of the development should also be a key consideration.

43. DMT5 – *Development affecting a public right of way.* Where development occurs opportunities will be sought to provide better facilities for users of the rights of way network. The development of new routes for walking, cycling and horse riding will be supported, provided they conserve the and enhance the valued character of the area and provided they are constructed to an appropriate standards in keeping with its setting.
44. DMT3 - *Access and design criteria.* States amongst other things, that a safe access should be provided in a way that does not detract from the character and appearance of the locality and where possible enhances it.
45. DMC5 - *Assessing the impact of development on designated and non-designated heritage assets and their setting.* The policy provides detailed advice relating to proposals affecting heritage assets and their settings, requiring new development to demonstrate how valued features will be conserved, as well as detailing the types and levels of information required to support such proposals. It also requires development to avoid harm to the significance, character, and appearance of heritage assets and details the exceptional circumstances in which development resulting in such harm may be supported.
46. DMC12 – *Sites, features or species of wildlife, geological or geomorphological importance.* For site of national importance (e.g. SSSI's) confirms that exceptional circumstances are those where development is essential for the management of those sites or for the conservation of valued character of where the benefits of development outweigh the impacts on the site.

Assessment

Background and Principle of Development in the Natural Zone

47. A supporting statement submitted with the application explains that Thor's Cave has always been a popular tourist attraction, but during the pandemic in 2020 and 2021, visitor numbers and the associated pressures have increased rapidly.
48. One of main pedestrian access routes is via a concessionary footpath leading westwards from Wetton village, along Thor's Lane and then across agricultural fields down towards the cave entrance. It is stated that this is a concessionary right of way granted by the applicant. Due to heavy usage the condition of the path has deteriorated, which is leading to visitors straying from the path and causing extended areas of poaching and erosion.
49. Visitors also want to access the head (top) of Thor's Cave, which is open access land. The access is steep and visitors do not keep to the designated routes. Consequently a large scar of erosion has formed and it is reported that there have been numerous cases of walkers sustaining injuries. Part of the area in question is within the Hamps and Manifold Valleys SSSI and is particularly sensitive.
50. Consequently the proposals seek permission for a range of footpath improvements to improve access and to protect the ecological and archaeological interest of the area.
51. All of the application site apart from the stretch of path across the two field parcels to the east is within the Natural Zone. The Natural Zone is made up of areas of the National Park that are particularly important to conserve because of qualities such as wilderness, natural beauty and wildlife value. There is a general presumption against development in these areas and policy L1 states that it will only be allowed in exceptional circumstances. Policy DMC2 sets out these circumstances, which include development

that is essential for the management of the Natural Zone or for the conservation and/or enhancement of valued character.

52. At their visit to the site officers observed that the ground erosion in the areas in question is severe and in places the paths are impassable. Extensive erosion well beyond any designated pathways is occurring, which is harmful to the landscape quality of the area and which is inevitably having a detrimental impact on the ecological and archaeological interest of the area. We are therefore satisfied that a scheme of works to resolve the erosion issues is essential for the management of the Natural Zone.
53. In the light of this and the fact that in principle Core Strategy policy T6 and Development Management policy DMT5 support improvements to walking routes, the main issue is whether the scheme of footpath improvements put forward would cause any harm that might outweigh the obvious benefits outlined above.

Impact on the Landscape Character of the Area

54. The new surfacing on the various paths would be 1m wide, with a limestone sub-base and magnesium limestone wearing course on top. The three sections of new steps would be constructed with timber sleeper risers and a limestone sub-base on the treads. The Authority's Landscape Architect has confirmed that the surfacing material is appropriate for the locality.
55. The more 'engineered' treatment of the paths would be visible in the landscape, especially in wider views looking down the path across the open field when approaching from Wetton. However the path would be well related to the existing linear stone wall that runs to the south and the surfacing would weather to a more natural finish in time and with use. We consider that the benefits of reducing the extensive erosion and the landscape harm that it is causing outweighs any detrimental visual impacts of more formal surfacing.

Impact on Ecology

56. Part of the site is within the Hamps and Manifold Valleys SSSI and the Peak District Dales Special Area of Conservation. No supporting information has been submitted with regard to potential impacts of the proposed works on ecology. Nevertheless we are satisfied that harm to the ecological interest of the area is inevitably occurring by virtue of the extent of the erosion that has taken place. The proposed works are in areas that are already used extensively by walkers and so are unlikely in themselves to cause any significant impacts over and above those that are already taking place. Consequently we are of the view that overall the proposals are essential for the management of the SSSI and would result in a net benefit to the ecological value of the area in accordance with policies L2 and DMC12.

Archaeological Issues

57. No information with regard to the archaeological impacts of the proposed scheme has been submitted. The Authority's archaeologist has confirmed that there has been (and may still be) material of archaeological sensitivity outside the cave mouth as well as inside the cave.
58. A series of excavations from the 1860s onwards has revealed artefacts and evidence of occupation from the Palaeolithic period onwards (including Neolithic, Bronze Age, Iron Age, Romano-British finds). There was a human burial in the cave, possibly of Neolithic date (approx. 4000 – 2000BC).

59. A cave survey report (carried out by Trent and Peak Archaeological Trust for the National Trust in 1992) covering the whole of the Manifold Valley notes that the spoil from Carrington's excavations in 1864-5 now forms the steep grassy slope up to the cave entrance. This may well have archaeological remains within it. Likewise, the report notes that the 'talus' slope outside the adjacent Elderbush Cave (which is a scheduled monument) also contains important archaeological remains. Given the scheduled status of Elderbush, and the similar deposits that have been found in Thor's Cave, it is considered that any archaeological remains in and around Thor's cave are likely to be of national significance.
60. Archaeological monitoring is therefore required, but only for the section nearest the cave mouth. i.e. Step at P, new path section, and steps M-L. This is a length of around 25m. A condition that requires the submission, agreement and implementation of a Written Scheme of Investigation for this monitoring is necessary, in accordance with policies L3 and DMC5.

Impact on Parking and Residential Amenity

61. Local residents who have commented on or objected to the scheme have raised wider concerns about the proposed scheme. There has clearly been a significant increase in the number of people visiting the cave in the last 2 years and it appears that many of them park within the village of Wetton, as well as approaching the cave from the Manifold Valley to the north. Residents report that this is causing significant problems in terms of congestion, blocking of the highway, antisocial behaviour, etc. Some residents are of the view that by improving the surface of the path (and therefore making the cave more accessible) this may encourage yet more people to visit the area and park in the village. Some suggest that it would be better for the applicant to close the concessionary path from Wetton altogether.
62. These local concerns are fully acknowledged and understood. The increases in visitor pressure since the beginning of the pandemic is an issue that is being faced at popular tourist destinations across the National Park. However, the concessionary path from Wetton has been in place for around 40 years. It is a well publicised route and forms a circular loop. The cave is also heavily promoted on social media sites. The applicant has stated that there is no public footpath to the top of the cave, but that it is accessed regularly, regardless, and in great numbers. We concur with their view that people would still arrive and try to use the route, even if it were closed. This in turn could lead to trespass onto the neighbouring private land.
63. Our view is that the current scheme is unlikely to have any significant impact on the wider issues of visitor pressures on the village and that broader matters of visitor management in the area, while recognised, fall outside of the scope of this planning application.
64. As an aside, it is understood that it is proposed to improve way marking and signage to the cave as part of the scheme. The proposed signs are of a type and size that do not require Advertisement Consent and they do not form part of the current proposals. However they will provide clearer directions for visitors who choose to park within Wetton.

Conclusion

65. The proposed footpath improvements are essential in order to secure the effective management of this area of the Natural Zone and would improve the footpaths in question in accordance with policies T6 and DMT5.

66. Overall the scheme of works would enhance the landscape quality and ecological value of the area. Subject to a scheme of archaeological monitoring, any impacts on the archaeological interest of the site would be adequately mitigated.
67. It is considered that impacts on the amenity of local residents is likely to be neutral.
68. Consequently the application is recommended for conditional approval.

Human Rights

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

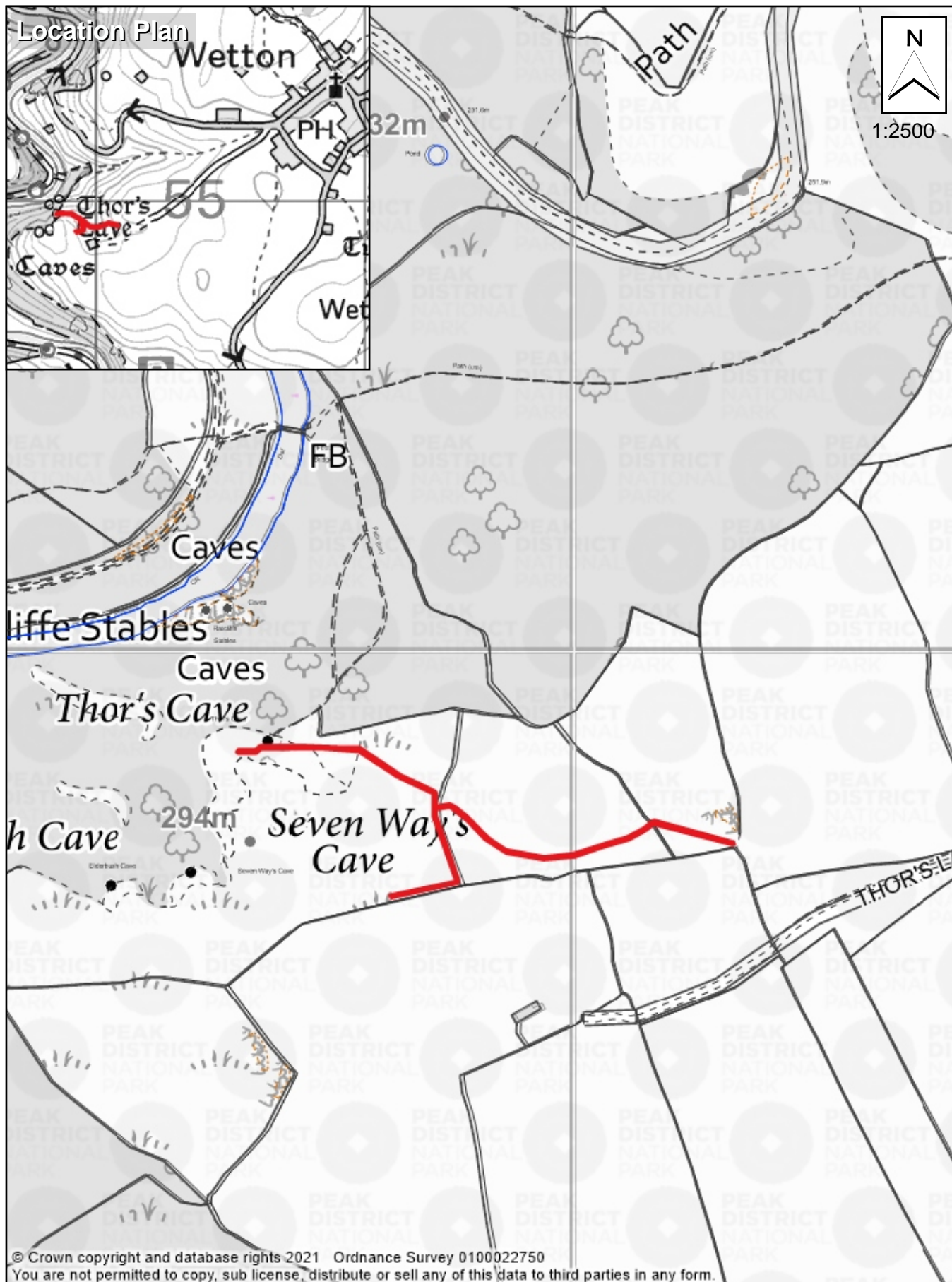
List of Background Papers (not previously published)


70. Nil

Report Author and Job Title

71. Andrea Needham – Senior Planner - South

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Committee Date:	8th April 2022	Title: Thors Cave, Wetton	 PEAK DISTRICT NATIONAL PARK
Item Number:	Item 5 & 6		
Application No:	NP/SM/1121/1255		
Grid Reference:	409935, 355232		

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7. FULL APPLICATION - CONVERSION OF FIELD BARN TO DWELLING AT TWIN DALES BARN, FIELD TO WEST OF OVER HADDON, (NP/DDD/0122/0074), ALN

APPLICANT: MR NEIL MYCOCK

Summary

1. The application site is an isolated field barn located in open countryside 1.3km to the west of Over Haddon and approximately 700m from the nearest other building. The barn is a non-designated heritage asset and is a highly prominent in the landscape.
2. It is proposed to convert and extend the barn to create a single open market dwelling.
3. The proposed extension of the field barn would cause harm to its character and significance.
4. The domestication of the isolated field barn and its surroundings would cause significant harm to the setting of the building and the distinctive fieldscape in which it sits, resulting in harm to the landscape character and special qualities of the National Park.
5. The minor changes made from the previously refused application (with regard to the external area around the barn) do not alter the recommendation, which is one of refusal.

Background

6. In December 2021 and earlier application for a very similar development (NPDDD/0821/0866) was refused by the Planning Committee for the following reasons:

The development would cause harm to the significance of the field barn as a heritage asset and its setting. Consequently, it would not deliver conservation or enhancement of a valued vernacular building. The proposals are therefore contrary to Core Strategy policies GSP1, GSP2, L3 and HC1; Development Management policies DMC3, DMC5 and DMC10 and the National Planning Policy Framework.

The creation of a new dwelling in this isolated location within the open countryside and the domestication of the site would result in harm to the landscape character and scenic beauty of the National Park. The proposal is therefore contrary to Core Strategy policies GSP1, GSP2 and L1, Development Management policies DMC1 and DMC3 and the National Planning Policy Framework.

7. The application had been referred back from an earlier Planning Committee on 5 November 2021 where despite a recommendation of refusal by officers, members had originally been minded to approve the application. However following further explanation of the policy justification for the officer recommendation of refusal members voted to refuse the application.
8. This is a revised application that seeks to address the reasons for refusal. The assessment in this report largely repeats that for the previous application, but has been updated to reflect the minor changes that have been made.

Site and Surroundings

9. The application site is an isolated field barn located in open countryside 1.3km to the west of Over Haddon and approximately 700m from the nearest other building.

10. The building is a two storey former cow house with hayloft over. It is constructed in natural limestone with gritstone dressings. The roof is collapsed but was previously covered with stone slate. There are the remains of a former single storey off-shot to the south west.
11. Access is gained via a roughly surfaced track from an unclassified road to the north west.
12. 250m south of the site is Lathkill Dale, which is designated as a SSSI, a SAC and a National Nature Reserve.
13. An unauthorised static caravan is sited to the south east of the barn and is currently occupied by the applicant. A field to the south of the building is being operated by the applicant as a camping and caravanning site and this is currently the subject of an enforcement enquiry.

Proposal

14. Planning permission is sought for the conversion of the barn to a two-bedroomed open market dwelling. A kitchen/diner and living room would be provided on the ground floor and two bedrooms and bathroom on the first floor. The single storey off-shot would be re-built and extended to the south west by approximately 1.5m. It would contain an office, utility room and bathroom.
15. A residential curtilage would be created in areas to the south-west and south-east, which are currently demarked by dilapidated stone walls
16. Parking space for two vehicles would be provided on land adjacent to the barn to the south east.
17. **The main difference between this revised application and the previous application that was refused, is that an amended site plan has been submitted which shows an existing wall to the south east of barn, which currently varies in height, raised to a consistent 1800mm around the north east perimeter of the proposed parking area. A paved yard would be created to the south of the barn (not previously shown) and the line of an existing boundary wall amended. The existing boundary walls to the south of the barn would be re-built.**

RECOMMENDATION:

That the application be REFUSED for the following reasons:

The development would cause harm to the significance of the field barn as a heritage asset and its setting. Consequently, it would not deliver conservation or enhancement of a valued vernacular building. The proposals are therefore contrary to Core Strategy policies GSP1, GSP2, L3 and HC1; Development Management policies DMC3, DMC5 and DMC10 and the National Planning Policy Framework.

The creation of a new dwelling in this isolated location within the open countryside and the domestication of the site would result in harm to the landscape character and scenic beauty of the National Park. The proposal is therefore contrary to Core Strategy policies GSP1, GSP2 and L1, Development Management policies DMC1 and DMC3 and the National Planning Policy Framework.

Key Issues

Principle of Development

Impact on the significance of the heritage asset and its setting.

Highways

Ecological considerations

Climate change mitigation

History

18. March 2021 – enforcement case opened and Planning Contravention Notice served with regard to (a) change of use of agricultural land for the purposes of caravanning, camping and siting of a residential caravan and (b) erection of a building. Following the response, the applicant was advised to consider submitting an application for a Lawful Development Certificate for the camping and caravanning use. An application has not been received. The applicant was then advised to remove static caravan by end of September 2021.
19. December 2021 – planning permission refused for conversion of field barn to dwelling (NP/DDD/0821/0866).

Consultations

20. **Highway Authority** – refer to Highway comments in relation to NP/DDD/0821/0866 which were: *'The application site is remote from the public highway, located on a Un-named Road between Over Haddon and Haddon Grove Farm, the Road is unclassified and subject to the National Speed Limit, however, in view of the roads single vehicular width, limited passing placings in the vicinity of the site and the close proximity to a junction vehicle speeds are likely appropriately low. Nonetheless, it is recommended that the entire site frontage shall be kept clear, and maintained thereafter, clear of any obstruction exceeding 1m in height (0.6m in the case of vegetation) relative to the road level for a distance of 2m into the site from the carriageway edge in order to maximise the visibility available to drivers emerging from the existing vehicular access.'*
21. *Whilst the proposed dwelling will increase traffic movements associated with the existing vehicular access, any minor increase in traffic generation the proposal may generate is unlikely to lead to any severe road safety issues*
22. *Typically, off-street parking bays should be clearly demonstrated by the recommended dimensions i.e. each parking bay should measure a minimum of 2.4m x 5.5m with an additional 0.5m of width to any side adjacent to a physical barrier e.g. wall, hedge, fence, etc., there appears to be space within the site to accommodate the parking of 2no. vehicles which is sufficient to serve a 2.no bedroom dwelling.*
23. *The applicant will need to consult with the relevant refuse collection department to ascertain details of what will be acceptable to them in terms of number and location of bins. Areas of appropriate dimension designated for standing of waste bins on collection days should be demonstrated adjacent to, but not within, the public highway.'*
24. **District Council** – no response
25. **Parish Council** – *'Over Haddon Parish Council supports the restoration of this roofless solid barn that fits into its location into the landscape well. The barn would be preserved in essentially the form it now takes within the landscape (with the notable addition of a*

roof - which it possessed until relatively recently) and, as a dwelling, could be expected to continue, for many years, to make its contribution to the overall landscape scene, which we all agreed is a positive one. The applicant's need for a dwelling to continue 31 years of farming and fit his diversification requirements is well expressed in the internal layout without harming the character of a field barn which the rebuild will maintain, Council welcomes the incorporation of eco-friendly heating and insulation to the conversion.

26. *The addition of the clause restricting domestic paraphernalia to the screened area and the fact that no caravans can be kept on the site of the application can only be of benefit.*
27. **Authority's Archaeologist** – no response to date. However the response on the previous application was as follows: *'Twin Dales farm is a historic field barn and outfarm recorded in the Derbyshire Historic Environment Record and the Peak District National Park Authority's Historic Buildings, Sites and Monuments Record. The main range dates to the 19th century, and was constructed as a cow house (2 sets of stalls with central feed passage) with hayloft over. A small ruined single storey structure attached to its south west is later, but still of 19th century date. So little survives of this structure its original function cannot be ascertained. It could have served as a small calf house.*
28. *The site is in a remote location over 1km from the centre of the village. It is located in a fieldscape of post 1650 parliamentary enclosure, not enclosed until the early 19th century (1080 parliamentary enclosure award of Bakewell). Prior to this the area formed part of Over Haddon Common, an area of common pasture for the village. The existing fieldscape of drystone wall represents a good example of this kind of enclosure, giving over the fossilised medieval strips to the east; the edge of Over Haddon's medieval field system is c.148m to the east of the site, with view across both fieldscapes and historic landscape character areas from the site. Views to and from the site are extensive across the woods of Lathkill Dale, the White Peak Plateau beyond, and across to over Haddon.*
29. *Field barns are an important part of the Peak District's landscape, they are highly characteristic and strongly contribute to local distinctiveness, even more so when combined with the distinctive pattern of dry stone wall enclosure reflecting the development of the historic landscape, such as in this case. This fieldscape setting of the barn makes a positive contribute to its significance, particularly its historic interest.*
30. *The barn is located in an area rich in lead mining remains, with High Priority Lead Mining sites to the c.70m to the south (Mandale and Lathkill Dale Mines, Soughs and Veins) and Mandale rake c.300m to the north-west. The access track to the barn runs over part of Mandale Rake (not the High Priority part) recorded in the Derbyshire Historic Environment Record and the Peak District National Park Authority's Historic Buildings, Sites and Monuments Record. At this location agricultural improvement has led to the loss of surface hillocks, but an extant shaft still survives and belowground archaeological remains are likely to survive, despite loss of the surface expression of features. Lead mining at Mandale rake and mine is known back to the 1200s and to have continued into the 19th century. A legal case between 1284 and 1288 resulted in the first setting down of Derbyshire mining laws and customs; a very significant historical event for the Derbyshire and Peak District landscape and the exploitation of its mineral wealth.*
31. *It is possible that the field barn at Twin Dale may have had a historically association with lead mining in area, where dual miner-farmer economy operated. Relict lead mining remains and field barns are an important feature of this landscape. Such barns are typical in certain areas of the White Peak and in occur in clusters in areas of intensive lead mining activity reflecting the dual miner/farmer or miner/trader economy of the area. The lead mining interest in the immediate setting of the field barn contributes positively to its significance, particularly its historic interest.'*

32. The response raised concerns about a number of aspects of the proposed development that cause concern from a heritage perspective. These include the proposed extension, new opening in the NW gable, rooflights, and door opening detailing. In respect of the impact on the historic landscape, notes that: *'With respect to the historic landscape, currently as unoccupied, ruinous buildings the site is integrated within its surrounding agricultural landscape, and it owes its existence and position to the way this landscape, enclosure and farming practice has developed. The introduction of a residential and domestic use into this location within this historical landscape, with everything this entails (domestic curtilage and paraphernalia, parking, provision of services, light pollution, movement of vehicles, provision of a bin store etc.) would introduce elements that are out of place, incongruous and are harmful to this heritage asset.'*

Representations

33. One hundred and ten letters of support have been received some from local residents and some who appear to be visitors to the applicant's campsite. The responses can be viewed in full on the website, but in summary the following points are raised:
- a. It would be better to see the field barn repaired and converted to a dwelling rather than becoming more dilapidated.
 - b. There is a need to local housing for young people.
 - c. The scheme is sensitive and has limited impact on landscape.
 - d. There would be little or no impact on wildlife in the area.
 - e. It would be good to have the landowner living close to the campsite.
 - f. The building is currently an eyesore.
 - g. The camping business supports local facilities

Main Policies

Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L1, L2, L3, HC1, CC1, CC5.

Relevant Development Management Plan policies: DMC1, DMC3, DMC5, DMC10, DMT3, DMT8

National Planning Policy Framework

34. The National Planning Policy Framework (NPPF) was published on 27 March 2012 and replaced a significant proportion of central government planning policy with immediate effect. The latest revised NPPF was published on 20 July 2021. The Government's intention is that the document should be considered as a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. In the National Park the development plan comprises the Authority's Core Strategy 2011 and Development Management Policies (adopted May 2019) in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and more recent Government guidance in the NPPF.
35. Paragraph 176 of the NPPF states that *'great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads.'*

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

Core Strategy

38. Policy GSP3 sets out development management principles and states that all development must respect, conserve and enhance all valued characteristics of the site and buildings, paying particular attention to, amongst other elements, impact on the character and setting of buildings, scale of the development appropriate to the character and appearance of the National Park, design in accordance with the National Park Authority Design Guide and impact on living conditions of communities.
39. The approach to housing and conservation in the NPPF is consistent with the Authority's development strategy (Policy DS1) which says new residential development within the National Park should normally be sited within named settlements, and Policy HC1. C which sets out very similar criteria to the NPPF in terms of the exceptional circumstances in which a new house can be granted planning permission in the National Park.
40. Policy HC1. C I and II states that exceptionally new housing will be permitted in accordance with core policies GSP1 and GSP2 if it is required in order to achieve conservation and/or enhancement of valued vernacular or listed buildings or where it is required in order to achieve conservation or enhancement within designated settlements.
41. Policies L1 and L3 say that development must conserve or enhance the landscape character and cultural heritage of the National Park. Development that harms the landscape or cultural heritage will only be permitted in exceptional circumstances.
42. Policy L2 states the development must conserve and enhance any sites, features or species of biodiversity importance and where appropriate their setting. Other than in exceptional circumstances development will not be permitted where is likely to have an adverse impact on any site, features or species of biodiversity importance or their setting.
43. Policy CC1 states that development must make the most efficient and sustainable use of land, buildings and natural resources, taking into account the energy hierarchy and achieving the highest possible standards of carbon reductions and water efficiency.

Development Management Plan

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

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

Assessment

Principle of Development

50. The relevant housing policy is Core Strategy policy HC1. This policy continues the Authority's long standing policy position that housing will not be permitted solely to meet open market demand. This approach is consistent with the National Park Circular and the NPPF.
51. Core Strategy policy HC1 sets out the exceptional circumstances in which new housing will be permitted in the National Park. The approach of allowing affordable housing and workers housing where there is an established need, and, of allowing market housing where it is required to achieve significant conservation and enhancement in accordance with policies GSP1 and GSP2 is considered to be a sustainable approach for providing housing within the National Park without undermining the landscape and valued characteristics.

52. This application is not for an affordable house to meet an identified local need or for a farm workers dwelling, it is for an open market dwelling. A lot of weight has been given by third parties who have supported the application, to the applicant's local farming connections. The supporting information states that the applicant has a strong local connection having lived in the Parish for at least 10 of the last 20 years. The applicant is currently living in a static caravan adjacent to the barn. However, it must be stressed that the application does not propose a dwelling that would have a local occupancy restriction. The Authority would have no control over future occupiers and whether or not they would have any local connection. In any case, with an internal floor area of approx. 107sqm the barn would be above the maximum permissible floorspace even for a 5 person dwelling (97sqm) and so would be unlikely to remain affordable to those on low to moderate incomes anyway.
53. A Heritage Assessment has been submitted with the application, and this, along with the response from the Authority's archaeologist, confirm that the barn in question is a non-designated heritage asset. It is an example of remote 19th century field barn. Such barns are an important part of the Peak District's landscape. They are highly characteristic and strongly contribute to local distinctiveness. The barn is listed within the Derbyshire Historic Environment Record and the Peak District National Park Authority's Historic Buildings, Sites and Monuments Record. Consequently we are satisfied that the building is a 'valued vernacular' building for the purposes of policies HC1 (c).
54. The main consideration is whether or not the proposed development would deliver conservation or enhancement of the barn and its landscape setting in accordance with policies L1 and L3.

Impact on the significance of the heritage asset and its landscape setting

55. Twin Dales farm is a historic field barn and outfarm of local/regional significance. The two-storey part of the barn dates from the 19th century and was constructed as a cow house (2 sets of stalls with central feed passage) with hayloft over. It sits within an extensive fieldscape enclosed by drystone walls. It is highly visible within this undeveloped landscape, in views from the surrounding area including across the woods of Lathkill Dale and from the road heading west out of Over Haddon. The barn is located in an area rich in lead mining remains and it is possible that the barn may have had a historic association with lead mining, where a dual miner-farmer economy operated. In summary the core significance of the barn lies in its historic interest, architectural interest and archaeological interest.
56. The Authority's Farmstead Character Statement describes field barns as single buildings set within or on the edge of a field away from the main farmstead. They are a highly significant feature of the Peak District, and combine with the intricate patterns of dry-stone walling and hay meadows to form an integral and distinctive part of its landscape and have been subject to high rates of change. These buildings enabled land to be managed remotely and avoided the bringing of stock and produce to the main farm. In this case the barn has agricultural origins but was also likely related to historic lead mining activity around Over Haddon, reflecting a dual economy where 'miner-farmers' worked the veins into the 19th century.
57. The barn is located in a fieldscape of post-1650 parliamentary enclosure, not enclosed until the early 19th century. Prior to this the area formed part of Over Haddon Common, an area of common pasture for the village. The existing fieldscape of drystone wall represents a good example of this kind of enclosure. The edge of Over Haddon's medieval field system is c.148m to the east of the site, with view across both fieldscapes and historic landscape character areas from the site. Views to and from the site are extensive across the woods of Lathkill Dale, the White Peak Plateau beyond, and across to over Haddon.

58. Historic farmsteads and their associated buildings and barns are an integrated part of the rural landscape of the National Park. Most barns are physically associated with a farmstead, either within villages and settlements or in the countryside. The Authority's policies recognise the importance of these buildings and that sometimes the best way to achieve their conservation and enhancement is to allow for conversion to a residential use. Planning decisions have consistently delivered this aim. For example, since 1 January 2021, 20 units of holiday accommodation, 11 dwellings and 8 units of ancillary accommodation have been approved through the conversion of barns and traditional buildings, mostly under delegated powers. These have been buildings that are within building groups, on farmsteads or within settlements.
59. The key difference however with the barn that is subject to this application is that it is a remote and very isolated field barn, completely unrelated to any other built development and intrinsically linked through its form and function to the historic landscape in which it sits. Therefore it is highly sensitive to change and unlike the barns referred to above, where a residential use would conserve and enhance the building, in this case such a use would cause significant harm to its special qualities.
60. A submitted structural survey concludes that the building is in reasonable condition but suggests that the south corner would need to be partially re-built. The proposed conversion scheme largely works within the external envelope of the existing structure and makes good use of the existing openings. Alterations to the door and window details to designs are reflective of the agricultural character of the building.
61. The scheme proposes to re-build the ruined south western single storey off-shot which is considered acceptable as this is historic element of the outfarm. It is also proposed to extend this structure to the south west which on balance members considered the extension to be acceptable previously.
62. The main concern with the proposals is the impact of domestication on the character and setting of the field barn. The barn sits at the southern edge of a medium sized field. On its south eastern side is a small enclosed area probably used for stock handling/collection. The way the agricultural land butts right up to the walls of the building very clearly reflects the historic function of the barn and results in the barn being completely integrated within the landscape. This close physical relationship between barn and land is clearly visible from the surrounding area. In particular the walled enclosure, in which the proposed domestic curtilage would be located is visible from the road to the north east as are the openings within the walls of the building. The submitted Heritage Statement confirms that the setting of the barn has high/medium significance, sitting as it does within a well preserved historic landscape.
63. This amended scheme proposes a high wall to the north east of the proposed parking area which attempts to screen parked vehicles and bins in views from the road to the north east. It is accepted that a wall in this position would screen the cars in views from the road. As amended the scheme now also shows a yard area to the south west of the barn as well as the lawned area to the south east. Whilst the yard area would be more enclosed, the lawned area to the south east would still be in use as garden and domestic activity and paraphernalia in this area would still, as previously, remain visible from the road to the north east.
64. As with previous scheme, harm would still occur through domestication of the barn itself (artificial and external lighting, curtains and blinds, hanging baskets, flower beds, lawns, washing lines, movement of vehicles etc), which would all signal a domestic use of the building in an otherwise wholly agricultural, pastoral landscape. Our view is that these impacts cannot reasonably be mitigated or controlled by planning conditions to any

meaningful extent. We remain of the view that this is a wholly unsuitable site for the introduction of a new residential use.

65. As previously, letters of support have raised concerns about the building becoming more dilapidated if left undeveloped, or that it could be lost completely. The building is not harmful to the landscape at present. It is well integrated into its surroundings as set out above. It is acknowledged that the roof has collapsed and there may be uncertainty about the retention of the building in the long term. However a lower intensity and more low key use would conserve the building and its setting and would be the optimum viable use for the building. Ultimately, the harm caused by introducing a wholly unsuitable residential use in this landscape would be far more harmful to the landscape character and special qualities of the National Park than the further deterioration of the building.
66. The Planning Inspectorate has supported officers' view on this issue. In a recent appeal decision (dismissed) for an isolated barn conversion near Lathkill Grove Farm, Monyash the Inspector concluded, (in discussing the impacts of domestic paraphernalia) that *'Such operations and uses would also physically and visually sever the building's connection with the adjacent agricultural land, thus further eroding its rural character'* and that *'The building would appear as a dwelling, albeit one with agricultural origins, rather than as a barn.'*
67. Finally the agent refers to an appeal decision for the conversion of a barn on the outskirts of Winster (opposite Lead Ore House – ref APP/M9496/W/20/3260769), where the appeal was allowed. The agent states that the appeal was allowed despite the barn in question being more visually prominent than Twin Dales. Whilst this appeal decision is noted, it does not change the recommendation on this application. Furthermore it should be noted that that scheme was for conversion to holiday accommodation, where the need for and therefore the harmful impacts of domestic curtilage can be less, and also the building in Winster is much more closely related to other built development being close to the edge of the village and other residential properties.

Highways

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

Climate Change Mitigation

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

Other considerations

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

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

Conclusion

73. In conclusion this amended scheme for proposed change of use of the barn to an open market dwelling would cause harm to the significance of the heritage asset and the wider landscape of the National Park. The minor changes to the external treatment of the barn's surrounds do not constitute sufficient justification for a different decision to be made from the previous refusal. Any benefits of the proposed development would not outweigh the harm that has been identified, contrary to Core Strategy policies GSP1, GSP2, GSP3, L1, L3 and HC1 and Development Management policies DMC1, DMC3, DMC5 and DMC10.

Human Rights

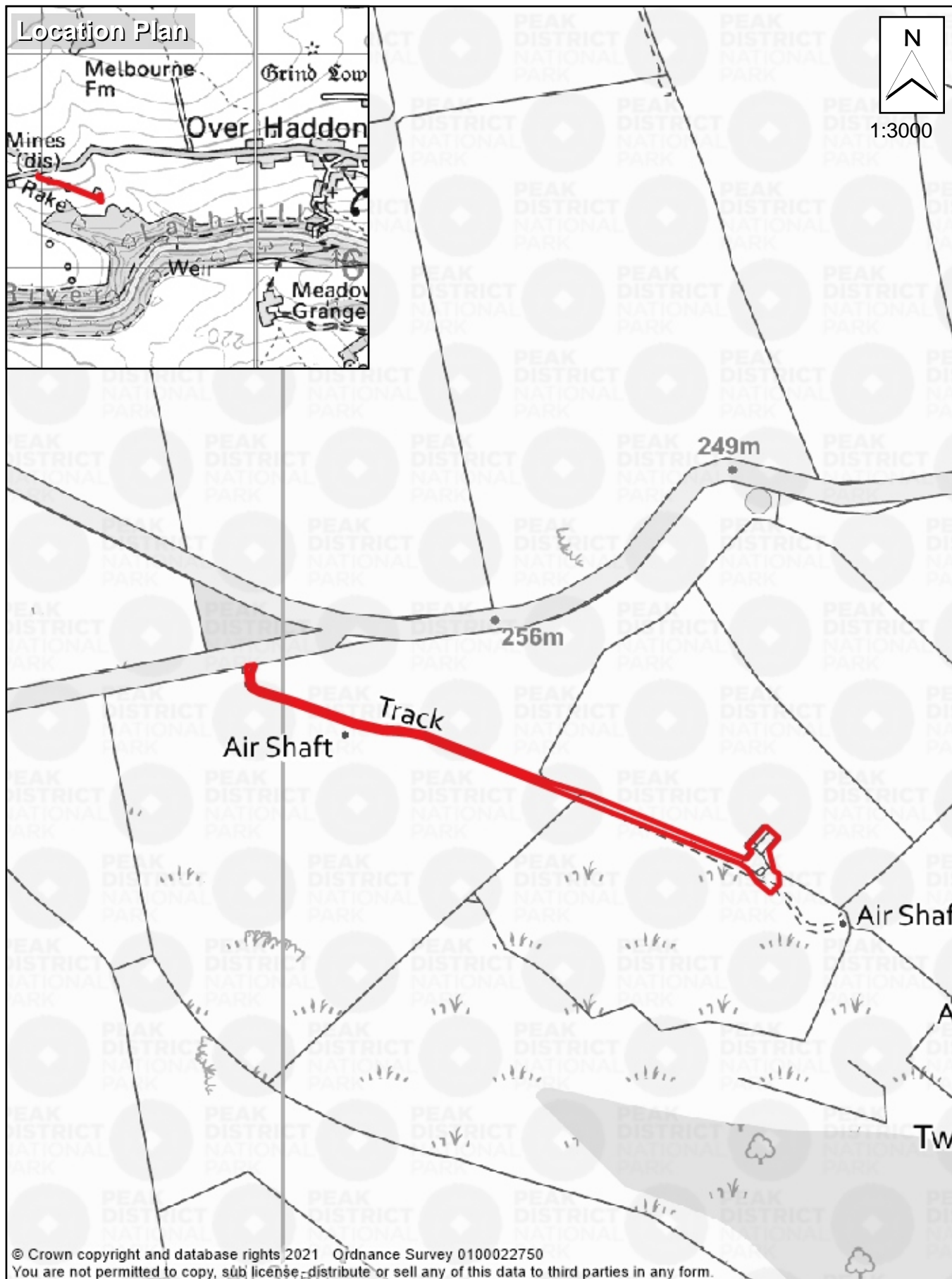
Any human rights issues have been considered and addressed in the preparation of this report.

List of Background Papers (not previously published)

Nil

Report Author: Andrea Needham, Senior Planner

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Committee Date: 8th April 2022
Item Number: Item 7
Application No: NP/DDD/0122/0074
Grid Reference: 419264, 366356

Title: Twin Dales Barn,
Over Haddon



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8. FULL APPLICATION - PROPOSED AGRICULTURAL BUILDING TO HOUSE AND FEED LIVESTOCK AND STORE FODDER – SOUTH VIEW FARM, WASHHOUSE BOTTOM, LITTLE HUCKLOW (NP/DDD/0821/0916 SPW)

APPLICANT: MR R ELLIOTT

Summary

1. The application seeks planning permission for a new agricultural building in association with the established agricultural operations at South View Farm.
2. The proposal is considered to pose significant harm to the landscape due to its siting in a field in open countryside which would disrupt the building line leading north from Little Hucklow harming the established form and character of the settlement. The application is recommended for refusal.
3. A proposal for the same basic scheme was refused by Planning Committee in June 2021. The only material difference provided by this application is the inclusion of a dry stone wall around the perimeter of the building, incorporating a gate to the adjacent fields.

Site and Surroundings

4. South View Farm stands on the east side of Washhouse Bottom to the north side of Little Hucklow, approximately 50m north of the junction with Forest Lane. Little Hucklow is not a named settlement under DS1. The farmstead does not lie within the designated conservation area, is not listed, nor are there any listed buildings in the vicinity. A public right of way runs across the southern boundary of the farmstead at a distance of 30m.
5. The built environment provides a clear building/development line to the properties along Washhouse Lane, defined by a limestone drystone wall. The site for the new building is prominent in the landscape and open to public view.
6. The farm holding extends to 322 acres of land, with stock levels of approximately 210 beef cattle and a flock of 800 sheep with followers. The farmstead comprises a range of agricultural buildings with the house to the north.
7. The nearest neighbouring properties to the applications site are Hill Top Farm and South View Cottage approximately 80m south of the application site.

Proposal

8. The application seeks planning permission for the erection of a portal frame agricultural building to the east side of the existing building group. The block plan has been amended since submission and shows the building would be enclosed by a new drystone wall and with new tree planting arranged in three blocks (12 trees total).
9. The building is approximately 22.9m x 18.3m. Its eaves height is 4m and its ridge height would be just over 6.4m. The pitch of the roof is approximately 15 degrees. The building would have a floor area of approximately 418m².
10. The building is dug into the topography via a cut and fill, which cuts into the land by just under 1m and builds up the land level by approximately just under 1m, this is shown on the section drawings.

11. The building is finished in a dark blue sheets for its roof and walls, with concrete panels below with the exception of the east elevation which has its walls finished in Yorkshire boarding, with concrete panels below.
12. The existing limestone drystone wall field boundary would be removed.
13. A tree survey has been submitted for the two existing retained trees adjacent the site and within the current boundary wall.

RECOMMENDATION:

That the application be REFUSED for the following reasons:

- 1. The siting of the proposed building will harm the valued characteristics of the area, the National Parks Landscape and the setting of the Conservation Area. The proposal is therefore contrary to Core Strategy policies GSP1, GSP3, L1, L3 and Development Management Policies DMC3, DMC5, DMC8, DME1, the SPG Agricultural Developments in the Peak District National Park and the NPPF which explains that great weight should be given to conserving landscape and scenic beauty in National Parks, which have the highest status of protection on relation to landscape and scenic beauty.**
- 2. Insufficient information has been submitted regarding the established mature tree situated north of the agricultural buildings. This information is required by policy DMC13 to assess the potential for harm and extent of tree protection required.**

Key Issues

14. The impact of the proposal on the character and appearance of the site and its wider landscape setting.
15. Whether the proposal would harm the amenities of nearby properties.
16. Impact on trees

History

17. There is an extensive history of applications for agricultural development at South View Farm, the most relevant being:
18. 2021- Application NP/DDD/0321/0260 for an agricultural building was refused due to its impact on the landscape and setting of the Conservation area aswell as there being insufficient information to properly understand the impact on trees.

Consultations

19. Derbyshire County Council Highway Authority – No objections.
20. Derbyshire District Council – No response.

21. Great Hucklow, Grindlow, Windmill, Little Hucklow and Coplowdale Parish Council - Support the proposal subject to appropriate screening.

22. PDNPA Archaeology – No objection

23. PDNPA Landscape Architects – On the submitted proposal the officer commented as follows; ‘Needs a tree report, the landscape character type is ‘Limestone Hills and Slopes’. Key characteristics for this area include a regular pattern of medium to large walled fields and occasional groups and belts of trees. In terms of enclosure, the straight boundaries and regular enclosure pattern reflect the late enclosure of this landscape from common and waste in the late 18th and early 19th centuries. The application scheme breaks the discrete and strong building line and intrudes into the open area to the north of the village. This would be a significant adverse intrusion. The Landscape proposals (a new dry stone wall) are absolutely insufficient to demonstrate compliance with Policy L1 ‘Development must conserve and enhance valued landscape character, as identified in the Landscape Strategy and Action Plan, and other valued characteristics

The building would form a prominent new view element (e.g. from Viewpoints 2, 3 and 4) and is not adequately screened / accommodated into the landscape.’

The Landscape Officer went on to comment that in the event that the scheme gains approval a tree survey and protection plan would be required along with an adequate landscaping scheme.

Officer Note: We await updated comment on the amended block plan the agent has submitted in response to the above comments.

24. PDNPA Tree Officer – Response awaited on submitted tree survey.

Representations

25. During the consultation period, the Authority did not receive any representations regarding the proposed development.

Main Policies

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

27. Relevant Local Plan policies: DM1, DMC1, DMC3, DMC5, DMC8, DMC11, DMC13, DME1

National Planning Policy Framework

28. The National Planning Policy Framework (NPPF) has been revised (2021). 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 176 states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, which have the highest status of protection in relation to these issues.

Peak District National Park Core Strategy

29. Policy GSP1 sets out the broad strategy for achieving the National Park’s objectives having regard to the Sandford Principle, (that is, where there are conflicting desired

outcomes in achieving national park purposes, greater priority must be given to the conservation of the natural beauty, wildlife and cultural heritage of the area, even at the cost of socio-economic benefits. GPS1 also sets out the need for sustainable development and to avoid major development unless it is essential, and the need to mitigate localised harm where essential major development is allowed.

30. GSP2 adds that proposals will need to demonstrate that they offer significant overall benefit to the natural beauty, wildlife and cultural heritage of the area. Where appropriate, landscaping and planting schemes will be sought. Opportunities will be taken to enhance the National Park by the treatment or removal of undesirable features or buildings.
31. Policy GSP3 sets out development management principles and states that all development must respect, conserve and enhance all valued characteristics of the site and buildings, paying particular attention to, amongst other elements, impact on the character and setting of buildings, scale of the development appropriate to the character and appearance of the National Park, design in accordance with the National Park Authority Design Guide and impact on living conditions of communities.
32. Policy GSP4 allows for the use of planning conditions as necessary.
33. Policy DS1 sets out what types of development are acceptable in principle within the National Park. This includes agricultural development.
34. Policy L1 identifies that development must conserve and enhance valued landscape character and valued characteristics, and other than in exceptional circumstances, proposals in the Natural Zone will not be permitted.
35. Policy L3 specifies that development must conserve and where appropriate enhance or reveal the significance of archaeological, architectural, artistic or historic assets and their settings.
36. Policy CC1 states that all development must make the most efficient and sustainable use of land, buildings and natural resources to achieve the highest possible standards of carbon reductions.

Peak District National Park Development Management Plan

37. Policy DM1 outlines that development proposals will be assessed in the context of the presumption in favour of sustainable development outlined in the National Planning Policy Framework and the Peak Districts purposes to conserve the valued characteristics of the National Park. Applications that accord with the policies in the Development Plan will be approved without unnecessary delay, unless material considerations indicate otherwise.
38. The pre text to DMC1 at para 3.10 explains that A 'Landscape First' approach means using the Landscape Strategy and Action Plan (Core Strategy policy L1) to assess whether the character and quality of the landscape will be conserved and enhanced by a development. Alternative approaches should be considered if development would not conserve the character and quality of the landscape.
39. Policy DMC1 requires that any proposals must take into account the respective landscape strategy and action plans for each character area in the Peak District, and requires that where buildings are no longer needed or being used for the purposes which it was permitted and their continued presence may be harmful then these shall be removed and planning conditions or legal agreements can be used to achieve this.

40. Development management policy DMC3 relates to siting, design, layout and landscaping. It requires that where development is acceptable in principle it will be permitted provided that its detailed treatments are of a high standard that respects, protects and where possible enhances the natural beauty, quality and visual amenity of the landscape, including wildlife and cultural heritage that contribute to the distinctive sense of place. Amongst other things particular attention is paid to siting, scale, form, mass, levels, height and orientation in relation to existing buildings, settlement form and character including impact on open spaces, landscape features and the wider landscape setting which contribute to the valued character and appearance of the area and the degree to which buildings and their design, details, materials and finishes reflect or compliment the style and traditions of the locality as well as other valued characteristics of the area such as the character of the historic landscape and varied biodiversity assets.
41. As the farm group abuts and is within the setting of the Little Hucklow Conservation Area boundary policy DMC8 is relevant. Policy DMC8 requires that development in Conservation Areas must preserve and enhance the Conservation Area setting, taking account of the effects of development to its setting and character, including views into and out of the conservation area.
42. Policy DMC11 outlines that proposals should aim to achieve net gains to biodiversity or geodiversity as a result of development. In considering whether a proposal conserves and enhances sites, features or species of wildlife, geological or geomorphological importance all reasonable measures must be taken to avoid net loss by demonstrating enhancement, mitigation or compensation measures.
43. Policy DMC13 requires that applications should provide sufficient information to enable the impact on trees and other landscape features to be properly considered. Trees should be protected during the course of development.
44. Policy DME1 states that new agricultural buildings will be permitted provided that the scale proposed is functionally required for the purpose intended. It goes on to state that new agricultural buildings shall (i) be located close to the farmstead or main group of buildings and relate well to existing buildings, trees, walls and other landscape features (ii) not be in isolated locations requiring obtrusive access tracks or services (iii) respect the design, scale, mass and colouring of existing buildings (iv) avoid adverse effects on the areas valued characteristics, including important local views, making use of the least obtrusive or otherwise damaging possible location and (v) avoid harm to the setting, fabric and integrity of the Natural Zone.

Supplementary Planning Guidance

45. The PDNPA has a Supplementary Planning Document for agricultural buildings which sets out siting and design recommendations for such development.

Assessment

Principle of the Development

46. Policy DS1 and DME1 together allows for new agricultural buildings where it is demonstrated that there is a functional need, provided the design and impact to the wider setting is considered acceptable. As this site would also affect the setting of the conservation area, development which harmed its setting or the significance of the conservation area would not be permitted.

47. The application is supported by a statement which indicates that the building will be used to house and feed cattle and to house, feed and lamb sheep, these will be loose housed on a solid floor. The building would also be used as a livestock handling area and to store bales of hay and straw. Currently, the farm has approximately 210 beef cattle and 800 sheep plus followers. The applicant farms 322 acres.
48. The planning statement explains that the need for the building is because there is not sufficient room in the existing buildings to house the increasing stock levels and to store the fodder and implements required to manage to holding. The general need for a new agricultural building is accepted.

Landscape Impact

49. The field in which the building will be sited is currently an undeveloped field with a sloping gradient that descends to the east. The field is bound by limestone drystone walls and there are sparse clusters of trees amongst the landscape. The site exhibits the key characteristics of the landscape character type. Notably as explained by our Landscape Architects the regular pattern of medium to large walled fields and occasional groups and belts of trees. In terms of enclosure, the straight boundaries and regular enclosure pattern reflect the late enclosure of this landscape from common and waste in the late 18th and early 19th centuries.
50. All of the properties on Washhouse Bottom on the stretch north of Little Hucklow Village do not have development beyond their established eastern boundary, with any fields adjoining remaining undeveloped. This creates a hard building line east of the properties on Washhouse Bottom which are defined by a drystone boundary wall. A valued characteristic of the existing settlement form and character.
51. Views of the hard boundary and the adjoining open fields are prominent on the landscape from the south at Little Hucklow and to the north and east. As such it is felt that these views of the landscape are important to the Conservation Area setting and landscape character type and the settlements form and character.
52. The amended block plan now shows additional planting in the form of 12 trees arranged in three groups alongside the replacement drystone wall shown in the submission to bound the extended yard and building. Whilst the replacement wall will go a little way towards mitigating the loss of the historic position of the wall and over time the proposed trees would break up the outline of the building, these measures cannot overcome that the building and newly positioned wall will step out eastwards beyond the existing building line. This would harm the established landscape character type and disrupt the established hard building/development line adversely affecting the settlements form and character, in a location which is prominent and open to public view from its surroundings. Our Landscape Architects have confirmed that the building would be a significant adverse intrusion.
53. It is considered that this harm to the valued characteristics of the area and identified landscape character type and setting of the Conservation Area cannot be overcome by soft landscaping commitments due to the prominent position that the building will maintain because it juts out eastwards from the established building line. For these reasons the chosen location for this building would pose harm to the landscape and is therefore contrary to policies GSP1, GSP3, L1, L3 and Development Management Policies DMC3, DMC5, DMC8, DME1 and the SPG Agricultural Developments in the Peak District National Park. And the NPPF.

54. Policy DMC1 has a requirement that these type of buildings are removed when then are no longer required for the purposes of agriculture, and such a planning condition would be required here. However this in itself would not mitigate the adverse impact of the building during its likely very long lifetime.
55. At the last committee in June 2021 members asked that an alternative location on the other side of Washhouse Lane be considered. This is already in use as a storage area and would result in a lower landscape impact. Supplementary Planning Guidance highlights how opportunities can be taken to utilise farm groups, sloping ground and existing walls to help integrate new buildings into the landscape. Unfortunately this guidance has not been followed and the suggested alternative has not been taken up.

Design

56. PDNPA planning policy requires great care to be paid to the location, massing, size and colour of agricultural buildings due to their prominence in the landscape. The building is proposed to be a steel portal framed, with pitched roof, finished in a dark blue sheet, concrete panels at it base and on the eastern elevation Yorkshire boarding. This is typical of agricultural buildings in the National Park and the established buildings at South View Farm.
57. The building is proposed to be approximately 22.9m x 18.3m. Overall the design is in conformity with PDNPA guidance provided that the concrete base is rendered with a limestone dash.
58. The building is quite tall with 4m eaves height and 6.4m ridge that will exacerbate the impact but the issue with design is its location and the aforementioned harm it will cause because it will adversely affect the settlement form by stepping out beyond the existing building/development line and this is in a very prominent location which is open to public view.

Environmental Impacts

59. A mature tree is situated north of the existing range of agricultural buildings. The canopy of the tree projects over the walled off area that would be created which infers that the roots will have a similar span. Damage could potentially be incurred to the roots during the construction period yet no tree survey or protection plan has been submitted with the application. The previous application included a reason for refusal as no tree survey had been submitted, this has not been adequately addressed in this resubmission and remains a reason for refusal as the proposal is contrary to DMC13 as the potential impact on the tree cannot be fully understood without a tree survey.

Heritage Impacts

60. The landscape harm identified above is also harm to the setting of the conservation area in particular the loss of the existing strong building line will harm the setting of the Conservation Area adversely affecting views into and out of it and therefore also its significance. The proposed loss of the existing limestone drystone wall is also unfortunate. As noted above the proposal is contrary to the policies of the development plan which relate to conservation and enhancement of heritage assets including Core Strategy policy L3 and development management policies DMC5 and DMC8.

Amenity Impacts

61. There are no amenity concerns in regards to the proposed development.

Highways Impacts

62. There are no highways concerns in regards to the proposed development as the building will be used for agricultural purposes. This use is already established at this site

Conclusion

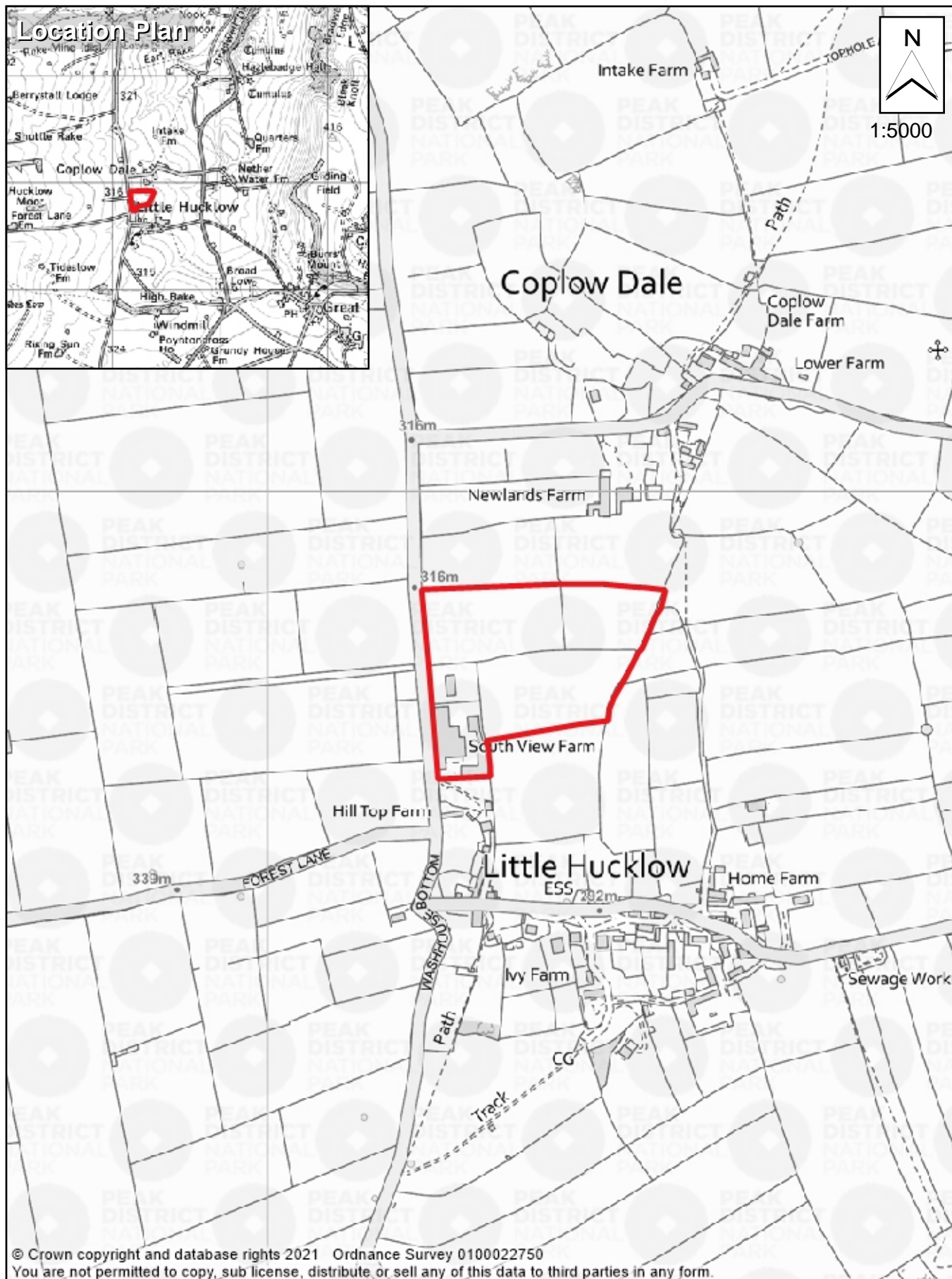
63. Whilst the principle of the development is acceptable which is to provide for expanded agricultural operations at South View Farm there is an adverse impact on the valued characteristics of the site and National Park landscape and setting of the conservation area due to the sitting of the building. The need for the building does not outweigh the harm posed to the National Park landscape and setting of the conservation area. Other than the inclusion of wall and tree planting on the amended block plan the landscape impacts and reasons for refusal by committee in June 2021 remain the same. As such the application is therefore again recommended for refusal.

64. Human Rights

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

List of Background Papers (not previously published)

66. Nil
67. Report Author - Steven Wigglesworth



Committee Date: 8th April 2022
 Item Number: Item 8
 Application No: NP/DDD/0821/0916
 Grid Reference: 416172, 378813

Title: South View Farm,
 Washhouse Bottom, Little
 Hucklow



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9. S73 APPLICATION – VARIATION OF CONDITION 23 ON PLANNING APPROVAL No NP/DDD/1220/1211 FOR THE CHANGE OF USE OF BARNS TO CREATE 2 HOLIDAY COTTAGES WITH ASSOCIATED WORKS TO BUILDINGS; MINOR ALTERATIONS TO LISTED FARMHOUSE TO ENABLE ITS USE AS A HOLIDAY COTTAGE; ASSOCIATED WORKS TO ACCESS AT GREENWOOD FARM, SHEFFIELD ROAD, HATHERSAGE (NP/DDD/0721/0775 JK)

APPLICANT: NATIONAL TRUST

Summary

1. Planning Permission and Listed Building Consent was granted for the conversion of this Grade II listed farmstead to 3 holiday lets at the April 2021 Planning Committee. Work is currently underway and the applicant is now seeking an amendment to the condition which requires prior approval of the hard landscaping details. All other aspects of the approved application remain the same.
2. The condition specifically required the submitted details to provide for drystone boundary walling to define the garden areas associated with the two cottages created in the converted barns which the applicant refers to as 'barnhouses'.
3. The applicant is willing to bound the curtilage of barnhouse 1 with a stone wall but seeks the use of post and wire fencing for the less prominent garden area for barnhouse2.
4. We conclude that the proposed garden area to Barnhouse 2 is adequately screened by existing walling and tree planting and therefore support the revision. However as the applicants suggested wording for the revised condition omits reference to drystone walling altogether, we recommend that reference to drystone walling to barnhouse 1 curtilage only is retained for the avoidance of doubt. Subject to this amended wording the application is recommended for approval.
5. The application is brought to the committee basis of the objection from the Parish Council

Site and Surroundings

6. Greenwood Farm is situated on the hillside to the south of Hathersage Booths and the A6187 Sheffield Road and some 1.5km to the SE of the village of Hathersage. The site is a historic farmstead dating back to 1874. It encompasses a Grade II 18th century farmhouse and two 19th century agricultural barns together with ancillary facilities and fields. The proximity of the L shaped traditional barns to the farmhouse means that they are curtilage listed.
7. The property is currently being redeveloped to form three holiday cottages following the grant of planning and listed building consent.
8. The buildings are constructed to a good standard in high quality gritstone with quoins, deep lintels and stone slate roofing of diminishing course and thickness. These qualities contribute to its vernacular appearance and the resulting traditional agricultural character has largely been preserved through its listed status. Stone boundary walls separate the farmstead from the adjacent tracks and bound the agricultural paddocks below the building group.

9. Access to Greenwood Farm is situated off a bend of the A6187 Sheffield Road. It is a private single track access shared by only one other property. The track also carries a popular public right of way footpath which is a route for those walking down the side of the property south-west towards the River Derwent or continuing along the track all the way south to Grindleford Train Station.

Proposal

10. The application form states the proposal is to vary condition 23 which refers to the hard landscaping works.

11. Condition 23 is currently worded;

‘Amended plans to revise details of the hard landscaping works shall be submitted to and approved in writing by the National Park Authority and once approved those works shall be carried out in full accordance with the agreed details prior to occupation. The details shall include proposed hard surfacing materials; boundary treatments which shall specifically provide for drystone boundary walling to define the domestic garden/private amenity space shown on drawing No PDNPA – NP/DDD/1220/1211 and referred to in Condition 2 above’

12. The applicants supporting statement explains that they are willing to provide walling for the shorter section around Barnhouse 1 but for Barnhouse 2 they are proposing post and wire fencing and therefore request that Condition 23 is revised as follows:

“Amended plans to revise details of the hard landscaping works shall be submitted to and approved in writing by the National Park Authority and once approved those works shall be carried out in full accordance with the agreed details prior to occupation. The details shall include proposed hard surfacing materials; and boundary treatments ~~which shall specifically provide for drystone boundary walling including boundaries to define the domestic garden/private amenity space shown on drawing No PDNPA – NP/DDD/1220/1211 and referred to in Condition 2 above~~”

13. The supporting statement goes on to clarify other hard landscaping details but as the application is specifically made only to vary the condition not discharge the condition, these details are for information only. The precise detail will be subject to a later application for the approval of the details reserved by the revised condition.

RECOMMENDATION:

14. That the application be **APPROVED** and condition 23 be amended as follows;

Amended plans to revise details of the hard landscaping works shall be submitted for approval in writing by the National Park Authority and once approved those works shall be carried out in full accordance with the agreed details prior to occupation. The details shall include proposed hard surfacing materials; and boundary treatments which shall specifically provide for drystone boundary walling to define the domestic garden/private amenity space of barnhouse 1 and post and wire fencing to define the domestic garden/private amenity space of barnhouse2

15. And subject to the following restated conditions which are amended to take account of details already formally approved post issue of the original decision notice no NP/DDD/1220/1211;

1. The development hereby permitted shall be begun within 3 years from the date of this permission.
2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the amended plans numbered: 'Details of Hard Landscaping Condition 23' '2717-SK-106F', Proposed Access '406.03801.0005.14.H010.5', Access Existing and Proposed '2717-SK-300B', Proposed Elevations '2717-SK-110F', Proposed Ground Floor Plan '2717-SK-107E', Proposed First Floor Plan '2717-SK-108E', Proposed Sections '2717-SK-109D' and Log Store proposals MO/12/21/A1 subject to the following conditions and/or modifications;
 - i) The residential garden/private amenity space associated with each holiday dwelling shall be restricted to the areas outlined in red on the attached plan No PDNPA – NP/DDD/1220/1211
 - ii) Notwithstanding what is shown on the approved plan, the proposed timber slatted barrier to the rear of the Log Store shall be lowered in height to allow a space of no less than 60cm between the uppermost slats and the roof, to facilitate access by swallows.
 - iii) Notwithstanding what is shown on the approved plans, the number of vertical glazed panels in the new screen window frame to the stable door opening (Window 15) shall be reduced from four to three.
 - iv) The scheme agreed under application no NP/DIS/0621/0677 and shown on drawing No 2717-JL1 Rev B. shall be completed in accordance with the approved details before the holiday lets are brought into use.
3. This permission relates solely to the use of the new dwellings hereby approved within the converted barns for short-let holiday residential use ancillary to Greenwood Farmhouse. The properties shall not be occupied by any one person for a period exceeding 28 days in any calendar year. The existing farmhouse and the approved holiday accommodation shall be maintained as a single planning unit. The owner shall maintain a register of occupants for each calendar year which shall be made available for inspection by the National Park Authority on request.
4. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (or any order revoking or re-enacting that Order) no alterations to the external appearance of the dwellings shall be carried out and no extensions, porches, ancillary buildings, satellite antenna, hardstanding's, gates, fences, walls or other means of boundary enclosure shall be erected on the site without the National Park Authority's prior written consent.
5. The conversions shall be carried out within the shell of the existing buildings, with no rebuilding other than that specifically shown on the approved plans.
6. Full design details and specifications (including furniture and finish) of all new or altered windows, rooflights and doors shall be submitted to the Authority for approval in writing prior to installation. Once approved the development shall be carried out in full accordance with the agreed details.
7. Full design details for all internal joinery including doors, architraves, stairs etc. and including details of a balustrade to be added to the staircase in the original farmhouse, shall be submitted to the Authority for prior approval in writing. Once approved the development shall be carried out in complete accordance with the agreed details.

8. All new extractor vents, internal vents, boilers and associated facilities shall be installed in full accordance with the agreed details under application No NP/DIS/1121/1288 and shown on plan no 21028-TACP-X-GF-D-A-0505 Rev A.
9. All new floors shall be constructed in full accordance with the details approved under application no NP/DIS/0621/0677 and shown on plan Nos 2717-SK_107C and GW/02/21/A15 Rev B subject to the provision that should there be any surviving stone flagged floors situated underneath the existing concrete floors the approval of the new floor details is subject to these being retained following being lifted carefully, cleaned and reinstated in accordance with a scheme to be agreed with the National Park Authority.
10. The existing satellite dish and television aerials shall be removed or relocated in accordance with a detailed scheme that shall first have been submitted for approval in writing by the Authority. Once approved the development shall thereafter be carried out in full accordance with the agreed details.
11. The proposed cladding/treatment of the internal faces of the barn walls shall be carried out in full accordance with the details approved under application No NP/DIS/0621/0677 and shown on revised plans numbered 2717-SK-1017 – Proposed Ground Floor Plan, 2717-SK-1017 – Proposed First Floor Plan and the sections shown on further amended pan GW/02/21/A15 Rev B and the justification statement.
12. All new door and window frames in the barns shall be recessed from the external face of the wall by 150mm with the exception of the arched stable door screen frame in 'Barnhouse 1' and the glazed doors to the cart openings in 'Barnhouse 2', which shall be recessed to the back of the masonry openings. Retained external timber shutter doors shall sit flush with the external face of the wall.
13. The new window opening shall be provided with a full surround in natural gritstone to match the adjacent opening; existing concrete lintels and sills shall be replaced with natural gritstone to match the original barn openings.
14. The rainwater goods shall be black. The gutters shall be fixed directly to the stonework with brackets and without the use of fascia boards. There shall be no projecting or exposed rafters.
15. All pipework, other than rainwater goods, shall be completely internal within the building with no vent terminations whatsoever through the roof slopes.
16. No external lighting shall be installed other than in complete accordance with the scheme approved by the National Park Authority under application No NP/DIS/0621/0677 and shown on drawing No GWF-TACP-X-A-00506 Rev A subject to the PIR Sensor and timer for the car park lighting bollards, enabling a maximum length of time of 5minutes for the lights to remain on for after PIR triggering and shall not be switched on permanently at any time.
17. All new service lines associated with the approved development, and on land with the applicant's ownership and control, shall be placed underground and the ground restored to its original condition thereafter in accordance with the details approved under application No NP/DIS/0621/0677 and shown on the amended BT ducting plan dated 3 February 2022 and uploaded to the PDNPA website dated 8th February 2022 and the amended plans received on 9th

November 2021 showing a) The proposed route of below ground water supply line and b) the proposed electricity supply line.

18. The Air Source Heat Pumps shall be installed in full accordance with the agreed details under application no NP/DIS/1121/1288 and shown on drawing no 21028-TACP-X-GF-D-A-0504 Rev A prior to occupation of any of the dwellings.
19. The Sewage Package Treatment Plant shall be installed in full accordance with the agreed details under application No NP/DIS/1121/1266 and shown on plan No 21028 GWF – TACP - X - GF - X – A - 00503 Rev A prior to occupation of any of the dwellings.
20. Prior to the occupation of any of the holiday lets the access improvements shall first have been completed entirely in accordance with plan Nos. 2717-SB-300B dated 15/03/21 and MO/12/20/A1.
21. Prior to the occupation of any of the holiday lets the works to achieve the forward visibility splay improvements on the highway land north of Sheffield Road shall have been completed in full accordance with drawing No 406.03801.0005.14.H010.5.
22. The holiday lets shall not be occupied until the parking and manoeuvring space shown on the approved plans has been fully constructed and available for use, thereafter the parking and manoeuvring areas shall be maintain free from any obstruction to their designated use throughout the lifetime of the approved development.
23. Amended plans to revise details of the hard landscaping works shall be submitted for approval in writing by the National Park Authority and once approved those works shall be carried out in full accordance with the agreed details prior to occupation. The details shall include proposed hard surfacing materials; and boundary treatments which shall specifically provide for drystone boundary walling to define the domestic garden/private amenity space of barnhouse 1 and post and wire fencing to define the domestic garden/private amenity space of barnhouse2
24. The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological Written Scheme of Investigation approved under application No NP/DIS/0621/0610 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.
25. The development shall be carried out in full accordance with the bat mitigation works approved under application No NP/DIS/0621/0610 prior to occupation.
26. The scheme approved for meadow enhancement for the landscaped areas approved under application No NP/DIS/0721/0813 - comprising a scheme of seed collection and spreading set out in the supporting statement and shown on plan No 2717 SK106 Rev E (insofar as it relates to condition 26 only), shall be carried out before the dwellings are occupied or within the first available planting/seeding season following the substantial completion of the development.

27. The development shall be carried out entirely in accordance with the submitted combined Tree Condition Report, Arboricultural Assessment, Arboricultural method statement and Tree protection plans for the farmstead area and the Arboricultural Impact Assessment for the road access area.
28. Prior to completion or first occupation of the development hereby approved, whichever is the sooner; or in accordance with such other timescale as may be agreed in writing with the Authority, the proposed Oak tree shall be planted in the location shown on drawing No 2717-SK-300B in accordance with section 6.4 of the submitted the aboricultural method statement. Should the tree die, become severely damaged or diseased within five years of the completion of the building works or five years of the carrying out of the landscaping scheme (whichever is later), it shall be replaced in the next planting season by a specimen of similar size and species.
29. The retained tree located beside the farmhouse at the entrance into the courtyard shall not be cut down, uprooted, destroyed, pruned, cut or damaged in any manner during the development phase or within 5 years from the date of occupation of the buildings for their permitted use, other than in accordance with the approved plans and particulars or as may be permitted by prior approval in writing from the Authority.
30. The siting and layout of the proposed location for the construction compound to house all equipment, welfare cabins and the parking and manoeuvring arrangements for all construction staff and material deliveries shall be in complete accordance with the plan no 2717-SK-101A approved under application No NP/DIS/0621/0610 and plan no 21028 GWF-TACP-X-GF-X-A-0010 showing the Temporary Stone Wall Access Methodology for accessing Barnhouse 2.

Key Issues

16. Development affecting Grade II listed buildings.
17. Development in open countryside with potential to affect the landscape character

Relevant Planning History

18. 4/01/2021 NP/DDD/1220/1211& 1212 Approval for planning permission and Listed Building Consent for change of use of barns to create 2no. holiday cottages with associated works to buildings; minor alterations to listed farmhouse to enable its use as a holiday cottage; associated works to access.
19. 3/04/2021 NP/DIS/0621/0612 Approval for Discharge of Condition 15 on NP/DDD/1220/1212
20. 22/06/2021 NP/DIS/0621/0677 Approval for Discharge of conditions 2, 9, 11,16 and 17 on NP/DDD/1220/1211
21. 22/06/2021 NP/DIS/0621/0678 Approval for Discharge of conditions 2, 7 and 9 on NP/DDD/1220/1212
22. 03/06/2021 NP/DIS/0621/0610 Approval for Discharge of Conditions 24, 25 and 31 on NP/DDD/1220/1211

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| 23. | 22/07/2021 | NP/DIS/0721/0813 | Approval for Discharge of Condition 26 on NP/DDD/1220/1211 |
| 24. | 30/11/2021 | NP/DIS/1121/1288 | Approval for Discharge of conditions 8 and 18 on NP/DDD/1220/1211 |
| 25. | 30/11/2021 | NP/DIS/1121/1290 | Approval for Discharge of conditions 6 and 14 on NP/DDD/1220/1212. |
| 26. | 25/11/2021 | NP/DIS/1121/1266 | Approval for Discharge of Condition 19 on NP/DDD/1220/1211 |
| 27. | 21/12/2021 | NP/DDD/1221/1388 | Awaiting determination - Listed Building consent - Construct new timber floor structure on existing first floor timber landing floor to reduce level differences from bedrooms to improve the safe means of escape, Raise existing door head height to new bathroom to ensure the door accommodates the new floor height. |
| 28. | 20/01/2022 | NP/DIS/0122/0072 | Awaiting determination - Discharge of conditions 4 and 5 on NP/DDD/1220/1212 |
| 29. | 20/01/2022 | NP/DIS/0122/0073 | Awaiting determination - Discharge of conditions 6 and 7 on NP/DDD/1220/1211 |
| 30. | 24/02/2022 | NP/DIS/0222/0274 | Awaiting determination - Discharge of condition 10 on NP/DDD/1220/1212. |
| 31. | 24/02/2022 | NP/DIS/0222/0267 | Awaiting determination - Discharge of condition 10 on NP/DDD/1220/1211. |

Consultations

32. DCC Highway Authority – No highway comments
33. Hathersage Parish Council – Objection to the removal of the stone wall and replacement with a post-and-wire fence; the removal of the stone wall is likely to have an adverse impact on wildlife/habitat and does not align with conservation and heritage principles. The proposed addition of decking is out of character with the property *Officer Note; The decking is for information only and will be the subject of a later application to discharge the condition when the full details of the hard landscaping are submitted*
34. PNDPA Built Environment – No comments.
35. PDNPA Archaeology – No archaeological comments.

Representations

36. One letter of objection has been received commenting that Greenwood Farm should be developed into affordable housing for the local /farming community, not for holiday letting - which is already available in abundance. The proposed investment planned by the NT could make a real difference, if redirected to local housing needs.

Relevant Planning Policy

37. National Planning Policy Framework

38. The National Planning Policy Framework (NPPF) last updated in 2021. The government's intention is that the document should be considered as a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. In the National Park the development plan comprises the Authority's Core Strategy 2011 and those in the Development Management DPD adopted in May 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.
39. Paragraph 176 of the NPPF states that 'great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads.'
40. Para 195. 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.
41. Para 197. 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.
42. Para 199. 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.

43. Para 200. 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 grade II listed buildings, or grade II registered parks or gardens, should be exceptional.
44. Para 202. Of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
45. Paragraph 84 encourages planning decisions that enable sustainable rural tourism which respect the character of the countryside.
46. Peak District National Park Policies
47. 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, 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
48. 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.
49. Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L1, L2, L3, RT2, CC1, CC3, T3, T6, T7
50. Relevant Local Plan policies: DM1, DMC1, DMC3, DMC5, DMC7, DMC10, DMC11, DMC12, DMC13, DMC14, DMR3, DME2, DMT3, DMT5, DMT7
51. Policy GSP1 sets out the broad strategy for achieving the National Park's objectives having regard to the Sandford Principle, (that is, where there are conflicting desired outcomes in achieving national park purposes, greater priority must be given to the conservation of the natural beauty, wildlife and cultural heritage of the area, even at the cost of socio-economic benefits). Policies GSP2, DS1 and DM1 support this, outlining that opportunities to enhance the National Park should be acted upon and where permitted, development should be sustainable and respect the local character.
52. Policy L1 notes that development must preserve the landscape character and valued characteristics or it will not be permitted. DMC1 adds that any proposals must take into account the respective landscape strategy and action plans for each character area in the Peak District (which includes the White Peak).
53. Policy GSP3 adds 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. Policy GSP4 notes that planning conditions may be tied to consents so as to fulfil wider outcomes associated with development.

54. Policies L3 and DMC5 pay specific attention to the value of designated and non-designated heritage assets, which refers to buildings that have architectural and historic significance, indicating that development must conserve and enhance the value of these assets and their setting. Reasonable evidence must be submitted and any works must be justified as desirable and necessary in the context of the National Park. Development that threatens heritage value will be refused.
55. DMC7 elaborates on this, requiring that applications should clarify how the significance of listed buildings will be preserved. Development will not be permitted if it will result in the removal of original detailing, the unnecessary alteration of windows and doors or works that propose materials and detailing which is not appropriate to a listed building.
56. Policy DMC10 refers to the conditions in which heritage assets can be converted to other uses. It specifies that conversion will be permitted provided the building is capable of the conversion; it does not involve major rebuild or inappropriate changes to appearance, character or the wider landscape; and the change of use will better conserve the asset.
57. Policy DMR3 states that any buildings used for holiday occupancy of self-catering accommodation, it will not be available for occupancy by one person for more than 28 days per year and should be tied by condition. Exceptions to this rule would require proof that there would be no adverse impact on the valued characteristics of the area.
58. Policy RT2 indicates that proposals for hotels, bed and breakfast or self-catering accommodation will only be permitted if it allows the preservation of a traditional building of historic or vernacular merit or if it extends an existing holiday accommodation. Proposals that will create unacceptable landscape impacts in the open countryside will not be permitted nor will the change of use of entire farmsteads.
59. Policies DMC3 and DMH7 add further design guidance, noting that particular attention should be afforded to the siting, scale, form, mass and relation to the settlement appearance and character. Efforts should be made to integrate new development with the existing and enhance where possible, particularly in areas of high conservation and heritage value. Consideration should be given to the finer detail of schemes including their resulting impact on amenity, privacy and access for the site and neighbouring properties.
60. Policy DMH7 indicates that extensions and alterations to dwellings are acceptable in principle, provided that they do not dominate the original building or detract from the character, appearance or amenity of the original building. Extensions that detriment the landscape will be refused.
61. Policies L2, DMC11 and DMC12 requires the safeguarding and enhancement of biodiversity and geodiversity, aiming to achieve net gains where possible. Applicants must prove that adverse effects and appropriate mitigation / safeguarding has been taken. Any proposal must also consider the effect on the setting of the development, taking into account the historical, cultural and landscape context.
62. Policy DMC13 requires that applications affecting trees should provide sufficient information to enable their impact on trees to be properly considered, especially in locations where trees and hedgerows contribute to the visual amenity or biodiversity of a location. Trees should be protected over the course of development and where this is not possible the applicant must justify the loss.

63. DMC14 requires that if development should pose risk of pollution and disturbance, including noise or light pollution impacting neighboring amenity, biodiversity or the landscape setting will require adequate control measures to be accepted by the Planning Authority.
64. Policy CC1 requires that all applications demonstrate consideration of climate change adaption and mitigation and make use of sustainable construction methods where possible. Applicants should refer to the energy hierarchy for direction.
65. Policies T6 and DMT5 requires that development should safeguard public rights of way and where possible enhance the route. If it cannot be retained the development must provide an alternative of equal or improved quality that is convenient and attractive and has a similar / approved surface.
66. Policy T3 states that new transport infrastructure including lighting and signing will be carefully designed to account for the valued characteristics of the National Park. Policy DMT3 requires that where development includes an improved access onto a public highway, it must be safe and in a way that does not detract from the character and appearance of the locality. Where possible it should retain hedges, walls and roadside trees.
67. Policy T7 details that non-residential parking will be restricted in order to discourage car use and ensure it does not exceed the environmental capacity of sites. Policy DMT7 requires that new or enlarged car parks for visitor use will not be permitted unless a clear, demonstrable need can be shown.

Assessment

68. Variation or Removal of Conditions

69. Section 73 of the Town and Country Planning Act 1990 provides that an application may be made for planning permission without complying with conditions applied to a previous permission. It is stated that local authorities may decide whether to grant permission subject to differing conditions (this can include imposing new conditions), remove the conditions altogether or refuse to alter conditions. Thus it is possible to apply for conditions to be struck out, or for their modification or relaxation. The section makes it clear that in considering such an application a Local Planning Authority may only consider the question of the conditions and not revisit the principle of the development.
70. Therefore, only the acceptability of the proposal in the context of the reasons for the imposition of the conditions falls to be considered in the determination of the current application. However, in terms of decision making, a section 73 application should be treated just like any other application, and due regard paid to the development plan and other material considerations

Principle of the Development

71. The principle of the conversion of the buildings to holiday cottages along with the change of use of adjacent land to form residential curtilages has already been established by the earlier grants of planning and listed building consent. Work is underway with the conversion and this application only concerns a variation in condition 23 to enable the method of bounding the garden area to the eastern most barn conversion known as Barnhouse 2 to be changed.

72. As approved it was conditioned that the landscaping scheme provide for a drystone walled boundary which the applicant wishes to change to a post and wire fence instead.

Assessment of the Applicants supporting reasoning for the requested change.

73. *“Cost grounds - the new boundary wall for Barnhouse 2 requires some 53m of new drystone walling compared to only 11m for Barnhouse 1.”*
74. The cost of meeting the condition is a private matter for the applicant and not a planning matter we can place weight on. The key issue in determining the merits of the suggested change is the impact upon the landscape and setting of the listed buildings.
75. *“Based on historic mapping there is no historic precedent for a hard boundary along the western edge of the garden of Barnhouse 2.”*
76. We agree, formerly this was an agricultural paddock.
77. *“Beyond the existing stock fence, the western edge of the garden of Barnhouse 2 is made up of woodland which provides screening for the garden. Should a drystone wall be constructed along the western boundary of Barnhouse 2 it would need to be constructed over tree roots which may introduce further complications, e.g. impacts on trees or construction cost increases.”*
78. We have noted that the proposed walling would be close to adjacent trees which do provide some screening of the proposed garden area. Further screening of the amenity area is provided by the existing stone field walls which lie to the west of the garden and those further to the north and east. These walls and the buildings themselves will screen the proposed garden amenity area from both the public right of way to the west and the main right of way to the north-west. The block of trees immediately to the south west of the amenity area ensures no wider landscape impact of the change.
79. Therefore, on balance, taking account of the applicants reasoning and placing weight upon the fact that the areas would be well screened by the existing landscape features, we conclude that a lightweight post and wire fence, would be appropriate in this landscape setting. We therefore recommend approval of the request to vary the condition to allow this change but suggest a different wording to the applicant's suggestion in order to be clear about stone walling being needed for the more visible curtilage of Barnhouse1.
80. All other aspects of the development approved under application NP/DDD/1220/1211 remain unchanged and as approved so are not discussed here again.
81. Since that decision notice was issued there have been several applications for the approval of various details reserved by conditions which have discharged some of the conditions in part or in whole. The above recommendation of approval therefore is subject to those same conditions but with the wording of various conditions amended to take into account all the discharges agreed to date.

Conclusion

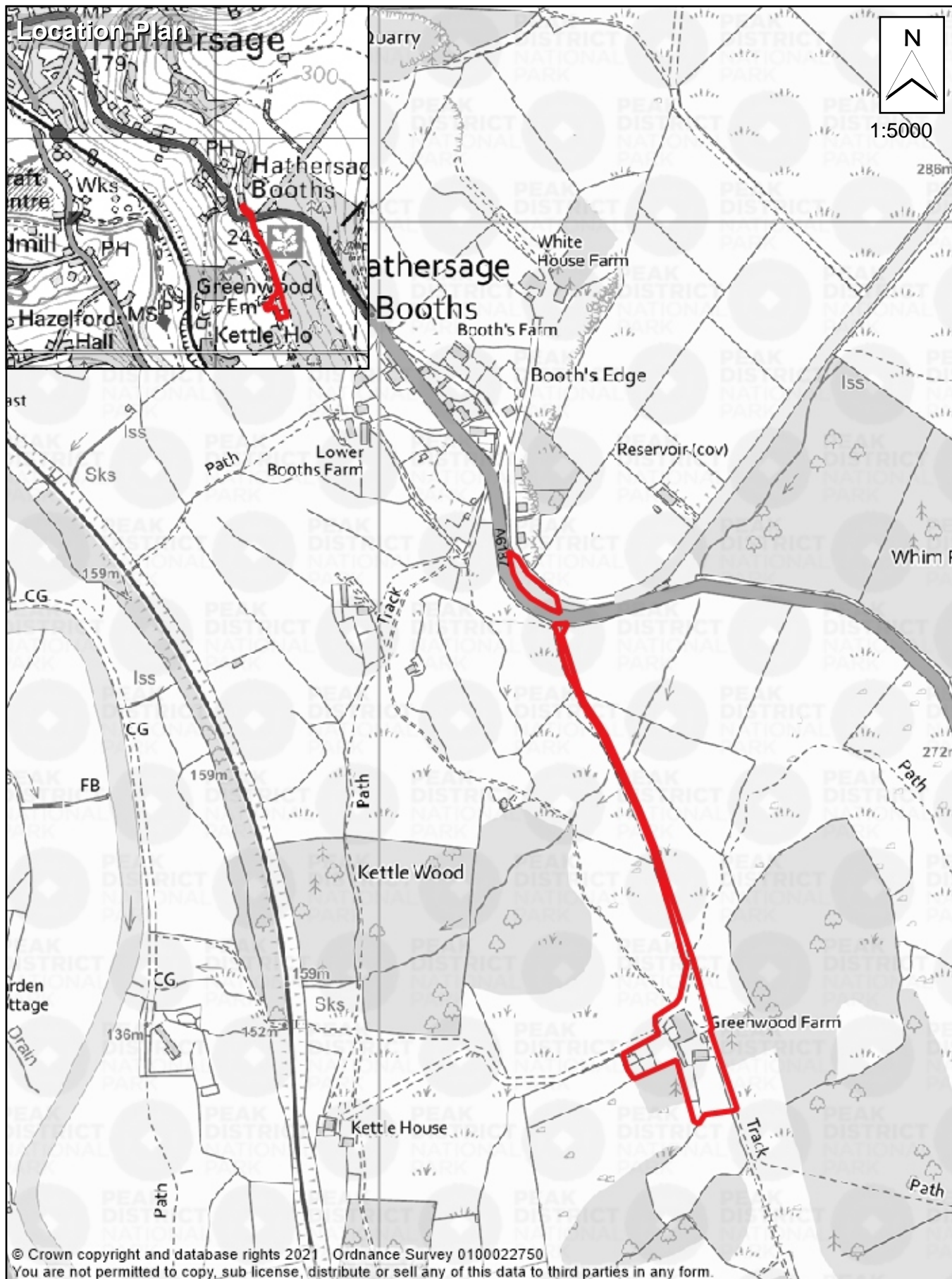
82. The conversion and alteration of this historic farmstead to use as three holiday cottages has already been approved via application No NP/DDD/1220/1211. The approved plans show a sensitive conversion scheme designed to mitigate the effects of development on the Listed Buildings and their valued landscape setting.

83. The proposed change to condition 23 is considered reasonable given the amenity area to Barnhouse 2 is well screened by existing drystone walling and tree planting. These adequately screen the amenity area from public view and mitigate the visual impact of the residential curtilage to conserve the valued character, appearance and setting of the building group and the wider landscape. Approval is therefore recommended.

Human Rights

84. Any human rights issues have been considered and addressed in the preparation of this report.
85. List of Background Papers (not previously published)
86. Nil
87. Author – John Keeley, Planning Manager North Area Planning Team.

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Committee Date: 8th April 2022
 Item Number: Item 9
 Application No: NP/DDD/0721/0775
 Grid Reference: 424302, 380221

Title: Greenwood Farm, Sheffield Road, Hathersage



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

APPLICANT: MR TOM MASKREY

Summary

1. This application was considered at the Planning Committee on 10 December 2021 and was deferred so that the applicant could address the issues raised in the report and by Members in their discussion of the application. The additional information has now been submitted and is assessed in this report.
2. The application relates to a proposal to reinstatement the residential use of an abandoned building in open countryside off Sir William Hill Road, between Grindleford and Eyam. The building currently has most of the walls standing but it has no roof, doors or windows.
3. This report concludes that the site is in a very isolated location where a new dwelling would not normally be acceptable. However, the existing derelict buildings are considered to be non-designated heritage assets, so a sympathetic scheme of restoration which also respects their setting may be acceptable in principle. The additional details demonstrate that this can be achieved without significant rebuilding or alteration to the fabric of the buildings and in a manner that respects the historic form of the buildings. The application is therefore recommended for approval, subject to conditions to ensure that the scheme is carried out strictly in accordance with submitted details, without and significant rebuilding or alterations to the existing structure.
4. The following report is based on the previous report, but amended to reflect the additional information that was submitted following the December Committee.

Site and Surroundings

5. The site is located off the Sir William Hill Road which connects the site to the village of Grindleford. The site comprises of a small group of buildings including a derelict rectangular house, an attached barn to the west and a detached outbuilding to the north. The buildings are set back from Sir William Hill Road. To the north and west of the site is Eyam Moor, and to the east is Sheriff Wood which descends down the hill into the valley of the River Derwent. The former house comprises a three-bay wide structure built from rounded gritstone rubble, with dressed gritstone lintels to doors and windows. The house structure remains but is in a poor state of repair. The attached barn is also in a state of ruin. Situated to the north of the house is a small, detached outbuilding built from gritstone rubble. The building has partially collapsed and the roof has been lost.
6. No internal plaster or joinery survives. The eastern part of the building comprised two rooms, with areas of flagstone floors surviving and two fireplaces. The remains of a staircase are also present, but all floor structures have been lost, although joist pockets remain.
7. The ruined barn comprises a rectangular range built from gritstone rubble with a pitched roof of corrugated metal sheets. The roof structure does not contain any historic fabric. The northern elevation of the building is open sided, with no other extant openings into the barn.

Proposal

8. The application is for the conversion and rebuilding of the main house and associated outbuildings to provide a dwelling (Class C3 residential) and other works incidental to the application proposal. The application proposes the rebuilding and reinstatement of the existing house and outbuildings for residential use, together with other external works associated with the proposals.
9. The application is accompanied by a Heritage Statement, a Sustainability Statement, a Structural Inspection report, and a tree survey, with a covering letter which sets out planning policies and draws the key conclusions of these reports together. The supporting statement with the application says that the aim is to reuse the existing structures and convert these to a new dwelling, providing an overall enhancement to the site.
10. The existing access from Sir William Hill Road to the site would be retained and used and parking would be provided within the site for three cars.
11. Following the discussion at the December Planning Committee meeting, at which the application was deferred, the following additional information has been submitted:

Revised drawings show the following:

- Confirm that the roof is proposed as stone slate.
- The extent of the residential curtilage is confirmed and is defined by drystone walls, the location of which is based on historic drawings.
- Car parking for three vehicles is within the curtilage and screened by a drystone wall.
- The site location plan shows the existing access track as the access to the dwelling.
- Revised window details

The applicant's agent also advises that they have also had clarification from the statutory service providers that all services can be provided below ground.

The agent has also submitted a further Structural Survey which confirms that the existing building is capable of conversion.

RECOMMENDATION:

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

- 1. Standard 3 year time limit**
- 2. Carry out in accordance with amended plans and specifications**
- 3. Detailed design conditions relating to materials, windows, doors and rainwater goods**
- 4. Development to be carried out within existing structure, with no rebuilding other than where specifically agreed with Authority.**
- 5. Withdraw permitted development rights for alterations, extensions, outbuildings and means of boundary enclosure, other than those shown on approved plans.**

6. **Submit and agree details of external lighting.**
7. **Carry out landscaping in accordance with approved plans.**
8. **Archaeology conditions.**
9. **Underground all service lines on land in applicant's ownership and control.**
10. **Highway conditions.**
11. **Submit and agree details of sewage package scheme.**

Key Issues

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

History

There have been no previous planning applications relating to this site (N.B. The Parish Council reference to a previous application appears to be incorrect).

Consultations

12. **Parish Council** – *“This is the second application for conversion to a dwelling in 15 years, on this site. The Parish Council recommends approval, with the following conditions.*
 1. *The development does not exceed the existing floor area, or height of the current buildings.*
 2. *All power cables, telephone cables, mains pipe work are underground on site and on public roadside verges from the utilities in place at present.*
 3. *The dwelling is to be used by the purchaser only and not for rental, holiday let, etc.*
 4. *No further buildings to be allowed within the site boundary of the former Newfoundland Nursery as indicated on the location map, or within the site boundary of the proposed development above.*
 5. *I assume that the existing track to the site, is the proposed access, this should not be tarmac, block paved.”*
13. **Highway Authority** – No objections subject to conditions:
 1. *At the commencement of operations on site (excluding demolition/ site clearance), space shall be provided within the site curtilage for storage of plant and materials, site accommodation, loading and unloading of goods vehicles, parking and manoeuvring of site operatives and visitors vehicles, laid out and constructed in accordance with detailed designs to be submitted in advance to the Local Planning Authority for written approval and maintained throughout the contract period in accordance with the approved designs free from any impediment to its designated use.*
 2. *Before any other operations are commenced, excluding condition 1 above, the existing access to Sir William Hill Road shall be provided with visibility sightlines of 203m in both directions, as measured from a point located centrally and 2.4m back into the access. The area within the sightlines shall thereafter be kept clear of any object greater than 1m in height (0.6m in the case of vegetation) above the nearside carriageway channel level.*
 3. *The premises, the subject of the application, shall not be occupied until space has been provided within the application site in accordance with the application drawings for the parking and manoeuvring of residents and delivery vehicles, laid out, surfaced and*

maintained throughout the life of the development free from any impediment to its designated use.

4. No development shall take place until details of the provisions for the storage and recycling of refuse have been submitted to and approved in writing by the Local Planning Authority. Such provisions shall be made / constructed prior to the first occupation of the building and shall thereafter be made permanently available for the occupants of the building.

5. There shall be no gates or other barriers within 5m of the nearside highway boundary and any gates shall open inwards only.

14. District Council: No response.

15. PDNPA Building Conservation Officer:

“The site is in a rural location and the buildings have been derelict for some considerable time, there is no roof on the former dwelling part of the building. The site is a former nursery, the Heritage Statement giving some history of the development. The ruin is in the middle of the rural site and doesn’t have any defined curtilage to it, the remains of a small outbuilding are close to it. Converting the ruin to a domestic house with associated curtilage development of parking and garden provision which would include hard landscaping would negatively affect the rural setting. Whilst not forming part of the current application there could be a future pressure for additional domestic buildings on the site such as garaging and sheds, this would significantly impact the setting. The provision of services to the building may have an impact either visual or if to be buried, the details should be submitted to enable an informed decision to be made. In its current form the building sits well within the landscape and natural environment. The building has begun to be reclaimed by nature, as a ruin within the rural enclosure at the edge of Eyam Moor it makes a contribution to the local landscape. By converting it to a habitable dwelling will significantly change the way it sits within its environment, and how it affects it. Part of the value and significance of the building is the way it now fits within the natural environment, any conversion would have a negative impact on this. The building design in looking at the proposals for the building itself this appears to work reasonably well in its current form with very little loss of historic fabric to create a layout that works for modern living. The proposal will use the existing openings, with a couple unblocked. The proposals could be amended for a suitable scheme for the building, with the appropriate details. This would be subject to the principle of conversion of the ruin being acceptable. Externally the proposals work with the existing openings, with some in the attached barn that have historically been blocked being unblocked. Details of windows and doors have been submitted at 1:50, more details would be better at an appropriate scale. Within the main building some windows are proposed to have fixed external shutters, the differentiation in window styles is suitable way to demonstrate these two building uses. The split should be based on evidence of features or use. There is a small amount of discussion within the Heritage Statement about the sections of development and use, this could be clearly shown on a plan.

For the attached barn the north elevation, it is unclear from the plans and there is limited detail within the supporting documents, but it looks like a large, glazed arrangement within the existing large opening. This would be an honest treatment for the large opening, less sub-division within the glazing may reduce the impact further. A small amount of wall is required to be built to accommodate the glazing. It is proposed for the roof to be reinstated using natural blue slates and the corrugated roof of the barn replaced with natural blue slates. The use of material should be informed by evidence of roofing material onsite. Internally it is proposed to retain the historic stone fireplaces, and the stairs are proposed to follow the historic ones evident from stones onsite. On the ground floor some building of likely collapsed internal walls is proposed and two breaches of historic fabric, at least one a former external wall, to enable all three elements of the property to be accessed internally. At first floor level two further breaches are proposed,

along the spine wall, with further consideration of the stairs and bathroom arrangements, would it be possible to reduce the need for these breaches? This could also remove the need for a stud wall close to the historic fireplace which could detract. The rooflights are concerning, especially the ones to the south elevation. This is the elevation most visible from the road, guidance in the Alterations and Extensions SPD says they are best confined to the rear roof slopes. They are located quite low down the roof, again not within SPD guidance. They are above the windows, which fits guidance, however they are a rather domestic feature and proposed in the former agricultural part. This would not be suitable in terms of building interpretation, they should be omitted from this location as the rooms do have a window for natural light. Rooflights are also proposed on the north elevation, again in the former agricultural part, this area is an entrance way/corridor with an external door. It would be better if they were removed from the proposals. New walls are proposed to the north and south of the building to define the curtilage, they are proposed to be drystone walls, which should be of the same material and design as others on the whole enclosure reflecting the traditional material and detailing.

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

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

Comments on previously submitted additional/revised details: “My comments will remain the same on the location. For the building design some amendments have been made to the proposals to address some of the comments raised in the previous consultation.

- Window plans – more detailed drawings of the cross sections have been submitted.
- External shutters – these have now been removed to the proposed elevations, addressing concerns that the previous proposal was not based on evidence of externally opening shutters.
- Barn glazing – the rebuilding has been omitted and glazing shown across the whole opening, this is more honest. The glazing is shown sub-divided as before.
- Roof material – the drawings have been amended to state “as existing onsite”, although the exact material to be used has not been confirmed.
- Internal layout – this has been amended for the stairs and bathroom layout to remove the breach of historic fabric, this is welcomed.
- Rooflights – all 4 remain in the same position so these concerns have not been addressed.
- Details – additional details have not been submitted”.

No comments on latest revised plans at the time of writing

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

Recommendation: In the first instance I request that :

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

Detailed response:

This is an unusual site and is certainly a heritage asset. As the supporting heritage statement sets out, it is a heritage asset of regional interest with historic, architectural and archaeological interest within the standing buildings. The historic buildings at the site appear to comprise a 2 storey range that includes former residential living space of at least 2 bays, a third bay that appears not to be of domestic origin, an attached single storey open sides shelter and a small detached outbuilding. The buildings are set in middle of group of rectilinear fields with linear tree planting that that appear to relate to the use and function of the site as a Nursery in the 19th and 20th century. Interestingly on the historic Ordnance Survey maps the buildings are set within a circular enclosure within the fields, which is usual. The belowground archaeological interest of the site is not covered by the existing heritage statement and needs to be considered. The site sits within a set of fields that were previously part of Eyam Moor, enclosed as part of the 1813 Foolow and Eyam parliamentary enclosure act. There are extensive prehistoric remains within the immediate area, including scheduled sites, relating to prehistoric settlement and agricultural activity, and funerary and ritual activity. Here, as other areas of the Derbyshire East Moors there is significant and well-articulated evidence over extensive areas for human exploitation of the gritstone uplands from the Neolithic to the post-medieval periods. Known sites lie within the adjacent Eyam Moor, largely a reflection of the extent of agricultural enclosure of the landscape. Subsequent land improvement and management has dictated where visible earthwork sites have survived, rather than this being a reflection of the true extent of prehistoric activity. Newfoundland Nursery and its surrounding fields form part of the same landscape, albeit one affected by 19th century enclosure, on a south facing gentle slope from the moorland plateau at the same height as sites on the adjacent moorland. It is highly likely that the same kind of prehistoric, as well as later activity, as evidenced on the moorland to the north occurred in the vicinity of Newfoundland. There has never been an archaeological survey or assessment of the particular field but survey of adjacent farms and of Eyam moor indicate the high level of archaeological interest and potential of this area. A similar range of features can be anticipated at the site, with potential for features and remains relation to human activity from prehistoric agricultural, settlement, funerary and ritual, through to regionally important medieval hollow ways and routeways to post-medieval quarrying. Although the establishment of the Nursery and the improvement of the fields will have affected the survival and legibility of features that pre-date the 19th century enclosure of this landscape, archaeological interest and potential remains. From the information available I would estimate that there is a moderate likelihood of archaeological remains at the site, and that it is likely that archaeological remains would be of no more than regional significance in their own right, but may contribute to the understand of nearby designated archaeological remains and features.

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

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

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

- *It is unclear from the supporting information what the extent of the original 'house' was. The Heritage Statement (Fig.2) suggest that the whole of the larger 2 storey rectangular range might have been the house. However, the plans of the site suggest the third bay*

had no internal connection to the living space, and the character of the elevations suggest this bay have had a non-domestic function.

- Understanding the historic development and use of the building is essential to help inform the proposals for the re-use of the building. Was the site built as a purpose built nursery serving the formal gardens and country houses of the region? Was it originally a farmstead that was adapted, or even a field barn or outfarm that was developed into a nursery. The 1842 tithe map within the heritage statement suggest that was a small structure here by that time (an outfarm perhaps?), and the presence of a pond serving two fields suggests an agricultural rather than horticultural origin for the site. Further historic background research such as a review of the tithe map apportionments or even the census might help provide this understand.
- This is relevant because at present the proposals include different window and door treatment across the main range, with a mixture of more domestic style treatment, and then single glazed fixed panes with shutters more suited to conversions of barns and agricultural buildings, which may be inappropriate and harmful in this context and blur the distinction between the different parts of the building.
- Similarly roof lights in a previous domestic part of the building might be acceptable, but less appropriate in the non-domestic areas.
- The current design is blurring the character and function and would make the building difficult to read and understand in the future, and treatment should be informed by the historic character of the building/ different areas of the building.

Comments on the proposals

- I note and support the comments on the Building Conservation Officer and Landscape Architect about the landscape impacts of bringing the site back into residential use. The building itself contains evidence that it was once an inhabited residential site, and if it is to be in domestic use again, this needs to be done carefully and sensitively to not harm the significance of the heritage asset or its unsettled, agricultural landscape setting.
- I fully support the comments of the Building Conservation Officer with respect to further details needed and suggested revisions to the design to minimise harm to the significance of the heritage asset (para.190 NPPF). I would highlight the need to revisit and simplify the glazing to the large opening in the attached outbuilding, to consider the number, size and positioning of rooflights.
- The proposal makes good use of the existing apertures and opening in the building, this is welcomed.
- Changes to the internal layout, circulation and planform are required, but most of the internal layout will remain, and the proposals incorporate historic features such as the fire places, and intend to keep the stairs in their original position. This is welcomed.
- The proposed site plan indicates a number of new drystone walls are proposed to define the site extent, those proposed are linear and create rectangular enclosures around the site. The site's extent was historically defined by an usual circular enclosure. This is a special feature of the site and if the Authority judges that reinstating residential use of the site is acceptable, then I would recommend it is considered if the circular curtilage could be reinstated, rather than inserting an entirely new rectangular enclosure in the area.
- The proposed development will require groundworks (hard landscaping, new services and drainage within the site, underground of drainage and services to the site, pack treatment plant, parking and turning areas, track treatment, footings for new walls etc.) These have the potential to encounter, damage and destroy previously unknown and unrecorded archaeological remains, deposits and features, and result in harm to the archaeological interest of the site. If all other aspects of the proposed development were considered acceptable (e.g. landscape impact, proposals to the building, design etc.), then I am confident that the belowground archaeological impacts could be appropriately mitigated by a conditioned scheme of archaeological works covering all the groundworks associated with the development.
- It is likely that a conditioned scheme of building recording will also be required, however, as detail above further information is required in order to ascertain that the ruined structure

can be returned to a safe and habitable state without needing to take down large sections, rebuilding, underpinning etc. The Authority needs enough information be satisfied that a conversion, rather than rebuild is possible to secure to future of this heritage asset.

Comments on additional/revised information:

Heritage Statement

The heritage statement has been updated and revised to:

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

Comments on revised scheme

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

Treatment of doors and windows – the additional heritage information supplied makes clear the historic division between the residential part of the building and the parts of the building in agricultural/horticultural use. The proposed treatment of windows and doors accords with this. There are more domestic style windows and doors proposed for the parts of the building that were once a dwelling, with plainer and more appropriate treatment of the openings in the former agricultural areas including recessed single glazing with shutters. This will help to retain the legibility of the historic function of the building.

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

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

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

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

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

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

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

Recommendation

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

Should the planning balance be favourable, I recommend that the harm identified above is mitigated by a conditioned scheme of archaeological work that comprises a Level 2 Building Recording to supplement the existing heritage statement, and archaeological monitoring of all external groundworks (including but not limited to landscaping, new services and drainage within the site, underground of drainage and services to the site, pack treatment plant, parking and turning areas, track treatment, footings for new walls etc.)

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

A condition to secure this is suggested below.

I also recommend that conditions are included to:

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

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

Scheme of archaeological works:

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

1. The programme and methodology of site investigation and recording;
2. The programme for post investigation assessment;
3. Provision to be made for analysis of the site investigation and recording;

4. Provision to be made for publication and dissemination of the analysis and records of the site investigation;
 5. Provision to be made for archive deposition of the analysis and records of the site investigation;
 6. Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation.
- b) No development shall then take place other than in accordance with the archaeological Written Scheme of Investigation approved under condition (a).
- c) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological Written Scheme of Investigation approved under condition (a) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured”.

No comments on latest revised plans at the time of writing

17. PDNPA Landscape Architect –

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

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

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

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

No comments on latest revised plans at the time of writing

Representations

18. We have received no representations.

Main Policies

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

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

National Planning Policy Framework

21. The National Planning Policy Framework (NPPF) should be considered as a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. In the National Park the development plan comprises our Core Strategy 2011 and the Development Management Policies 2019. Policies in the development plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. There is no significant conflict between prevailing policies in the development plan and the NPPF and our policies should be given full weight in the determination of this application.
22. Paragraph 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.”*

Peak District National Park Core Strategy

23. Policy GSP1 sets out the broad strategy for achieving the National Park's objectives having regard to the Sandford Principle, (that is, where there are conflicting desired outcomes in achieving national park purposes, greater priority must be given to the conservation of the natural beauty, wildlife and cultural heritage of the area, even at the cost of socio-economic benefits). GPS1 also sets out the need for sustainable development and to avoid major development unless it is essential, and the need to mitigate localised harm where essential major development is allowed.
24. Policy GSP2: *Enhancing the National Park* states that:
- Opportunities for enhancing the valued characteristics of the National Park will be identified and acted upon.
 - Proposals intended to enhance the National Park will need to demonstrate that they offer significant overall benefit to the natural beauty, wildlife and cultural heritage of the area.
 - When development is permitted, a design will be sought that respects the character of the area.
 - Opportunities will be taken to enhance the National Park by the treatment or removal of undesirable features or buildings. Work must be undertaken in a manner which conserves the valued characteristics of the site and its surroundings.
 - Development in settlements necessary for the treatment, removal or relocation of nonconforming uses to an acceptable site, or which would enhance the valued characteristics of the National Park will be permitted.
25. Policy GSP3 sets out development management principles and states that all development must respect, conserve and enhance all valued characteristics of the site and buildings, paying particular attention to, amongst other elements, impact on the character and setting of buildings, scale of the development appropriate to the character and appearance of the National Park, design in accordance with the National Park Authority Design Guide and impact on living conditions of communities.
26. Policy GSP4 says that to aid the achievement of its spatial outcomes, the National Park Authority will consider the contribution that a development can make directly and/or to its setting, including, where consistent with government guidance, using planning conditions and planning obligations.

27. Policy DS1 sets out the Development Strategy for the National Park.
28. Policy HC1 says that exceptionally, new housing can be accepted where the proposals would address eligible local needs and would be for homes that remain affordable with occupation restricted to local people in perpetuity. The provisions of HC1 are supported by policy DH1, DH2 and DH3 of the Development Management Policies, which gives more detailed criteria to assess applications for affordable housing to meet local need.
29. Policy L3 'Cultural heritage assets of archaeological, architectural, artistic or historic significance' states that:
- A. 'Development must conserve and where appropriate enhance or reveal the significance of archaeological, architectural, artistic or historic assets and their settings, including statutory designations and other heritage assets of international, national, regional or local importance or special interest;
 - B. Other than in exceptional circumstances development will not be permitted where it is likely to cause harm to the significance of any cultural heritage asset of archaeological, architectural, artistic or historic significance or its setting, including statutory designations or other heritage assets of international, national, regional or local importance or special interest;
 - C. Proposals for development will be expected to meet the objectives of any strategy, wholly or partly covering the National Park, that has, as an objective, the conservation and where possible the enhancement of cultural heritage assets. This includes, but is not exclusive to, the Cultural Heritage Strategy for the Peak District National Park and any successor strategy
30. Policy CC1 states that development must make the most efficient and sustainable use of land, buildings and natural resources, taking into account the energy hierarchy and achieving the highest possible standards of carbon reductions and water efficiency.

Development Management Policies

31. The most relevant development management policies are DMC3, DMC5 and DMC10.
32. Policy DMC3A says where development is acceptable in principle, it will be permitted provided that its detailed treatment is of a high standard that respects, protects and where possible enhances the natural beauty, quality and visual amenity of the landscape, including the wildlife and cultural heritage that contribute to the distinctive sense of place.
33. Policy DMC3B sets out various aspects that particular attention will be paid to including: siting, scale, form, mass, levels, height and orientation, settlement form and character, landscape, details, materials and finishes landscaping, access, utilities and parking, amenity, accessibility and the principles embedded in the design related SPD and the technical guide.
34. Development Management Policy DMC5 provides detailed advice relating to proposals affecting heritage assets and their settings, requiring new development to demonstrate how valued features will be conserved, as well as detailing the types and levels of information required to support such proposals. It also requires development to avoid harm to the significance, character, and appearance of heritage assets and details the exceptional circumstances in which development resulting in such harm may be supported.
35. Development Management Policy DMC10 addresses conversion of heritage assets, permitting this where the new use would conserve its character and significance, and where the new use and associated infrastructure conserve the asset, its setting, and valued landscape character. It also notes that new uses or curtilages should not be visually

intrusive in the landscape or have an adverse impact on tranquility, dark skies, or other valued characteristics.

36. Policy DMC13 says that planning applications should provide sufficient information to enable impact on trees, woodlands and other landscape features to be properly considered. Development should incorporate existing trees which should be protected during the course of the development.
37. The Design Guide states that *“the guiding principle behind the design of any conversion should be that the character of the original building and its setting should be respected and retained”*.

Assessment

Principle of proposed development

38. The Authority’s adopted policies do not allow new housing in the National Park unless there are exceptional circumstances. With regards to the principle of residential use, policy HC1(C)I of the Core Strategy states that exceptionally new housing can be accepted where, in accordance with core policies GSP1 and GSP2, it is required in order to achieve conservation and/or enhancement of valued vernacular or listed buildings.
39. The Heritage Statement which accompanies the application concludes that the existing house and outbuildings are considered to be a non-designated heritage asset. Taking this assessment into account, together with the advice of the Authority’s own officers, it is considered that the barn is a non-designated heritage asset; consequently the principle of converting the building to a dwelling may be acceptable under Core Strategy policy HC1 and DM policy DMC10, which sets out the matters that should be considered in dealing with any such proposal. These policies support the principle of converting non-designated heritage assets into open market dwellings provided that the development is required to secure the conservation or enhancement of the building and the impact of the conversion on the building and its setting is acceptable. This is therefore the key issue in the determination of the application.
40. This application relates to a former dwelling and barn which is in a ruinous condition. It is clear that any former residential use rights have been abandoned due to the condition of the building and the length of time since it was previously occupied; the application does not seek to argue that the building has existing residential use rights. Consequently, the remains of the property in effect have a ‘nil’ use in planning terms. The submitted application proposes to redevelop the site to create an open market dwelling and associated domestic curtilage. The application proposes to retain the existing structure as far as possible and to re-use existing openings where possible.
41. A structural survey was submitted in support of the original application; this was referred to in the last Committee report. Following the deferral at the Planning Committee in December 2021, the engineer carried out another inspection in January. He has now submitted an additional report. This explains that *“the purpose of the inspection is to establish the condition of the standing walls and assess their suitability for rehabilitation. By way of preamble, I would explain that, in the interim since my last check, drawings of the structure as it remains have been prepared by Smith and Roper Architects. I have used these drawings beneficially”*. The report goes on to assess the condition of the building’s walls in more detail. The concluding section states:

“However, in my opinion, this building has not suffered to any significant extent from this type of early, primary, settlement – or subsequently – despite the slope of the site. Although some walls exhibit a slight lean and there is some distortion of the elevations,

generally, walls and reveals are effectively plumb, features like the lintels are level. I come to the conclusion that the footings may well be founded on the rocky substrate, a proposition supported by the fact that rock outcrops can be seen close to the walls.

However, whilst the walls have not been subject to settlement, they are open to the weather and have suffered as a result. Mortar has weathered away resulting in open construction and partial collapse. Timber lintels have rotted, in some places disintegrated completely, leaving the wall above in a precarious state.

Nevertheless, with careful and judicious rebuilding of the collapsed sections, the replacement of rotted timber lintels and the packing and pointing of the elevations – inside and out – I am of the opinion that the elevations can be reinstated, enabling the conversion to a dwelling as you have in mind. Mention has been made of the fireplaces; I see no reason why these and the chimney breast they support cannot be similarly reinstated. However, I must caution that these old stone walls are unpredictable. Therefore, as a precursor to the start of work it would be prudent to construct a scaffold which will not only provide access to enable the work but will also provide temporary support to the walls.

You will appreciate that my report is made with regard to the present condition of the walls and their rehabilitation. Clearly, there will be many other elements in the reconstruction. I have in mind the re-roofing. It is important that the new roof structure does not impose any out-thrust at the tops of the wall. In other words, the structure must be “triangulated” or otherwise designed to eliminate the possibility of “roof spread”. Similarly, when installing the new first floor, be mindful of the need to “tie-in” the walls and thus strengthen the construction”.

42. The site is located in an isolated location in open countryside, well outside the nearest village of Grindleford, where policy HC1 makes a strong presumption against new dwellings because this would represent an unsustainable form of development.
43. The Planning Statement submitted with the application seeks to argue that this is a “brownfield” site, or “previously developed land”. It says that paragraph 117 of the NPPF states that “*Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously developed or ‘brownfield’ land.*” The Planning Statement acknowledges that the existing buildings on the site have not been used for a significant period of time, but it argues that the land is occupied by existing buildings that have been used as a house in the past and that are of historic merit, and that the site has not “greened over” and blended into the landscape. It also says that DMP Policy DMH6 allows for the redevelopment of Previously Developed Land for residential use. Part (i) of Policy DMH6 states that development will be permitted provided that “*the development conserves and enhances the valued character of the built environment or landscape on, around or adjacent to the site*”.
44. The Planning Statement argues that in terms of enhancement of the site, primarily through the rebuilding of the derelict structures and the use of blue slate roofing and natural gritstone to match the existing. The statement says that this will have a significant enhancement to the appearance of the buildings within the landscape. It adds that the conversion and rebuilding of the more dilapidated parts of the site will reinstate the historic arrangement of the buildings on the site, giving them a viable future use and providing the financial impetus to undertake the required works to maintain and enhance the appearance of the buildings.

45. Whether the development is required to conserve a heritage asset

The submitted application is supported by a Heritage Statement which says that the remains of the site and buildings have historic and archaeological significance. The heritage appraisal has been assessed by the Authority's Senior Archaeologist and Conservation Officer (see detailed comments above). Development plan policy DMC5 requires an assessment of significance to be with an application which relates to a heritage asset and reflects paragraph 189 of the National Planning Policy Framework. The Heritage Statement sets out the principles that have guided the design approach to reinstatement and rebuilding and says that these follow directly from the analysis of its heritage significance, the contribution made by its setting to that significance and the understanding set out in the Heritage Statement of the character of the surrounding landscape and the need to protect it.

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

47. In terms of its significance, the Statement says that Newfoundland Nurseries was founded in the late Georgian period, formed on a new encroachment into Eyam Moor. The construction of a building at the site coincided with the creation of the nursery, and was subsequently expanded during the mid to late 19th Century, including the addition of living accommodation. The market for which Newfoundland Nurseries was producing its plants was not uncovered as part of the limited research conducted for this report, but adverts suggest it was principally concerned with ornamental trees and shrubs. There is an oral tradition that the site produced plants for Chatsworth Estate. Consequently, the building is considered to possess regional heritage significance, deriving from.

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

The Heritage Statement concludes that the site contributes positively to the landscape character of the Dark Peak area of the Peak District National Park. Whilst the ruinous

appearance of the building is of artistic interest, the principal value of the building is its architectural and historic interest as a surviving example of a rare site type associated with the development of estate landscapes which are one of the defining characteristics of the region. This contribution has been eroded by change in use from nursery to pasture, and is at further risk from the potential collapse of the building.

48. The submitted Planning Statement therefore argues that the principle of the proposed conversion of the existing buildings is acceptable under Policy HC1, and that the new build elements provide sufficient enhancement to the site to be acceptable under Policy DMH6, conserving the significance of the structure by sensitively restoring the cottage, utilising the existing building materials on site.
49. However, the advice from the Authority's Conservation Officer is that whilst the scheme may result in some restoration of a non-designated heritage asset, *"The building has begun to be reclaimed by nature, as a ruin within the rural enclosure at the edge of Eyam Moor it makes a contribution to the local landscape. By converting it to a habitable dwelling will significantly change the way it sits within its environment, and how it affects it. Part of the value and significance of the building is the way it now fits within the natural environment, any conversion would have a negative impact on this"*.
50. The Authority's Senior Archaeologist's advice is set out in detail above, including comments on the revised details (note: these are earlier revisions, not the revisions submitted following the December Planning Committee). In summary, her view is that *"Working with the historic fabric and features of the building in this way is welcomed and means the conversion can be achieved with only minor harm to the historic and architectural interest of the building as a heritage asset. If all other aspects of the proposed development are considered acceptable (e.g. landscape impact, proposals to the building, design etc.), then I am confident that these impacts could be appropriately mitigated by a conditioned scheme of building recording"*.
51. It is acknowledged that the proposal is to re-use existing materials as far as possible and to minimise the amount of rebuilding that is required following the existing internal layout. However, officers were concerned that due to the very poor condition of the building, the proposed development could necessitate demolishing or significantly altering a substantial part of the existing structure. Although the existing walls remain and are generally straight, the building is in a ruinous condition with no roof, windows, doors, internal floors or services and is unlikely to have any substantial foundations. This issue was discussed when Members considered the application in December 202. Following deferral of the application the applicant commissioned the structural engineer to carry out a further investigation; his revised report is referred to above in paragraph 41. The report appears to conclude that the structure will not need significant rebuilding, although it does not explicitly say this.
52. Experience elsewhere in the National Park has shown that such schemes usually involve much more rebuilding and other interventions that are initially anticipated. This would actually harm any significance that the remaining structure possesses, rather than conserving it, contrary to Core Strategy policy L3 and the Framework and DMP policy DMC10. Whilst externally the house would appear similar to the former building, internally the building would largely be a modern structure. It is pertinent to note that the application includes reference to an appeal that was allowed following the Authority's refusal of an application to reinstate the residential use of an abandoned dwelling at Callow Bank (near Hathersage and now known as Smelters Cottage). In practice, this building has been substantially rebuilt and is, in effect a new dwelling in the open countryside (albeit restricted to holiday use).

53. However, if the existing building can be restored, with some localised rebuilding of sections of wall as referred to in the structural engineer's report, rather than rebuilt, it would conserve a building which the Authority's conservation officers acknowledge as having some historic interest. If Members are minded to approve the application it must include a clearly worded condition to prevent wholesale rebuilding of the structure and a clear indication that this would be contrary to the planning permission.
54. When the application was considered in December 2021 there was concern that the provision of a residential curtilage and parking area would domesticate the setting of the building, which currently has a very low impact on its wider setting, being a low-key feature and now an established part of the landscape. There was concern that any benefits of restoring the buildings would not outweigh the harmful impact the development would have on the landscape character of the National Park or the harm of creating a new dwelling in an unsustainable and isolated location in open countryside. It should be noted that the Authority's Landscape Architect objected to the application as *"Domestic conversion of this building would strongly conflict with a key element of landscape character and become an isolated domestic residential property in an unsettled agricultural landscape"*. In response to this, the applicant's architect has provided a detailed plan showing the residential curtilage of the proposed dwelling, with rebuilt or reinstated drystone walls providing a defined curtilage. The location of the boundary walls is based on an assessment of 1898 Ordinance Survey map. The resultant scheme now addresses the concerns originally raised about the extent of the curtilage and how this would be defined.
55. Whilst there is still some concern that the harm arising from the introduction of a residential use would not be outweighed by the benefit derived from conserving the remaining structure, on balance, the revised details and information address the concerns that were raised in the previous report. It is accepted that the existing building may ultimately be lost if it does not have a beneficial use, but the landscape impact and relatively isolated location are factors to weigh against the need to retain the building as a non-designated asset. The submitted Heritage Statement acknowledges that the renovation would alter the character of the building, diminishing its "artistic interest" as a ruin being reclaimed by nature, but considers that the benefits to the heritage interest of the National Park from preserving this important site type is considered to be greater. This is clearly a judgment about the relative merits of the building and the landscape impact of the proposed development.

Siting and landscape impact

56. The application site is located in a particularly sensitive position in the landscape, on the edge of open moorland. The site is visually isolated and is not seen in the context of any nearby built development. The visual isolation of the site is readily apparent from Sir William Hill Road and from open access land on higher ground. Due to the relatively isolated nature of the site, the impacts of the proposed development would be readily apparent. Whilst the existing structure is currently relatively inconspicuous in the wider landscape, the reinstated/rebuilt building and domestic curtilage would have a greater impact. Increased activity at the site when the dwelling is occupied would also be noticeable; this would include vehicles accessing and parking at the site and domestic activity within the curtilage, particularly at night. Lights from the proposed development at night would be particularly noticeable in this isolated location which is characterised by profound darkness. This is an issue which Inspectors have acknowledged as being important in the National Park on appeals relating to isolated sites.
57. The additional details that have been submitted following the deferral in December 2021 address some of the concerns that were previously raised. In particular, the residential curtilage is now more clearly defined, the access track has also been defined and will not be altered, and we have received confirmation that all service lines will be placed underground.

58. To conclude on this issue, the proposed development would have some harmful impact on the landscape character of this part of the National Park by reintroducing a dwelling into a relatively open landscape. However, as concluded above, this harm is outweighed by the benefit that the rebuilding and reinstatement of the original dwelling, a non-designated heritage asset, could provide.

Design, sustainable building and climate change

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

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

Impact on amenity

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

Trees and protected species

61. There are a number of mature trees within the boundary of the site. The original application was not accompanied by a tree survey to assess whether there would be any impact on trees as a result of the development. However, officers have assessed this on site and,

subject to appropriate protection during construction and any necessary mitigation, the proposal is unlikely to affect any trees which are significant in the landscape or are otherwise important, in accordance with policy DMC13. The latest revised plans show some additional tree-planting to the rear of the buildings and the retention of the main trees around the site. They also show the loss of 9 of the smaller trees which are not considered to be important in terms of the landscape setting.

Highway issues

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

Other Issues

63. If approved, a planning condition would be required to ensure that any new utility infrastructure on land in the applicant's ownership and control is installed underground to would ensure the proposal is in accordance with DM policies DMU1 and DMU2. As noted above, overhead lines would have an unacceptably intrusive impact of the landscape. The applicant's agent has confirmed that service lines on land in his ownership and control would be placed underground, and the revised plans show these along the route of the existing drive. However, it is still possible that overhead lines and poles could be erected in the highway on land outside the applicant's ownership and control; this would further exacerbate the visual impact of the development, contrary to policy L1.

Conclusion

64. It is considered that the decision on the proposed development is finely balanced. On one hand, there is concern that it would introduce a dwelling into an isolated and unsustainable location in the open countryside, harming the landscape character of the area and that the works to the buildings themselves, whilst restoring some aspects of the non-designated assets, could harm historic and archaeological significance of the ruins of the existing buildings in the landscape. On the other hand, it is acknowledged that proposed development would provide a building that is a non-designated heritage asset, and which was previously (in part) a dwelling with a beneficial use. The applicant has sought to address the concerns that were raised when the application was considered in December 2021 and officers are now more comfortable with proposed scheme, in particular the definition of the curtilage. It is essential that the development does not result in the significant rebuilding of the existing building, otherwise the justification for an approval would be undermined and the development would be contrary to national and local policies which seek to restrict new development in the countryside.
65. Having taken into account all material considerations and the issues raised in representations and by Members in December 2021, we conclude that the proposed development is now acceptable on balance, subject to strict conditions. The application is therefore recommended for approval.

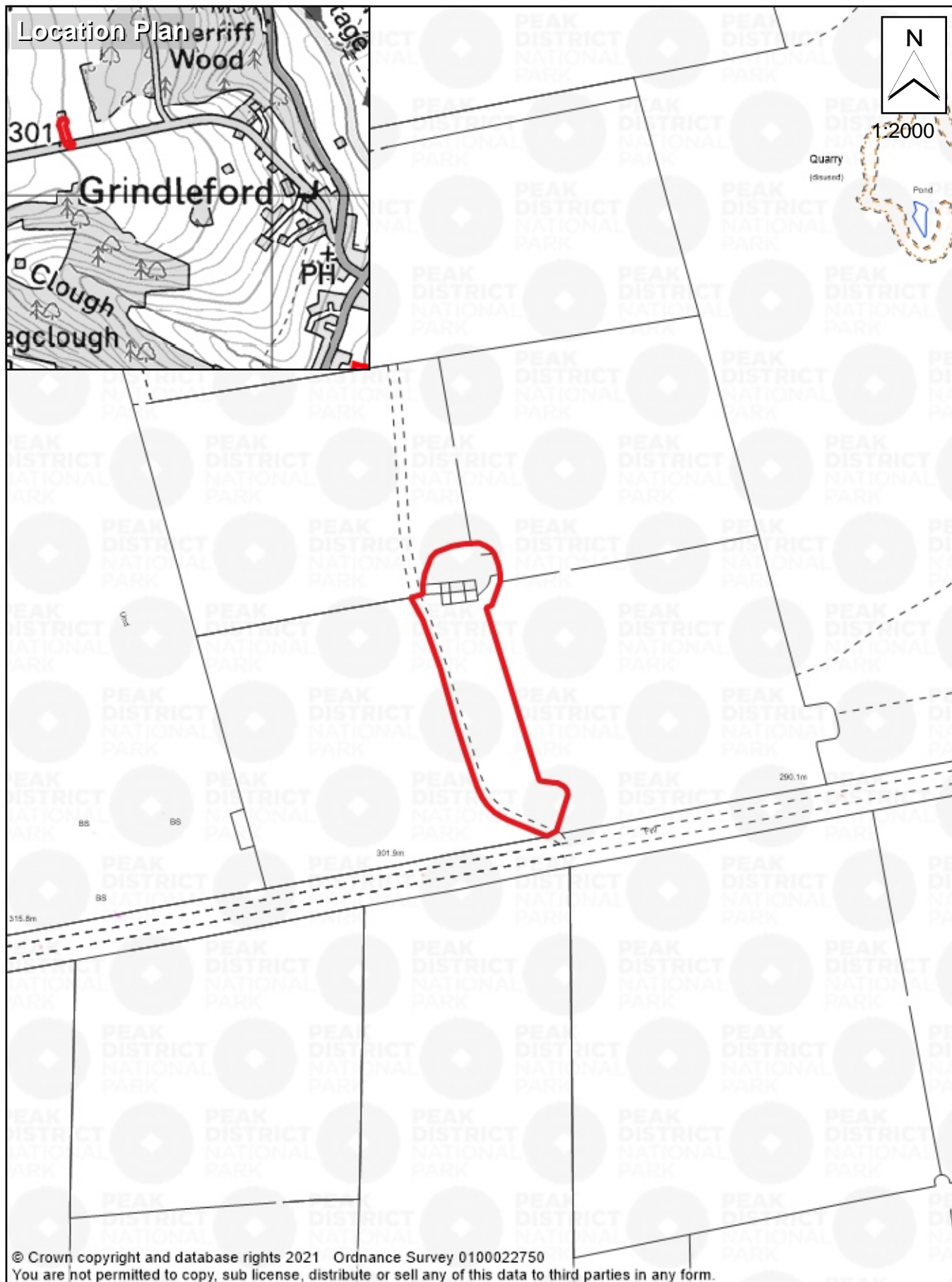
Human Rights

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

List of Background Papers (not previously published)

67. Nil

68. Report Author: Brian Taylor, Head of Planning



Committee Date: 8th April 2022
Item Number: Item 10
Application No: NP/DDD/0121/0025
Grid Reference: 423206, 378266

Title: Former Newfoundland Nursery, Sir William Hill Road, Grindleford



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11. FULL APPLICATION – CHANGE OF USE OF LAND TO ADDITIONAL DOMESTIC CURTLAGE AND EXTENSION TO DWELLING, FOR WHEELCHAIR ACCESSIBLE BEDROOM/WETROOM AND SECURE VEHICLE STORAGE AT TIDESLOW FARM, TIDESWELL (NP/DDD/1121/1260, AM)

APPLICANT: MR PETER ATKIN

Summary

1. The property is a converted barn in open countryside between Little Hucklow and the Anchor crossroads on the A623.
2. The application proposes a change of use of the land north of the building to additional domestic curtilage together with a substantial extension to the existing building for wheelchair accessible bedroom, wet room and secure vehicle storage.
3. The application would dominate the original barn and significantly harm its character and appearance and setting within the wider landscape. This harm would not be outweighed by the benefits of providing accessible accommodation.
4. The application is recommended for refusal.

Site and Surroundings

5. This application relates to a converted barn at Tideslow Farm located in a prominent position in open countryside between Little Hucklow and the Anchor crossroads on the A623.
6. The building is a traditional limestone barn sited in the corner of the field partly within a copse of mature trees and adjacent to the road. Field boundaries are traditional drystone limestone walls and the access to Tideslow Farm runs along the southern boundary. The building is a relatively simple traditional range of one and two-storey elements in an 'L' shape plan form, constructed from natural limestone with gritstone detailing under pitched roofs clad with natural blue slate.
7. Planning permission was granted in 2012 for the conversion of the barn to holiday accommodation and subsequently varied in 2013 to allow the accommodation to be initially occupied by the applicant and then revert back to short term holiday accommodation when he vacates the property.
8. The approved conversion scheme was considered acceptable as the accommodation was retained within the existing shell of the building utilising existing openings and without new extensions. The domestic curtilage of the approved scheme was restricted to the front and sides of the buildings with two parking areas to the west side of the building. As approved the copse of trees to the rear of the barn was retained and to be provided with new drystone walling and with no access from the converted buildings.
9. The curtilage of the building appears to have been extended into the copse without permission and there is an unauthorised metal container sited to the rear of the building which is used to house batteries associated with solar panels that have been installed in the field to the east, notwithstanding the fact that the planning application for the solar panels was refused in 2015. There is an outstanding enforcement investigation on the container, use of the land within the copse of trees and solar panels.
10. The converted barn is not listed or within a conservation area. Nevertheless, given its history and character it is considered a non-designated heritage asset.

Proposal

11. Extensions to create wheelchair accessible living space and secure vehicle storage.
12. The submitted plans show two storey and single storey extensions to north of the existing barn conversion, projecting out of the approved domestic curtilage and into the copse of trees to the north. Parking spaces are proposed to the west of the proposed extension.
13. The application includes the whole of the copse of trees within the red-line application boundary despite this land not being granted planning permission for domestic use. The submitted application forms have therefore been amended to include for the change of use of this land within the application description.
14. The extension would provide a hallway, lift, double garage and plant room for battery storage and a generator at ground floor. A double bedroom would be provided at first floor along with en-suite wet room. The extension has been designed to provide level access and to be wheelchair accessible with a ceiling hoist at first floor between the proposed lift, bedroom and wet room.
15. The extension would be constructed from natural limestone with gritstone detailing under pitched roofs clad with natural blue slate. Window and door frames would be painted timber.

RECOMMENDATION:

That the application be REFUSED for the following reasons

- 1 The proposed scheme by virtue of the scale, form, massing and design of the proposed extension would significantly harm the character and appearance of the original building and its setting. The extension, driveway and parking area would also extend into an adjoining wooded copse, which is an important landscape feature. As such, the proposed development is contrary to Core Strategy policies GSP1, GSP3, L1, L2 and L3, Development Management policies DMC3, DMC5, DMC10, DMC13 and DMH7, the Authority's Supplementary Planning Documents and the National Planning Policy Framework.**

Key Issues

16. Impact of the proposed alterations and extensions on the character and appearance of the existing building and its setting.

Relevant Planning History

17. 2012: NP/DDD/1111/1183: Planning permission granted conditionally for the conversion of barn to holiday accommodation.
18. 2013: NP/DDD/1212/1249: Planning permission granted for variation of condition to allow initial occupation by Mr P Atkin and revert to holiday use when he vacates the property.
19. 2015: NP/DDD/0415/0346: Planning permission refused for change of use of redundant barn to form dwelling including ground mounted solar PV array and ancillary building and alteration to vehicular access.

20. 2017: Enforcement Investigation re unauthorised metal shipping container, solar pv array.
21. 2021: NP/DDD/0321/0342: Planning permission refused for extension to create wheelchair accessible living space and vehicle storage. The reason for refusal was:
22. *“The proposed scheme by virtue of the scale, form, massing and design of the proposed extension, fails to harmonise with or adequately respect the character and appearance of the existing dwelling, which is a sympathetically designed barn conversion. The proposal would have a significant and harmful impact on the character and appearance of a non-designated heritage asset. The application also includes the extension of the curtilage of the building into the adjoining wooded copse, which is an important landscape feature. As such, the proposed development is contrary to Core Strategy policies GSP1, GSP3, L1, L2 and L3, and Development Management policies DMC3, DMC5, DMC10, DMC13 and DMH7 and the Authority’s published design guidance.”*

Consultations

23. Parish Council – Support the application to allow disabled access.
24. Highway Authority – No objection subject to conditions.
25. Borough Council – No response to date.

Representations

26. We have received 3 letters of representation in support of the application. The letters are summarised below:

Support

- The aspect to the road will be improved by the removal of the container.
- A remote location such as this requires safe vehicle storage.
- The design respects the buildings history as a barn.
- Planning Authorities should encourage the provision of accessible accommodation.
- The development would provide accessible holiday accommodation in the future.
- The development would allow for the care of residents in their own home and reduce the pressure on local authorities in financing local care homes and give a better quality of life for people who have lived in the area most of their lives.

Main Policies

27. Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L1, L2, L3

28. Relevant Development Management policies: DMC3, DMC5, DMC10, DMC13, DMH7, DMT3, DMT8

National Planning Policy Framework

29. The National Planning Policy Framework (NPPF) should be considered as a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. In the National Park, the development plan comprises our Core Strategy 2011 and the Development Management Policies 2019. Policies in the development plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. There is no significant conflict between the development plan and the NPPF and therefore our policies should be given full weight in the determination of this application.
30. Paragraph 176 states that great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads.

Peak District National Park Core Strategy

31. Policy DS1 sets out the Development Strategy for the National Park. DS1.C. sets out the forms of development that are acceptable in principle in the countryside outside of the Natural Zone. Policy DS1 states that extensions to existing buildings are acceptable in principle in the countryside.
32. Policy GSP1 requires all development to be consistent with the National Park's legal purposes and duty. Where there is an irreconcilable conflict between the statutory purposes, the Sandford Principle will be applied and the conservation and enhancement of the National Park will be given priority.
33. Policy GSP3 sets out development management principles and states that all development must respect, conserve and enhance all valued characteristics of the site and buildings, paying particular attention to, amongst other elements, impact on the character and setting of buildings, scale of the development appropriate to the character and appearance of the National Park, design in accordance with the National Park Authority Design Guide, impact on living conditions of communities, impact on access and traffic levels and use of sustainable modes of transport.
34. Policy L1 says that development must conserve and enhance valued landscape character, as identified in the Landscape Strategy and Action Plan, and other valued characteristics.
35. Policy L2 says that development must conserve or enhance any sites, features or species of biodiversity or geodiversity importance and where appropriate their setting. Other than in exceptional circumstances development will not be permitted where it is likely to have an adverse impact on any sites, features or species of biodiversity or geodiversity importance.

36. Policy L3 says that development must conserve and where appropriate enhance or reveal the significance of archaeological, architectural, artistic or historic assets and their settings, including statutory designations and other heritage assets of international, national, regional or local importance. Other than, in exceptional circumstances development will not be permitted where it is likely to cause harm to the significance of any cultural heritage asset.
37. Policy CC1 says that in order to build in resilience to and mitigate the causes of climate change all development must: make the most efficient and sustainable use of land, buildings and natural resources; take account of the energy hierarchy; be directed away from flood risk areas and reduce overall risk from flooding; achieve the highest possible standards of carbon reductions and water efficiency.

Development Management Policies

38. Policy DMC3. A says where development is acceptable in principle, it will be permitted provided that its detailed treatment is of a high standard that respects, protects and where possible enhances the natural beauty, quality and visual amenity of the landscape, including the wildlife and cultural heritage that contribute to the distinctive sense of place.
39. Policy DMC3. B sets out various aspects that particular attention will be paid to including: siting, scale, form, mass, levels, height and orientation, settlement form and character, landscape, details, materials and finishes landscaping, access, utilities and parking, amenity, accessibility and the principles embedded in the design related SPD and the technical guide.
40. Policy DMC5 says that applications for development affecting a heritage asset, including its setting must clearly demonstrate its significance including how any identified features of value will be conserved and where possible enhanced and why the proposed development is desirable or necessary. The supporting evidence must be proportionate to the significance of the asset and proposals likely to affect archaeological and potential archaeological interest should be supported by appropriate information.
41. DMC5. E says that if applicants fail to provide adequate or accurate detailed information the application will be refused. DMC5. F says that development of a non-designated heritage asset will not be permitted if it would result in any harm to, or loss of, the significance, character and appearance of a heritage asset 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.
42. DMC10. A says that conversion of a heritage asset will be permitted provided that it can accommodate the new use without changes that adversely affect its character and that changes brought about by the new use conserve the significance of the heritage asset, its setting and the landscape. DMC10. B says that particular attention will be paid to the impact of domestication and urbanisation including the provision of safe access, amenity space, parking and domestic curtilage.
43. Policy DMC13 says that planning applications should provide sufficient information to enable impact on trees, woodlands and other landscape features to be properly considered. Development should incorporate existing trees and hedgerows which positively contribute which should be protected during the course of the development.
44. Policy DMH7. A says that extensions and alterations will be permitted provided that the proposal does not detract from the character, appearance and amenity of the original building, its setting or neighbouring buildings, dominate the original dwelling,

particularly where it is a heritage asset or create or lead to undesirable changes to the landscape or any other valued characteristic.

45. Policy DMT8. A 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 be either within the curtilage of the property or allocated elsewhere. DMT8. C says that the design and number of parking spaces associated with residential development, including any communal residential parking, must respect the valued characteristics of the area.

Supplementary planning documents (SPD) and other material considerations

46. The adopted climate change and sustainable building SPD provides detailed guidance on construction methods and renewable technologies along with a framework for how development can demonstrate compliance with policy CC1.
47. The adopted design guide SPD and supporting building design guide provides detailed guidance on the local building tradition within the National Park and how this should be utilised to inform high quality new design that conserves and enhances the National Park.
48. The conversion of historic buildings SPD provides detail about form, design and materials for proposals to convert historic buildings within the National Park.

Assessment

Principle

49. The key issue for this application is whether the proposed development would be of inappropriate design and scale, which would conserve the character and appearance of the existing building, its setting and the landscape, particularly bearing in mind that the building is a converted barn and a non-designated heritage asset.
50. Extensions to existing buildings are acceptable in principle within the countryside. The submitted plans propose extensions to the existing barn, which would project into the adjacent copse of trees, which is outside of the authorised domestic curtilage for the property. The plans also show that the access would be extended and parking spaces provided adjacent to the proposed garage within the copse of trees. The change of use of the copse of trees to domestic use required planning permission in its own right.
51. Our adopted Supplementary Planning Document (Detailed Design Guide) for alterations and extensions states that extensions should be sympathetic, subservient to the original building, and limited in size. The SPD states that the original character of the property should not be destroyed when providing additional development; the scale of extension that can be accommodated satisfactorily is dependent on the nature of the existing building. The Building Design Guide provides technical guidance on form, scale and massing and the Conversions SPD provides detailed guidance.

Impact

52. The building is an attractive converted barn, which is characterised by its simple vernacular design, use of traditional materials and its historic functional relationship with the surrounding land. The building has been sensitively converted and makes a positive contribution to the limestone plateau landscape. The former barn is a non-designated heritage asset as this is the basis on which the original conversion was approved.

53. As approved the residential curtilage of the building was limited to walled area of land to the front and sides of the building, which was to be bound with traditional drystone walling. The wall to the west of the approved curtilage separating it from the copse of trees has not been erected. Further unauthorised development has also taken place since the building was converted including the installation of a solar array within the field to the west of the building and the siting of a metal container in the copse north of the building.
54. The proposed development has been reduced in size compared to the scheme refused planning permission in 2021. However, the development would still result in a substantial extension beyond the shell of the original barn along with a substantial increase in domestic curtilage. The application proposes a two-storey extension to the north side of the building to create a garage along with an accessible bedroom and wet room at first floor level. The extension would be marginally inset from the existing walls of the barn and lower than the existing roof. However, the two-storey extension would be longer than either element of the existing building and would be read as a substantial and dominant extension projecting into the copse of trees. It would also feature an over-wide domestic garage door detail set within a lean-to projection of the main extension giving the elevation a domestic character which would further detract from the character of the original barn and heritage asset.
55. The Authority's adopted policies allow for conversion of traditional barns such as this if the building can accommodate the new use without changes, which would adversely affect its character; such changes include significant enlargement or other alterations to the form and mass, inappropriate new window spaces or doorways, and major rebuilding. The former barn has been converted in accordance with our policies and any proposed extensions must be considered in that context.
56. Having regard to the size of the extension, its form and the impact on the plan form of the existing building we consider that the proposed extension would be a significant enlargement, which would dominate the original building and harm its character and appearance. The proposed extensions are therefore contrary to policies GSP3, L3, DMC3, DMC5 and DMH7 and guidance within our adopted Supplementary Planning Documents.
57. The proposed development also includes an access drive and turning space to the rear of the barn within part of the copse of trees, which lie to the north and west of the building. The proposed extension, access drive and parking area would extend into the wooded area and would intrude upon this land, which currently makes an important and positive contribution to the setting of the building within the wider landscape. The proposed extension, access, parked vehicles and domestic activity would erode the character of the group of trees and would over time be likely have a harmful impact the trees.

Improvements to accessibility

58. The supporting documents submitted with the planning application include a report from Access For All UK, who have been commissioned to undertake an audit of Tideslow Farm. This was commissioned by the applicant and his family following a presentation delivered by Marketing Peak District and Derbyshire on accessible tourism. The presentation highlighted the benefits of accessible tourism, the strategy of the new Tourism Sector Deal and the availability of funding for tourism businesses in the area wishing to improve their offering in this area. The report says that the family's vision is to create an exemplary, accessible holiday let and a possible camping pod provision on the Tideslow site and has commissioned Access For All UK to audit the site and provide advice to inform this project.

59. The report explains that in 2019 the government announced a new deal with the tourism sector. The aim of the family is to make the converted barn an exemplary holiday let that is accessible for all and are willing to invest considerably to make this provision a success.
60. In terms of how this has influenced that submitted scheme, the report explains that a staircase currently leads to a bathroom and one bedroom. The presence of just one bedroom, together with the lack of disabled access to the first floor needs to be addressed in order to create a fully accessible property. Dividing the current ground floor lounge to create an accessible bedroom, while technically possible, would deliver an area with restricted circulation space for wheelchair users. In addition, any carers would be separated from those they care for on the first floor of the building. The report therefore recommends the creation of a new accessible bedroom with ensuite wet room on the first floor of the proposed extension to the side of the property.
61. The proposed garage will also allow disabled visitors to be able to alight from their vehicle in a weather protected area, and gain access to their wheelchair and travel directly into the living accommodation or access the new first floor second bedroom.
62. The application submission also includes an MHCLG Consultation paper “Raising accessibility standards for new homes”. Published in 2019, this consultation considers how to raise accessibility standards, recognising the importance of suitable homes for older and disabled people. The consultation sought views on various options to raise the accessibility of new homes. In particular, it considered how the accessible and adaptable standard for homes (known as M4(2) in Part M of the Building Regulations) and the wheelchair user standard (known as M4(3)) are currently used as optional technical standards.
63. Turning to the assessment of this part of the application, under the Equality Act, we must give due regard to the public sector equality duty (PSED) in exercising our functions. The PSED requires public authorities to have due regard to the need to:
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under Equality Act 2010
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it, and
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
64. The relevant protected characteristics include age and disability.
65. In carrying out this assessment, we must also have regard to our other statutory purposes and duties, in the context of its adopted policies. In this instance, whilst the needs of the applicant are acknowledged, planning permission was granted for the conversion of the former barn on the basis that the development would secure the long-term conservation of the building and its setting in the landscape. The planning permission was later varied to allow the applicant to occupy the converted barn as an exception to our policies on a personal and temporary basis for the period during which the building provided suitable accommodation.
66. Secondly, whilst the need for accessible holiday accommodation is acknowledged and understood, this must also have regard to our statutory purposes and policies in the development plan. Where possible well-designed and inclusive accommodation should be provided within existing buildings in a manner that conserves their significance. In this case, the proposals would result in a very substantial extension to the existing building, significantly and adversely affecting its character.

Other issues

67. The proposals would not harm the privacy or amenity of the any properties because of isolated location of the building. The proposal therefore accords with policies GSP3 and DMC3 in these respects.
68. No alterations to the access to the highway are proposed and the proposal would provide ample off-street parking in accordance with policies DMT3 and DMT8. We therefore agree with the Highway Authority that the development would not harm highway safety.
69. The Design and Access statement does not set out any details of how the proposed extensions have been designed to make efficient and sustainable use of materials or achieve the highest possible standards of carbon reductions and water efficiency. However, the scheme does include a battery storage system, which would by implication be used in connection with the solar photovoltaic array that has been installed in the adjacent field, without planning permission.

Conclusion

70. The proposed extensions would dominate the existing building and intrude into the copse of trees to the north of the building. Taken together the extensions, driveway and proposed parking area would harm the character and appearance of the original building and its setting within the landscape.
71. We recognise that the extensions have been designed to meet the need of the applicant and aspirations to provide accessible tourist accommodation in accordance with the accessibility audit undertaken by Access For All UK. In assessing the application we must give due regard to the public sector equality duty.
72. However, we must also give regard to our statutory purposes and duty and policies within the development plan. In this case, the benefits of the development in providing accessibly accommodation would not outweigh the significant harm to the character and appearance of the barn and its setting.
73. Therefore, the proposed development is contrary to the development plan. We have considered all other material considerations; however, these do not indicate that a contrary decision should be taken. The application is therefore recommended for refusal.

Human Rights

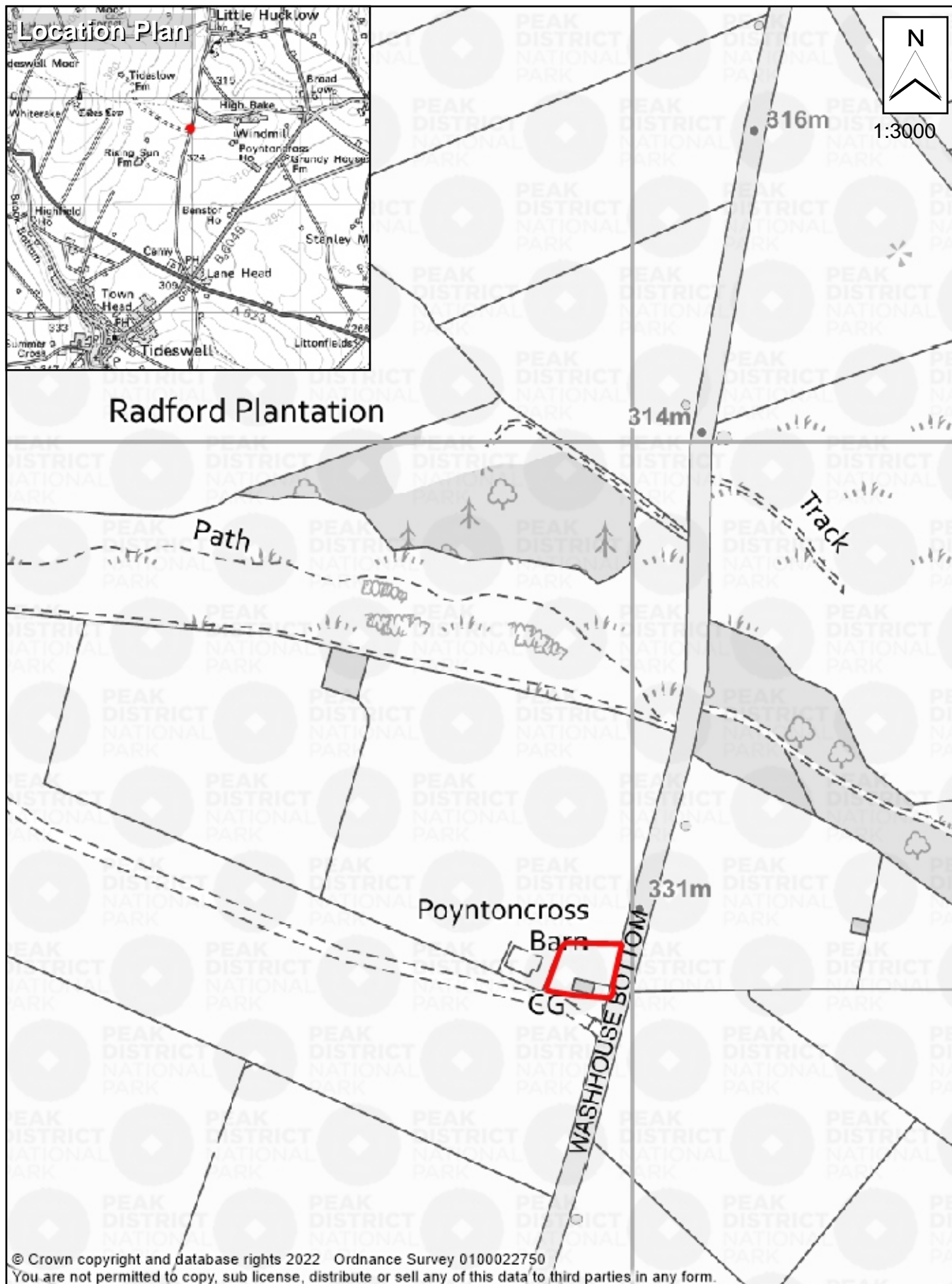
74. Any human rights issues have been considered and addressed in the preparation of this report.

List of Background Papers (not previously published)

75. Nil

Report Author: Adam Maxwell, Senior Planner

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Committee Date: 8th April 2022
 Item Number: Item 11
 Application No: NP/DDD/1121/1260
 Grid Reference: 415866, 377227

Title: Tideslow Farm, Tideswell



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12. MONITORING & ENFORCEMENT ANNUAL REVIEW – APRIL 2022 (A.1533/AJC)

Introduction

1. This report provides a summary of the work carried out by the Monitoring & Enforcement Team over the last year (April 2021 – March 2022) as well as information about the breaches of planning control we have resolved in the latest quarter (January – March 2022).
2. Most breaches of planning control are resolved voluntarily or through negotiation without resorting to formal enforcement action. Where formal action is considered necessary, the Head of Planning and Head of Law have joint delegated powers to authorise such action whereas authority not to take formal action is delegated to the Head of Planning, Monitoring & Enforcement Manager and Area Planning Managers.
3. The Authority has a duty to investigate alleged breaches of planning control, but enforcement action is discretionary and must only be taken where it is 'expedient' to do so, having regard to policies in the development plan and any other material considerations. This means that the breach must be causing unacceptable harm to the appearance of the landscape, conservation interests, public amenity or highway safety, for example. When we take formal action it must be proportionate with the breach of planning control and be clear that resolving the breach would be in the public interest.
4. The National Planning Policy Framework states that Local Planning Authorities (LPAs) should consider publishing a Local Enforcement Plan to manage enforcement proactively, in a way that is appropriate to their area. In March 2014 we published our Local Enforcement Plan, which sets out what breaches of planning control are, how potential breaches can be reported to the Authority, what matters may or may not be investigated and our priorities for investigation and action. It also outlines the tools that are available to us to resolve any breaches. The Local Enforcement Plan is available on the Authority's website.

RECOMMENDATION:

That the report be noted.

Summary of Activity 2021-22

5. Notices issued

21/0034 Land at Thornbridge Hall Ashford in the Water Bakewell	Erection of a building, construction of driveways and a car park, laying of hardsurfacing and erection of fences (including gateways and stiles)	Enforcement Notice issued 25 May 2020 – due to come into effect 5 July 2021 – Notice withdrawn 15 June 2021 and replacement Notice issued (see below)
15/0028 Land at 'The Stone Yard' On the junction of Stanedge Road and Sheldon Lane Bakewell	Change of use from an architectural salvage and storage yard (B8) to importation, processing and sale of stone (B2) and deposit of waste materials generated by the unauthorised use	Enforcement Notice issued 9 June 2021 – due to come into effect 23 July 2021 but appeal lodged – appeal dismissed (see below)

21/0034 Land at Thornbridge Hall Ashford in the Water Bakewell	Erection of a building, construction of driveways and a car park, laying of hardsurfacing and erection of fences (including gateways and stiles)	Enforcement Notice issued 15 June 2021 – due to come into effect 23 July 2021 but appeal lodged – public inquiry on 26-29 April 2022
21/0081 Charlotte Cottage Charlotte Lane Bradwell	Construction of a porch	Enforcement Notice issued 16 August 2021 – came into effect 8 October 2021 – notice complied with

6. Appeals determined

19/0218 Home Farm Main Street Sheldon	Excavation of the land and construction of foundations and walls	Enforcement Notice issued 16 October 2020 – appeal dismissed 24 May 2021 – compliance dates 24 August 2021 (demolish foundations and walls and remove materials) 24 October 2021 (backfill and reinstate excavated ground)
15/0057 Land at Mickleden Edge Midhope Moor Bradfield	Engineering operations consisting of the laying of geotextile matting and wooden log 'rafts' to form a track	Enforcement Notice issued 21 September 2018 - appeal dismissed 8 November 2021 – compliance dates 8 November 2022 (remove track, spread heather brash and plant sphagnum moss plugs) 8 May 2025 (spray herbicide over areas with more than 30% grass cover and spread heather brash over areas of grass or bare peat)
15/0028 Land at 'The Stone Yard' On the junction of Stanedge Road and Sheldon Lane Bakewell	Change of use from an architectural salvage and storage yard (B8) to importation, processing, storage and sale of stone (B2) and deposit of waste materials generated by the unauthorised use	Enforcement Notice issued 9 June 2021 – appeal dismissed 7 March 2022 – compliance dates 7 December 2022 (cease use and remove plant and machinery, cutting equipment etc) 7 March 2023 (remove waste stone and silt and return land to original levels and condition)

Workload and performance

7. This section of the report summarises the team's performance over the last year. We have resolved 124 breaches in the past year, which is only slightly down on the figure of 128 for the previous year but is below our target of 150 in the Service Delivery Plan. This is due to a number of vacancies in the team throughout the year, some of which have only recently been filled. We have also had to devote significant time and resources to three high profile appeals being determined by way of public inquiry which has impacted on our ability to progress other casework.
8. The number of new breaches found decreased from 132 in 2020/21 to 102 in 2021/22. As a result of our stronger performance in the first half of the year, when we had fewer vacancies, the number of outstanding breaches at year end has fallen from 653 to 627.
9. Despite the significant difficulties experienced over the last year we have maintained a relatively good performance on dealing with enquiries. We have investigated 408 enquiries in the past year and 64% of these have been investigated within 30 working days against our target of 80%. The number of enquiries received has reduced from 529, in 2020/21, to 408. The net result is that the number of enquiries outstanding at the end of the year has increased from 145 to 188.
10. The table below summarises the position at year end (31 March 2022). The figures in brackets are for the previous year (2021/22).

	Received	Investigated/Resolved	Outstanding At Year End
Enquiries	408 (529)	408 (459)	188 (145)
Breaches	102 (132)	124 (128)	627 (653)

11. Breaches resolved in the latest quarter (January – March 2022)

20/0074 4 The Marshes Hope Hope Valley	Construction of access onto classified road	Immune from enforcement action
21/0080 The Barn Elkstones Longnor	Breach of condition on NP/SM/1117/1144 (conversion to holiday let) – requires implementation and maintenance of bird roosting features.	Condition complied with
22/0005 Outrake House Main Street Little Longstone	Installation of an air sourced heat pump	Not expedient to take enforcement action

21/0110 The Lazy Trout Blackshaw Lane Meerbrook Leek	Breach of condition on NP/SM/0121/0098 (Erection of gazebo) – requires no speakers or other means of amplification of voice or music	Condition complied with
21/0114 27 Riverside Crescent Bakewell	Erection of a satellite dish	Not expedient to take enforcement action
21/0067 Hope Valley College Castleton Road Hope	Unauthorised signage	Not expedient to take enforcement action
21/0079 Torgate Farm Old Buxton Road Macclesfield Forest	Change of use to camping/caravan site	Use ceased
21/0072 Larkrise Saltergate Lane Bamford	Erection of wall and pillars	Not expedient to take enforcement action
20/0066 Middle Farm Wheston Near Tideswell	Erection of stables and construction of manege	Planning permission granted
21/0053 Wood Yard Hassop Road Calver	Untidy Land and possible change of use to processing scrap metal	Site cleared
22/0006 St. Annes Cottage Dale Road Over Haddon	Alterations to outbuilding, construction of hardstanding and new access	Permitted development
22/0023 South Lodge Hassop Road Hassop	Listed building – installation of lights and CCTV cameras on listed gateway	Lights and cameras removed
15/0045 Five Acres Farm Narrowgate Lane Wardlow	Creation of access and construction of track	Immune from enforcement action

15/0071 Land south of B6050 Eastmoor Chesterfield	Erection of two stables	Immune from enforcement action
17/0037 Adjacent to Heather Croft Sheffield Road Hathersage	Erection of horse shelter	Immune from enforcement action
17/0060 2 Lyndhurst The Hills Bradwell Hope Valley	Erection of shed and partial removal of wall in conservation area	Immune from enforcement action
17/0084 Brough Cottage Brough Bradwell Hope Valley	Construction of access, driveway and parking space	Immune from enforcement action
20/0069 B5057 Between Winster and Wensley	Widening of access onto classified road	Planning permission granted
21/0076 Town End Cottage Main Street Sheldon	Siting of shepherds hut for use as holiday let	Planning permission granted
20/0036 Fallows End Folds Lane Calver	Dwelling has not been constructed in accordance with the approved plans (NP/DDD/0914/1002)	No breach of planning control - only minor differences
21/0084 Trogues Farm Main Road Wensley	Excavation of pond and installation of 'bladder tank'	Planning permission granted

Report Author: Andrew Cook, Monitoring & Enforcement Team Manager, 31st March 2022

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

1. **APPEALS LODGED**

The following appeals have been lodged during this month.

<u>Reference</u>	<u>Details</u>	<u>Method of Appeal</u>	<u>Committee/ Delegated</u>
NP/SM/1020/0992 3278080	Listed Building Consent – Repair, reinstatement and restraint to the east gable of the halls to include use of structural members in the form of reinforcement/straps and bracketry at Alstonefield Hall, Church Street, Alstonefield	Hearing	Delegated
NP/DDD/1220/1144 3288960	Proposed creation of parking area for dwelling from agricultural field at Hillcrest, Stanedge Road, Bakewell	Written Representations	Committee

2. **APPEALS WITHDRAWN**

The following appeal was withdrawn during this month.

NP/SM/1020/0992 3278080 Listed Building Consent now agreed.	Repair, reinstatement and restraint to the east gable of the hall to include isolated use of structural members in the form of reinforcement/straps and bracketry at Alstonefield Hall	Hearing	Delegated
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3. **APPEALS DECIDED**

The following appeals have been decided during this month.

<u>Reference</u>	<u>Details</u>	<u>Method of Appeal</u>	<u>Decision</u>	<u>Committee/ Delegated</u>
NP/DDD/1120/1118 3281312	Double garage and store at Coach House, Slaley, Bonsall	Written Representations	Dismissed	Delegated
The Inspector considered that the proposal would harm the character and appearance of the area and would be contrary to DMC3 of the Development Management Policy and GSP1 and GSP3 of the Core Strategy. The appeal was dismissed.				
NP/HPK/0221/0197 3282831	Conversion of garage to kitchen, construction of single storey rear extension and enlargement of existing structural opening to side extension at Tower Cottage, Moorfield, Glossop	Written Representations	Dismissed	Delegated

The Inspector considered that the alterations to the window in the side gable and the Juliet balcony would detract from the character and appearance of the host property as a non-designated heritage asset. The appeal was dismissed.

ENF 15/0028 3279503	Material change of use of the land and buildings form an architectural salvage and storage yard to a use for the importation, processing and sale of stone and the deposit of waste materials at The Stone Yard, Junction of Stanedge Road and Sheldon Lane, Bakewell	Written Representations	Dismissed and Enf Notice Upheld with Variation	Delegated
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The Inspector considered that the development had an unacceptable harmful effect on the local environment with particular reference to noise and disturbance. It also conflicted with GSP1 of the Core Strategy and DMC14 of the Development Management Policies as well as the NPPF. The Inspector noted that the outdoor yard to the north of the buildings was clearly visible, and that although attempts to screen the machinery etc were taking place, they were not particularly successful as the landscaping was not dense or well established. The appeal was dismissed and the Enforcement Notice upheld with a variation to the time limit for the removal of the deposited waste and silt as well as the plant and machinery.

NP/DDD/0421/0473/ 3279746	Remodel and extension of existing dwelling without complying with a condition attached to planning permission dated 7 th January 2021 at White Edge, The Bent, Curbar	Written Representations	Allowed	Delegated
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The Inspector considered that the condition, which required a smaller window to the master bedroom was not necessary, and if the Authority had considered that a smaller window to be necessary, then it should have sought amended plans during consideration of the application. The appeal was allowed.

NP/DDD/0221/0219 3286390	Building over a garage, rear extension, roof windows, work to garden and boundaries at High Riding, Coggers Lane, Hathersage	Householder	Dismissed	Delegated
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The Inspector considered that although the proposed development would not cause unacceptable harm to the character and appearance of the host property and surrounding area, it would cause unacceptable harm to the living conditions of the neighbours. The appeal was dismissed.

4. **RECOMMENDATION:**

To note the report.