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Peak District National Park Authority

Tel: 01629 816200

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

Web: www.peakdistrict.gov.uk

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



Our Values: Care – Enjoy – Pioneer

Our Ref: A.1142/3078

Date: 31st May 2022



NOTICE OF MEETING

Meeting: **Planning Committee**

Date: **Friday 10 June 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 13 May 2022** *(Pages 5 - 14)*
3. **Urgent Business**
4. **Public Participation**
To note any questions or to receive any statements, representations, deputations and petitions which relate to the published reports on Part A of the Agenda.
5. **Full Application - Erection of a pair of semi detached affordable local needs dwellings at land off Recreation Road, Tideswell (NP/DDD/0222/0190, AM)** *(Pages 15 - 28)*
Site Plan
6. **Full Application - Erection of agricultural building at Hurst Nook Cottage, Derbyshire Level (NP/HPK/0322/0394, AM)** *(Pages 29 - 38)*
Site Plan
7. **Full Application - Works to enable use of existing campsite barn as visitor reception with ancillary food and drink sales, (camping barn retained), and installation of a wood burner flue, recessed glazing to barn doors, glazed door to north elevation, ecological mitigation and alterations to site drainage. Upper Booth Farm campsite (NP/HPK/1121/1197, KW)** *(Pages 39 - 48)*
Site Plan
8. **Full Application - Re-Levelling and new drainage to the 2 existing soccer pitches. Additional car parking spaces and amendment to the previous consented pavilion application NP/HPK/0320/0284 at Hayfield Football and Community Sports Club at land off Bank Vale Road, Hayfield (NP/HPK/1021/1118, KW)** *(Pages 49 - 60)*
Site Plan
9. **Full Application - To install 4 additional picnic benches on top of the existing 4 for additional seating used by the cafe at Millers Dale Station, unnamed road from Glebe Farm to B6049, Millers Dale (NP/HPK/0621/0709, SW)** *(Pages 61 - 66)*
Site Plan
10. **Full Application - Installation of Shepherds Hut for two people, located to the side of an existing silage pit at Barker Fields Farm, Horse Lane, Sheldon (NP/DDD/0222/0194, SC)** *(Pages 67 - 74)*
Site Plan
11. **Householder Application - Proposed extension of dwelling at Swallow End, Rowsley (NP/DDD/0122/0068 MN)** *(Pages 75 - 82)*
Site Plan

12. **Full Application - Proposed extension to dwelling at The Orchards, Monsdale Lane, Parwich (NP/DDD/0921/0990, SC)** (Pages 83 - 92)
Site Plan
13. **Annual Report on Planning Appeals 2021/2022 (A.1536/AM/BT/KH)** (Pages 93 - 100)
Appendix 1

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 P Brady
Cllr D Chapman	Ms A Harling
Cllr A Hart	Cllr I Huddleston
Cllr A McCloy	Cllr Mrs K Potter
Cllr V Priestley	Cllr D Murphy
Cllr K Richardson	Cllr J Wharmby

Other invited Members: (May speak but not vote)

Mr Z Hamid	Prof J Haddock-Fraser
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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 13 May 2022 at 10.00 am

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

Chair: Mr R Helliwell

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

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

43/22 ROLL CALL OF MEMBERS PRESENT, APOLOGIES FOR ABSENCE AND MEMBERS' DECLARATIONS OF INTEREST

Item 5 & 6

Cllr Potter expressed a personal interest as she was a Member of the RSPB.

Item 8

Cllr Potter expressed a personal interest as she had been a customer there.

Item 10

Cllr Chapman declared a personal interest as he was a friend of one of the speakers.

Mr Helliwell declared a personal and prejudicial interest so would leave the room when this item was being discussed.

Item 11

Most Members had received an email from the neighbour of the applicant.

Cllr McCloy declared that he had visited the residents of Parwich regarding the original application in 2019, but had expressed no views on the current application and had not predetermined the item.

44/22 MINUTES OF PREVIOUS MEETING OF 8TH APRIL 2022

The minutes of the last meeting of the Planning Committee held on 8th April 2022 were approved as a correct record, subject to the following amendments:-

Minute 36/22

That the wording be amended to read “The Head of Planning introduced the report and reminded Members that the previous application had been refused on policy grounds at a previous Planning Committee in 2021, although Members at that time had been minded to approve the previous application it had been brought back to this Committee with minor amendments to the scheme”

Minute 36/22

Members questioned the wording of the resolution of the minute, and it was agreed that the words “and Policy L1” be removed.

Minute 37/22

That the word “Committee” be added to the resolution so it reads “To APPROVE the application contrary to the Officer recommendation with final agreement of conditions delegated to the Head of Planning in consultation with the Chair and Vice Chair of Planning Committee was voted on and carried”.

Minute 39/22

That the number “12”. be added before the Condition text following condition number 11.

45/22 URGENT BUSINESS

There was no urgent business.

46/22 PUBLIC PARTICIPATION

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

47/22 CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2017 - ESSENTIAL SAFETY WORKS TO RESERVOIR DAM INCLUDING REMOVING THE AUXILIARY SPILLWAY, REPLACEMENT OF THE PRIMARY SPILLWAY AND WORKS TO EXISTING WAVE WALL, LEGALLY REQUIRED AS MEASURES IN THE INTEREST OF SAFETY UNDER THE RESERVOIRS ACT AT SWELLANDS RESERVOIR OFF THE A62 HUDDERSFIELD ROAD, DIGGLE, SADDLEWORTH (NP/K/0322/0346, JK)

Item 5 was dealt with at the same time as Item 6 but the votes were taken separately. Please see full minute in detail in minute 48/22.

A motion to approve the recommendation, was moved and seconded, and a vote was taken and carried.

RESOLVED:

1. 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 2017 (as amended) in relation to the proposal for the carrying out of essential safety works to Swellands reservoir dam, including removing the auxiliary spillway, replacement of the primary spillway and works to existing wave wall.

48/22 FULL APPLICATION - ESSENTIAL SAFETY WORKS TO RESERVOIR DAM INCLUDING REMOVING THE AUXILIARY SPILLWAY, REPLACEMENT OF THE PRIMARY SPILLWAY AND WORKS TO EXISTING WAVE WALL, LEGALLY REQUIRED AS MEASURES IN THE INTEREST OF SAFETY UNDER THE RESERVOIRS ACT AT SWELLANDS RESERVOIR OFF THE A62 HUDDERSFIELD ROAD, DIGGLE, SADDLEWORTH (NP/K/0322/0346, JK)

The reports for Item 5 and 6 were introduced by the Head of Planning who outlined the reasons for adoption and approval as set out in the reports.

The Head of Planning informed Members that since the report had been published, further comments had been received from the RSPB which were on the Authority's website.

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

The Head of Planning informed Members that the application formed part of the same package of measures that was approved in March 2022. For the purposes of the assessment of likely significant effect on the South Pennine Moors SAC, any adverse effects of the proposal are those arising from the combined proposal for the creation of a track under application NP/O/1221/1393 for which derogation had now been granted by the Secretary of State, on the basis that the necessary compensatory measures would be secured, so that there is unlikely to be an adverse effect on the integrity of the SAC. There was no need to refer the matter to the Secretary of State for final approval.

Additional Ecology Conditions were proposed by the Head of Planning in response to RSPB comments.

Furthermore, a Grampian-style condition was proposed to recognise the in-combination nature of impacts arising from the full package of measures and formalise the linkage to the off-site compensatory mitigations agreed through the approval of the track which will serve Black Moss and Swellands reservoirs.

Such a condition would have the effect that no works shall take place until the compensation scheme approved under application NP/O/1221/1393 had been completed. Input at the meeting from Tania Snelgrove, from the Canals and Rivers Trust suggested some flexibility should be incorporated to allow for aftercare works to be fully completed.

The following spoke under the public participation at meeting scheme:-

- Mr D Prisk – Canal & River Trust, Applicant

Members noted that 2 National Trails went right through the site and reminded the applicant that they needed to bear this in mind with other users on the trails. Members asked why the car park was being closed and whether alternative car parking could be found? Tania Snelgrove from the Canal & River Trust reported that the car park had to be closed to allow space for the construction compound, and that they were currently

looking at potential sites for alternative car parking. A possible site had been found, and they were having discussions with Kirklees Council as the land was in their ownership

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

RESOLVED:

That the application be APPROVED 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) Submit and agree samples of materials to be used for new walls, facings and surfacing.**
- 4) Submit and agree details of replacement footbridge.**
- 5) Carry out restoration works in accordance with agreed timetable.**
- 6) 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.**
 - 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.**
- 7) Ecology conditions:**
 - a) No development to take place until an Environmental Management Plan has been submitted and approved.**

The Environmental Management Plan to provide details of the following:

- All mitigation measures to be taken.**
- Details of the Ecological Watching Brief for works with potential to affect designated habitats and breeding birds.**
- Ongoing surveys to further inform the effectiveness of the mitigation measures.**
- Details of mitigation measures to reduce moderate adverse effect in respect of potential disturbance to/displacement of specific moorland breeding birds at the construction stage**
- b) Development to be carried out in conformity with the approved scheme**

- 8) No works shall take place until the compensation scheme required under a section 106 agreement made pursuant to application NP/O/1221/1393 have been approved and undertaken to an agreed plan and timeframe (but for the purposes of this condition this timeframe need not include defect rectification and aftercare).**

49/22 FULL APPLICATION - ERECTION OF A PAIR OF SEMI-DETACHED AFFORDABLE LOCAL NEEDS DWELLINGS AT LAND OFF RECREATION ROAD, TIDESWELL (NP/DDD/0222/0190, AM) - ITEM DEFERRED

This item was deferred.

50/22 FULL APPLICATION - INSTALLATION OF SOLAR PANELS WITH 4 NO 44 PANEL ARRAYS AT LAND BEHIND TAGG LANE GRANGE, TAGG LANE, MONYASH (NP/DDD/0122/0035, SC)

Members had visited the site the previous day.

The Planning Officer introduced the report and informed Members that alternative sites had been looked at previously, and although the scheme had been reduced from the previous application, it was felt that it should still be refused on the grounds that the proposal would have a visual impact on the landscape character of the area.

Cllr Richardson left the meeting at 10:57 and returned at 11:08.

The following spoke under the public participation at meeting scheme:-

- Mr L Boam – Applicant

Members noted that the Authority's Landscape Officer had raised no landscaping objections to the application.

The Members considered that the visual impact was negligible but asked for a condition regarding the panels being coated in a non-reflective coating to reduce the prominence.

The Planning Officer suggested additional appropriate conditions including the standard time limit, the development to be carried out in accordance with submitted plans and that a landscaping scheme be agreed and that the panels be removed when no longer used.

A motion to approve the application with conditions, contrary to the Officer recommendation was moved, seconded, and a vote was taken and carried.

RESOLVED:

That the application be APPROVED subject to the following conditions:

1. Standard 3 year time limit.
2. Carry out in accordance with submitted plans.
3. Landscaping scheme to be agreed.
4. The finish of the panels to be agreed.
5. Panels to be removed when no longer used.

The meeting adjourned at 11:25 and reconvened at 11:35

Cllr Saeed left the meeting at 11:25

51/22 FULL APPLICATION - CHANGE OF USE OF LAND AND ERECTION OF BUILDING FOR CLASS E PURPOSES (PREVIOUSLY WITHIN CLASS B1), AT THE OLD SCRAP YARD UNNAMED SECTION OF A515 FROM MAIN ROAD TO BACK LANE, BIGGIN (NP/DDD/1221/1378, ALN)

Members had visited the site the previous day.

The Planning Officer introduced the report and amendments to conditions, including changing of condition 5 to secure additional landscaping, condition 6 to secure surfacing material, and a further condition to clarify that specific previously existing walls are not to be rebuilt.

The Planning Officer informed Members that a Lawful Development Certificate (LDC) was granted in 2011 for a scrapyards, and that this application for a change of use to an office/warehouse would have a lesser impact on the landscape and would be more screened with extra landscaping.

The following spoke under the public participation at meeting scheme:-

- Mr S Davies – Applicant

Members asked whether a contamination check on the soil needed to be done as it was a scrap yard, but the Planning Officer considered that this was not necessary as most of the work that had been carried out previously had been done on a concrete standing.

A motion to approve the application in accordance with the Officer recommendation and amendments to conditions 5 & 6 and the additional conditions regarding walling was moved and seconded, and a vote was taken and carried.

RESOLVED:

That the application be APPROVED subject to the following conditions:

- 1. 3 year implementation time limit.**
- 2. Adopt amended plans.**
- 3. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) the site shall be used for office (use class E (g)) and/or storage/warehousing (use class B8) only and for no other use within the Use Classes Order. There shall be no retail sales from the site.**
- 4. The use hereby permitted shall be limited only to the triangular shaped area to the north west of the new boundary wall that runs north east to south west to the north of the proposed tree planting area. There shall be no storage of materials or other equipment associated with the approved use on land in ownership outside of this area.**
- 5. Amended landscaping scheme to be submitted, approved and implemented. To include additional planting to northwest and west of buildings and to include details of soil improvement works. The new boundary feature that runs along the south east side of the parking and manoeuvring area shall be a 1.2m high continuous limestone drystone wall**

(not a post and wire fence as annotated on approved plan no. 2124-01 Rev E).

6. Before any other works commence, the first 10m of the private access road from A515 to be widened to 5 metres (within the confines of and without demolition of the flanking drystone walls), and hard surfaced unless otherwise agreed.
7. Passing place and parking and manoeuvring space all as shown on the approved plans to be provided before the premises is first brought into use and retained for the life of the development.
8. The land in advance of visibility sightlines extending from a point 2.4m from the carriageway edge, measured along the centre line of the access to the extremities of the site frontage abutting the highway in each direction shall be maintained in perpetuity clear of any object greater than 1m in height (0.6m in the case of vegetation) relative to the adjoining nearside carriageway channel level.
9. Landscape management plan to be submitted and agreed for existing trees on the site.
10. There shall be no gates or other barriers within 5m of the nearside highway boundary, and any gates shall open inwards only.
11. There shall be no 'daylight panels' on the south elevation of the single storey element of the building.
12. The solar pv panels shall be matt black with black framing and shall have a matt, non-reflective finish.
13. Before the premises is first brought into use an ecological management plan for the surrounding land in ownership shall be submitted to and agreed by the National Park Authority.
14. Bird nesting boxes to be provided in accordance with the submitted ecological appraisal.
15. Before the premises is first brought into use a scheme for environmental management measures on land in the applicant's ownership and control shall be submitted to and agreed in writing by the National Park Authority.
16. External lighting scheme to be submitted and agreed.
17. The sheeting for the sides and roof of the building shall be dark green.
18. Former walls as shown on the proposed block plan are not to be rebuilt.
19. Submission of plans showing re-alignment of new drystone wall to avoid root area of existing retained tree.

52/22 FULL APPLICATION - TO RE-POINT RATHER THAN RE-RENDER THE EAST AND NORTH WALLS OF THE CHAPEL. TO BUILD A WHEELCHAIR ACCESSIBLE PATHWAY (1200MM WIDE) FROM THE END OF THE EXISTING PAVED PATH IN FRONT OF THE CHAPEL TO THE PROPOSED ACCESSIBLE TOILET FACILITIES IN THE REAR OFFSHOT. TO BUILD A LOW RETAINING WALL BEHIND THE CHAPEL ALONGSIDE THE NEW PATH TO PROTECT THE BACK WALL FOUNDATION (WHICH IS AT A HIGHER LEVEL). FITTING A STOVE, THE FLUE PIPE OF WHICH WOULD PROJECT THROUGH THE CHURCH GABLE (WEST) THEN UP THROUGH THE REAR SLOPE OF THE SCHOOLROOM (AND THEREFORE NOT VISIBLE FROM THE FRONT). THE CREATION OF AN EASILY ACCESSIBLE, COMMUNAL REAR GARDEN. CREATION OF A SMALL CAR PARKING AREA AT THE FRONT LEFT OF THE BUILDING. THIS WOULD INVOLVE MOVING AND WIDENING THE EXISTING GATE POSTS AT EDALE METHODIST CHURCH, BARBER BOOTH, EDALE (NP/HPK/0521/0508, WE)

Mr Helliwell left the meeting for this item due to a personal and prejudicial interest. Mr Smith took over the role of Chair.

The Planning Officer introduced the report and informed Members that the Authority's Archaeologist had no concerns to the amended proposals.

The following spoke under the public participation at meetings scheme:-

Ms C Jackson – Supporter
Rev J Letts – Supporter
Ms K Burnett – Project Co-Ordinator, Supporter

Members considered that the Chapel was an important building to the community and it was important that it was maintained and improved, and having a dedicated car park for Chapel users addressed some of the concerns and objections that had been received regarding roadside parking.

The Planning Officer suggested that the use of external lighting in the car park be controlled by an extra condition.

A motion to approve the application in accordance with the Officer recommendation, subject to an additional condition regarding external lighting, was moved and seconded, and a vote was taken and carried.

RESOLVED:

That the application be APPROVED subject to the following conditions:

- 1. 3 year implementation time limit.**
- 2. Adopt submitted plans**
- 3. Prior to commencement of work to the gritstone wall, a Method Statement for the creation of a new access shall be submitted and approved to the LPA. The development shall then be carried out in accordance with the approved details.**
- 4. Prior to commencement of works to the gritstone wall, a scheme of protection measures to ensure the burial plot and headstones are not**

impacted by the proposed carparking area to be submitted and approved by the LPA. The development shall then be carried out in accordance with the approved details.

5. At commencement of works, space shall be provided for storage of plant in accordance with designed to be submitted to LPA. The development shall then be carried out in accordance with the approved details.
6. New access to be formed in accordance with approved plans, laid out, constructed and maintained in perpetuity free from any impediment.
7. The entire site frontage shall be cleared, and maintained thereafter, clear of any obstruction exceeding 1m in height in order to maximise visibility available to drivers emerging from access.
8. The proposed area within the curtilage of the application site shall be used for the parking, turning, loading and unloading of vehiculars clear of the fronting road and shall be maintained free of any impediment to its designated use.
9. The re-pointing of the western and northern elevations of the Chapel shall be carried out in accordance with the Method Statement received by the authority on 26/04/2022.
10. Notwithstanding what is shown on the approved plans, this application does not grant consent for the air source heat pump as shown on 0115-02/9D.
11. Notwithstanding what is shown on the approved plans, the pathway from the pedestrian gate to the Chapel door shall be surfaced in Breedon Wayfarer following the specification received by the authority on 14th March 2022.
12. Archaeology conditions setting out a requirement for a watching brief to be agreed.
13. No external lighting shall be installed except in accordance with a detailed scheme to be submitted and agreed in writing by the Authority.

53/22 FULL APPLICATION - S.73 PLANNING APPLICATION FOR VARIATION OF CONDITION 2 ON NP/DDD/0419/0399 AT ORCHARD FARM, MONSDALE LANE, PARWICH (NP/DDD/1021/1143, SC)

Mr Helliwell returned to the meeting and resumed as Chair.

The Planning Officer introduced the report which was to vary Condition 2 of a permission approved in 2019.

Members considered whether the use of solar panels would be sensitive to the Conservation Area and asked whether the Planning Officer could simplify the arrangement of the panels by condition which the Officer agreed would be possible.

A motion to approve the application in accordance with the Officer recommendation with an additional condition to secure the appearance and arrangement of the panels to a simpler form was moved and seconded, and a vote was taken and carried.

RESOLVED:

That the application be APPROVED subject to repeating across all other outstanding conditions from the original decision, and including additional conditions to secure the appearance of the solar panels, including amendment to their arrangement to simplify the appearance.

54/22 HEAD OF LAW REPORT - PLANNING APPEALS

The Head of Planning introduced the monthly report on planning appeals lodged, withdrawn and decided, and in particular the Appeal at Oulds Barn in which the Planning Inspector had granted the application which had been refused by Planning Committee. The Head of Planning felt that the Inspector had not given sufficient weight to the National Park designation and the openness of the landscape, and was therefore intending to write to the Inspectorate to highlight these issues.

RESOLVED:-

To note the report.

The meeting ended at 12.50 pm

5. FULL APPLICATION – ERECTION OF A PAIR OF SEMI DETACHED AFFORDABLE LOCAL NEEDS DWELLINGS AT LAND OFF RECREATION ROAD, TIDESWELL (NP/DDD/0222/0190, AM)

APPLICANT: MR & MRS BATES

Summary

1. The site is part of an agricultural field on the northern edge of Tideswell off Recreation Road.
2. The application proposes two affordable houses to be first occupied by the applicant's sons.
3. The application does not demonstrate that the proposed first occupants have a local qualification or that there is a proven need for the dwelling. The proposed dwellings would also not be affordable by size or type or meet the stated need of the first occupants.
4. The application is recommended for refusal.

Site and Surroundings

5. The site is located in an agricultural field on the northern edge of Tideswell adjacent to the dwellings on Recreation Road and the recreation ground.
6. The site and wider field is open pasture bounded by drystone walling. The nearest neighbouring properties are 34 and 35 Recreation Road to the south of the site.
7. There is an existing field access to the site at the end of Recreation Road.

Proposal

8. The application is for the erection of two 3 bedroom affordable houses on the site. The dwellings would be first occupied by the applicants' two sons.
9. The dwelling would be sited in the southern part of the field adjacent to the dwellings on Recreation Road. Access would be taken from Recreation Road for each of the two dwellings and a new field access would be created.
10. The dwellings would be two storey, semi-detached properties constructed from stone and slate with uPVC windows with stone heads and cills. Each dwelling would have a gross internal floor area of 97m² plus an attached single garage. Solar photovoltaic panels are proposed roof to the front elevation.

RECOMMENDATION:

That the application be REFUSED for the following reasons

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

Key Issues

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

History

11. None relevant.

Consultations

12. Parish Council – Support the plans as keen to encourage affordable housing. The plans are also well designed.
13. Highway Authority – No objection subject to conditions and makes the following comments:
 14. *“The application site is located Recreation Road which is a unclassified road subject to a 30mph speed limit, whilst the proposed development will intensify the use of the existing field/vehicular access, the access is located on a cul-de-sac and benefits from acceptable emerging visibility onto Recreation Road, therefore, any increase in traffic generation the proposal may generate is unlikely to lead to any severe safety issues associated with the access.*
 15. *It should be noted that should there be any further proposed development on the land adjacent to Recreation Road, any access road/street would unlikely be adopted as publicly maintainable highway and an intensification of vehicular use associated with the existing access above what is currently proposed would likely be open to highway objection.*
 16. *Typically, off-street parking bays should be demonstrated by dimensions, however, the Proposed Site Plan demonstrates sufficient space within the site to accommodate 2no off-street parking bays to serve each dwelling, therefore, it is considered the appropriate dimensions can be secured by condition.*
 17. *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.*
 18. *The proposed integral garages are below recommended dimensions, single vehicular garages should have minimum internal dimensions of 3.0m x 6.0m, therefore, the applicant may wish to increase the size of the garages in order to be used for the parking of vehicles.*
 19. *No details have been submitted regarding the storage of bins and collection of waste, an area of adequate dimension for standing of waste bins on refuse collection days should be provided adjacent to, but not within, the public highway to serve the proposed dwellings.”*
20. District Council – No response to date.
21. Natural England – No response to date.
22. PDNPA Archaeology – Awaiting response.
23. PDNPA Ecology – No objection subject to conditions and makes the following comments:

24. *"The site was surveyed on 01/11/2021 and is semi improved grassland with some flowering plants, and a building providing some nesting opportunities for song birds. The report states that Swifts have been recorded within 1km.*
25. *The recommendations in the report covering lighting, protection of birds, bats and hedgehogs should be carried out in full.*
26. *I would recommend that within the area of both new dwellings two general purpose nest boxes be erected, native species are used in any landscaping and each garden has a wildflower area created on low nutrient material to compensate for loss of habitats. Also by way of ecological enhancement each house should have two swift boxes attached just below the roof line."*
27. PDNPA Policy –
28. The Policy Team Officer notes that the supporting statement from the agent sets out that the proposal is for two local need houses for returners and that the applicant would enter into a S106 to limit the sale to those who can satisfy the local connections requirements which they feel would likely reduce open market value by approximately 30%.
29. The Policy Response makes the following detailed comments;
- "Both properties would have internal floor areas of 97sqm in size, the maximum size allowance for a 5 persons bed space property. This does not include the addition of a garage. A garage is a feature that would affect the affordability of the property in the longer term and it is recommended that it be removed from the application. The applicant themselves have demonstrated in their D&A statement the unaffordability of property in the area to justify their need to build. This issue applies to everyone seeking to remain in the locality; the addition of a garage would only exacerbate this issue when the time came to sell the property, which the applicant would be entitled to do after 3 years.*
30. *Moving on to the size of the proposed dwellings. The dwellings are to accommodate a two person family and a 3 person family. In accordance with DMP policy DMH1 the gross internal floor area should be limited to 58m2 and 70m2 respectively to be in line with the applicants' existing need. The Planning Committee have approved a Policy DMH1 Practice Note to afford some flexibility for applicants and to address the tension between what an applicant would like and what their current need is. For 2 people, this would increase the bed space size allowance to 70m2 and for 3 people this would increase the bed space allowance to 97m2. There is capacity to amend the scheme to address the above size threshold requirements.*
31. *With regards to the acceptability of the location of the development, it is on the edge of the settlement in accordance with Core Strategy DS1. However, whether this is an acceptable 'on the edge of settlement' location in landscape terms to accord with Core Strategy policy L1, needs to be determined through the Landscape Strategy and advice from the Landscape Officer.*
32. *The applicant references planning permission DDD/0421/0433, which was approved by Planning Committee as giving 'carte blanche' to all applications for local needs housing to be of the maximum allowance plus garaging. Each planning application is assessed on its own merits and the applicant fails to acknowledge the appeals that have been dismissed for similar proposals in which the Inspector supported the Authority's position on restricting the size of affordable properties and the more recent policy position the Planning Committee has agreed to in the Policy DMH1 Practice Note, both of which are relevant to determining this application."*

Representations

33. We have received two letters to date. One letter supports the application and the other objects. The material planning reasons are summarised below.

Support

- This is a very sensible proposal and a good location for two much needed affordable homes.

Objection

- The access into the site is not wide enough to take extra traffic. The width at the top of the road is 3m which is the same as waste disposal wagons, therefore creating concerns regarding parking and access for the top 3 houses.
- Query if current drainage and utilities on Recreation Road able to accommodate more houses.
- Query if the application could result in additional houses in the future.

Main Policies

34. Relevant Core Strategy policies: GSP1, GSP3, GSP4, DS1, CC1, HC1, L1 and L2
35. Relevant Development Management policies: DMC3, DMC4, DMC11, DMC12, DMC14, DMH1, DMH2, DMH3, DMH11, DMT3, DMT8, DMU1 and DMU2.

National Planning Policy Framework

36. 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.
37. Para 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.'
38. Para 78 states that in rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs.
39. The NPPF defines rural exceptions site as small sites used for affordable housing in perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection.

Peak District National Park Core Strategy

40. Policy DS1 sets out the Development Strategy for the National Park. Part D says that in named settlements such as Tideswell there is additional scope to maintain and improve the sustainability and vitality of communities. In or on the edge of these settlements amongst other things new building development for affordable housing is acceptable in principle.
41. 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.
42. 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). GSP1 also sets out the need for sustainable development and to avoid major development unless it is essential, and the need to mitigate localised harm where essential major development is allowed.
43. 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.
44. 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.
45. 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.
46. Policies L1, L2 and L3 require development to conserve and where possible enhance the landscape, biodiversity and cultural heritage of the National Park. Development which has a harmful impact should not be approved unless there are exceptional circumstances.

Development Management Policies

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

48. Policy DMH1 – New Affordable Housing

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

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

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

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

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

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

49. Policy DMH2 First occupation of new affordable housing

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

- (i) a person (and his or her dependants) who has a minimum period of 10 years permanent residence in the Parish or an adjoining Parish inside the National Park and is currently living in accommodation which is overcrowded or otherwise unsatisfactory; or
- (ii) a person (and his or her dependants) not now resident in the Parish but having lived for at least 10 years out of the last 20 years in the Parish or an adjoining Parish inside the National Park, and is currently living in accommodation which is overcrowded or otherwise unsatisfactory; or
- (iii) a person who has an essential need to live close to another person who has a minimum of 10 years residence in a Parish inside the National Park, the essential need arising from infirmity.

50. 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.

51. 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.

52. Policy DMC4. A says that planning applications should provide sufficient information to allow proper consideration of the relationship between a proposed development and the settlement's historic pattern of development including the relationship of the settlement

to local landscape character. The siting of the development should complement and not harm the character of these settlements.

53. Policy DMC11. A says that proposals should aim to achieve net gains to biodiversity or geodiversity as a result of development. In considering whether a proposal conserves and enhances sites, features or species of wildlife, geological or geomorphological importance all reasonable measures must be taken to avoid net loss.
54. 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.
55. Policies DMT3 and DMT8 require development to be provided with adequate off-street parking and safe access.

Assessment

Principle of affordable housing

56. Our policies do not allow new build housing in the National Park unless there are exceptional circumstances. One circumstance where housing can be permitted is under policy HC1. A where development would meet eligible local need for affordable housing.
57. The site is located on the edge of Tideswell, therefore in terms of spatial policy DS1, the development of affordable housing is acceptable in principle if there is a proven need for the dwellings, the housing accords with floorspace thresholds and the named first occupants satisfy our occupation criteria in accordance with policies DMH1 and DMH2.

Whether the applicants have an eligible local need

58. The applicants' two sons are the intended first occupants of the dwellings. The application states that both sons were born in Tideswell and have lived in Tideswell, Peak Forest and Great Hucklow for more than 10 years over the past 20 years. The application states that one son left the family home in 2021 and now lives outside the National Park with his family, while the other left in 2016 and now lives outside the National Park with his partner.
59. No evidence to demonstrate the local qualification of either intended first occupant was submitted with the application. We requested this from the agent but no evidence has been provided to date. Provided this evidence was submitted both named first occupants would meet the criteria of a returner under the first part of policy DMH2 (ii).
60. Policy DMH1 and DMH2 (ii) require the intended first occupants to be in need of affordable housing in all cases, including returners. The application states that both sons are in need of affordable housing and includes information on earnings and a property search of market housing to demonstrate this. The Housing Need Survey (HNS) for Tideswell is up-to-date and identifies a need for 20 dwellings comprising mostly 2 bedroom houses with a lesser requirement for 3 bedroom houses and some bungalow provision.
61. However, where dwellings are proposed to meet an individual's need our policies call for the same information required by Housing Authorities to assess claims of housing need (in this case Home-Options). Evidence of eligibility and registration with Home-Options has now been submitted for both intended first occupants.

62. The evidence demonstrates that one of the sons is eligible for affordable housing and is assessed by Home Options for a 1 bedroom property. However, the evidence also demonstrates that the housing need of the other son, also for a 1 bedroom property, can be met by the market. Therefore, the evidence demonstrates that the second intended occupant is not in need of affordable housing. Therefore the application is contrary to policies DMH1 and DMH2 (ii).
63. Our policies require all intended first occupants of proposed affordable housing to demonstrate they are in need of affordable housing (including returners). This is essential to ensure that the limited land suitable for development is only released when there is a demonstrated need. This evidence submitted with the application demonstrates that while one of the intended first occupant is in need of affordable housing, the second occupant is not in need.

Would the dwellings be affordable by size and type

64. The application proposes the erection of two semi-detached three-bedroom dwellings, each with a gross internal floor area of 97m². This equates to two five-person dwellings as set out by policy DMH1. From the information provided by the agent in their supporting statement, one son lives within a 3-person household (maximum floor area of 97m²) and the other lives within a 2-person household (maximum floor area of 70m²).
65. However, the registration letters from the Home-Options contradicts the evidence submitted with the application with the assessment having concluded that each son has only a requirement for a single person household. The discrepancy between the application and the home-option assessment letter has not been explained. In accordance with policy DMH1 a single person household would only justify a maximum floor area of 39m² which is significantly smaller than the proposed dwellings.
66. These maximum figures take into account the practice note approved by Planning Committee to afford some flexibility for applicants. Nevertheless, the proposed dwellings appear to be larger than the need.
67. Furthermore, both of the proposed dwellings would be provided with large gardens which would significantly increase the value of the properties. The proposed dwellings therefore would not be affordable by size. The development would also not make an efficient use of the site, which if it were to be developed for affordable housing could potentially take a larger number of dwellings by reflecting the density of development along Recreation Road.
68. Therefore, the application does not demonstrate that there is a proven need for the proposed affordable houses contrary to policy DMH1. A or that either first occupants meet our occupancy criteria set out by policy DMH2.
69. The desire to return to the National Park and a larger property is understood. However, our policies require applicants to demonstrate that they are in need of affordable housing and have a local connection. This is to ensure that the limited sites available for affordable housing are only released when development would meet a demonstrable local need that can not be met by the existing housing stock.

Siting and landscape impact

70. The site is located within the limestone village farmlands landscape character type within part of a larger field bounded by drystone walling. The land here is relatively level but rises slightly to the north. The site is located adjacent to properties on Recreation Road and is therefore on the edge of the settlement. The Authority does not designate sites for

affordable housing, however, the wider field this site is within has previously been identified as suitable for affordable housing.

71. The proposed development would be sited within the field but would be adjacent and well related to the existing properties on Recreation Road. The development would read as a natural extension of existing development into a field, which is not prominent from within or outside of Tideswell or in the wider landscape. The development therefore would not have a harmful impact upon landscape character. The site is outside of the designated Tideswell Conservation Area and would not harm its setting.
72. Response is however awaited from the Authority's Archaeologist, in respect to any heritage significance arising from the well preserved strip fields that surround the settlement and that this development could potentially impact upon.
73. Concern has been raised that if the development were approved that it could set a precedent for further development within the fields. However, each application must be determined on its own merits. This development would in principle conserve the landscape character of the area in accordance with policies GSP1, GSP3, L1, L3 DMC3, DMC4 and DMC5.

Design, sustainable building and climate change

74. The proposed dwellings would be constructed from stone and slate with narrow gables and pitched roofs. Windows and doors would be uPVC with natural stone heads and sills.
75. The dwellings have narrow gables and utilises traditional materials and detailing. The design therefore broadly reflects the local built tradition and our adopted design guide. There is some concern about the proposed use of uPVC windows given that the tradition is for timber windows. The acceptability of uPVC would depend upon the detailed design of the frames. These details and landscaping could be reserved by planning condition if permission were granted.
76. The application states that the dwellings would be built to the equivalent of Code Level 3 in the Code for Sustainable Homes. This is welcomed in principle; however, Government has withdrawn the Code. The dwellings would be well insulated and heated by a gas boiler. Low energy and water fittings would be installed along with water butts to collect rainwater. Solar photovoltaic panels are proposed to the front elevation.
77. The proposed measures are noted but the use of a gas boiler is disappointing as there are other technologies available to reduce carbon emissions and mitigate the impacts of climate change. However, we welcome the proposed solar photovoltaic panels which will minimise energy use significantly over the lifetime of the development.
78. Therefore, on balance, the development does demonstrate how the development has been designed to make the most efficient use of natural resources, taking into account the energy hierarchy and achieve the high standards of carbon reductions and water efficiency in accordance with policy CC1.

Impact upon amenity and Highway Safety

79. The proposed dwellings would be adjacent to and at a similar level to neighbouring properties on Recreation Road. Given this relationship and the distance to neighbouring properties there are no concerns that the development would lead to any significant loss of light or privacy or be overbearing in relation to neighbours. A window is proposed in the southern gable looking towards neighbours but this is a bathroom window and therefore would not cause any unacceptable loss of privacy if obscure glazing was installed and permanently maintained.

- 80. Therefore, the development would not be contrary to our detailed design guidance in respects of amenity and would not harm the amenity, security or privacy of any neighbouring property.
- 81. The amended plans show the development would utilise the existing field access providing a driveway, turning area and two parking spaces for each of the houses. There is sufficient parking and turning space within the site to serve the development. The Highway Authority has raised no objections subject to conditions.
- 82. There have been concerns raised about the width of Recreation Road and potential impact on amenity. Recreation Road does narrow where it meets the application site and the last two neighbouring properties (nearest to the site) do not benefit from off street parking and therefore are more likely to park on the road which could restrict access to the site. Nevertheless, the development would be served by ample off-street parking and therefore would not result in additional street parking or harm the amenity of road users.
- 83. There is concern that the access to the development must not prejudice further development of the fields or affordable housing. The access should be designed so that it could be adopted and not prejudice any future development which may require alteration to Recreation Road. This has been incorporated into the amended plans.

Trees and protected species

- 84. An ecological appraisal has been submitted with the application. The site has been surveyed and is semi-improved grassland with some flowering plants, and a building providing some nesting opportunities for birds. Swifts have also been recorded within 1km of the site.
- 85. The appraisal recommends mitigation in relation to protection of birds, bats and hedgehogs on site along with external lighting. Our Ecologist recommends that planning conditions be imposed to secure this mitigation along with the provision of nest boxes and creation of a wildflower area created on low nutrient material to compensate for loss of habitats.
- 86. There are a number of mature trees within the field but these are away from the location of the proposed dwellings. These trees are unlikely to be harmed if tree protection fencing is erected to protect them during construction.
- 87. Therefore, subject to conditions the development would conserve and enhance biodiversity in accordance with policies L2, DMC11 and DMC12 and would not adversely affect trees in accordance with policy DMC13.

Other Issues

- 88. If approved, a planning condition would be required to ensure that on-site utilities infrastructure is installed underground to ensure the development is in accordance with policies DMU1 and DMU2.
- 89. The application proposes to dispose of surface water to the main sewer and states that provision for disposal of foul sewage is 'unknown'. There is ample space on the site to dispose of surface water to a soakaway in the event that disposal to the main sewer is not desirable. We would expect that foul sewerage would be to the main sewer unless this is not practicable or viable. If permission were granted, we would recommend a pre-condition to require foul drainage details to be submitted for approval before the development commences.

Conclusion

90. The application does not demonstrate that the proposed first occupants have a local qualification or that there is a proven need for the dwellings contrary to policies HC1, DMH1 and DMH2.
91. Furthermore, the proposed dwellings are not affordable by size or type and do not reflect the stated need of the named first occupants.
92. Having taken into account all material considerations and issues raised in representations we conclude that the proposed development is contrary to the development plan. Material considerations do not indicate that planning permission should be granted. Therefore, the application is recommended for refusal.

Human Rights

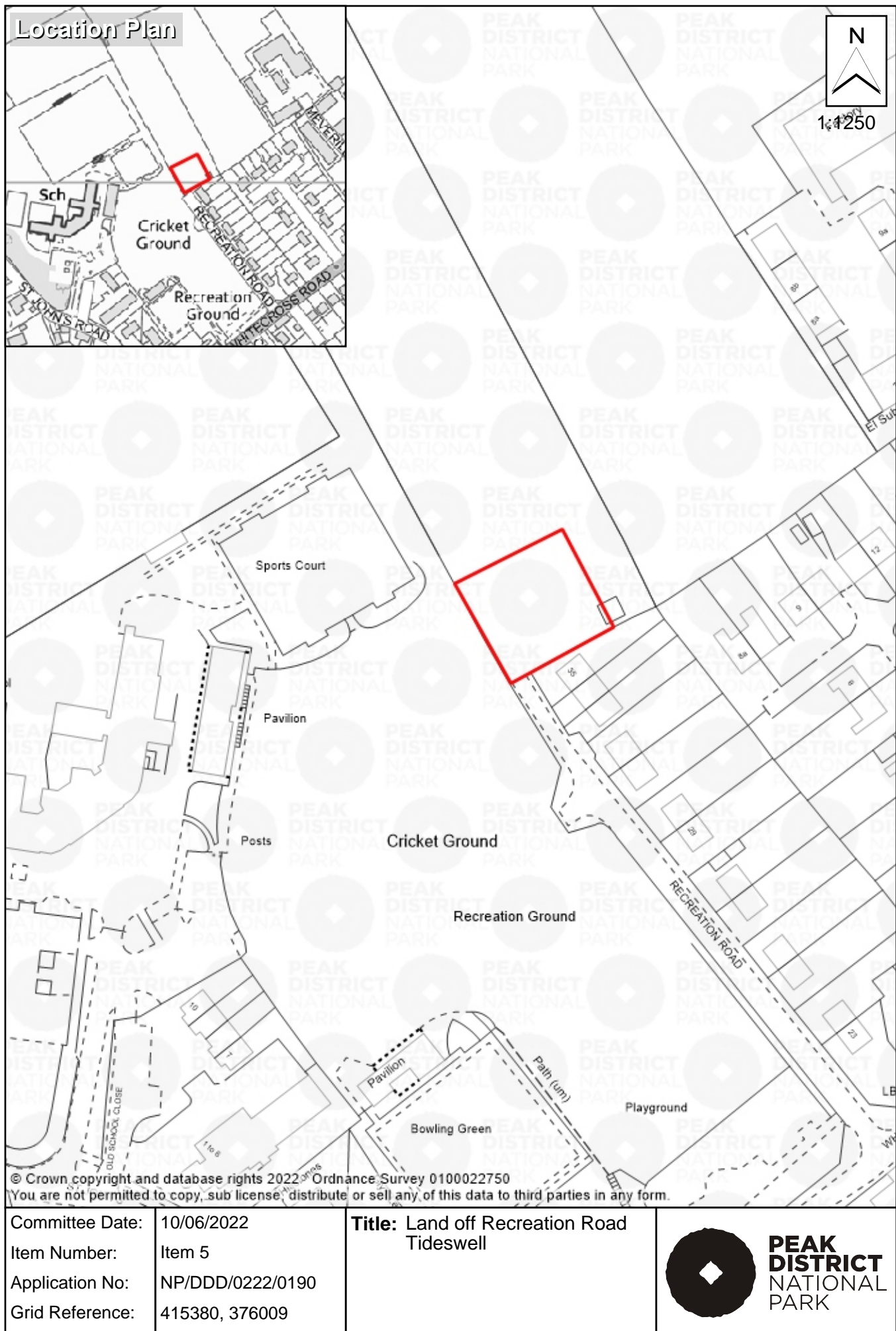
93. Any human rights issues have been considered and addressed in the preparation of this report.

List of Background Papers (not previously published)

94. Nil

Report Author: Adam Maxwell, Senior Planner

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6. FULL APPLICATION – ERECTION OF AGRICULTURAL BUILDING AT HURST NOOK COTTAGE, DERBYSHIRE LEVEL (NP/HPK/0322/0394, AM)

APPLICANT: MR GORDON HANDLEY

Summary

1. The site is located in open countryside on Derbyshire Level, south-west of Glossop.
2. The application proposes the erection of an agricultural building and track.
3. The application demonstrates that the building is required for agriculture. The proposed building and track would not harm the valued characteristics of the National Park.
4. The application is recommended for approval, subject to conditions.

Site and Surroundings

5. The site is located in open countryside on Derbyshire Level, south west of Glossop. The site is within agricultural fields to the north and north west of the applicants house Hurst Nook Cottage.
6. The site and adjoining fields are open pasture bounded by drystone walling. The fields slope down away from Derbyshire Level. The nearest neighbouring properties are Hurst Nook Croft and Hurst Nook Farm to the south of the site.
7. There is an existing field access to the site. Construction works appear to have recently taken place and are underway on site including alterations to the access and construction of a track through the field. These works appear to be unauthorised.

Proposal

8. The erection of an agricultural building and a track to the existing field access to Derbyshire Level. Works to the access including alterations to ground levels, erection of retaining wall and fencing appear to have recently taken place but these fall outside the scope of the application.
9. The agricultural building would be sited in the field to the north west of Hurst Nook Cottage adjacent to an existing stable. The building would measure 11m by 5m, 3.5m to eaves and 4.7m to ridge. The walls would be clad with tanalised timber cladding and the roof clad with dark brown coloured sheeting.
10. The proposed access track would run across the field to the north to the building from the existing field gate (the position of which has not been affected by the works to the access itself). The track would be formed using 'cut and fill' on the sloping ground and surfaced with natural gritstone chippings.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions

1. **Statutory time limit**
2. **In accordance with specified approved plans**

3. **Tanalised timber boarding for the walls to be left untreated to weather naturally.**
- 4 **Sheeting to the roof colour finish (slate brown).**
- 5 **Track to be surfaced with natural gritstone and permanently so maintained.**
- 6 **No external lighting to be installed other than in accordance with a detailed scheme that shall first have been approved in writing by the National Park Authority.**
- 7 **Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 the use of the building hereby approved shall be restricted to agriculture only (as defined in section 336 of the Town and Country Planning Act 1990) and for no other purpose.**
- 8 **When the building hereby approved is no longer required for the purposes of agriculture it shall be dismantled, removed from the site and the site shall be restored to its original condition.**

Key Issues

- Whether there is an agricultural justification for the proposed development.
- The visual and landscape impact of the proposed building and track.

Relevant Planning History

11. 2021: NP/HPK/1121/1240: Planning application for erection of agricultural building withdrawn prior to determination.
12. The above application proposed the agricultural building adjacent to the field access. Officers advised that this site was unacceptable because the building would be sited away from the group of existing buildings in a prominent location adjacent to the highway. Officers therefore advised that the building be re-sited with a traditional gritstone track from the field access. The current application has been submitted following Officer advice.

Consultations

13. Parish Council – Object to the application for the following reasons.
 - The hillside to the west of Derbyshire Level is prominent in views from Shirebrook and Brownhill. Hurst Nook Cottage and the adjacent farm and related buildings have seen a range of developments which have steadily encroached on the hillside at the edge of the National Park.
 - The application should be refused on the grounds of its effect on the amenity of the area. The access road is particularly prominent. It is of a scale and type inappropriate in a rural location and a prominent position in a National Park.
 - The access Road which forms a dangerous entry onto Derbyshire Level, also removes the informal layby there, which is an important local amenity for walkers and others.
 - If permission were granted a condition should be included preventing the conversion of the barn to other uses.
14. Highway Authority – No objection.

15. District Council – No response to date.

Representations

16. None to date.

Main Policies

17. Relevant Core Strategy policies: GSP1, DS1, CC1, L1 and L2
18. Relevant Development Management policies: DMC3 and DME1

National Planning Policy Framework

19. 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.
20. Para 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

21. Policy DS1 sets out the Development Strategy for the National Park. Agricultural development is acceptable in principle in the open countryside outside of the natural zone.
22. 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.
23. 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.
24. 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.
25. Policies L1 and L2 require development to conserve and where possible enhance the landscape and biodiversity of the National Park. Development which has a harmful impact should not be approved unless there are exceptional circumstances.

Development Management Policies

26. 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.
27. 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.
28. Policy DME1 is directly relevant and says:
- A. New agricultural and forestry buildings, structures and associated working spaces or other development will be permitted provided that it is demonstrated to the Authority's satisfaction, that the building at the scale proposed is functionally required for that purpose from information provided by the applicant on all the relevant criteria:
- (i) location and size of farm or forestry holding;
 - (ii) type of agriculture or forestry practiced on the farm or forestry holding;
 - (iii) intended use and size of proposed building;
 - (iv) intended location and appearance of proposed building;
 - (v) stocking type, numbers and density per hectare;
 - (vi) area covered by crops, including any timber crop;
 - (vii) existing buildings, uses and why these are unable to cope with existing or perceived demand;
 - (viii) dimensions and layout;
 - (ix) predicted building requirements by type of stock/crop/other usage; and
 - (x) contribution to the Authority's objectives, e.g. conservation of valued landscape character as established in the Landscape Strategy and Action Plan, including winter housing to protect landscape.
- B. New agricultural and forestry buildings, structures and associated working spaces or other development shall:
- (i) be located close to the farmstead or main group of farm buildings, and in all cases relate well to, and make best use of, existing buildings, trees, walls and other landscape features; and
 - (ii) not be in isolated locations requiring obtrusive access tracks, roads or services; and
 - (iii) respect the design, scale, mass and colouring of existing buildings and building traditions characteristic of the area, reflecting this as far as possible in their own design; and
 - (iv) avoid adverse effects on the area's valued characteristics including important local views, making use of the least obtrusive or otherwise damaging possible location; and
 - (v) avoid harm to the setting, fabric and integrity of the Natural Zone.

Assessment

Principle of the development

29. Policy DS1 allows for agricultural development in principle. Policy DME1 is directly relevant and requires applications to provide information to demonstrate that the proposed development is functionally required. If development is justified then DME1 B. requires buildings to be well sited, not require obtrusive tracks, respect the design, scale

and mass of existing buildings and building traditions and avoid harm to the valued characteristics of the area.

30. Agricultural development is accepted in principle reflecting the role of farming in managing the landscape of the National Park. Nevertheless, modern farm buildings can have a significant landscape impact and therefore our policies require applications to provide sufficient justification for development bearing in mind our statutory duty of conserving landscape and scenic beauty. Where development is justified care is required for design and siting.

Agricultural justification

31. The application is supported by a planning statement which includes an agricultural justification required by policy DME1. A. The agricultural holding is relatively small extending to just over 2Ha on which the applicant currently farms 60 sheep. There are currently no agricultural buildings on the land and the applicant intends that the proposed building would be primarily used for storage of agricultural machinery, fodder and to accommodate livestock when required.
32. The appraisal does demonstrate that while the holding and agricultural business is modest there is a functional requirement for a small building primarily to store equipment and fodder.
33. If permission were granted, we would recommend planning conditions to require that the building is demolished and removed when no longer required for agriculture in accordance with policy DMC1. C. We would also recommend a planning condition be imposed to remove permitted development rights for change of the use, bearing in mind that that the building is only acceptable in principle for agricultural purposes.
34. The design of the building is simple and reflects the functional need for storage of machinery and fodder and would also be suitable for accommodating livestock when required. Therefore, we consider that the application does demonstrate that the proposed building is functionally required for agricultural purposes in accordance with policy DME1. A.

Impact of development

35. The proposed building would be sited adjacent to the existing group of buildings formed by the existing dwelling, its garden, outbuildings and stable. The siting of the building follows Officer advice given previously. The concerns raised by the Parish Council are noted, however, the proposed site would minimise the additional visual impact of the building by ensuring that it is sited close to the existing building group. The building would therefore be read as part of the group rather than an isolated new structure and minimise visual and landscape impact.
36. The proposed site would be located away from existing mature trees on site so that any adverse impacts on trees and protected species can be ruled out. The fields are improved grassland and therefore the development would not harm any designated habitat or protected species.
37. The building would be a modest size with a pitched roof. The buildings on site and in the local area are traditional design with slate roofs. Modern agricultural buildings are generally not built from traditional materials but are designed with pitched roofs. The proposed design would be an acceptable subject to planning conditions to secure the colour and finishes of the proposed external materials and doors. Therefore, the building is in accordance with policy DME1.B (iii).

38. Concerns about the impact of the works to the access and new track are understood. These works appear to have commenced without planning permission. We are concerned about some of the works to the access, particularly the new timber fence and timber clad retaining wall, however, these works fall outside of the scope of this planning application. The works to the access would need to be dealt with as separate matter.
39. The track is part of this planning application. Works to construct the track have commenced and currently ground works and spoil piles along the track length are prominent in the landscape. However, the proposed track when completed would have a relatively short length and logical route to the proposed building. Additional plans have been sought and submitted to show that the track would be constructed using 'cut and fill' to minimise changes to ground levels.
40. The track would have a traditional gritstone surface and once completed would weather to a traditional 'cart track' which would have a very limited visual and landscape impact and reflect other tracks within the local area. The proposed track is also required to facilitate siting the building adjacent to the building group due to ground levels and poor access at Hurst Nook Cottage itself.
41. Therefore, despite the concerns from the Parish Council, on balance, the proposed building and track are considered to be acceptable. If permission were granted planning conditions would be recommended to ensure that the track is constructed as proposed with a gritstone surface.
42. External floodlighting would be a further landscape concern in such an exposed hillside location and therefore a condition is suggested to prevent any external lighting other than in accordance with details that may be agreed in advance by the Authority.

Other Issues

43. The development would utilise an existing field access. Concern is raised about loss of a layby, however, this development would not affect the layby. The proposal does not affect the position of the existing field access and we agree with the Highway Authority that the proposal does not raise any highway safety issues given the proposed agricultural use.
44. Given the position of the proposed building and track and distance to neighbouring properties, there are no concerns that the development would harm the amenity, privacy or security of any neighbouring property.
45. Given the type and size of the building proposed there are limited opportunities to limit energy and water use. The application proposes to install water butts and we welcome the proposed use of sustainably sourced timber. In the context of the scheme the proposals are acceptable and in accordance with policy CC1.

Conclusion

46. The application does demonstrate that the proposed building is functionally required for agricultural purposes in accordance with Core Strategy policy DS1 and Development Management policy DME1 A.
47. The proposed building and track are acceptable subject to conditions to control the proposed construction, materials and finishes. The proposals are therefore in accordance with policy DME1 B. The development would not harm highway safety or the amenity of neighbouring properties.

48. Therefore, having taken into account all material considerations, including matters raised in representations we consider that the development is in accordance with the development plan. The application is therefore recommended for approval, subject to conditions.

Human Rights

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

List of Background Papers (not previously published)

50. Nil
51. Report Author: Adam Maxwell, Senior Planner

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7. FULL APPLICATION - WORKS TO ENABLE USE OF EXISTING CAMPSITE BARN AS VISITOR RECEPTION WITH ANCILLARY FOOD AND DRINK SALES, (CAMPING BARN RETAINED), AND INSTALLATION OF A WOOD BURNER FLUE, RECESSED GLAZING TO BARN DOORS, GLAZED DOOR TO NORTH ELEVATION, ECOLOGICAL MITIGATION AND ALTERATIONS TO SITE DRAINAGE. UPPER BOOTH FARM CAMPSITE, EDALE (NP/HPK/1121/1197, KW)

APPLICANT: THE NATIONAL TRUST

Summary

1. Upper Booth Campsite is located in open countryside to the west of Edale.
2. The proposal is for change of use of part of the existing camping barn to be used as a reception area and camp shop, along with associated external alterations.
3. The development is acceptable in principle and would not harm the character of the building, the valued characteristics of the National Park, amenity of neighbouring properties or highway safety.
4. The application is recommended for approval, subject to conditions.

Site and Surroundings

5. The site comprises a stone barn that has been converted into a camping barn and store, serving the established campsite located at Upper Booth Farm to the west of Edale. The wider campsite also has a shower block building located to the west of the camping barn, and has traditionally been run by a tenant farmer. The site is owned by the National Trust. The barn is considered to be a non-designated heritage asset.
6. The site is accessed via a narrow road and through a small cluster of dwellings and farm buildings. The campsite is located adjacent to the Pennine Way and is within the Edale Conservation Area.
7. It is noted that the campsite is not traditionally open during the winter months, and that the opening times also depend on weather conditions.

Proposal

8. Planning permission is sought for external alterations to facilitate the conversion of part of the lower floor of the barn to a camp reception and camp shop to sell provisions for people staying at the campsite. The remainder of the barn would retain its existing use as a camping barn and store.
9. An existing owl box is proposed to be moved, but this would not require planning permission in isolation but will need to be carried out in strict accordance with the relevant wildlife legislation.
10. Externally the alterations would comprise of:
 - The addition of two new wood burning chimney flues within the roof slope.
 - Replacement of a door in the northern elevation with a glazed door to access the proposed camp reception and shop with existing wooden door retained and pinned back.
 - Recessed glazing to the double barn doors on the south elevation with a glazed door, with the wooden barn doors retained as operational.

11. Since submission we note amended plans have omitted the development of a staff flat on the first floor of the barn, and the external works associated with this have also been omitted from the plans, (air source heat pump, roof lights and new gable window).
12. The existing parking arrangements on site would remain unaltered.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions;

- 1. Commence development within 3 years.**
- 2. Carry out in accordance with specified amended plans.**
- 3 Use of shop to be ancillary to camp site and restricted to the area shown on the approved plans.**
- 4. No new lighting unless otherwise prior approved.**
- 5. The works shall not be carried out other than in complete accordance with the avoidance, mitigation, and compensation work for bats and birds contained in section 6 of the submitted Upper Booth Barn Protected Species Survey by Skyline Ecology, dated October 2021.**

Key Issues

13. The impact upon the building, landscape and biodiversity, and the impact on the amenity of neighbouring residents

Relevant Planning History

14. None relevant.

Consultations

15. Highway Authority

- Requested further information and justification for the proposed parking spaces.

It is noted that since the comments were received, the plans have been amended and the agent has confirmed that there would be no alterations to the parking requirement on the site.

16. Edale Parish Council

- This farm is tenanted, and historically the campsite management and income fell to the tenant. This development of the campsite by the National Trust changes that. Edale Parish Council feel that without the additional income of the campsite the farm would not be viable for a tenant, thus removing the potential for a farming family to live and work here. This contravenes 'local needs' in what is traditionally a farming community.
- The development, particularly of a 'shop' facility will increase traffic flow along the single-track road up to Upper Booth. This is already an issue in the summer months causing major problems for the residents of Upper Booth. The location is not considered to be suitable for a retail outlet.

- The additional lighting required would substantially increase light pollution in this dark sky area.

Officers Note - The ownership and operation of the campsite by the National Trust and the implications of this are not material planning considerations.

17. Severn Trent Water

Objected to original application any additional foul flow discharging into the existing waste water drainage system on site.

Officers note that the proposal has been amended with the omission of the proposal to create a staff flat, therefore no alterations to the existing drainage are required.

18. Lead Local Flood Authority

No comments received.

19. District Council

No response to date.

20. PDNPA Rights of Way Officer

No comments received to date.

21. Natural England

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes. Natural England's generic advice on other natural environment issues is set out at Annex A.

22. Archaeology and Heritage Officer

Commented on the original proposal and made recommendations relating to the external alterations, including rooflights and the flues, and the new drainage required for the proposed flat in relation to archaeology.

It is noted that given the proposal has been amended, with the omission of the staff flat, the only external alterations remaining on the plans that were objected to are the two flues proposed for the wood burner. It is noted that the drainage system changes have been omitted and no waste water connection will be required to the main system.

23. Tree Officer

Commented on the laying out of the drainage routes in relation to the trees. Stated that all works are outside the RPA of the existing trees, we would advise the recommendations stated in the Arboricultural Impact Assessment prepared by Jon Coe are carried out during the proposed works.

It is noted that no changes are now proposed to the drainage at the site with the omission of the proposed staff flat.

24. Landscape Officer

No comments received to date

25. Ecology Officer

Noted that the barn was found to have a high potential as a bat roost and there is an active Barn Owl. Recommended that all of the proposed avoidance, mitigation and compensation work for bats and birds outlined in section 6 of the report, Upper Booth Farm Barn Protected Species Survey and Mitigation (Oct 2021), by Skyline Ecology, should be carried out in full.

26. Commented further on the moving of the owl box, noting that the normal nesting season for Barn Owls is 1st March to 30th September, although they have been recorded to nest all year round, therefore a degree of caution is required when moving boxes. There is no problem with moving the next boxes provided that they are not being used for nesting, and it is better to move the box in winter when it is less likely to be used for nesting. The box should be checked by a licensed person to see if it contains eggs or chicks.

27. Representations

28. 3 letters of representation were received expressing the following concerns:
Neighbour representations

- Moving the owl box and conducting major works in the vicinity might affect the owl and cause it to desert the box.
- Due to the fragility of the Upper Booth infrastructure, any shop or café should only be available to campers onsite and should not be signed from the RoW.
- Concern about any changes to the drainage, which may cause flooding to local properties.
- The proposed air source heat pump will put a heavy strain on local supply, bearing in mind Crowden Cottage and the campsite toilet block already use an ASHP.
- The replacement of the barn doors and existing door on the northern elevation with glazed doors will compromise the dark skies in the area.
- The shop and food prep area, if used 7 days a week, would disturb the tranquillity of the area.
- The shop seems large in proportion to the size of the campsite.
- Given the sensitive nature of the area, with only three dwellings, any development, even small changes, would be potentially disruptive.
- The increased capacity of the campsite already put strain on water, sewage, parking, access and privacy.
- The external alterations to the barn are not in-keeping with the historic character of the area.
- The increased activity and lighting would impact on wildlife in the area.

Main Policies

29. Relevant Core Strategy policies: GSP3, DS1, CC1, CC2, L1, L2 and RT3
30. Relevant Development Management policies: DMC3, DMC5, DMC8, DMC11, DMR1

National Planning Policy Framework

31. The National Planning Policy Framework (NPPF) should be considered as a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. In particular, Paragraph 176 states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, which have the highest status of protection in relation to these issues.
32. In the National Park the development plan comprises the Authority's Core Strategy 2011 and the May 2019 Adopted Development Management Policies. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and government guidance in the NPPF with regard to the issues that are raised.

Peak District National Park Core Strategy

33. Policies GSP1, GSP2 and GSP3 together say that all development in the National Park must be consistent with the National Park's legal purposes and duty and that the Sandford Principle will be applied where there is conflict. Opportunities for enhancing the valued characteristics of the National Park will be identified and acted upon and development which would enhance the valued characteristics of the National Park will be permitted.
34. Policy DS1 outlines the Authority's Development Strategy and in principle allows for recreation uses in the open countryside.
35. L1 says that development must conserve and enhance valued landscape character, as identified in the Landscape Strategy and Action Plan, and other valued characteristics.
36. 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.
37. CC1 says that in order to build in resilience to and mitigate the causes of climate change all development must: make the most efficient and sustainable use of land, buildings and natural resources; take account of the energy hierarchy; be directed away from flood risk areas and reduce overall risk from flooding; achieve the highest possible standards of carbon reductions; achieve the highest possible standards of water efficiency.
38. CC2 says that proposals for low carbon and renewable energy development will be encouraged provided they can be accommodated without adversely affecting landscape character, cultural heritage assets, other valued characteristics, or other established uses of the area taking into account cumulative impacts.
39. RT3. C says that provision of improved facilities on existing caravan and camping sites, including shops and recreation opportunities, must be of a scale appropriate to the site itself.

Development Management Policies

40. Policy DMC3 requires development to be of a high standard that respects, protects, and where possible enhances the natural beauty, quality and visual amenity of the landscape, including the wildlife and cultural heritage that contribute to the distinctive sense of place. It also provides further detailed criteria to assess design and landscaping, as well as requiring development to conserve the amenity of other properties.
41. DMC5 and DMC8 is relevant for development affecting heritage assets (including development in a conservation area). These policies require applications to be supported by heritage assessments and for development to be of a high standard of design that conserves the significance of the affected heritage assets and their setting.
42. Policy DMC11. A says that proposals should aim to achieve net gains to biodiversity or geodiversity as a result of development. In considering whether a proposal conserves and enhances sites, features or species of wildlife, geological or geomorphological importance all reasonable measures must be taken to avoid net loss. Policy DMC12 requires development to conserve protected sites, features and species.
43. Policy DMR1 addresses the creation or expansion of camping and caravan sites and includes the provision of site shops where they would not impact on the vitality and viability of existing facilities in the surrounding community.

Assessment

44. This is an existing camping site owned and operated by the National Trust. Policies DS1, RT3 and DMR1 all support the principle of development to existing campsites, including shops, provided that they are of an appropriate scale to the site concerned, and do not have a harmful impact on the vitality or viability of existing local facilities.
45. The Parish Council have objected to part of the barn being used as a shop, with concerns that the location is not appropriate for a retail unit. It is noted that the shop would be ancillary to the camp site and the space given over to the shop is relatively small and shared with a reception area. It is not intended that the shop would be open to the public. There are no shops in close proximity to the campsite, therefore the provision of a small retail space within the existing building in order to support the operation of the campsite, selling provisions for campers, is considered to be acceptable, and would not be harmful to the vitality and viability of local shops.
46. Given the small scale of the retail space and the location of the barn, which is in an isolated location, it would not be large enough to provide a 'destination' shop, which is likely to attract visitors/customers other than those using the campsite. On balance, it is not considered that the shop would result in an intensification of the use of the site over and above the existing use as a camp site. A condition is suggested in the event of an approval to ensure that the shop remains ancillary to the primary camp site use and is restricted to the area shown on the submitted plans to ensure it remains small scale and appropriate to this out of settlement location in accordance with our shopping and recreation policies.
47. The principle of the development of the shop and reception is therefore acceptable. provided that it can be accommodated without harm to the valued characteristics of the National Park.
48. Given the nature of the proposals and distance to neighbouring properties, there are no concerns that the development would harm the privacy, security or amenity of any neighbouring property. There are no changes to the existing car park or access and no intensification of use of the site would occur.

49. In order to ensure that there would be no harmful impact of new lighting associated with the proposal, in terms of both neighbour amenity, and impact on the dark skies in this area, a condition will be imposed requesting details of any new lighting proposed.
50. The proposed external alterations would not have a significant visual impact on the existing barn. On the south elevation, the large opening is proposed to be in-filled with glazing including a glazed door, with the existing wooden barn door retained. The opening is significantly recessed, (approximately 2m), from the facing wall of the barn, therefore the visual impact of the glazing would be diminished by its recessed position, and also by the fact that the wooden barn doors are proposed to be retained, which will be secured by condition. Furthermore, the existing barn doors could currently remain open at any time, therefore it is not considered that the proposed changes would have a significant impact on light spill and the 'Dark Skies' enjoyed in this location.
51. Furthermore, the campsite is not open throughout the entire year, and would be closed in winter months, (the exact opening times is weather dependent, but expected duration of opening would be 1 April – 1 November), which would limit the time the shop and reception would be open in the hours of darkness.
52. A smaller glazed door is proposed for the northern elevation, replacing the existing timber door, which would be retained in a held back position. Whilst the glazed door would not be a traditional feature, the retention of the existing wooden door would soften the visual impact, and is therefore acceptable subject to a condition to retain the existing door. A condition will also be imposed required this door to be recessed.
53. The two flues were considered to be inappropriately located by the heritage officer, who recommended that they should be sited lower within the roof. A condition will be required requesting further details of the flues to be submitted to ensure that they would be appropriately located. It is noted that the omission of the roof light originally proposed has lessened the visual impact of the proposal in terms of the changes to the roof, so on balance, it is considered that the flues would have an acceptable visual impact.
54. A Protected Species Survey was carried out and reviewed by the ecology officer. The survey found evidence of bats and birds within the barn. Due to the presence of bats and birds, our Ecologist recommend the measures proposed within the Protected Species Report to mitigate the potential impact of works upon bats and birds should be implemented, which will be secured by condition.
55. It is noted that the moving of the owl box is not something that requires planning permission, but the applicant has been advised on their legal requirements in relation to the Wildlife and Countryside Act 1981 in terms of when the box can be moved.
56. The highways officer commented on the original application and requested further details of additional parking, and justification. Given that the plans have been altered with the omission of the staff flat, the agent has confirmed that no changes to the existing parking would be required. It is therefore not considered that the proposal would result in a harmful impact on highway safety or an increase in traffic movements in the area.
57. It is noted that Severn Trent Water objected to the original application, which included the staff flat, due to the impact on the existing foul water drainage system. It is noted that the staff flat has been omitted, therefore the agent has confirmed that no additional connection shall be made to the existing waste water drainage system. The surface water drainage to an existing field drain and would not change from the existing situation. The Lead Local Flood Authority have been re-consulted on the amended proposal, but no comments have been received.

Conclusion

- 58. The proposed development is acceptable in principle and would provide additional facilities to an established campsite in a manner that conserves the character and appearance of the building, its setting and the valued characteristics of the National Park.
- 59. The development would not harm the amenity of neighbouring properties or highway safety.
- 60. Therefore, having taken into account all other material considerations raised we conclude that the development is in accordance with the development plan. The application is therefore recommended for approval, subject to conditions set out in the report.

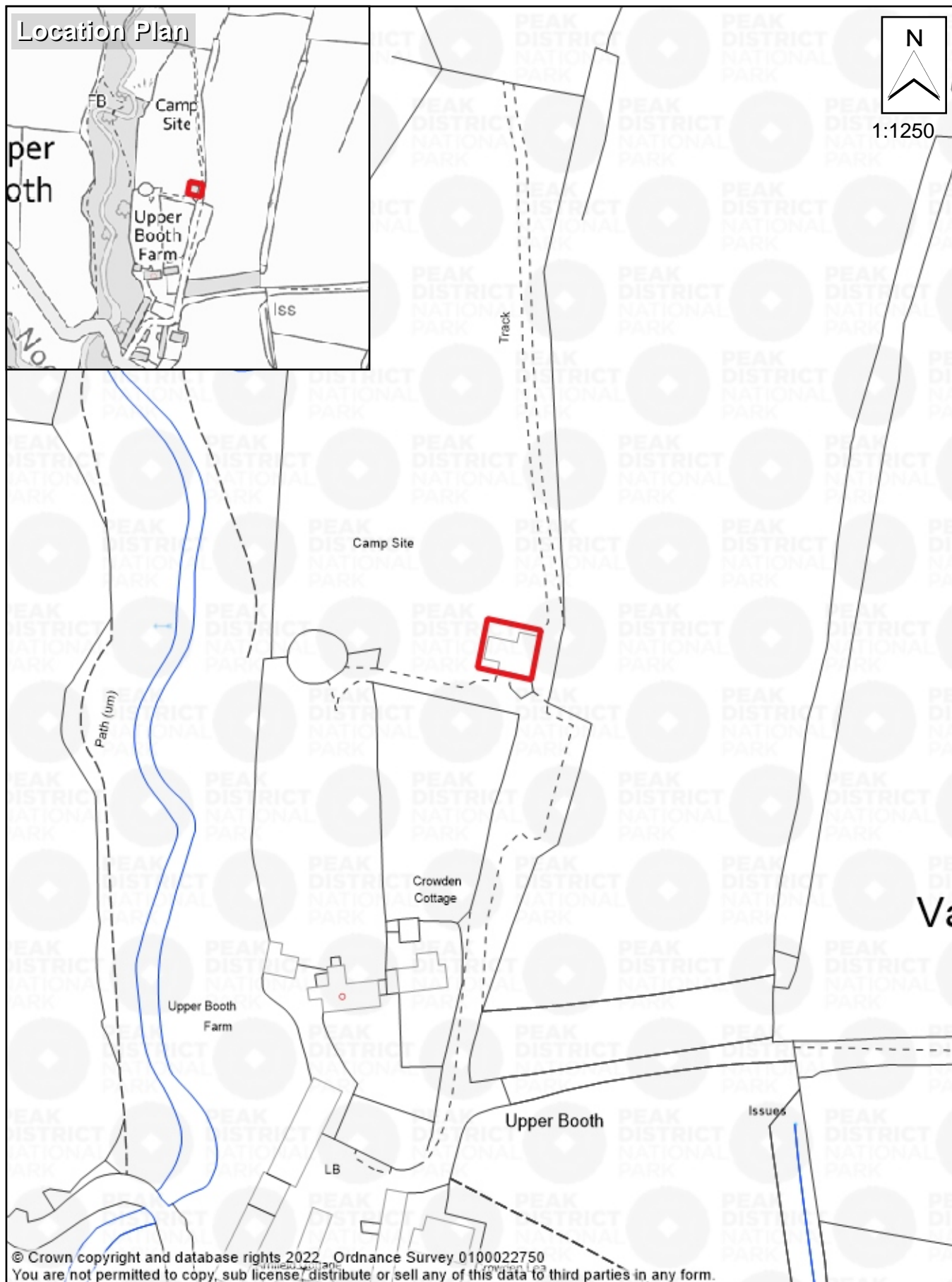
Human Rights


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

List of Background Papers (not previously published)

- 62. Nil

Report Author: Kathryn White – Planning Officer



Committee Date:	10/06/2022	Title: Upper Booth Farm Campsite	 PEAK DISTRICT NATIONAL PARK
Item Number:	Item 7		
Application No:	NP/HPK/1121/1197		
Grid Reference:	410328, 385446		

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8. FULL APPLICATION – RE-LEVELLING AND NEW DRAINAGE TO THE 2 EXISTING SOCCER PITCHES. ADDITIONAL CAR PARKING SPACES AND AMENDMENT TO THE PREVIOUS CONSENTED PAVILION APPLICATION NP/HPK/0320/0284 AT HAYFIELD FOOTBALL AND COMMUNITY SPORTS CLUB AT LAND OFF BANK VALE ROAD, BANK VALE ROAD, HAYFIELD (NP/K/1021/1118, KW)

APPLICANT: CARL DEAN

Summary

1. The site comprises the existing sports pitches and associated surrounding land, located on the edge of Hayfield.
2. This application proposes the re-levelling and a new drainage system to the two existing football pitches, along with additional parking spaces. This application also includes an amendment to the previously approved pavilion.
A landscaping scheme is also proposed, along with a construction management plan, both of which aim to address conditions of the aforementioned previous approval.
3. The application demonstrates that the development will provide enhanced community sports facilities and conserve the valued characteristics of the National Park, the amenity of neighbouring properties and highway safety.
4. We recommend that the application is granted permission subject to conditions.

Site and Surroundings

5. The application site comprises the existing playing fields, parking area and associated land on the northern edge of Hayfield. The site is outside of the Hayfield conservation area.
6. There is an existing car park on the west side of the site with access from Bank Vale Road.
7. There are neighbouring residential properties to the west on the far side of the road and to the south.

Proposal

8. Permission is sought to re-level, and provide improved drainage of the soccer pitches, along with amendments to the location of the pavilion, and the car-parking proposals approved under application NP/HPK/0320/0284. This revised scheme presents an integrated development of the whole site, with a modified parking arrangement (to accommodate the re-contoured pitches), increasing the number of parking spaces from 21 to 32 including two disabled bays and electric charging points.
9. The layout of the pitches is proposed to be as follows:
 - West Pitch (1) to become 100m x 60m plus playing margins, (increased from 72m x 50m)
 - East Pitch (2) to become 67.5m x 46m plus playing margins, (altered from 93m x 58m)
 - New training area – 25m x 15m.

The pitches are proposed to be re-graded to a constant 1 in 60 over a platform covering the extent of the existing pitches, which currently have an embankment and rough grass between them. Topsoil is to be stripped and mounded from the pitch working area and pavilions/parking zone, for replacement on the finished pitches and embankments. No export of spoil is required.

10. The technical details of the new pitch drainage system have been included in the submission for analysis by the Lead Local Flood Authority's Drainage Officer. Further technical information was submitted over the course of the application.
11. The proposed pavilion position has been adjusted by approximately 2 metres southwards

from the position originally shown in the above application in order to avoid impinging on the recently confirmed tree root protection area.

12. A total of 32 parking spaces would be provided. The main gate access is proposed to be moved further into the site, and would be 7.5m from the road edge, to allow for off-road parking whilst opening the gates
13. This proposal includes details of a construction compound area to be located to the southern boundary of the site for the construction period.
14. A 'Trim Trail' is proposed to be developed around the edge of the site. This would also form a cycleway connecting to Lea Road and Bank Vale Road.
15. A landscaping plan has been submitted as part of the proposal.

RECOMMENDATION

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

- 1. Statutory three year time limit for implementation.**
- 2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans and further info submitted**
- 3. Sample panels for stone walls to be approved**
- 4. Window and door frames to be recessed 100mm from external face of wall**
- 5. Roof to be natural blue slate**
- 6. Roof verges flush mortar pointed with no barge boards or projecting timberwork**
- 7. Obscure glazing to changing room windows on south elevation**
- 8. No external lighting unless a scheme is agreed prior**
- 9. Prior to commencement, a Tree Protection Plan to be submitted and approved and implemented**
- 10. Prior to the commencement of any other operations, site access made wider in accordance with Highway Authority recommendations.**
- 11. The development shall be carried out in accordance with the plan approved by DCC Highways Officer showing the construction compound - HD-2017-SKI_018_8-10-21 (Car Park Area with Compound). The compound shall remain in situ during the entire construction period.**
- 12. Development to be carried out in accordance with protected species report and outside of breeding bird season (March to September).**
- 13. Detailed scheme of ecological enhancement measures to be agreed and implemented before first occupation of the development.**
- 14. New service lines to be underground**
- 15. Air source heat pump to be installed in accordance with details to be approved before the first occupancy of the development hereby approved. Solar photovoltaic panels and battery storage system to be installed in accordance with details to be**

approved before the first occupancy of the development hereby approved.

16. Electric vehicle charging points and secure cycle storage to be installed in accordance with details to be approved before the first occupancy of the development hereby approved.
17. Shipping containers on site to be removed prior to development being brought into use.
18. Restrict use to assembly and leisure only notwithstanding the Use Class Order.
19. No development shall take place until a detailed design and associated management and maintenance plan of the surface water drainage for the site, have been submitted to and approved in writing by the Local Planning Authority.
20. Prior to commencement of the development, the applicant shall submit for approval details indicating how additional surface water run-off from the site will be avoided during the construction phase. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved system shall be operating to the satisfaction of the LPA, before the commencement of any works, which would lead to increased surface water run-off from site during the construction phase.
21. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).
22. Landscaping proposals pan to be implemented.
23. Prior to works being carried out, further details of car parking surfacing and any hardstanding, and the Trim Trail to be submitted and approved.

Key Issue

- The impact of the proposals upon the valued characteristics of the National Park and the amenity of neighbouring properties.
- The impact of the proposal on drainage in the area.

Relevant Planning History

16. NP/HPK/0320/0284 - Proposed facilities for Hayfield Football and Community Sports Club. Granted subject to conditions.

Consultations

17. Parish Council: No comments received.
18. Tree Officer The proposal doesn't involve any tree works, but agree with the comments from the landscape officer.
19. Highway Authority: Makes the following comment:
20. Regarding the submission of details in relation to a highway condition from the previous approval, (condition 12 - details of construction compound), drawing HD-2017-SKI_018_8-10-21 (Car Park Area with Compound), satisfies the first part of the condition. The second

part of the condition will only be discharged once the contract period have been successfully completed on site.

21. The Highway Authority recommends that the access is widened to 5m and the condition imposed on the previous application is still relevant, which requires visibility sightlines etc.
22. Consider that the additional spaces proposed should ease the congestion on Bank Vale Road. Accordingly there are no objections.
23. Environment Agency: No comments to make as the site is within Flood Zone 1.
24. Sport England: Raise no objection and make the following comment:
25. Given that the proposal would not have a negative effect on usable playing field and would represent a qualitative enhancement relative to the existing facilities at the site, Sport England considers that the development would accord with NPPF paragraph 99 and Policy Exceptions 2, 3 and 5 of Sport England's Playing Fields Policy. It therefore does not wish to raise an objection to this application.
26. PDNPA Landscape: No landscape objections to the proposals, but make the following points: The proposed hedge appears to be planted under existing trees. It can be very difficult to establish new plants under trees as the existing trees will outcompete the proposed planting, for light and nutrients. There is also the potential damage to existing tree roots in the planting process. A detailed specification for the trim trail is required to assess potential impact on existing tree roots. The applicant may wish to consider using the appropriate product from Carbon Gold as this has benefits for good root growth of the playing field as well as benefits in drainage by encouraging a good worm population. I have noticed that there are existing ash trees on the site, I would like to see some form of management plan that deals with the impacts of ash die back both for a health and safety issue and the impact on the wider landscape.
27. DCC Flood Risk Management Officer: No objections based on the information submitted on 20th October 2021, with additional information received in January and February 2022, subject to conditions.

Representations

28. We have received 29 letters of support, 4 general comments and 6 letters of objection to date.
29. The reasons for objection are summarised below:
 - The FRA submitted is not adequate due to severe drainage issues in the area
 - Inadequate provision for drainage would be provided.
 - Consultation with Derbyshire County Council and United Utilities is required. Better drainage for the pitch would mean the water would enter the drain quicker, and the drains cannot cope with the existing flow rate.
 - The road to the site is single track, which causes issues with traffic. Concern about accessibility during matches for emergency vehicles and residents.
30. The reasons for support are summarised below:
 - The existing facilities need upgrading
 - The upgrades will benefit the development of local children and adults.
 - Secure the future of the Club for the community.
 - Bring the Club into the twenty first century.
 - Provide improved accessibility for people
 - Supporting grassroots football.

- Prevent games being cancelled due to pitch conditions
- Improve safety standards

31. The reasons for the general comments are summarised below:

- Agree that works need to be done, but concerned about risk of flooding into Bank Vale road. The existing drainage cannot cope.
- Concerned where water would be drained to.
- Concern about people turning their car around in the private yard at the end of Bank Vale road.
- Coaches visiting the site affect access to the working farm.
- The entrance to the car park should be sited away from the neighbouring property.

Main Policies

Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, CC1, HC4, L1, L2 and L3

Relevant Development Management Plan policies: DMC3, DMC11, DMC12, DMC13, DMC14, DMS7, DMT3 and DMT8

National Planning Policy Framework

32. National Park designation is the highest level of landscape designation in the UK. The Environment Act 1995 sets out two statutory purposes for national parks in England and Wales: Which are; to conserve and enhance the natural beauty, wildlife and cultural heritage and promote opportunities for the understanding and enjoyment of the special qualities of national parks by the public. When national parks carry out these purposes they also have the duty to; seek to foster the economic and social well-being of local communities within the National Parks.
33. The latest version of the National Planning Policy Framework (NPPF). The NPPF is a material consideration and carries particular weight where a development plan is absent, silent or relevant policies are out of date. In the National Park the development plan comprises the Authority's Core Strategy 2011 and policies of the Development Management Policies document 2019. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application.
34. In this case there is no conflict between our development plan policies and the NPPF. Our development plan policies should therefore be afforded full weight in the determination of this application.
35. Paragraph 176 of the NPPF states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage should also be given great weight in National Parks.
36. Paragraph 83 says that planning decisions should enable sustainable leisure developments and community facilities, such as sports venues which respect the character of the countryside. Paragraph 84 says that decisions should recognise that sites to meet community needs may have to be found adjacent to existing settlements. The use of sites that are physically well-related to existing settlements should be encouraged.
37. Paragraphs 91 and 92 say that decisions should aim to achieve healthy, inclusive and safe places that promote social interaction, are safe and accessible and enable and support healthy lifestyles for example through the provision of sports facilities.
38. Paragraph 97 says that existing open space and sports land, including playing fields should not be built on unless the development is for (amongst other things) alternative sports and

recreation provision, the benefits of which clearly outweigh the loss of the current or former use.

Core Strategy policies

39. GSP1 sets out the broad strategy for achieving our objectives having regard to the Sandford Principle. GPS1 also sets out the need for sustainable development and to avoid major development unless it is essential.
40. 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.
41. Our conservation policies reflect the approach taken in the NPPF. Policy L3 says that development must conserve and where appropriate enhance cultural heritage assets and their setting and that other than in exceptional circumstances, development will not be permitted where it is likely to cause harm. Policies L1 and L2 require development to conserve or enhance landscape character and biodiversity.
42. HC4. A says that the provision of community facilities within or on the edge of settlements listed in core policy DS1 will be encouraged. Proposals must demonstrate evidence of community need with preference given to the change of use of an existing traditional building. Shared or mixed use with other uses and community facilities will be encouraged.
43. CC1 says that development must be designed in accordance with the energy hierarchy and be designed to maximise reductions in energy and water consumption to mitigate the impacts of climate change.

Development Management policies

44. DMC3 says that where development is acceptable in principle, it will be permitted if its detailed treatment is of a high standard that respects, protects and where possible enhances the natural beauty, quality and visual amenity of the landscape, including the wildlife and cultural heritage assets. Particular attention will be paid to siting, scale, form, mass, landscape setting and the valued character and appearance of the area.
45. Policies DMC11 and DMC12 require applications to include sufficient information to enable an assessment of impact upon designated sites and protected species. Development must conserve and enhance protected sites and species unless there are exceptional circumstances. DMC13 requires sufficient information to enable an assessment on trees to be made.
46. DMC14 says that development that presents a risk of pollution or disturbance including soil, air, light, water or noise pollution, or odour that could adversely affect any of the following interests will not be permitted unless adequate control measures are put in place to bring the pollution within acceptable limits
47. DMS7. A says that development that would prejudice the continued use of community sports facilities will not be permitted unless (amongst other things) the development is for alternative sports and recreation provision, the need for which clearly outweigh the loss.
48. DMT3 and DMT8 require safe access and adequate off-street parking provision.

Assessment

Principle

49. The development would improve the existing facilities and provide additional facilities for the existing football pitches on the edge of Hayfield. The application demonstrates clear need for the proposed re-levelling works to the pitches due to existing drainage issue affecting the usability of the pitches in wet weather, as well as the other facilities (previously approved), which would also be made available for use by the local community. The proposals therefore, are in principle in accordance with our development strategy and policy HC4. A.
50. The site of the pavilion, as amended, is similar to previously approved, with the proposed re-siting to avoid the root protection area of nearby trees. It is proposed to be located in the south-west corner of the existing playing fields, and would not affect either of the existing pitches. The development therefore would enhance the continued use of the sports facilities in accordance with policy DMS7 and encourage healthy communities in accordance with the NPPF. We note that Sports England raise no objections to the proposals for this reason.
51. The proposed development is therefore in accordance with our policies in principle which say that we should encourage shared community facilities in or on the edge of settlements such as Hayfield.
52. Given that a previous application considered the proposed pavilion in detail, the main issue is therefore the impact of the re-levelling of the pitches on drainage, on and around the site, along with whether the re-siting of the pavilion is acceptable, including the changes to car parking, in terms of the amenity of nearby residents.

Impact of the re-levelling of the pitches on drainage, and flooding on and off site.

53. The application seeks to re-level the football pitches and address the existing drainage issues on the site, which limit the usability of the pitches during wet weather. The works are proposed to ensure games etc. can continue throughout the winter months.
54. It is noted that a number of objections to the proposal related to the off-site drainage issues along Bank Vale Road. Whilst Bank Vale Road is not within the application site, and some of the drainage and flooding issues in the local area may not be directly related to the football pitches, detailed information has been submitted to set out the details of how the site would be drained etc., and the Lead Local Flood Authority Drainage Officer has been consulted.
55. During the application period, additional technical information has been submitted and reviewed by the drainage officer, who concluded that the proposals would be acceptable subject to conditions with strict wording to ensure adherence to National Planning Policy Framework, DEFRA's Non-statutory technical standards for sustainable drainage systems and local guidance.
56. It is therefore considered that there are no objections to the drainage works which would not have a harmful impact on the localised flooding and drainage issues in the area, and would in fact be likely to improve the situation.

Re-siting of pavilion

57. The pavilion building is proposed to be moved approximately 2m closer to the closest neighbouring property. It would still be set away from the site boundary, and therefore is not considered that this alteration would have a significant impact over and above the previously approved siting given the separation distance to the residential properties. It was

noted in the previous report that the *use of the proposed development could give rise to noise particularly if used by other community groups and in the evenings. However, the proposed facilities are modest in size and are an appropriate use in a residential area.* We consider the development to be a sufficient distance away from neighbouring properties such that noise and other disturbance arising from its use would not harm the residential amenity of neighbouring properties.

58. A condition was previously imposed to restrict the use of the building for assembly and leisure facilities only. This is required because the proposed development would fall under Use Class E and other uses under use class E include shops, financial and professional services, premises for the sale of food and drink (but not hot food takeaway or pubs/bars), business and light industry and non-residential institutions such as health services. This condition will need to be carried over to any new planning permission.
59. The development is only acceptable in principle because it would provide enhanced sports facilities and therefore unrestricted change of use to a range of other uses would not be in accordance with our development plan and may give rise to additional impact to neighbouring properties.
60. Therefore, subject to conditions to secure design details, landscaping, ecological enhancement, tree protection measures and the removal of the existing containers the development would conserve the valued characteristics of the National Park and the amenity of neighbouring properties in accordance with policies GSP3, L1, L2 and DMC3.

Climate change and sustainable building

61. The design integrates solar photovoltaic panels and battery storage to the rear of the building which will significantly reduce the electricity requirements from the grid. Furthermore an air source heat pump is proposed to the rear of the building which will reduce energy consumption from heating the building.
62. Low water consumption devices and appliances will be utilised along with low power consumption L.E.D lighting. Water butts would be fitted to downpipes. The building would also be designed to maximise insulation. Two electric vehicle charge points and secure cycle storage would be provided on site.
63. The proposed development full integrates energy and water conservation methods and has been designed in accordance with the energy hierarchy in accordance with policy CC1. If permission is granted we would recommend conditions to ensure that the proposed solar panels, air source heat pump, water butts, EV charging points and cycle storage is implemented.

Increase in car parking spaces

64. The application proposes to extend the existing car park, from the previously approved 21 spaces to 32 as well as splitting the parking area with 16 of the spaces aligned close to the southern boundary. The proposed spaces would be in accordance with our minimum and maximum parking standards and policy DMT8. It was noted by the Highways Officer that the additional spaces should ease congestion on Bank Vale Road. Accordingly, there are no highway objections to the proposed additional parking spaces now proposed.
65. The highways officer commented on the details of the construction site compound submitted in response to a condition of the previously approved application. It was considered that the details would be acceptable, subject to the development being carried out in accordance with those details and achieved via a condition securing implementation of the agreed scheme.
66. With regards to the revised access, it was recommended that the previous condition requiring minimum dimensions and sightlines should be amended, which is reflected by

recommended condition in this application. The proposed widening of the access would not be harmful provided that the walls are re-built as shown on the submitted plans. The widened access would be an improvement from a highway safety perspective and if granted conditions should be imposed to ensure that the access is modified and parking provided in accordance with the proposed plans. Bins would be stored within the building which is welcomed.

Conclusion

67. Subject to conditions, the proposed development would provide new and improved community sports facilities and conserve the valued characteristics of the National Park in accordance with policies GSP3, DS1, HC4, GSP3 and DMS7.
68. The development would incorporate appropriate climate change mitigation measures and not harm the amenity of neighbouring properties or highway safety.
69. Therefore having taken into account all matters raised we consider that subject to conditions the development is in accordance with the development plan. There are no other material considerations that indicate that permission should be refused. The application is therefore recommended for approval subject to conditions.

Human Rights

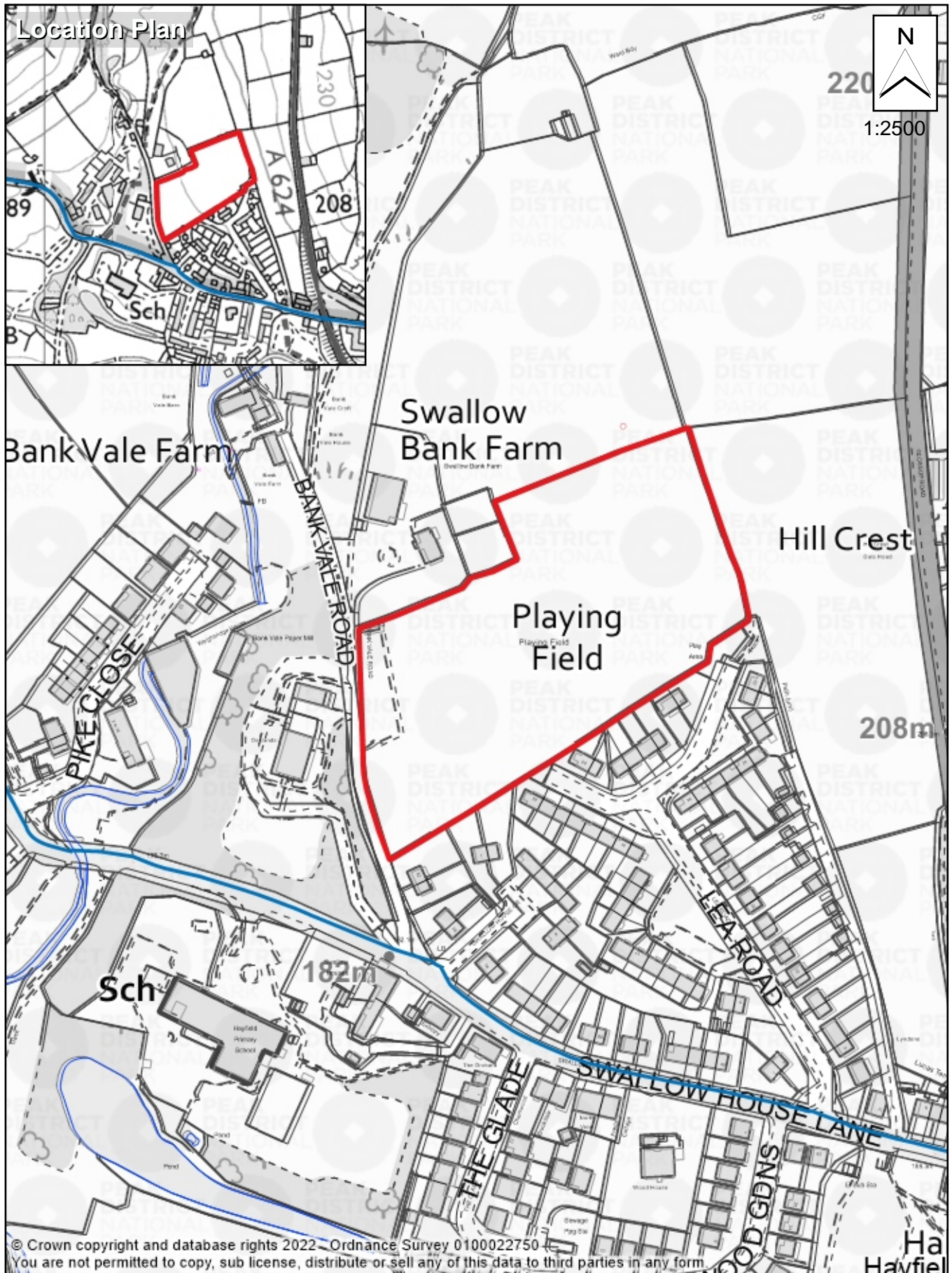
70. Any human rights issues have been considered and addressed in the preparation of this report.

List of Background Papers (not previously published)

None

Report Author: Kathryn White – Planning Officer

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Committee Date: 10/06/2022
 Item Number: Item 8
 Application No: NP/HPK/1021/1118
 Grid Reference: 403302, 387450

Title: Land Off Bank Vale Road,
 Hayfield



**PEAK
 DISTRICT
 NATIONAL
 PARK**

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9. FULL APPLICATION - TO INSTALL 4 ADDITIONAL PICNIC BENCHES ON TOP OF THE EXISTING 4 FOR ADDITIONAL SEATING USED BY THE CAFÉ AT MILLERS DALE STATION, UNNAMED ROAD FROM GLEBE FARM TO B6049 MILLERS DALE (NP/HPK/0621/0709, SW)

APPLICANT: PEAK DISTRICT NATIONAL PARK AUTHORITY

Summary

1. The proposal for 4 additional timber benches will not harm the setting of the heritage assets, will enhance the amenities available on the site, will not obstruct the main route of the Monsal Trail and does not raise any significant other issues. It is therefore considered to be in accordance with the policies of the development plan and therefore acceptable.

Site and Surroundings

2. The former Millers Dale Station site is located in open countryside on the Wormhill Road which rises up from the valley bottom beneath the viaduct. The site sits on a level area of land and includes the car park and surviving station buildings and platforms. The Monsal Trail crosses the site along the route of the former railway.
3. The site is located within the designated Millers Dale Conservation Area. The viaducts are located to the east of the station, North Viaduct is Grade II listed and South Viaduct is Grade II* listed. The former station is not listed but does form part of the Historic Buildings, Sites and Monuments Records and is considered to be a non designated heritage asset.
4. The site is located outside of but adjacent to the Peak District Dales Special Area of Conservation (SAC) and the Wye Valley Site of Special Scientific Interest (SSSI). The site is located within the Limestone Dales Landscape Character Area for the purposes of the Authority's Landscape Character Assessment.
5. The nearest neighbouring property is Station House which is located to the north of the site in an elevated position and shares access with the car park. Station house is a private dwelling which also operates a tea garden which is open to the public. A separate public footpath runs up and around Station House and runs westwards above the application site.
6. Part of the former station has been converted to a café and also provides public toilets, and the recent restoration of the goods shed provides an interpretation point.
7. The benches would be situated on the platform and former track.
8. The Monsal Trail public right of way runs alongside the site, whilst some of the benches are shown down at the level of the old track they would not obstruct the main part of the Monsal trail itself.

Proposal

9. The proposal is for 4 no. additional picnic benches to serve the café. The details show these would be timber, 1800mm x 1500mm with a height of 785mm.
10. The submitted layout which includes the existing benches as well as those proposed shows that a total of two benches for the café would be sited on the platform with 6 located on the track level which is slightly lower than the platform.

RECOMMENDATION:

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

- 1. Standard time limit**
- 2. The benches hereby permitted shall not be installed other than as shown on the approved plan 'PB03' and in accordance with the submitted specifications.**

Key Issues

11. Would the benches block the public rights of way or make it difficult to manoeuvre around the site.
12. Would the benches harm the significance of the heritage assets.

History

13. 2018 NP/HPK/0518/0407 this granted planning permission for change of use of the former station building from office accommodation and workshop to visitor information point and café and an extension to the car park. Condition 17 of the permission requires no outside seating other than in accordance with the approved plans. The approved plan CP02_EXT showed a total of 4 no. new benches for café customers. These were shown positioned in a line on the platform.

Consultations

14. Highway Authority - No highway safety comments to additional benches.
15. District Council – No response to date.
16. Wormhill Parish Council – No Objection.
17. PDNPA Archaeology – No archaeological comments.

Representations

18. None have been received

Main Policies

19. Relevant Core Strategy policies: GSP1, GSP2, GSP3, GSP4, L1, L3, HC4, RT1, E2.
20. Relevant Local Plan policies: DMC3, DMC5, DMC7, DMC8, DMT5.

National Planning Policy Framework

21. The National Planning Policy Framework (NPPF) has been revised (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 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.

Core Strategy

22. 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.
23. 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.
24. 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.
25. Policy L3 would not permit development which failed to conserve or enhance the significance of a heritage asset or its setting.

Development Management Policies

26. DMC3 requires a high standard of design that does not harm the amenities of the site or neighbouring properties.
27. DMC5 Require that development affecting a heritage asset assesses the impact of the development on the significance of a heritage asset and requires that the significance is conserved or enhanced.
28. DMC7 and DMC8 would not permit development which harmed the significance of a heritage asset or its setting and requires their significance is conserved or enhanced.
29. DMT5 would not permit development which obstructed the route of a public right of way.

Assessment

30. The benches would be sited permanently on the site and therefore given their impact is permanent, they are considered to be development even if they are not fixed into the ground.
31. The number of benches permitted by the 2018 permission for the café was limited to just the 4 shown on the plans. The reason stated on the decision notice was to enable the National Park Authority to retain control over the extent of the use and to prevent any adverse effect upon the character of the area and the interests of nearby residents.
32. The additional 4 shown raise no further planning issues, they will improve the amenities available at the site and will not harm the amenity of neighbouring properties or the setting of the heritage assets.

33. Whilst it is noted that some are shown on the route of the trail, this section spurs off to Millers Dale Station Car Park so the main route of the Monsal Trail would remain unobstructed by the benches.
34. The proposal is also considered to be in accordance with RT1 and E2 as it is only a small scale addition to an existing facility at an existing recreation hub which currently provides parking for the Monsal Trail, a café, public toilets and interpretation in the recently restored Goods Shed.

Conclusion

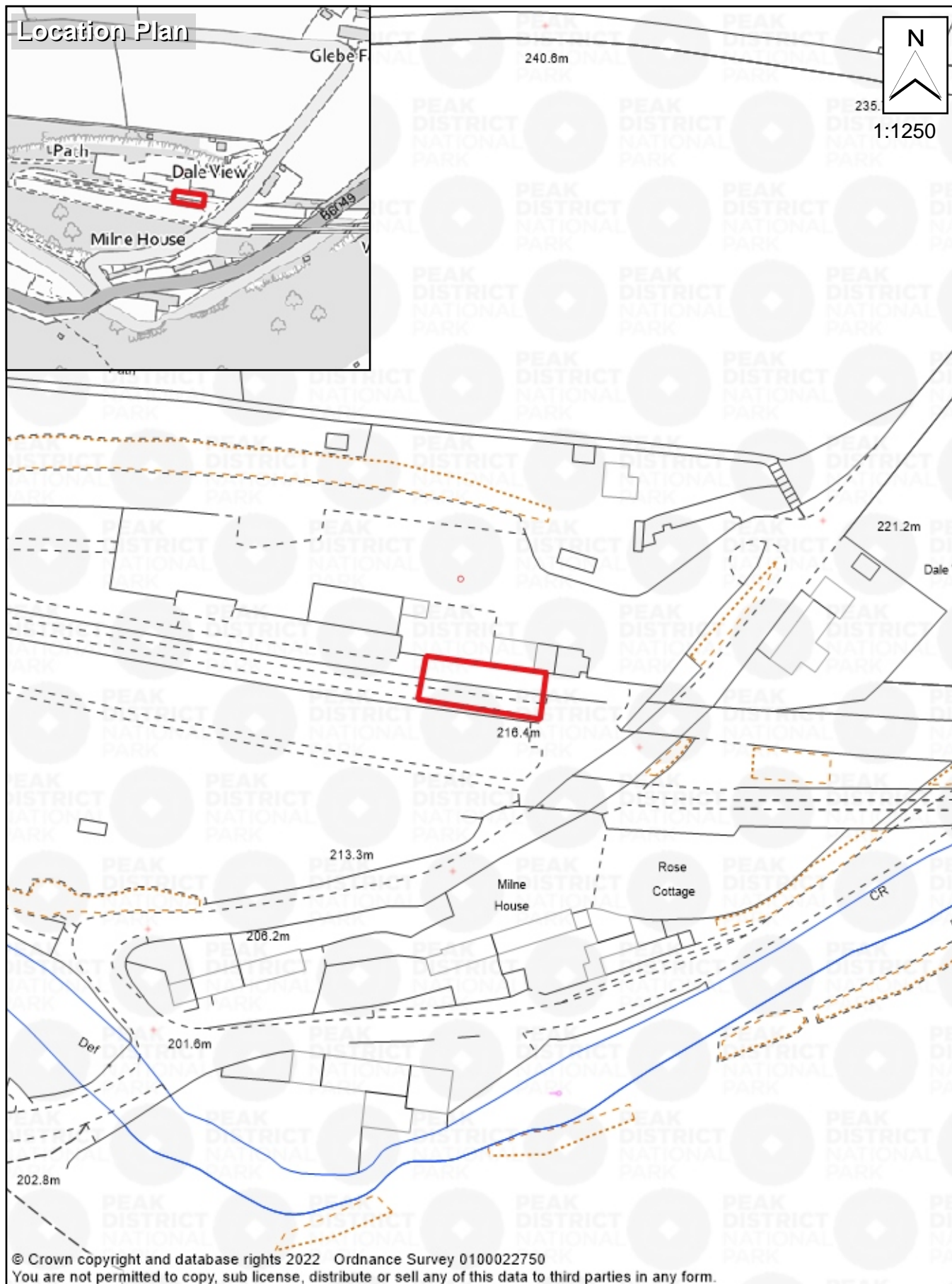
35. The proposal is in accordance with the policies of the development plan and should be approved.

Human Rights

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

List of Background Papers (not previously published)

37. Nil
38. Report Author – Steven Wigglesworth



Committee Date: 10/06/2022
 Item Number: Item 9
 Application No: NP/HPK/0621/0709
 Grid Reference: 413823, 373241

Title: Millers Dale Station,
 Unnamed road from Glebe
 Farm to B6049,
 Millers Dale



**PEAK
 DISTRICT
 NATIONAL
 PARK**

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10. FULL APPLICATION – INSTALLATION OF A SHEPHERDS HUT FOR TWO PEOPLE, LOCATED TO THE SIDE OF AN EXISTING SILAGE PIT AT BARKER FIELDS FARM, HORSE LANE, SHELDON. (NP/DDD/0222/0194, SC)

APPLICANT: MR & MRS J FROST

Summary

1. The application seeks planning permission to install a single Shepherds Hut on land close and to the south west of the main farm buildings at Barkers Field Farm, Horse Lane, Sheldon.
2. Policy requires development comprising holiday accommodation through the siting of a single shepherd's hut to support farm diversification and to be located close to the facilities of a farmstead. As the site is part of a working farm, the scheme accords with policy in principle.
3. In addition, due to the siting there would be limited landscape impact, amenity or highway concerns. Consequently, the application is recommended for approval.

Site and Surroundings

4. Barker Fields Farm is located in open countryside approximately 1.4km south of Sheldon and around 1.5km north east of the village of Monyash. Access to the farm is directly of Horse Lane.
5. The nearest property is Red House sited 220m to the east of the main farm.
6. Limestone plateau pastures is the landscape character type. Which comprises of an upland pastoral landscape with a regular pattern of straight roads and small to medium sized rectangular fields bounded by limestone walls. Tree cover is mostly limited to occasional tree groups, or small shelter belts.
7. The landscape surrounding the application site reflects these characteristics and is generally a peaceful rural landscape with open distant views to surrounding higher ground.

Proposal

8. Installation of a single Shepherd Hut to provide tourist accommodation ancillary to Barker Fields Farm.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions:

1. **3 year time limit**
2. **Submitted plans & details**
3. **Design & materials**
4. **Holiday occupancy condition**
5. **Retain as single planning unit**
6. **Hut to be sited in approved location only**
7. **Hut must not be replaced by any other structure or caravan**
8. **All new service lines to be underground**
9. **Climate mitigation measures to be implemented**

- 10. Highway matters**
- 11. Control over external lighting**

Key Issues

- 9. Principle of development, neighbour amenity, landscape and highway impacts.

Relevant history

- 10. 2021 - NP/DDD/0921/0989 – Planning application submitted for installation of a log cabin for two people. Withdrawn prior to determination.

Consultations

- 11. Highway Authority - No objections subject to conditions relating to parking and the use remaining ancillary to the farm.
- 12. Parish Council – Object for the following reasons:
 - 1) *Objections have been made to previous applications for shepherd huts.*
 - 2) *Acceptance of such applications sets a precedent for future similar applications.*
 - 3) *Shepherd huts are not considered to be in keeping with the local area.*
- 13. PDNPA Archaeology – No comment.

Representations

- 14. None.

National Planning Policy Framework (NPPF)

- 15. 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 irrelevant policies are out of date.
- 16. In particular Para: 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.
- 17. In the National Park, the development plan comprises the Authority's Core Strategy and the new 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.
- 18. In this case, it is considered there are no significant conflicts between prevailing policies in the Development Plan and government guidance in the NPPF.

Main Development Plan Policies

Core Strategy

- 19. 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.

20. 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.
21. DS1 - *Development Strategy*. States, that recreation and tourism development is acceptable in principle in open countryside.
22. 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.
23. RT3 – *Caravans and camping*. States, that small touring camping and caravan sites and backpack camping sites will be permitted, particularly in areas where there are few existing sites, provided that they are well screened, have appropriate access to the road network, and do not adversely affect living conditions.
24. CC1 - *Climate change mitigation and adaption*. Sets out that development must make the most efficient and sustainable use of land, buildings and natural resources. Development must also achieve the highest possible standards of carbon reductions.

Development Management Policies

25. 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.
26. DMR1 - *Touring camping and caravan sites*. The development or small extension to an existing caravan site will not be permitted unless its scale, location, access and landscape setting are acceptable. Exceptionally, the development of structures may be permitted where these are small, simple wooden pod structures in woodland locations with minimal landscape impact, or a single Shepherds Hut where this can be located close to the facilities of a farmstead without harm to the natural or historic landscape.
27. *The supporting text to this policy states that "there may be exceptional circumstances where some structures may be acceptable Such solutions can help to support the local economy by extending the tourism season...Traditionally styled shepherd's hut accommodation can also provide an alternative form of provision with very minimal landscape impact but can only be justified as exceptional if only one hut is installed on any one agricultural holding. Such development should be used to support farm diversification and as such should also be assessed against the requirements of policy DME2."*
28. DME2 - *Farm Diversification*. States that development will be permitted if there is clear evidence that the new business use will remain ancillary to the agricultural operation of the farm business, meaning that the new business use is a subsidiary or secondary use or operation associated with the agricultural unit.
29. DMR3 - *Holiday occupancy of self-catering accommodation*. States, that where self-catering accommodation is acceptable, its use will be restricted to holiday accommodation for no more than 28 days per calendar year by any one person.

30. 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.

Assessment

Agricultural background

31. According to the submitted details, the farm has been in the family for over 100 years and currently consists of over 83 Hectares (207 acres) of which just over 44 Hectares (110 acres are owned). The primary enterprise is beef production with currently around 480 head of cattle on the holding as a maximum currently including 120 weaned calves and 360 store and finishing cattle ranging from six to 24 months.
32. In this case, the renting of the Shepherds Hut would bring in extra income that would aid further land purchase, whilst helping to secure the farming enterprise into the future.

Principle of the development

33. For the purposes of the Development Plan, the site lies in open countryside.
34. Policy RT3 states amongst other things, that static caravans, chalets or lodges will not be permitted. Whilst not explicitly addressing shepherds huts, they are considered to amount to the permanent siting of a caravan for use as holiday accommodation and therefore amount to a static caravan, albeit generally smaller in size.
35. However, supporting text does state, that exceptionally, static caravans, lodges, or chalets may be acceptable in locations where they are not intrusive in the landscape.
36. Whilst Policy DMR1 goes on to set out, that exceptionally, the development of structures may be permitted where these are small, simple wooden pod structures in woodland locations with minimal landscape impact, or a single Shepherds Hut, where this can be located close to the facilities of a farmstead without harm to the natural or historic landscape.
37. In this case, the development is for a single Shepherds Hut on a working farm that would be sited near to existing farm buildings. Consequently, the hut is accepted in principle in accord with policies DS1, RT3 and DMR1 in these respects.

Siting, Design and materials

38. Policy DMC3 in particular states, 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.
39. The Shepherds Hut would be sited on a bed of gravel immediately south of an area of hardstanding, which is at a higher level due to the topography and grading of the land at this point. Access to the site would be from an existing field gate along a grassed track terminating at the hardstanding. Parking would be to the side of the hardstanding area on an existing gravelled area.
40. The hut would measure 5.5m x 2.5m x 3.6m to the highest point of the roof and would accommodate a double bed, kitchenette/living area with separate shower and w/c.

41. The walls of the hut would be timber clad under a corrugated steel roof. The windows and doors would be of timber construction.
42. Regarding this, whilst not reflective of more general local building traditions, the shepherds hut follows a typical design and scale for such structures. Therefore, with conditions relating to a recessive colouring of the hut, it would be acceptable in siting, design and appearance in accordance with policies GSP3 & DMC3 in these regards.

Landscape and visual impact

43. Policy L1 seeks to ensure that all development conserves and enhances valued landscape character and sites.
44. The Shepherds Hut would be sited on land immediately south and at a lower level than an area of existing hardstanding, towards the south western edge of the farm. Due to the position of the hut at this lower level and the distance from the road (Approximately 90m), there would be no close-range public views of the shepherd's hut from the road, other than a potential glimpse of the roof.
45. Whilst the hut would be spaced away from the existing buildings at the site to an extent, it would be viewed in the context of them, and of the existing hardstanding and other farming equipment and storage at the site.
46. In addition, due to its modest scale and proposed recessive colouring, the hut would not appear prominent in the landscape and therefore not detrimental to the visual character of the area. Consequently, the siting of the hut at this edge of farm location satisfies the requirements of Policy L1.

Potential amenity issues

47. The farm is sited in a fairly isolated location with the nearest dwelling (Red House) which is sited around 220m to the east of the main farm complex.
48. In this case, due to this degree of separation, the development would have no adverse impact or significantly harm the amenity of this or another residential property in the locality, therefore the development would accord with policies GSP3 & DMC3 in these respects.

Local Highway matters

49. The local Highway Authority raise no objections, stating that whilst the proposed shepherds hut would increase vehicle movements associated with the existing vehicular access, any minor increase in traffic generation the proposal may generate is unlikely to lead to any severe safety issues associated with the access.
50. In addition, one parking space would be sufficient to serve the proposed shepherd hut. This available space would be to the side of the existing hardstanding on a gravelled area of land.
51. Subject to conditions relating to the parking space being laid out prior to taking the hut into use and that it remains ancillary to the farm, the proposal would be acceptable in highway terms, according with policies DMT3 in these respects.

Environmental Management and sustainability

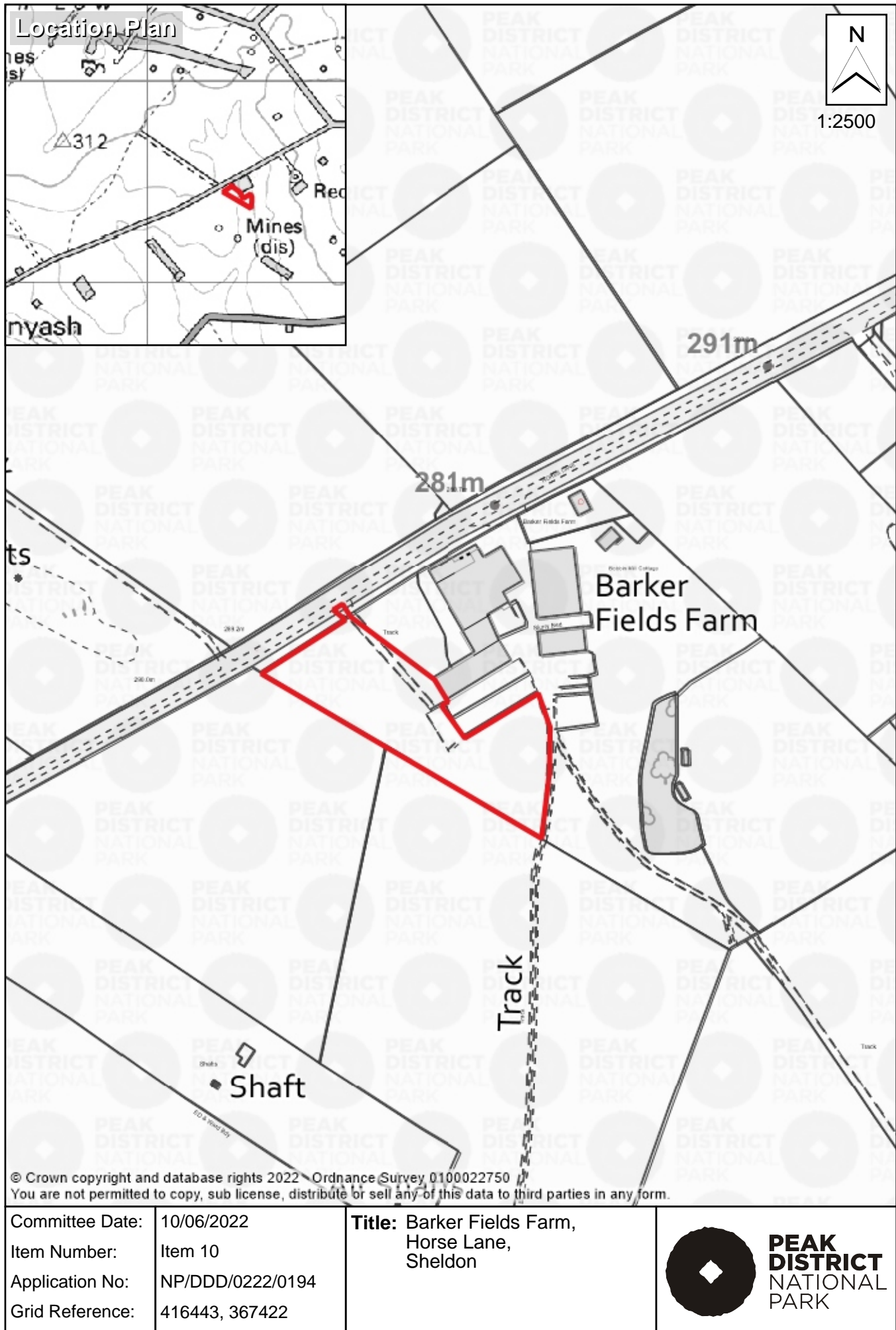
52. Whilst the energy efficiency standards set out in current building regulations do not apply to these types of structures, the submitted environmental statement says, that the Shepherds Hut would be constructed using sustainably sourced materials and using local labour in its construction. The walls would be insulated, with double glazing to the windows and doors. In addition, low energy lighting and water fittings would be used.
53. Further commenting, that the farm has over the last 10 years worked with an agronomist (Soil Management) helping to reduce the chemical fertilisers used on the farm, planting herbal lays and regularly looking at soil management strategies.
54. Regarding this, and due to the relatively small scale of the development, the information provided would generally meet the requirements of policy CC1 in these respects.

Conclusion

55. In conclusion, the proposed single Shepherd's Hut, would be acceptable in principle, would not be intrusive in the landscape or harmful to neighbour amenity or highway safety. Consequently, the scheme would accord with National and Development Plan Policies in these respects and recommended for approval subject to appropriate conditions.

Human Rights

56. Any human rights issues have been considered and addressed in the preparation of this report.
57. List of Background Papers (not previously published)
58. Nil
59. Report Author: Steve Coombes, South Area Planning Team.



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11. HOUSEHOLDER APPLICATION - PROPOSED EXTENSION OF DWELLING – SWALLOW END, ROWSLEY (NP/DDD/0122/0068 MN)

APPLICANT: MRS K. BISTANY

Summary

1. The proposed development relates to the extension of a semi-detached traditional dwellinghouse.
2. The scheme has been amended during the course of the application, reducing the size of the proposed extension on the basis of a land ownership dispute, and now amounts to a side extension to the property.
3. The proposal is concluded to conserve the character and appearance of the dwelling, the significance of the nearby listed building, and raises no amenity issues.
4. Having also taken account of all other policy and material considerations, the application is recommended for approval subject to conditions.

Site and Surroundings

5. Swallow End is one of a pair of attached linear cottages of vernacular design and character standing in an isolated location south of Pilhough Lane, approximately 1km north-east of Stanton and 1km south-west of Rowsley. The cottages are sited on a steep north-facing hillside backed by broken woodland to the south (above) the cottages. The land to the north falls away markedly such that there are expansive panoramic views over the Wye Valley. Swallow End Cottage is the eastern cottage and has a small weakly defined curtilage to its north (front) side.
6. A shared access drive serves both cottages and two other dwellings to the north and east which are slightly separated from the two cottages. The track initially rises steeply from Pilhough Lane then levels out to serve the cottages approximately 70m from the road junction. The cottages are intermittently visible from approaches up Pilhough Lane.
7. The application property is a small and simple two-storey cottage which comprises of approximately one third of the extent of the adjoined linear cottages, the other being the larger Swallow Cottage. It would appear that historically there would have been three dwellings within the building group, with the western and middle dwellings being merged to a single dwelling to form Swallow Cottage.
8. The buildings together are constructed in coursed gritstone with blue slate roof to the application building and hardrow brown tiles to Swallow Cottage. There is an increase in eaves and ridge height to Swallow Cottage to the west, but the character of the adjoining buildings is of a short terrace, albeit with distinguishing detailing to the separate units.
9. The application building comprises effectively a one-up one-down two storey main section adjoining Swallow Cottage with a small single storey projection to the east gable containing a small kitchen. A small two storey gabled projection extends to the rear, cut into the steeply rising ground containing a box room and shower room below. Overall the scale of the existing dwelling is very modest. The front elevation of the single storey side projection is set back slightly from the main cottage frontage.
10. The detailing of the application building is simple gritstone cottage vernacular with small casement windows with heavy stone surrounds and mullions. A shallow storage shed abuts the eastern gable of the single storey section.

11. Aside from the adjoined neighbour, the next nearest property is that of Wye View, approximately 25m to the north east, and the listed Ivy Cottage, some 30m to the south east.
12. The site is outside of any designated conservation area.

Proposal

13. The amended proposal comprises simple upward extension of the single storey component of the house to create a first floor bathroom and storage space. The ground floor would be retained as kitchen.
14. The footprint of the building would not be increased from the existing dwelling. The eaves height would be consistent with the main cottage but ridge height lower than the main roof consequent to the narrower width of the section than the main cottage.
15. Materials and detailing would match the existing.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions -

- 1. Standard time limit**
- 2. Carry out in accordance with amended plans.**
- 3. Agree details, recess and finish of timber windows and doors**
- 4. New stonework to be natural gritstone to match the existing with roof clad with natural blue slate.**
- 5. Cast metal RWGs painted black and installed on rise and fall brackets directly to the stonework without the use of fascia.**
- 6. The permission explicitly excludes / does not permit the proposed siting of the LPG tank to the north-east section of curtilage included within the amended plans but that is not covered by the application description of development.**

Key Issues

16. The impact of the development on the appearance of the built environment and landscape of the National Park, effect on the setting of a listed building and effects on neighbour residential amenity.

History

17. No planning history pertaining to Swallow End.
18. Extensive but not pertinent planning history in relation to adjoining Swallow Cottage and the barn conversion 'Wye View' in relative proximity to the application site.

Consultations

19. Derbyshire County Council Highways - No Objections
20. Stanton in Peak Parish Council – Object to the proposals:

21. *Stanton in Peak Parish Council objects to this application as the massing of the extensions exceeds the original property which is adjacent to a listed building.*
22. *Council notes some confusion over the name of this property, the application states Swallow End, yet it's also known as Wye Cottage and it is noted that this is an application to extend what is an already extended property. The existing rear double storey is an extension to the original cottage, the existing single storey side extension is also a later addition.*
23. *The application is for a second rear 2 storey high extension and to increase the height of the side extension to 2 storeys. The 'massing' of the proposed extensions are clearly larger than the original cottage, the side extension proposed appears to be just subservient (but not as clear as most extensions are required to be in the Design Guides).*
24. *It is located adjacent to a Listed property, Ivy Cottage that forms part of the Swallow Cottage group of units and which share a boundary and the same access route on an overdeveloped site.*
25. Derbyshire Dales District Council – No response to date.

Representations

26. One third party representation has been received, objecting to the proposals.
27. The objection was made on grounds that the proposed rear extension component of the originally submitted application (now omitted as part of the amended scheme) lay across land in ownership of a third party. The objection also referred to the removal of ivy and shrubs to the rear of the property claimed to be outside the applicant's land in ownership.
28. Officers note that the representations have been made in relation to the scheme as submitted. The representations need to be considered insofar as they remain relevant to the amended scheme and development description.

Main Policies

Relevant Core Strategy policies: GSP1, GSP2, GSP3, GSP4, L1, L3.

Relevant Development Management policies: DM1, DMC1, DMC3, DMC4, DMC5, DMC7.

National Planning Policy Framework

29. The National Planning Policy Framework (NPPF) was revised 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 the Development Management Policies 2019. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and Government guidance in the NPPF.

30. Para 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.'

Core Strategy

31. 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.
32. Policy GSP2 says that opportunities for enhancing the valued characteristics of the National Park will be identified and acted upon, and opportunities will be taken to enhance the National Park by the treatment or removal of undesirable features or buildings.
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 and impact on living conditions of communities.
34. Policy L1 requires that development must conserve and enhance valued landscape Character, as identified in the Landscape Strategy and Action Plan and other valued characteristics, and other than in exceptional circumstances, proposals in the Natural Zone will not be permitted.
35. L3 deals with heritage assets including Conservation Areas, the setting of listed buildings and Scheduled Monuments and requires that development must conserve and where appropriate enhance or reveal the significance of the heritage assets and their settings. Other than in exceptional circumstances development is not permitted that is likely harm the significance of a heritage asset.

Development management policies

36. The development management policies require a high standard of design (DMC3), they require a heritage assets significance to be identified and conserved or enhanced (DMC5), development that harmed the setting of a listed building would not be permitted (DMC7). DMC3 also protects the amenity of the area and neighbouring properties.
37. Policy DMH7 addresses extensions and alterations, permitting these provided that the proposal does not:
- (i) detract from the character, appearance or amenity of the original building, its setting or neighbouring buildings; or
 - (ii) dominate the original dwelling particularly where it is a designated or non-designated cultural heritage asset; or
 - (iii) amount to the creation of a separate independent dwelling; or
 - (iv) create an adverse effect on, or lead to undesirable changes to, the landscape or any other valued characteristic; or
 - (v) in the case of houses permitted under policy DMH1, exceed 10% of the floorspace or take the floorspace of the house above 97m².

Assessment

Principle

38. The proposal is for a modest upward extension to a vernacular cottage. Development comprising alteration and extension of dwellings is supported in principle by planning policies DS1 and DMH7.

Design

39. The proposal (as amended) comprises a modest upward extension from the existing vernacular building to provide for first floor bathroom and storage. The rear extension component submitted with the original application has been omitted from the amended plans pending the boundary ownership dispute's resolution.
40. The upward extension would not result in an expansion of the footprint of the cottage.
41. The front elevation of the existing single storey side extension is slightly set-back from the main terrace and hence gable width is narrower, allowing for a first floor to be constructed whilst securing a lower ridge height than the adjoining section. The character of the terrace as a whole is partly defined by mixed eaves and ridge heights. Detailing and materials are to match the existing.
42. The scale of proposed extension has been questioned by the Parish Council in their consultation response. It suggested that the combined extensions to the side and rear of the existing building within the original scheme would be disproportionately large to the original dwelling. Amended plans have been received which removes the rear section originally proposed, although on balance officers consider that the proposed works as submitted would have been of a scale which could have been supported.
43. In any case, the proposals as amended are considered to broadly reflect the principles set out in design guidance.
44. The massing of the extension is somewhat at odds with adopted design guidance, being of narrow proportion that does not reflect the proportions of the dwelling. Given the modest overall scale and generally appropriate design of the extension though, the effects on the character of the terrace and its appearance in the wider landscape are not considered to be significantly adversely impacted upon. Overall, the development is concluded to comply with policies GSP3, DMC3, and DMH7 in design terms.
45. It is noted that an LPG tank is indicated on the amended site plan. This does not form part of the development description however, and no elevational plans or specification have been provided. These works would therefore be subject to separate permission. A condition to advise that the tank is not authorised in the event of this application being approved is recommended for reasons of clarity and the avoidance of doubt.

Impact on setting of a Listed Building

46. The application site is adjacent to the listed building of Ivy Cottage and the access to it is shared with the application site. Ivy Cottage is located approximately 30m to the south east at the nearest point to the application building. Officers consider that there is minimal inter-visibility between the two buildings as a consequence of elevation change and established vegetation. The proposed extension to Swallow End would not materially alter the relationship between the buildings or harm the setting of the listed building. Therefore policies L3 and DMC7 would be satisfied.

Amenity

47. There would be no material harm caused to the amenity of neighbouring properties as a consequence of the proposal – it would not be overbearing on any other dwelling, or result in a reduction to their privacy. The proposed first floor window to the extension would serve a bathroom and be obscure glazed. The development therefore complies with policy DMC3 in so far as it relates to amenity.

Conclusion

48. The proposed scheme would converse the built environment, and would result in no material harm to the setting of the nearby listed building, or to neighbouring amenity.
49. With the above suggested planning conditions the proposals will conserve the character and appearance of the site and is therefore in accordance with the policies of the development plan and the NPPF.

Human Rights

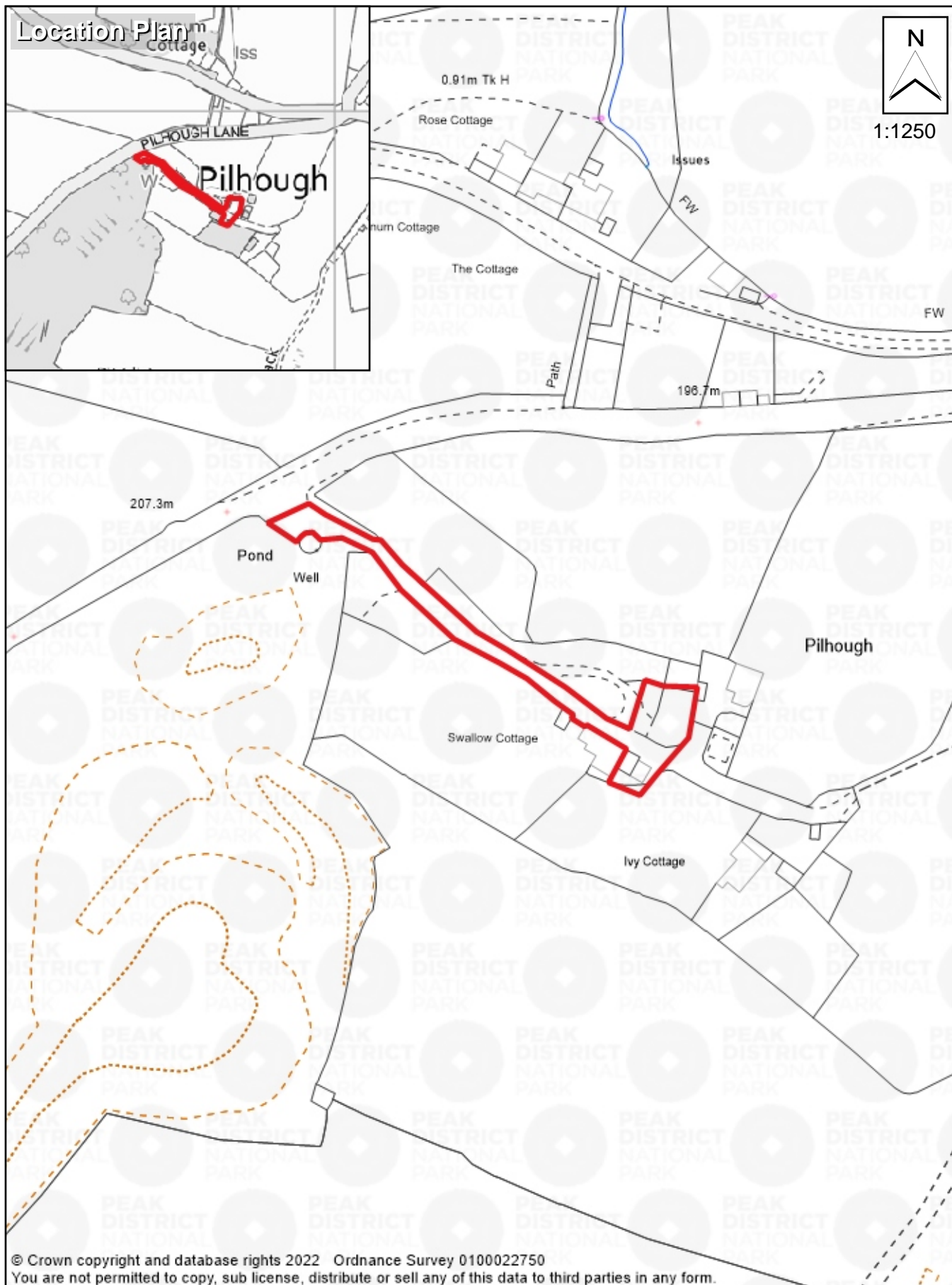
50. Any human rights issues have been considered and addressed in the preparation of this report.


List of Background Papers (not previously published)

51. None.

Report Author and Job Title

52. Mark Nutall, Interim South Area Manager



Committee Date:	10/06/2022	Title: Swallow End, Rowsley	 PEAK DISTRICT NATIONAL PARK
Item Number:	Item 11		
Application No:	NP/DDD/0122/0068		
Grid Reference:	424858, 364932		

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12. FULL APPLICATION – PROPOSED EXTENSION TO DWELLING AT THE ORCHARDS, MONSDALE LANE, PARWICH. (NP/DDD/0921/0990, SC)

APPLICANT: MR P KIRKHAM

Summary

1. The application seeks permission to construct a two storey extension to the front elevation of the dwelling at The Orchards, Monsdale Lane, Parwich.
2. In this case, by virtue of its siting, scale and design, the two storey extension fails to respect the simple character and appearance of the host dwelling and the valued characteristics of the Conservation Area. As a result, the application is recommended for refusal.

Site and Surroundings

3. The Orchards is a traditional detached farmhouse dating from at least the 19th century, sited within a fairly large plot on the eastern edge of the village and within the Conservation Area. The nearest neighbouring dwelling is Orchard Farm sited around 35m to the north. A public footpath runs in roughly an east to west direction adjacent with the northern boundary of the property.

Proposal

4. Planning permission is being sought to erect a two storey extension to the front elevation of the property.

RECOMMENDATION:

That the application be REFUSED for the following reasons:

1. **By virtue of its position, scale and design, the two storey extension would harm the simple character and heritage significance of the existing dwelling and the valued characteristics of the Conservation Area.**

The development therefore conflicts with Local Plan Policies GSP1, GSP3, L3, DMC3, DMC5, DMC8, and DMH7, advice within the Authority's Design Guide and Alterations and Extensions SPD, and Paragraphs 134, 176, and section 16 of the NPPF.

2. **The application fails to include sufficient heritage assessment to allow a full assessment of impacts upon the buildings heritage significance to be made, contrary to policy DMC5 and paragraph 194 of the NPPF.**

Key Issues

5. The potential impact on the character and appearance of the host property, the Conservation Area, the privacy and amenity of neighbouring dwellings and highway safety.

History

6. 1989 - NP/WED/389/129 - Extension to dwelling – Granted.

Consultations

7. Highway Authority – No objections, subject to sufficient parking provision being retained.
8. Parish Council - *Supports this application on the grounds that it is a sympathetic improvement to the housing stock in the village.*

Representations

9. One letter has been received from neighbouring property (Orchard Farm). Commenting, that whilst they are sympathetic to the addition of an extension, a single storey extension would be less intrusive to all concerned, including users of the adjacent public footpath.

National Planning Policy Framework (NPPF)

10. The Government's intention is that the document should be considered as a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date.
11. Paragraph 134 states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.
12. 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. It also states that the conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks.
13. Paragraph 194 states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. It advises that the level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.
14. Paragraph 199 states that when considering the impact of a proposed development on the significance of a designated heritage asset (in this case being the Conservation Area), 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.
15. Paragraph 203 states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
16. In the National Park, the development plan comprises the Authority's Core Strategy and the new 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

17. 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.
18. 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.
19. 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.
20. DS1 - *Development Strategy*. Supports extensions and alterations to dwellinghouse in principle, subject to a satisfactory scale, design and external appearance.
21. CC1 - *Climate change mitigation and adaption*. Sets out that development must make the most efficient and sustainable use of land, buildings and natural resources. Development must also achieve the highest possible standards of carbon reductions and water efficiency.

Development Management Policies

22. 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.
23. 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.
24. DMC8 - *Conservation Areas*. States, that applications for development in a Conservation Area, or for development that affects it's setting or important views into or out of the area, across or through the area should assess and clearly demonstrate how the existing character and appearance of the Conservation Area will be preserved and, where possible, enhanced.

25. DMH7 - *Extensions and alterations*. States that extensions and alterations to dwellings will be permitted provided that the proposal does not:
- (i) detract from the character, appearance or amenity of the original building, its setting or neighbouring buildings; or
 - (ii) dominate the original dwelling particularly where it is a designated or non-designated cultural heritage asset; or
 - (iii) amount to the creation of a separate independent dwelling; or
 - (iv) create an adverse effect on, or lead to undesirable changes to, the landscape or any other valued characteristic; or
 - (v) in the case of houses permitted under policy DMH1, exceed 10% of the floorspace or take the floorspace of the house above 97m².
26. 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.
27. The Authority has adopted three separate supplementary planning documents (SPD) that offers design guidance on householder development namely the Design Guide, the Building Design Guide and the Detailed Design Guide on Alterations and Extensions.

Assessment

Principle of the development

28. Generally, there are no objections to extending a dwelling, subject to a satisfactory scale, design and external appearance and where development pays particular attention to the amenity, privacy and security of nearby properties in accordance with the principles of policies DS1 & DMC3 respectively.
29. Policy DMH7 states, that extensions and alterations to a residential dwelling will be permitted provided that the proposal does not detract from the character, appearance or amenity of the original building.

Siting, design and materials

Proposed two storey extension

30. The Authority's Design guidance states amongst other things, that it may be possible to add a well-designed extension provided it would be in harmony with the original building, subject to being appropriate in scale, design and external appearance, in accordance with good design principles.
31. However, there are matters of siting and design that are not considered acceptable in the current proposed two storey extension. In particular, the scale of the extension in proportion to the existing dwelling and the arrangement of extending beyond the architectural front of the dwelling, which is seldom considered appropriate or acceptable in design terms.
32. Whilst there is no evidence on file, the property appears to have been a farmhouse with attached barn which has been re-configured at some point in the past to create a single dwelling. It dates from before 1880 based on available historic mapping, although no heritage assessment accompanies the application to provide further detail in this regard. Given the property's age and character, it is considered a non-designated heritage asset.

33. To the front, a modest albeit uncharacteristic porch extension has been added, but the elevation otherwise retains its traditional plain and linear frontage.
34. The rear of the dwelling faces onto the private rear access, with the front elevation facing into the garden. Lean-to extensions project from the rear of the property.
35. The proposed extension is large and – significantly – would project from the front elevation of the building.
36. In terms of scale, the extent of projection from the wall of the building, along with a height equal to it and a wider gable than it would all serve to create a dominating extension that fails to be subservient to the parent building, as required by planning policy and design guidance.
37. Cumulatively these points make the extension appear unduly large in proportion to the host property, imposing on the original building and detracting from its character and appearance.
38. Perhaps even more significantly, these impacts would affect the principal elevation of the building. The Authority's adopted Alterations and Extensions SPD clearly states that extending to the front - the important façade architecturally - is seldom appropriate or acceptable.
39. In this instance the front elevation has a simple and traditional character and appearance that also contributes to its archaeological legibility and heritage significance. It makes a positive contribution to the built environment and cultural heritage of the National Park.
40. The proposed two storey extension would entirely undermine this simplicity of form, as well as resulting in significant harm to the buildings typical traditional appearance and, despite the lack of a supporting heritage assessment, it is clear that it would also harm its heritage significance in doing so. The full impacts on heritage assessment cannot be established however, as the lack of heritage assessment restricts understanding of the archaeology of the building, contrary to policy DMC5 and paragraph 194 of the NPPF.
41. Overall, the extension would be wholly out of keeping with the buildings character, as well as best practice in design as set out in planning policy and adopted design guidance. It therefore fails to accord with policies GSP1, GSP3, L3, DMC3, DMC5, and DMH7. It also fails to accord with paragraphs 134 and 176 of the NPPF, as well as the provisions of Part 16 for the assessment and conservation of heritage assets.
42. Further, the development is located within the village Conservation Area. As a result of the harm identified to the building itself, it stands that it would also harm the character of the Conservation Area, something compounded by its visibility from the footpath that passes the site to its immediate north. The development is also therefore contrary to policy DMC8.

Potential amenity issues

43. Outlook, amenity, privacy and daylight are fundamental considerations when altering or extending a property.
44. This is to ensure that habitable rooms achieve a satisfactory level of outlook and natural daylight, there is adequate privacy and outdoor private amenity space and that no overbearing or harmful overshadowing of neighbouring property results.

45. The nearest neighbouring properties are Orchard Farm sited approximately 35m to the North and Trevarney, around 50m to the west of the new development.
46. In this case, due to these distances from the proposed development, there would be no harm to the amenity or quiet enjoyment of the occupants of these or any other residential properties in the locality.
47. Consequently, the proposal accords with Policies GSP3 & DMC3 in respect of the impact on the residential amenity of neighbouring occupiers.

Highway matters

48. The Local Highway Authority raise no objections to the scheme, subject to it forming private, domestic, ancillary living accommodation for the existing dwelling and that sufficient parking associated with the site is available.
49. In this case, the extension would remain ancillary and there is ample space within the site to park and manoeuvre several vehicles. Subsequently, the scheme is acceptable in highway terms, according with policies DMT3 respectively.

Environmental Management and sustainability

50. The new development would have to meet current building regulations regarding heat and power. However, the submitted details state, that it is proposed to exceed the requirements of the building regulations in terms of the thermal efficiency of the new build elements.
51. In this case, the extension would be built using a modern insulated cavity wall construction, and constructed in an air tight manner.
52. The ground floor and roof would be highly insulated reducing heat loss.
53. The existing double-glazed windows would be replaced with modern gas filled double glazed windows to provide better thermal insulation.
54. Low energy light fittings and A rated appliances would be installed to reduce energy consumption.
55. All construction materials and finishes would be locally sourced and reusing materials such as stone and roof tiles where possible
56. With regard to the above, the proposals are considered acceptable in generally meeting the climate change mitigation and adaption requirements of policy CC1 in these respects.

Conclusion

57. By virtue of its position, scale and design, the two storey extension would harm the simple character and heritage significance of the existing dwelling and the valued characteristics of the Conservation Area.
58. The scheme therefore conflicts with the Authority's Development Plan Policies GSP1, GSP3, L3, DMC3, DMC5, DMC8, DMH7, advice within the Authority's Design Guide and Alterations and Extensions SPD, and Paragraphs 134, 176, and section 16 of the NPPF.
59. There are no material or further policy considerations that would indicate that planning permission should be granted.

60. Consequently, the proposal is recommended for refusal.

Human Rights

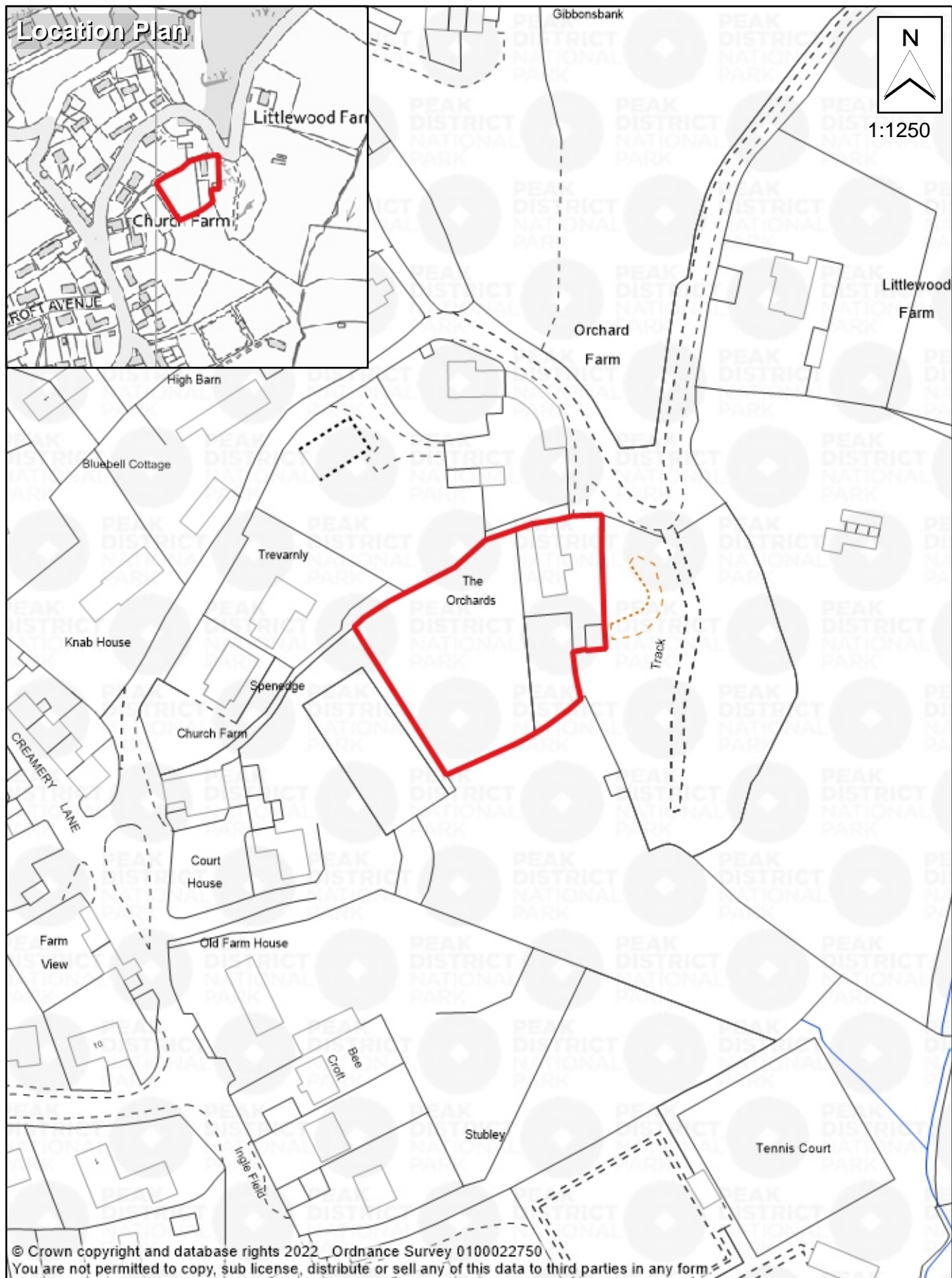
61. Any human rights issues have been considered and addressed in the preparation of this report.

62. List of Background Papers (not previously published)

63. Nil

64. Report Author: Steve Coombes, South Area Planning Team.

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Committee Date: 10/06/2022
Item Number: Item 12
Application No: NP/DDD/0921/0990
Grid Reference: 419028, 354568

Title: The Orchards,
Monsdale Lane,
Parwich



**PEAK
DISTRICT
NATIONAL
PARK**

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13. ANNUAL REPORT ON PLANNING APPEALS 2021/2022 (A.1536/AM/BT/KH)

Purpose of Report

This report summarises the work carried out on planning appeals from 1 April 2021 to 31 March 2022.

Information on Appeals Process

In this period, 47 new appeals were received, of which 9 were still in hand as of the 1 April. During the year, 49 appeals were decided, which included some appeals that had been carried over from the previous year.

Of the 47 total new appeals received:

- 24 -followed the written representation procedure
- 19 -followed the householder appeals procedure
- 1 - followed the public inquiry procedure
- 3 -were withdrawn by the applicant

Outcome of Appeals

The chart below shows the outcome of appeals over the last six years. The percentage of appeals dismissed in the year 2021/22, at 76% is higher than the previous year, although the context for this is analysed in more detail below.

	2021/22	2020/21	2019/20	2018/19	2017/18	2016/17
DECISIONS	49	40	40	24	23	41
Allowed	12 24%	14 35%	15 37%	9 38%	9.5 41%	14 34%
Dismissed	37 76%	26 65%	25 63%	15 62%	13.5 59%	27 66%

The national average for appeals allowed (according to the figures from the Planning Inspectorate up to the end of December 2021) for 2021/22 was 29.2% for householder appeals and 29.1% for all other appeals excluding householder.

Of the 12 appeals allowed during this period, 6 (50%) were dealt with by written representations, 5 (42%) by the householder procedure and 1 (8%) by the public inquiry procedure.

Enforcement

In July 2021, the Enforcement Appeal concerning the Midhope Moor Track was dealt with by a 6-day Public Inquiry where the Planning Inspector dismissed the appeal and upheld the Enforcement Notice.

Following the appeal decision, the landowner will now be required to remove the track and restore appropriate vegetation cover, to mitigate the visual impact of the track route within the landscape, within 12 months (November 2022). He is also required to implement ongoing establishment of vegetation cover along the route for a further 30 months.

The track, which is approximately 700 metres long, sits within open moorland forming part of the Dark Peak Site of Special Scientific Interest (SSSI), the Peak District Moors (South Pennine

Moors Phase 1) Special Protection Area (SPA) and the South Pennine Moors Special Area of Conservation (SAC).

Two further enforcement appeals have experienced delays with the Public Inquiry for Bonsall Moor now due in June 2022 and that for Thornbridge Hall now due in October 2022.

Householder Appeals

In the year to 31 March 2022, 19 new householder appeals were submitted. Of these 12 (63%) were dismissed, 4 (21%) were allowed and 3 (16%) were still ongoing.

Delegation / Planning Committee

The overall number of planning applications received (including non-material amendments and discharge of condition applications) between 1 April 2021 and 31 March 2022 was 1260. Some 728 full applications were determined during this period of which 56 cases were brought to the Planning Committee.

Of the 49 appeals decided:

- 40 (82%) related to applications determined under delegated powers. Of these, 30 were dismissed and 10 were allowed
- 9 (18%) appeals were determined by Planning Committee. Of these, 7 were dismissed and 2 were allowed

Comment

The percentage of appeals allowed in 2021/22- was lower than the previous year at 24%

Those appeals, which have been allowed, in the main have been cases where a site-specific judgment (typically on harm to the character and appearance of the area) by the Inspector has been different from that of the Authority. There have been no appeals allowed which were fundamentally contrary to policy or which raised wider policy issues. This is welcome and shows that the Planning Inspectorate is generally supporting the Authority's decisions and its policies. One case related to the application of Lawful Use Certificates which has prompted discussion and learning between the Planning and Legal Teams.

Members will be aware of any issues raised by specific appeal decisions (both allowed and dismissed) as members receive a short analysis of each decision, together with the decision letter itself, when an appeal is determined.

The householder appeal service continues to be a success, allowing a quicker and simpler process and the opportunity for officers to use the delegated report as the essential evidence to defend the appeal. As there is no opportunity to provide additional information in householder appeals, this ensures that the Inspector always has the policy background clearly set out and can easily understand why in the National Park there is a greater need to conserve and enhance the special qualities of the place. To date no problems have occurred with the processing of appeals electronically.

Human Rights

The appeals procedure is consistent with human rights legislation.

RECOMMENDATION:

That the report be noted.

Background Papers (not previously published) - None

Appendices

Appendix 1 – List of Appeals Allowed 2021/2022

Report Author, Job Title and Publication Date

Andrea McCaskie, Head of Law; Brian Taylor, Head of Planning and Karen Harrison, Democratic & Legal Support Officer

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List of Appeals Allowed 2021/2022

Each appeal decision, whether allowed or dismissed, has been reported to Committee during the year. The following is a list of all the appeals that were allowed or partially allowed during 2022/2023.

Appeal Site	Development subject to appeal	Mode of appeal	Decision date	Delegated/ committee	Main issue
Barn opposite Lead Ore House, Winster 3260769	Change of use from agricultural building to holiday cottage	Written Representations	06/04/21	Committee	Effect of the proposal on the character and appearance of the host building and the surrounding landscape.
The Garrett, High Street, Calver 3252910	Conversion of former garage and workshop to a single dwellinghouse and use as a class C3 dwellinghouse	Public Inquiry	16/04/21	Delegated	Issue whether the Council's decision to grant a Certificate of Lawfulness of existing use or development (LDC) was well founded.
Sycamore Farm, Biggin 3266751	Rear lean-to extension	Householder	05/05/21	Delegated	Effect of the proposal on the character and appearance of the area, taking into account its location within the Peak District National Park
Land near to Dale Farm, Weaddon Lane, Middleton by Youlgrave 3270501	Erection of an agricultural barn for the housing of livestock and storage.	Written Representations	21/07/21	Committee	The effect of the proposed development on the character and appearance of the area with particular regard to the valued characteristics of the Peak District National Park.
Pear Tree Farm, 34 Stubbins Lane Chinley	Remove existing porch and replace with a single storey front porch, new timber framed window to the front elevation	Householder	05/10/21	Delegated	Effect of the proposed porch on the character and appearance of the host dwelling and the Conservation Area.

3275704	and alterations to an existing rear window to form a door				
Daisy Bank, Newtown, Longnor 3276874	Alterations and extension of dwelling including replacement outbuilding	Housholder	05/10/21	Delegated	Effect of the proposed extension on the character and appearance of the host dwelling
Brookfield, Brookfield Lane, Bakewell 3283171	Proposed two-storey extension to side and single extension to the rear	Householder	18/01/22	Delegated	Effect of the proposed development on the character and appearance of the host dwelling and the Peak District National Park.
Blakelow Cottage, Butterton Moor Bank, Butterwon 3274908	Replacement Windows	Written Representations	07/02/22	Delegated	Whether the proposal would preserve the special architectural or historic interest of the listed building and whether the proposal would preserve or enhance the character and appearance of the Conservation Area.
Land north- west of Main Street, Taddington 3270136	Agricultural building for livestock and equipment	Written Representations	15/02/22	Delegated	Effect of the development on the character and appearance of the fossilised strip system and a non-designated heritage asset and the conservation area, and whether the proposal would conserve the landscape and scenic beauty of the Peak District National Park.
3 Copperstone, Over Road, Baslow 3283556	Two Storey rear extension and rear hipped roof dormer	Householder	21/02/22	Delegated	Effect of the proposed development on the character and appearance of the host dwelling.

White Edge, The Bent, Curbar 3279746	Remodel and extension of existing dwelling without complying with a condition attached to planning permission approved in January 2021	Written Representations	08/03/22	Committee	

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