

Public Document Pack

Peak District National Park Authority

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



Our Values: Care – Enjoy – Pioneer

Our Ref: A.1142/3082

Date: 29 September 2022



NOTICE OF MEETING

Meeting: **Planning Committee**

Date: **Friday 7 October 2022**

Time: **10.00 am**

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

PHILIP MULLIGAN
CHIEF EXECUTIVE

Link to meeting papers:

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

AGENDA

1. **Roll call of Members Present, Apologies for Absence and Members' Declarations of Interest**
2. **Urgent Business**
3. **Public Participation**
To note any questions or to receive any statements, representations, deputations and petitions which relate to the published reports on Part A of the Agenda.
4. **Full Application - Erection of a pair of semi-detached affordable local needs dwellings at land off Recreation Road, Tideswell (NP/DDD/0222/0190, JK) (Pages 5 - 24)**
Site Plan
5. **S.73 Application - For the variation of Condition 3 on NP/DDD/0921/1053 at Chatsworth House, Chatsworth, Edensor (NP/DDD/0622/0760, ALN) (Pages 25 - 64)**
Appendix 1

Site Plan
6. **Full Application - Installation of new plant including, two payment machines, ANPR camera and associated infrastructure at Langsett Barn Car Park, Langsett (NP/B/0622/0824, KW) (Pages 65 - 76)**
Site Plan
7. **Full Application - Extension of existing gritstone barn and demolition of redundant agricultural building to form one dwelling at Shatton Farm, Shatton Lane, Shatton (NP/HPK/0722/0888 SW) (Pages 77 - 92)**
Site Plan
8. **Monitoring & Enforcement Quarterly Review - October 2022 (A.1533/AJC) (Pages 93 - 98)**

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: Cllr P Brady
Vice Chair: Mr K Smith

| | |
|-------------------|-------------------|
| Cllr W Armitage | Cllr M Chaplin |
| Cllr D Chapman | Ms A Harling |
| Cllr A Hart | Cllr I Huddleston |
| Cllr A McCloy | Cllr D Murphy |
| Cllr Mrs K Potter | Cllr V Priestley |
| Cllr K Richardson | Cllr J Wharmby |

Other invited Members: (May speak but not vote)

Prof J Haddock-Fraser Cllr C Greaves

Constituent Authorities
Secretary of State for the Environment
Natural England

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

APPLICANT: MR & MRS BATES

Summary

1. This application was initially deferred from the May meeting and then subsequently again from the June meeting at members request for more information and clarity about the size of the dwellings, the plot layout as well as presenting a clearer position regarding the housing need evidence. It was deferred from the September meeting to enable the report to be revised following receipt of further updated housing need evidence.
2. The site is part of an agricultural field on the northern edge of Tideswell at the end of Recreation Road.
3. The application proposes two affordable houses to be first occupied by the applicant's sons.
4. On the available evidence from the applicants and from a third-party representation it seems clear that the applicants have a local qualification.
5. Evidence demonstrates that both of the proposed first occupants have a proven need for the dwellings.
6. One of the proposed dwellings exceeds the maximum floorspace allowance even with the flexibility of the increased size afforded by the DMH1 practice note so that dwelling would not be affordable by size to meet the stated need of the first occupant.
7. The application is therefore recommended for refusal.

Site and Surroundings

8. The site is located in an agricultural field on the northern edge of Tideswell adjacent to the dwellings at the end of Recreation Road. The recreation ground lies across the lane to the south west with the local school further to the south-west.
9. The site and wider field is open pasture bounded by drystone walling and is stated not to be part of an agricultural holding. The nearest neighbouring properties are 34 and 35 Recreation Road immediately to the south-east of the site.
10. There is an existing access gate into the field at the end of Recreation Road and a small animal shed is located within the application site against the garden wall of No 35 Recreation Road.

Proposal

11. The submitted application has been amended and is for the erection of a pair of semi-detached affordable houses on the site. The dwellings would be first occupied by the applicants' two sons, both of whom currently live outside the National Park but wish to return to Tideswell.

12. The dwellings would be sited in the southern corner of the field adjacent to the dwellings at the end of Recreation Road. A new access road would extend from the existing field gate at the end of Recreation Road to serve each of the two dwellings before terminating in a new field access gate.
13. The dwellings would be two storey, semi-detached properties. Amended plans now show that the houses would be constructed with natural stone to the front elevation with rear and gable elevations clad in traditional render with natural gritstone quoins throughout. The roof would be clad with natural blue slate and the windows would be uPVC with stone heads and cills. One dwelling would have three bedrooms and a gross internal floor area of 97m² and the other two bedrooms and 78m². Each would have gardens to front and rear with 2 parking spaces, one to the side of each house, the other in front. Solar photovoltaic panels are proposed on the roof to the front elevation.
14. The amended information from the agent confirms there are no plans to relocate or replace the existing field shelter currently located within the application site.

RECOMMENDATION:

That the application be REFUSED for the following reason;

1. **The proposed housing would not be affordable due to its size to meet the eligible need of one of the proposed first occupiers. 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 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.

Relevant Planning History

None on the site itself

Consultations

15. Parish Council – Support the plans as keen to encourage affordable housing. The plans are also well designed. Support the amended application and have no objections.
16. Highway Authority – No objection to the submitted plans subject to conditions and makes the following comments (summarised for relevancy to amended scheme as not reconsulted):
17. *Recreation Road is an unclassified road subject to a 30mph speed limit, whilst the proposed development will intensify the use of the existing field/vehicular access, the access 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.*
18. *The Proposed Site Plan demonstrates sufficient space within the site to accommodate 2no off-street parking bays to serve each dwelling.*

19. *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.*
20. *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.”*
21. District Council – No response to date.
22. Natural England – No response to date.
23. PDNPA Archaeology – Some archaeological impact and suggest conditions to mitigate. Makes the following detailed comments:
 24. In accordance with the requirements of NPPF para.194, for development sites with archaeological interest, local planning authorities should require developers to submit a desk-based assessment and where required a field evaluation to allow informed planning decisions that take account of the archaeological interest and significance of sites to be made.
 25. PDNPA’s own policies as set out in the Core Strategy and the Development Management Policies documents also require the submission of appropriate information on significance in support of applications that affect heritage assets.
 26. With the lack of supporting information as required by NPPF, I have reviewed sources available to me (HER, historic maps, aerial photos, LIDAR etc.) to make my own assessment of the site’s archaeological interest and significance.
 27. I am mindful of the requirements of NPPF that planning applications should establish the significance of heritage assets and that the level of detail provided should be no more than is sufficient to understand the potential impact of the proposal on their significance, i.e. ‘just enough’ to allow determination of the application.
 28. The key archaeological consideration is that I do not think that a standalone desk-based assessment is likely to reveal new information that would dramatically change this assessment of significance and impact.
29. Archaeological sensitivity and significance of the site
30. The proposed development is in an area of Ancient Enclosure – Fossilised Strip System as identified in the PDNP Landscape Character Assessment. These are fossilised medieval strip fields that relate to the medieval open field system of Tideswell, evidenced by map and field shape evidence. The fossilised medieval strip fields are a rare and precious landscape character type and important to the Peak District National Park. They are a non-designated heritage asset of archaeological interest and have intrinsic landscape value, providing the area a distinct character, a time depth to the landscape.
31. The surviving drystone field walls that define the edges of the proposed development plot form the boundaries of one such surviving strip forming a long linear plot.
32. In nearby plots a medieval silver penny was found at Bishop Pursglove Primary School in 1990, possibly dating from Henry VIII’s reign (1491-1547) while two medieval lead tokens found a couple of fields to the north. These further demonstrate medieval activity in the area.

33. There is no record that this field or adjacent fields have ever been subject to any archaeological survey. Based on currently available evidence, within the field there is the potential to retain belowground remains relating to past human activity from any period. Any such remains would have a degree of archaeological interest but would likely to be of no more than local significance.

34. Archaeological Impact of the development.

35. Below ground archaeological interest

- The groundworks associated with the proposed development, including foundation trenches, new drive and parking areas, landscaping, new drainage, services etc. will most likely result in the truncation, damage, disturbance or complete destruction of any surviving archaeological remains at this site relating to medieval and post-medieval agricultural activity. In the worst case this would result in harm to or the complete loss of their significance.
- Taking into account their likely nature and significance, although this can only be estimated at this stage, any impacts and harm will likely be minor, and this can be appropriately mitigated through a condition scheme of archaeological monitoring.

Fossilised field system

- The proposed development would result in further expansion of 20th century development over the historic field system of Tideswell.
- The legibility of the field system relies on the continued survival of the drystone wall field boundaries, and the proposed development sits entirely within a 'strip' and will not directly affect the field walls that current define the edge of this fossilised strip.
- However, the further expansion of development into the field system will harm its character and legibility.
- As one small area in a large field system, this cannot be considered to be anything more than minor harm in its own right, but the cumulative impact of development out into the field system, further back from the road also needs to be considered when a planning decision is reached.

In accordance with para. 197 of the NPPF, the scale harm and the significance of the affected heritage asset detailed above needs to be taken into account when reaching a balanced judgement and planning decision.

Recommendation If the planning balance is favourable then I recommend:

1. The retention and upkeep of the drystone walls field boundaries is conditioned to ensure their retention and minimise the impact on the physical remains of the fossilised medieval field system.
2. A scheme of archaeological monitoring of the groundworks is secured by condition.

This work needs to be undertaken by a suitable qualified and experienced archaeological contractor, in accordance with the standards and guidance of the Chartered Institute for Archaeologists, to a written scheme of investigation approved by the PDNPA Senior Conservation Archaeologist.

These requirements are in accordance with NPPF para.199. A condition to secure this is suggested below.

Suggested mitigation/conditions/footnotes:

- c) Condition to ensure the retention and maintenance of the drystone wall boundaries.

2) Scheme of Archaeological monitoring

c) No development shall take place until a Written Scheme of Investigation for a programme of archaeological monitoring has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and

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

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

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

36. PDNPA Ecology – No objection subject to conditions and makes the following comments:

37. *“The site 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.*

38. *The recommendations in the report covering lighting, protection of birds, bats and hedgehogs should be carried out in full.*

39. *I would recommend that 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.”*

40. PDNPA Policy;

41. 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%.

42. The Policy Response makes the following detailed comments on the submitted scheme;

“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.

43. 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.
44. 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.
45. 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."
46. On the amended information the Policy Officer commented further as follows;
- "I cannot find any evidence submitted, since the application was deferred by PC, of the applicants identified eligible need. This is essential in establishing the principle of affordable dwellings on exceptions sites in accordance with policy HC1.*
- Secondly, and if the applicant can demonstrate compliance with policy HC1, they need to submit clear details that the size of the dwellings accord with policy DMH1 and our current practice note.*
- Thirdly, if the applicant can address the above points, they need to reduce the width of the plots. The character of the area is for properties with narrow plots and long slim gardens. Plans should be amended to reflect the grain of development. At present the proposal to leave an odd shaped section of the field to the rear does not 'finish' the development off successfully ('SLOAP') and would not seek to conserve or enhance the national park landscape. In accordance with the NPPF, we need to be promoting the most efficient use of land and creating narrower, but longer plots would achieve this, whilst ensuring the remaining field area is useable."*
47. The policy officer notes the receipt of amended plans and updated Home Options evidence to support the need, information which address all of the policy officers' concerns apart from the fact that the floorspace of one of the dwellings remains in excess of the maximum allowed contrary to policy DMH1 and the adopted DMH1 practice note.

Representations

48. 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

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

50. Relevant Development Management policies: DMC3, DMC4, DMC11, DMC12, DMC14, DMH1, DMH2, DMH3, DMH11, DMT3, DMT8, DMU1 and DMU2.

National Planning Policy Framework

51. 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.

52. 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.'

53. 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.

54. 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

55. 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.
56. 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.
57. 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.
58. 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.
59. 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.
60. 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.
61. 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

62. 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.
63. 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.

64. The Authority has adopted a practice note which sets out how Development Management Policies (DMP) policy DMH1 should be applied when considering applications for new houses by individuals seeking to meet their own housing needs. It allows some flexibility in the maximum floorspace and states that;

In all situations, the development shall address eligible local need in accordance with Core Strategy policy HC1 and DMP policy DMH2.

- Properties for individual people will continue to be subject to a maximum allowance of 39m². In cases where flexibility is required based on personal circumstances, or in locations where for reasons relating to valued landscape character or the style and traditions of the locality, and a 2-storey house is most appropriate, individuals can apply for homes up to a maximum of 58m²
- Couples or two people forming a household together can apply for homes up to 70m².
- Families or people forming a household together of 3 or more, can apply for homes up to 97m².

65. 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.

66. 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.

67. 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.
68. 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.
69. 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.
70. 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.
71. Policies DMT3 and DMT8 require development to be provided with adequate off-street parking and safe access.

Assessment

Principle of affordable housing

72. 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 HC1A where development would meet eligible local needs for affordable housing.
73. 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 local occupation criteria in accordance with policies DMH1 and DMH2.

Whether the proposed first occupants have an eligible local need and meet the local qualification requirements of policy.

Local qualification

74. The applicants' two sons are the intended first occupants of the dwellings. We are told by the agent that both sons were born in Tideswell and have lived in Tideswell, Peak Forest and Great Hucklow (the parish and adjoining parishes) for more than 10 years over the past 20 years. The applicant agent states that one son left the family home in 2021 and now lives outside the National Park in a three bedroomed house at Dove Holes with his partner and her daughter, while the other left in 2016 and now lives in a 2-bed apartment outside the National Park in Nottingham with his partner. Both wish to return to Tideswell.

75. The agent states that both sons are in need of affordable housing and included in the submitted application information on earnings and a property search of market housing in the area. 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.
76. Although both sons appeared to have a strong local connection, insufficient documentary evidence to demonstrate the local qualification of either intended first occupant was submitted with the initial application to support the local connection. However, we now have a letter from a local person and former Parish Councillor who knows the family and which provides written verification of their local connection. Both named first occupants would therefore meet the local qualification criteria of a returner under the first part of policy DMH2 (ii). However, the second part of Policy DMH1 and the second part of DMH2 (ii) require the intended first occupants to be in need of affordable housing in all cases, including returners.

Eligible Local Need

77. 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 was submitted for both intended first occupants.
78. The original submitted Home Options letters demonstrated that both sons registered as single persons. One was eligible for affordable housing being assessed by Home Options within Band C need for a 1-bedroom property. The other son was assessed within Band D for a 1-bedroom property. A Band D assessment is a non-priority desire rather than a need for housing which is expected can be met by the market. Therefore, the evidence in the original submitted application demonstrated that the second intended occupant was not in need of affordable housing which was one reason why the submitted application was recommended for refusal (with other grounds) at the June Committee.
79. Since the June meeting and again following the preparation of the report for the September meeting further information in the form of updated Home Options Letters have been submitted along with revised plans for the houses. The agent initially reiterated the sons each have long term partners and therefore submitted updated Home Options letters for both sons who had by then registered as couples. An amended site layout plan was also submitted and is discussed later in this report.
80. The first updated Home Options acceptance letter showed that for the son, previously allocated within Band D, was retained in that Band D as a couple. This therefore remained a desire rather than a housing need, hence the officer recommendation of refusal in the deferred September report on grounds of lack of a housing need remained. Since then a further Home Options letter has been received via the agent which now elevates this sons need into Band C.
81. The discrepancy between the submitted application and the Home Options assessment letter for the other son is explained by the agent in the amended information submitted post the June Planning Committee. It set out that the son seeking to occupy the larger dwelling with the Band C assessment of need "*is in a long-term relationship with his girlfriend who has a daughter...*" The agent goes on to state.... "*Unfortunately, because of the way in which the Home Options system is set up the step-daughter who predominately resides with them cannot be included within the assessment as due to her spending some weekends and holidays with her father she is not classed as living with them full time despite requiring accommodation*". Officers questioned this with the agent and checked with Derbyshire Dales Housing officers as it wasn't our

understanding of how need was assessed.

82. This updated information about this son's family circumstances is now reflected in an updated Home Options registration letter assessing them as a family of three.
83. 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. The latest updated evidence now demonstrates that both sons as the intended first occupants are in need of affordable housing.

Would the dwellings be affordable by size and type

84. The application initially proposed the erection of two semi-detached three-bedroom (five-person under DMH1 size thresholds) dwellings, each with a gross internal floor area of 97m² with garages. The amended plans first omitted the garages and retained one 3-bedroom 97m² house with the other reduced in scale by the removal of the two-storey rear projecting element to form a 2 bedroomed 78m² house.
85. The evidence of a family of three now unlocks access to a larger floorspace for that son and his family under our DMH1 practice note and now supports the scale of the 97m² house applied for.
86. From the latest Home Options assessment, the dwelling for the second son and his partner should be a maximum floorspace of 70m² which equates to 3-person homes taking account of the DMH1 practice note (which increases the thresholds up from 58m² for 2-person homes). This would meet the stated need of the son who is living in a 2-person household and his wish for the flexibility to have 2 bedrooms to accommodate a future family. The current plans at 78m² however still show the second dwelling remains in excess of the maximum size allowed by the policy even with the increased floorspace allowed by the DMH1 practice note.
87. The agent explains that for this second house they "*appreciate that this is still some 8 sq. metres more than what it needs to be the requirement to reduce it further would, due to the modest gable width of the dwellings, require a reduction in the length of the dwelling by 1m. This would mean that the kitchen and lounge would be reduced to an internal room depth of just 2.850m each. As the proposal has been submitted for a pair of semi-detached dwellings it would also adversely impact upon the character and appearance of the proposed dwellings by upsetting the symmetry from the front elevation. It is therefore considered that the removal of the two-storey projecting gable achieves the necessary reduction in floor area without adversely impacting upon the character and appearance of the proposal.*"
88. Officers agree that reducing the scale this way would have an adverse impact on the room sizes and the overall proportions of the house but a reduction would not normally be sought this way. Reducing the scale in the more logical way by reducing the gable width by 500mm would achieve the desired outcome of a 70m² house without any compromise to layout or room sizes with the lounge and kitchen the same width and slightly reduced depths of 4.46m each which is more than adequate for an affordable home. Officers have requested an amended plan to suit but the agent disagrees however and considers this would leave an overly narrow gable width and introduce a step in the frontage or rear which would be out of keeping with other houses along the road. She further considers that the additional 8m² makes little difference to overall affordability and to compromise on space further would not be in her client's best interests and has therefore asked Officers to determine the plans as submitted.

89. Consequently, with one of the dwellings being in excess of the already increased maximum affordable size thresholds for the stated need taking account of the practice note the scheme would therefore not be affordable. The revised plans therefore remain contrary to Policy DMH1 and officers have no option but to recommend refusal.

Design and Layout of the houses

90. In terms of the layout of the two plots, as originally submitted both of the proposed dwellings were to be provided with large gardens and garages which would significantly increase the value of the properties. Amended plans initially removed the garages and reduced the scale of the rear gardens, returning part of the former larger garden area to the field. Whilst this reduced the plot size, it left an awkward square of land in the corner of the field and tucked behind the plots. The latest revised plans correct this by extending the lengths of the garden to the boundary wall and using narrower plot widths thus removing the corner.
91. These longer plots remain generously sized however it is acknowledged that plot size, unless excessive, makes little difference to the value of these private or intermediate affordable dwellings and so on balance officers' have no objections to the revised layout or size of the plots which is now acceptable. The only remaining issue is the excessive floorspace of one of the houses which results in officer maintaining a strong objection on grounds of lack of affordability in line with policy.

Siting and landscape impact

92. 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.
93. 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.
94. 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.
95. Impact upon Heritage assets
96. The Authority's Archaeologist, has commented in respect to the potential impact of the proposed development upon the heritage significance from the well-preserved strip fields that surround the settlement.
97. Our archaeologist has had to make their own assessment of the site's archaeological interest and significance of the site which is in an area of Ancient Enclosure - Fossilised Strip System as identified in the PDNP Landscape Character Assessment. These are fossilised medieval strip fields that relate to the medieval open field system of Tideswell, evidenced by map and field shape evidence. The fossilised medieval strip fields are a rare and precious landscape character type and important to the Peak

District National Park. They are a non-designated heritage asset of archaeological interest and have intrinsic landscape value, providing the area a distinct character, a time depth to the landscape.

98. The surviving drystone field walls that define the edges of the proposed development plot form the boundaries of one such surviving strip forming a long linear plot. Finds in nearby plots demonstrate medieval activity in the area. There is no record that this field or adjacent fields have ever been subject to any archaeological survey.
99. Based on currently available evidence, the archaeologist considers there is the potential to retain below ground remains relating to past human activity from any period. Any such remains would have a degree of archaeological interest but would likely to be of no more than local significance. The groundworks associated with the proposed development, will most likely result in the truncation, damage, disturbance or complete destruction of any surviving archaeological remains. Any impacts and harm will likely be minor; however, and therefore our archaeologist recommends conditions to mitigate through a scheme of archaeological monitoring.
100. In terms of the fossilised field system, the proposed development would result in further expansion of 20th century development over the historic field system of Tideswell. The legibility of the field system relies on the continued survival of the drystone wall field boundaries. In this case the proposed development sits entirely within a 'strip' and will not directly affect the field walls that current define the edge of this fossilised strip but the further expansion of development into the field system will harm its character and legibility. This impact is considered to be minor harm in its own right, but the cumulative impact of development out into the field system, further back from the road also needs to be considered when a planning decision is reached.
101. It is noted that in accordance with para. 197 of the NPPF, the scale harm and the significance of the affected heritage asset detailed above needs to be taken into account when reaching a balanced judgement and planning decision. In this case the officer recommendation is one of refusal for other reasons, however had it been favourable then our archaeologist recommends conditions to ensure the retention and upkeep of the drystone walls forming the field boundaries to minimise the impact on the physical remains of the fossilised medieval field system.

Design, sustainable building and climate change

102. 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.
103. 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.
104. 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.

105. 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. For example, the addition of air or ground source heat pumps in addition to the solar panels and high insulation standards would bring the dwellings close to a level to meet future building codes. However, we welcome the proposed solar photovoltaic panels which will minimise energy use significantly over the lifetime of the development.
106. 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

107. 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.
108. 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.
109. 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.
110. 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.
111. There is concern that the access to the development must not prejudice further development of the fields for 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

112. 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.
113. 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.

114. 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.
115. 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

116. 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.
117. The application proposes to dispose of surface water to the main sewer and the amended plans states foul sewage is to the public sewer. 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. If permission were granted, we would recommend a pre-condition to require drainage details to be submitted for approval before the development commences.

Conclusion

118. The desire of the proposed occupants to return to the National Park and for a larger property is understood and supported in principle by our policies. These policies do require however applicants wishing to benefit from these exceptional approvals to demonstrate that they are both in need of affordable housing, have a local connection as well as the houses being of an affordable size. This is to ensure that the limited sites available for affordable housing are only released when development would meet a demonstrable local need that cannot be met by the existing housing stock.
119. Although the revised application now demonstrates that both the applicant's sons have a local qualification and a proven need, the applicants have declined to provide amended plans showing the size of the second dwelling reduced to comply with the maximum floorspace standards set out in policy, despite officers' very clear advice that this larger scale cannot be supported as it renders the application, as a whole, contrary to policies HC1, DMH1 and DMH2.
120. This is of course disappointing given three deferrals and various amendments have brought the scheme close to acceptability and the only issue is one dwelling being 8m2 over-sized. This does not sound much, however this is in addition to the flexibility we have already applied to increase the floorspace from what should be 58m2 to 70m2 as set out in the DMH1 practice note. The applicant is however holding out requesting we accept this further 8m2 which is unacceptable for reasons already stated. Given this situation officers therefore considered whether or not a recommendation of approval could be appropriate if it were subject to a condition being imposed to require submission of an amended layout of 78m2. However, we conclude that this would not be appropriate given it would be against the express request of the applicants who want the application determined as submitted.
121. Therefore, although it is only one of the proposed dwellings which would not be affordable by size and not reflect the stated need of the named first occupants, the application is submitted for a pair and must be determined as a whole. Having taken into account all material considerations and issues raised in representations we conclude that the proposed development, as a whole, 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

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

List of Background Papers (not previously published)

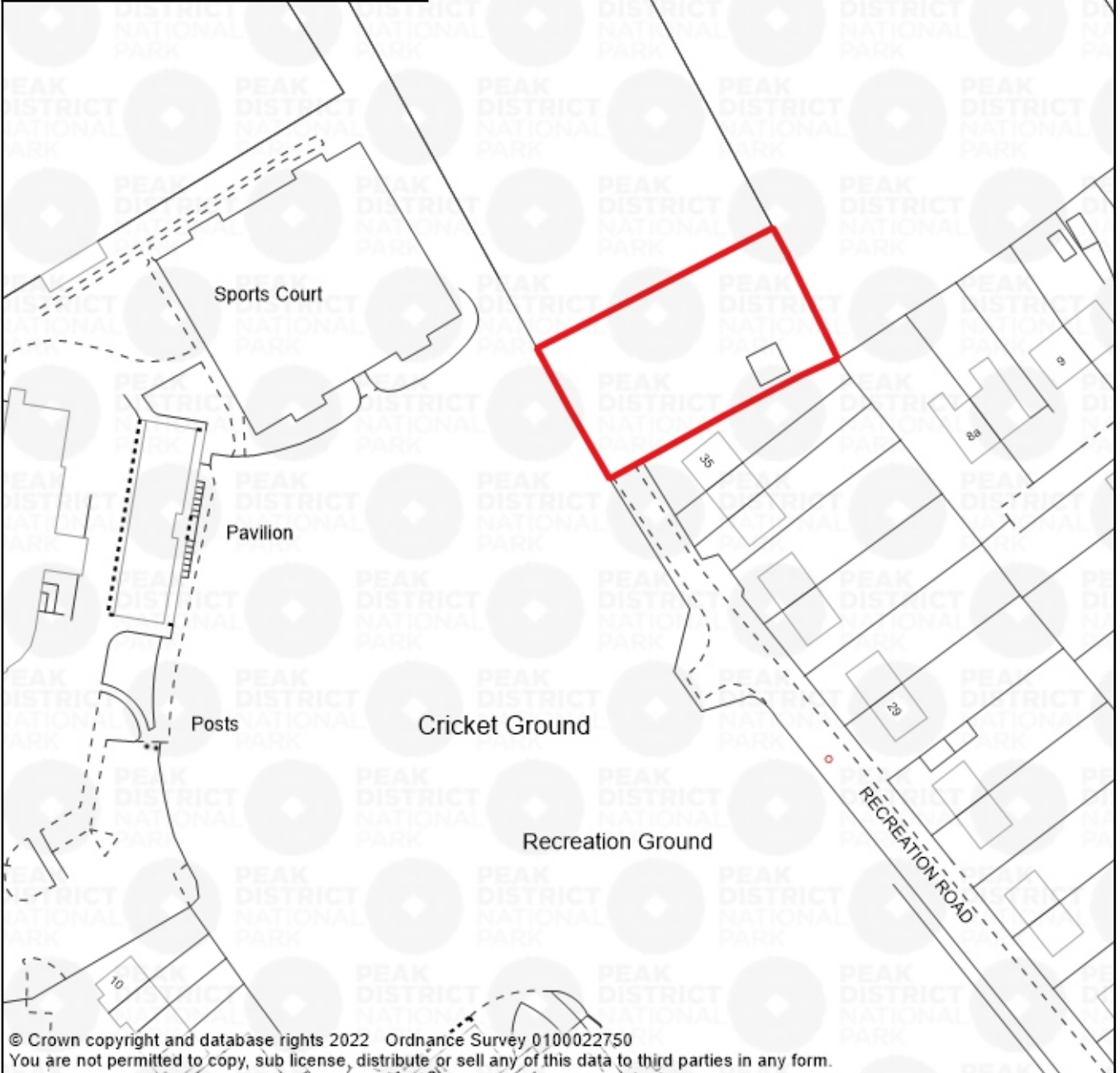
123. Nil

Report Author: John Keeley North Area Planning Team Manager


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|-----------------|-------------------------|---|--|
| Committee Date: | Friday 7th October 2022 | Title: Land off Recreation Road Tideswell |  PEAK DISTRICT NATIONAL PARK |
| Item Number: | Item 4 | | |
| Application No: | NP/DDD/0222/0190 | | |
| Grid Reference: | 415412, 375944 | | |

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5. S.73 APPLICATION FOR THE VARIATION OF CONDITION 3 ON NP/DDD/0921/1053 AT CHATSWORTH HOUSE, CHATSWORTH, EDENSOR (NP/DDD/0622/0760, ALN)

APPLICANT: CHATSWORTH HOUSE TRUST

Summary

- This is a section 73 application that seeks to vary a condition relating to overflow parking on grassland below the Bastion Wall, between the principle (west) elevation of Chatsworth House and the River Derwent.
- The condition currently restricts overflow car parking to 11 days per calendar year, specifically and exceptionally during the three major ‘events’. The proposals are to increase the allowance to 45 days per year, with no specific relationship or exception for major ‘events’.
- The proposals would cause harm to the setting of the grade I listed building and its parkland over an extended period when views of the house in its designed landscape would otherwise be uninterrupted.
- The proposals would be contrary to adopted policies and the public benefits would not outweigh the identified harm.
- The application is recommended for refusal.

Background

In December 2020, planning permission was granted by the Planning Committee to reconfigure and extend the main visitor car park at Chatsworth to increase capacity by 30% from approximately 675 spaces to 895 spaces (plus 13 coach bays) (NP/DDD/1018/0911). The full committee report for the application is included as Appendix 1 for information, but the main elements of the scheme were as follows:

- Re-configuration and resurfacing of the existing car park area to provide more formalised parking bays (including 40 disabled spaces).
- Expansion of the car park to the north, west and east of the existing footprint to increase capacity.
- Creation of a more level surface by ‘cutting’ material from the southern area and ‘filling’ within the northern area.
- Creation/retention of a green ‘picnic area’ around the veteran trees in the centre of the site.
- Relocation of ticket kiosks to the entrance to the northern zone of the car park, with a one-way system into and out of the car park.
- Bollards, kiosks and temporary fences removed from the North Lodge car park and area of hardstanding reduced.
- Removal of row of car parking spaces directly in front of the principle (west) elevation of the Stables.
- Relocation of coach parking bays to the northern edge of the car park.
- Creation of dedicated footpath links from the car park to the house/stables.
- Widening of the access road to the west of the car park.
- Dedicated bus stop and 15 secure cycle racks. Electrical charging points.

Also approved as part of the scheme was the creation a fourth arm to the southern side of the roundabout to the east of Baslow. The main elements of that part of the scheme were as follows:

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

The application was approved subject to conditions, including a condition (no. 3) that limited overflow car parking below the 'Bastion Wall', i.e. the area of land between the principle front elevation of the grade I listed building (west) and the River Derwent. The condition in question reads:

'Once the new car park is first brought into use, no public overflow parking shall take place between the Bastion Wall and the River Derwent (in the area marked green on the attached plan) over and above the operational days of the three major events – RHS flower show (5 days per year), Country Fair (3 days per year) and Horse Trials (3 days per year).'

In January 2022, a section 73 application was approved to make amendments to a number of conditions appended to the initial planning permission, including to introduce plans showing phasing of the works and amendments to wording of conditions relating to landscaping, tree, archaeology and provision of electric charging points. Condition 3 remained unchanged.

It is this section 73 permission that the Estate intends to implement and so it is condition 3 from this permission (NP/DDD/0921/1053) that it seeks to vary. For clarity, the permission has not yet been implemented.

Site and Surroundings

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

The main access to Chatsworth House is via Paines Bridge on an unclassified road that links to the B6012 to the south east. Access can also be gained via the Golden Gates from the A619 to the north although this is usually closed to the public.

There are a number of other listed buildings in close proximity to the car park. These include the Stables (grade I), North Lodges (grade I), game larder (grade II), James Paine's three arched bridge (grade I), and the terrace walls to the west of the house (known as the Bastion Walls) (Grade II). To the south of the roundabout are the Golden Gates and Lodges (Grade II).

The existing car park has developed and expanded incrementally over a number of years and currently can accommodate approximately 675 vehicles.

Proposal

This is a section 73 application which seeks permission to vary condition no.3 on NP/DDD/0921/1053. As stated above the condition currently reads:

'Once the new car park is first brought into use, no public overflow parking shall take place between the Bastion Wall and the River Derwent (in the area marked green on the attached

plan) over and above the operational days of the three major events – RHS flower show (5 days per year), Country Fair (3 days per year) and Horse Trials (3 days per year).'

The proposals are to amend the condition to read: *'Once phase 6 of the car park works have been completed use of the area between the Bastion Wall and the River Derwent (in the area marked green on the attached plan ref Plan for Condition 3) will be limited to a maximum period of 45 days in any calendar year and will be managed in accordance with the submitted Car Park Management Plan (CPMP) unless otherwise agreed with the planning authority.'*

Essentially, the condition currently allows for overflow parking on the grassland in this area to take place on 11 days per calendar year only, when the three main events are taking place (RHS flower show, Country Fair and Horse Trials). The proposals are to allow parking to take place for 45 days a year, 34 more days than the condition currently allows. It was stated in the original application that the Bastion Wall can take up to 350 cars.

The Car Park Management Plan that is referred to outlines three zones for parking. Zone 1 is the main visitor car park, Zone 2 the 'Helipad' to the north west of the House and Zone 3, the area in front of the Bastion wall. Essentially parking would be managed such that Zone 1 is utilised first but then in times of high demand, generally Zone 2 and then finally Zone 3 are used. During wet conditions or when the sward in Zone 2 needs time to recover, Zone 3 may be used before Zone 2.

RECOMMENDATION:

That the application be REFUSED for the following reasons:

- 1. Chatsworth House and its registered park and garden are of the highest significance for their exceptional historic, architectural and archaeological interest. An additional 34 days per calendar year of overflow parking over and above that which is currently permitted by the condition, in front of the principle elevation of Chatsworth House would lead to harm to the setting of the grade I listed building and would detract from the ability to appreciate a key iconic view of the house across the park for substantial periods, contrary to Core Strategy policies GSP1, GSP3 and L3, Development Management Policies DMC3, DMC5, DMC7 and DMC9 and advice in the National Planning Policy Guidance. The harm would not be outweighed by the public benefits of the scheme.**
- 2. The provision of substantial additional visitor car parking without the associated removal of inappropriately parked vehicles, at an appropriate level, is contrary to Core Strategy policies T1 and T7 and Development Management Plan policy DMT7.**

Key Issues

- Whether the development would conflict with the Authority's policies with regard to sustainable transport.
- Whether, in the planning balance, public benefit clearly outweighs harm.

History

There is a detailed and extensive planning history for development on the Estate but in relation to the specific application site:

April 2018 – (Enq ref 32709) formal EIA screening request submitted for the proposals. The Authority came to the view that the development does not constitute EIA development.

December 2020 – planning permission granted for improvements and expansion of the existing car park associated with Chatsworth House, together with the creation of a new access road via a spur off the existing A619/A621 roundabout east of Baslow (NP/DDD/1018/0911).

July 2021 – pre-application advice sought and given for, amongst other things, the variation of condition 3 to allow for more overflow parking between the Bastion Wall and the River Derwent. We advised that the condition was necessary, reasonable and enforceable and that the variation would be unlikely to be acceptable as it would cause significant harm to the designed landscape and the setting of the grade I listed building (Enq ref 42917).

January 2022 – section 73 application approved to vary conditions 2, 9, 11, 13, 15, and 26 from NP/DDD/1018/0911.

Consultations

Highway Authority – no response

District Council – no response

Baslow and Bubnell Parish Council – no comments to make.

Historic England (in summary) – *‘The area of parkland west of the Bastion Wall is part of an iconic, designed view that makes a major contribution to the historic and architectural interest of Chatsworth. We refer you to our advice letter of 6 February 2019 on the above application with relation to the harmful impact of parking below the Bastion Wall on heritage significance, and our recommendation for robust conditions restricting the number days parking is permitted in this location, in the interest of providing certainty as to the overall impact of the parking on heritage significance.*

We also refer you to our letter of 29 September 2016 with relation to application NP/DDD/0916/0881 for the RHS flower show. In particular, in that letter we expressed concerns about parking and events in this part of the park impairing the ability to appreciate the landscape, which provides the designed setting for the house, including a key designed view, for extended periods during the main visitor season, and the consequent impact on heritage significance.

Recommendation - *Historic England has concerns regarding the application on heritage grounds. Chatsworth House and its registered park and garden are of the highest significance for their exceptional historic, architectural and archaeological interest. Parking in the area of the registered park beneath the Bastion Wall detracts from the ability to appreciate a key iconic view of the house across the park, with consequent, less than substantial harm on heritage significance. The proposal seeks to increase the number of days parking is allowed, from 11 days to the 45 days that the RHS flower show, now no longer operating at the site, would have been present. We have previously expressed concerns about temporary structures and parking being present for this length of time in this area. These concerns still stand. It will be for your authority to determine whether a clear and convincing justification, and sufficient public benefits have been demonstrated to outweigh the harm. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 197, 199, 200 and 202 of the NPPF.*

In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.’

Authority's Landscape Architect – *'One of the most important and significant views of Chatsworth House is of the western elevation and includes the western elevation of the house the west front Bastion wall and the river Derwent. Parking in the area below the Bastion Wall has a significant negative visual impact on the setting of the house and the parkland especially when there are no major events taking place.'*

The aim should be for no parking to occur in this area to allow visitors the fullest visual experience when approaching the house, through the designed landscape. Although parking has taken place in this area for many years it is not to say that visitors would expect to see parking in such a prominent place against a historic building. For many visitors this would be their first visit to Chatsworth and the impression that they gain will determine if they return or recommend Chatsworth to their friends. The approved works to the main car park will significantly improve that impression, but this is not without its' negative features. In addition it is also important to remember that the B road which runs through the parkland, enables people traveling through and not specifically to visit Chatsworth, views of the house and the Bastion Wall.

The Authority took the view that the 3 main events held at Chatsworth, cause impacts on the setting of the house, and that public parking during the opening days of the shows would not cause any significant additional impacts. However when the shows are not present, public parking has a greater negative visual impact and would be more harmful to the landscape.

The proposal to allow parking to take place over 45 days per year also makes it harder to record the number of days parking that does take place, rather than being restricted to show days. The proposed 45 days is almost the equivalent to every weekend (Saturday and Sunday) that Chatsworth is open.

Overall the change of the proposed section 73 would have a negative impact on the setting of the house and parkland.'

Authority's Conservation Officer – *'Parking in front of the Bastion Wall has a negative impact on the setting of a number of highly significant listed buildings /structures, and is harmful to their significance for the duration of the parking, and afterwards as the grassland recovers. It is also damaging to the designated parkland itself.'*

Ultimately there should be no parking in this location. Approval for the car park improvements was conditional on parking in front of the Bastion Wall being limited to 3 specified times a year, for a maximum of 11 days in total.

Each of the major events at Chatsworth is accompanied by increased physical and visual 'clutter' related to the event - structures, vehicles, people, activities etc. It could be argued that parking in front of the Bastion Wall in association with these specific events has marginally less of a negative impact than when the parkland is clear, as these events themselves disrupt the setting of the designated heritage assets, for their duration. When the parkland is in its normal state - clear of the temporary accretions associated with an event, parking in front of the Bastion Wall has a greater (negative) visual impact on the setting of these HAs, and should be avoided.

Limiting the parking in front of the Bastion Wall to the major events only, also allows the grassland within the designated landscape to fully recover in between these specified occasions. This is beneficial not only for the physical recovery of the grassland itself, but also to the setting of the listed buildings/structures, and to the designated parkland, which is negatively impacted by large areas of damaged grassland in such a visually prominent location. Allowing parking outside these key specified occasions will hinder full recovery of the grassland; if parking continues across the whole year (albeit for a limited number of days), the grassland may struggle to recover fully at any point.

Restricting parking in front of the Bastion Wall to specified events, with a specific number of days for each, is easily monitored. Changing this to enable parking across the year for a specified number of days in total would be extremely difficult to monitor.'

Authority's archaeologist - no archaeological concerns.

Representations

None received

Main Policies

Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L1, L3, RT1, CC1, T7

Relevant Local Plan policies: DMC3, DMC5, DMC7, DMT7

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.

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that Local Authorities have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

National Planning Policy Framework

The National Planning Policy Framework (NPPF) has been revised (2019). This replaces the previous document (2012) with immediate effect. The Government's intention is that the document should be considered as a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date.

Para 172 of the NPPF states the great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks. The scale and extent of development within these designated areas should be limited. Planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest.

National policies with regard to promoting sustainable transport are set out in chapter 9 of the NPPF. Para 102 states that transport issues should be considered at an early stage so that: the potential impacts of development on transport networks can be addressed; opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised ; opportunities to promote walking, cycling and public transport use are identified and pursued; the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.

Para 108 states that in assessing applications for development, appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location; safe and suitable access to the site can be achieved for all users; and any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

With regard to the historic environment para 193 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Para 195 states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm.

Core Strategy

Policy GSP1 E states that in securing national park purposes major development should not take place within the Peak District National Park other than in exceptional circumstances. Major development will only be permitted following rigorous consideration of the criteria in national policy. GSP2 states that opportunities should be taken to enhance the valued characteristics of the National Park. This is expanded in policy L1 which relates directly to enhancement of landscape character. Policy L3 relating to the conservation and enhancement of features of archaeological, architectural, artistic or historic significance.

Core Strategy policy T1 seeks to encourage sustainable transport and reduce the need to travel through giving priority to conservation and enhancement; encouraging modal shift to sustainable transport and minimizing traffic impacts within environmentally sensitive locations.

T7 states that non-residential parking will be restricted in order to discourage car use and will be managed to ensure that the location and nature of car and coach parking does not exceed environmental capacity. New non-operational parking will normally be matched by a reduction of related parking spaces elsewhere and wherever possible it will be made available for public use.

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

Policy RT1 states that the National Park Authority will support facilities which enable recreation, environmental education and interpretation, which encourage understanding and enjoyment of the National Park, and are appropriate to the National Park's valued characteristics. Opportunities for access by sustainable means will be encouraged. New provision must justify its location in relation to environmental capacity, scale and intensity of use or activity, and be informed by the Landscape Strategy. Where appropriate, development should be focused in or on the edge of settlements. In the open countryside, clear demonstration of need for such a location will be necessary.

Development Management Policies

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

Development Management policy DMC5 states that applications affecting a heritage asset should clearly demonstrate its significance including how any identified features will be preserved and where possible enhanced and why the proposed works are desirable or necessary. Development of a heritage asset will not be permitted if it would result in harm to, or loss of significance character and appearance unless the harm would be outweighed by public benefit. DMC9 states that planning applications involving a Registered Park and Garden and/or its setting will be determined in accordance with policy DMC5.

DMC7 aims to ensure that development preserves the character and significance of listed buildings and/or their settings.

DMT7 states that new or enlarged visitor car parks will not be permitted unless a clear, demonstrable need, delivering local benefit, can be shown. Where new or additional off-street visitor parking is permitted, an equivalent removal of on-street parking will usually be required. In considering proposals for new or enlarged car parks in the Natural Zone and in Conservation Areas, the developer is expected to have assessed alternative sites located in a less environmentally sensitive location, capable of being linked to the original visitor destination either by a Park & Ride system or right of way.

Assessment

Whether the Development is Major Development

For clarity, we took the view when assessing the original proposals for the car park and new road spur, that the development represented 'major development'.

In terms of the Town and Country Planning (Development Management Procedure) Order 2010 the current proposals represent 'major development' as the application site edged red extends to more than 1 hectare (in fact it extends to 5.6 hectares). In planning policy – both national and local – the term major development is also referenced. Specifically paragraph 172 of the NPPF and Core Strategy policy GSP1 seek to resist 'major development' in National Parks in all but exceptional circumstances and where it can be demonstrated that they are in the public interest.

Para 131 of the Authority's Development Management policy document provides clarity on the issue. It points out that 'Footnote 55 of the NPPF (2019) states, *'whether a proposal is 'major development' is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.'* In making this assessment close regard should be had to the impact of a scheme on the special qualities of the National Park utilising the Landscape Strategy and other tools advocated by this document.

The application site is located within the Chatsworth Parkland, which is a highly sensitive landscape in that it is a grade I Registered Park and Garden and there are numerous listed buildings and undesignated heritage assets within the vicinity of the site. In addition, Chatsworth is an extremely popular tourist destination, with the park and gardens holding a central place in the history of English landscape design. Taking into account this sensitive setting and the significant operational development that was proposed, we concluded that the proposals did indeed constitute major development within the National Park.

Policy GSP1 E makes it clear that planning permission should only be granted for major development if it is considered that exceptional circumstances exist and that the proposals would be in the public interest. On balance our view with the original application was that the condition was necessary in order to provide sufficient meaningful public benefit that would constitute the exceptional circumstances in which the major development could be accepted.

Justification for the Proposals

A supporting statement submitted with the current application states that whilst the long term objective of the Estate is for no parking to be necessary below the Bastion Wall, this is not possible at present and the restriction as framed is not viable, given the visitor numbers Chatsworth experiences at various times during the year. As further justification for the proposals it is stated that the Royal Horticultural Society (RHS) Flower Show will not be returning to Chatsworth following the forced cancellation in 2020 and therefore the proposed level of overflow parking proposed would be the same as the 45 day build time, show duration and removal time that was taken up by the RHS. It is also stated that there are currently no restrictions on the use of the Bastion Wall for parking at any time of the year, and that turning cars away from Chatsworth as a result of insufficient parking availability, can have a very significant impact on local communities through traffic congestion.

In terms of the RHS, firstly the planning permission for that event was granted for a 10 year temporary period only, which expires in 5 years time in March 2027. The current proposals, on the other hand would be for a permanent use of the area for overflow car parking. Secondly, whilst we appreciate that at present there are no plans for it to return, there are no concrete guarantees that the show will not return over the remaining permitted period. And thirdly, the committee report for the RHS planning application made it clear that there were also substantial public benefits associated with that development (i.e. significant financial contributions to the conservation of heritage assets; benefits to the local economy and to education etc). If the RHS does not return, then those public benefits would also be lost. Therefore the loss of the RHS does not weigh strongly in favour of the current proposals.

Turning to the existing situation with regard to overflow car parking, we agree that the Authority has never considered overflow car parking, in itself, to constitute a change of use of the land and that therefore the use of the area below the Bastion Wall is currently unrestricted. However that does not take away from the fact that if the Estate wishes to expand the car park in the manner that has been approved, then there is a need to ensure there is sufficient public benefit in order to mitigate the harm that the particular development will bring about.

Whether, in the planning balance, the public benefit clearly outweighs harm.

We took the view, in the assessment of the original application, that there were a number of public benefits to the proposed scheme. These consisted of:

- Removal of a row of parking spaces which intrude into the setting of the grade I listed stables building.
- Removal of clutter including pay kiosks, temporary fencing and general activity of vehicles manoeuvring directly in front (to the north of) the grade I listed North Lodges.
- Removing coach parking from along the access road to the south of the car park, which would enhance the setting of the House, Stables and Game Larder.
- Protection and enhancement of 21 category A veteran trees in the car park.
- Improvement to the visitor experience of those visiting Chatsworth
- Improvement to traffic congestion issues in and around Baslow.

As part of the current application the agent has also highlighted other benefits, namely the installation of drainage and run-off systems to protect the ground and manage pollution risks, providing electric car charging and more bicycle parking and improving the look of the car park to enhance the setting of listed buildings. They also state that the restriction of parking on the currently unrestricted area below the west front of the house by over 300 days would be a benefit.

There were however elements of the scheme that would cause harm. These were identified as:

- Loss of 0.24ha of the grade I registered park land to car parking, mainly to the north and east of the existing car park.
- Loss of a significant number of mature trees consisting of 46 in total (24 Category B and 22 Category C).
- Loss of a corridor of woodland 22m wide (0.14 ha in area) at the north access.
- Both the proposed northern access and the works to the car park will result in permanent and irreversible harm to known and predicted archaeological features (although the harm will be mitigated by a scheme of archaeological survey and monitoring).

Following concerns raised by officers during the course of the application, the agent has submitted a further response, which can be read in full on the application file. In summary it states that in their view the benefits would far outweigh the limited harm. It emphasises that some of the trees to be lost are in poor health, that 101 new trees would be planted, that impacts on archaeology can be mitigated and that with regard to the area of woodland to be lost, the Estate Forestry department is to improve its wider management.

In terms of the planning balance however, as well as these specific areas of benefit and harm, the wider sustainability credentials of the proposals were also a significant issue in determining the original application and the decision to apply the condition as currently worded. Core Strategy policy T1 seeks to encourage sustainable transport and states that modal shift to sustainable transport will be encouraged. Furthermore T7 states that non-residential parking will be restricted in order to discourage car use.

Whether the development would conflict with the Authority's policies with regard to sustainable transport

Our view at that time (and still remains) was that the whilst the Estate is making efforts to promote a shift to public transport, the approach taken with the current application, to focus on the expansion of the car parking facilities conflicts with the thrust of the Authority's policies with regard to sustainable transport. The proposals are for major development within the National Park and should only be accepted in exceptional circumstances if there are definite and meaningful public benefits that clearly outweigh any harm. One of the main ways in which this can be achieved is by addressing the impacts of overflow parking.

The impacts of overflow parking has been an identified issue at Chatsworth for some time. As stated by Historic England in their response, parking in the area of the registered park beneath the Bastion Wall detracts from the ability to appreciate a key iconic view of the house across the park and river, causing less than substantial harm on heritage significance. Indeed the Estate's own Parkland Management Plan (2013) acknowledges that parking in this areas has a '*high visual, landscape and archaeological impact so an alternative solution must be found*'. We therefore consider that continued use of this area for parking, on top of the events that already take place would have an unacceptably harmful impact. Importantly, Development Management policy DMT7 makes it clear that where visitor parking is permitted, an equivalent removal of on-street parking will usually be required. As this is not feasible in this location, an equivalent removal of harmful overflow parking in this area is considered to be a reasonable alternative.

It is accepted that each of the major events at Chatsworth is accompanied by increased physical and visual 'clutter' related to the event - structures, vehicles, people, activities etc. Consequently any public parking in front of the Bastion Wall in association with these specific events has marginally less of a negative impact than when the parkland is clear and consequently the condition was framed to allow parking during the 11 days of these events only.

However, if 45 days of car parking were permitted throughout the year as proposed, then this could equate to harmful parking taking place in front of the grade I listed building every weekend over the main visitor season, and at times when there is no other major disruption to the registered parkland and the setting of the listed building.

In addition to the specific areas of harm listed above, is the fact that without the effective removal of harmful overflow parking in front of the House as the condition currently secures, the proposals, which focus on the expansion of car parking facilities, would not comply with the Authority's policies with regard to sustainable transport and visitor parking. Para 9.72 of the Development Management Plan (supporting text to policies DMT7) states that '*where there is a need for additional visitor parking, in some cases this can be met within the footprint of existing car parks, without detriment to the National Park's special qualities. Alternatively there may be a need for a newly created car park to address demand for visitor access to a particular location. In either case, the Authority would expect to see a demonstration of local benefit from the removal of on-street or inappropriately parked vehicles, to support the application for additional off-street parking.*' In the light of this policy position and given the highly sensitive nature of the area in front of the Bastion Wall and the strong contribution it makes to the setting and significance of the grade I listed building, our clear view is that the condition should remain as currently worded.

There are other less sensitive areas of the parkland where overflow parking can (and does) take place, including the adjacent 'Helipad' (250 vehicles). Further areas in the parkland to the north of the existing car park are also used and details provided with the original application suggest that these can provide up to 630 spaces. It is appreciated that these areas are not as close to the House and other facilities and ground conditions are not always as favourable, but nonetheless they still provide substantial scope for additional parking where necessary. We are also open to discussions about other options such as remote Park and Ride Schemes.

Conclusion

In conclusion our view is that allowing an additional 34 days per calendar year of overflow parking over and above that which is currently permitted by the condition would lead to harm to the grade I listed building and its setting. Chatsworth House and its registered park and garden are of the highest significance for their exceptional historic, architectural and archaeological interest and parking in front of its principle elevation over the substantial number of days proposed would detract from the ability to appreciate a key iconic view of the house across the park. The condition as currently framed is necessary, reasonable, enforceable and meets the tests for conditions in all other respects.

The Authority's overarching transport policies highlight that the cumulative impact of private cars can harm the special qualities of the area that underpin the enjoyment and experience of visitors. Consequently these policies aim to minimise the adverse impact of motor vehicles. The proposal to continue to accommodate overflow parking in this area, at the level proposed, despite an approved scheme to increase the main car park capacity by 220 spaces would be contrary to policies T7 and DMT7. This wider policy consideration with regard to sustainability together with the particular areas of harm that have been identified above are not outweighed by the public benefits of the scheme. Consequently exceptional circumstances would not exist to justify the proposed development as amended. The application is therefore recommended for refusal.

Human Rights

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

List of Background Papers (not previously published)

Nil

Report Author – Andrea Needham, Senior Planner

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

APPLICANT: MR STEVE PORTER – CHATSWORTH HOUSE TRUST

Summary

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

Background

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

Site and Surroundings

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

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

Proposal

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

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

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

RECOMMENDATION:

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

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

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

Key Issues

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

History

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

Consultations

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

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

20. *Were that your authority were minded to grant consent for the scheme as now proposed it should secure the benefits offered by the use of robust conditions to planning consent addressing the following issues:-*

- a. *A) That the applicant be restricted to X number of days per a calendar year in which vehicles may be parked or events held on the ground below the Bastion Wall so as to give certainty as to the overall impact upon the significance of the Grade I Listed House and Registered Park permitted. (where X is calculated by the Local Planning Authority from the data submitted in the applicant's Design and Access Statement.)*
- b. *B) That the applicant shall not permit vehicles to be parked in Chatsworth Park in conditions or in a manner likely to result in damage to archaeological earthworks or buried remains, so that the significance of the Grade I Park and the setting of the Listed Buildings may be preserved.*

21. *With regard to the sufficient assessment of the likely impact of construction works upon archaeological remains and the mitigation of archaeological impacts more broadly we refer you to the advice of the National Park Senior Conservation Archaeologist.'*

22. **Gardens Trust** – *'It is clear from the documents submitted with this application that the current parking arrangements are insufficient and unsatisfactory, leading to the unwelcome build up of traffic, congestion in Baslow, possible damage to the Grade I Three Arch Bridge, as well as occasional overflow parking to the west of the house. The GT welcomes the careful consideration given to overcoming these problems. We feel that the new entrance off the A619, the removal of pay kiosks from the north front, the resulting improvements in traffic flow and the increase of pay kiosks at the northern end of the car park extension will outweigh the less than substantial harm caused to the setting and significance of the Grade I RPG.'*

23. **Environment Agency** – no comments to make.

24. **Lead Local Flood Authority** – *'After review of the submitted FRA the LLFA would require some clarification on the proposed Car Park aspect of the development. In terms of the proposed run-off rate the applicant has indicated that a 30% betterment on the existing situation will be provided. The LLFA would expect a discharge rate close as reasonably practical to the greenfield run – off rate, this would be in line with S3 of DEFRA's Non-statutory technical standards for sustainable drainage systems. Currently this appears not to be the case. The applicant is proposing to discharge surface water to 2 existing culverts, however it is unclear if there is sufficient capacity to accept additional flows and what the current condition of the culverts are. It is noted that attenuation storage shall be provided by geo-cellular storage, however it appears the applicant has not fully considered a range of SuDs features. The LLFA would expect full consideration for a whole range of SuDs features.'*

25. **Natural England** – no objections

26. **Authority’s Ecologist** – (in summary) following completion of activity surveys during the course of the application, no objections with regard to potential impacts on bats. Any lighting scheme will need to be designed to be minimal and low level to ensure minimal impact on bat foraging use across the site, dark space and tree habitats. Still raises concerns with regard to the impacts of works to the car park on veteran trees, and that the proposed enhancements to the veteran trees resource would not outweigh the removal of trees, and severance of woodland. No objections with regard to impact on fungi. With regard to badgers, requires clarity on the location of the road widening to ensure that works are not within a 30m buffer zone of an identified sett. Following receipt of further information, is satisfied that the proposals would be unlikely to affect great crested newt. The new access road off the roundabout will result in severance of semi-natural broadleaved woodland. Notes that the surrounding woodland plantation will receive additional management to improve its structure and diversity through selective thinning and understorey planting. Requests that this be secured by means of a condition.

27. **Authority’s Archaeologist** – (in summary) the groundworks required to create the car park and the access road will result in direct and irreversible harm to features of archaeological interest, where they survive, and cause harm to the archaeological interest of the site as a whole. Taking into account the nature and significance of these features is confident that should this aspect of the development be deemed to be acceptable, the impacts can be appropriately mitigated by a conditioned scheme of archaeological work. Has concerns with regard to the long term sustainability of the proposed parking strategy because of the cumulative impact of parking within the parkland in areas with extant archaeological earthworks. Parking over earthworks, particularly when the ground is wet/saturated, could result in harm to the earthwork remains. Concerns about the level of public benefit the development would achieve without the removal of car parking below the Bastion Wall. If areas of archaeological earthworks are used to ease pressure on the use of the Bastion Wall, then the harm will be displaced elsewhere rather than removed. If the application is deemed to be acceptable, recommends conditions for:

- Restricting the number of days that events can be held or cars can be parked below the Bastion Walls.
- Ensuring that there is no parking in the parkland within areas of archaeological works.
- An archaeological scheme of work for the new access road and car park.

28. **Authority’s Landscape Architect** – no landscape visual objections to the proposed alterations to the car park. Welcomes the arboriculture report it is *‘very clear and gives good recommendations for tree protection and management of existing and proposed trees.’* Raises some detailed queries with regard to some detailed elements of the car park design.

29. **Authority’s Conservation Officer** - A full car parking strategy which removes overflow car parking in front of the Bastion Wall, as requested by the Authority and Historic England at the pre-application stage, has not been provided. Car parking in this location has a negative impact on the setting of the Grade I listed Chatsworth House, Grade II listed Bastion Wall and other associated designated heritage assets, causing less than substantial harm to their significance. Parking on the grass in front of the Bastion Wall also risks long-term harm to the fabric of the Grade I Registered Park and Garden in this exceptionally sensitive location. As noted by Historic England, without a full car parking strategy which addresses, and resolves this issue, I would not support approval of the proposed improvements and expansion of the car parking.

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

REPRESENTATIONS

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

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

36. One letter of support has been received from 'Marketing Peak District and Derbyshire' on the grounds that the proposals would improve accessibility to the Estate by private and public transport; would encourage visitors to stay longer and increased their spending; and the road would improve traffic flows, reduce congestion and benefit the wider economy.

Main Policies

37. Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L1, L2, L3, RT1, CC1, T1, T2, T3, T7

38. Relevant Local Plan policies: DMC3, DMC5, DMC7, DMC9, DMC11, DMC12, DMC13, DMT3, DMT2, DMT7

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

National Planning Policy Framework

40. The National Planning Policy Framework (NPPF) has been revised (2019). This replaces the previous document (2012) with immediate effect. The Government's intention is that the document should be considered as a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date.

41. Para 172 of the NPPF states the great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks. The scale and extent of development within these designated areas should be limited. Planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest.
42. National policies with regard to promoting sustainable transport are set out in chapter 9 of the NPPF. Para 102 states that transport issues should be considered at an early stage so that: the potential impacts of development on transport networks can be addressed; opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised ; opportunities to promote walking, cycling and public transport use are identified and pursued; the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.
43. Para 108 states that in assessing applications for development, appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location; safe and suitable access to the site can be achieved for all users; and any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
44. Para 109 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
45. With regard to the historic environment para 193 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Para 195 states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm.

Development Plan

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

Core Strategy

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

Development Management Policies

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

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

Assessment

Whether the proposals represent major development

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

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

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

Whether the principle of the proposed development is acceptable.

64. With regard to the proposed car park extensions, Core Strategy policy T7 and Development Management policies DMT7 together make it clear that new or enlarged visitor car parks will not be permitted unless a clear, demonstrable need, delivering local benefit, can be shown. Furthermore policies T2 and DMT2 seek to resist new local road schemes unless there are exceptional circumstances and provided they do not cause harm to the landscape.

65. Consideration with regard to the impact of the proposals on the significance of the identified cultural heritage assets; on archaeology; and on ecology interests including trees are crucial to the determination of this application.

66. The acceptability of the principle of the development in this instance therefore rests upon a balanced view being taken as to whether or not any harmful impacts from the introduction of a major form of development would be outweighed by public benefits. This analysis will take into account the 3 criteria that para 172 of the NPPF refer to with regard to assessing major development in National Parks i.e.

- The need for the development, including in terms of any national considerations, and the impact of permitted it, or refusing it, upon the local economy;
- The cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
- Any detrimental effect on the environment, the landscape and recreational opportunities and the extent to which that could be moderated.

67. The report will look at need, then the physical impacts of the development and finally the broader issues of overflow parking and sustainable development and will seek to provide a ‘planning balance’ between them.

Issue 1: Need for the proposed development

68. Car park re-configuration/extension

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

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

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

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

New access road link

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

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

Car park re-configuration/extension

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

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

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

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

New Road Link

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

Issue 3: Ecological Impacts

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

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

Issue 4: Arboricultural Considerations

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

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

Issue 5: Archaeological Considerations

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

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

Issue 6: Flood Risk and Drainage Issues

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

Issue 7: Traffic Impacts

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

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

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

Issue 8: Overflow Parking and wider sustainability issues

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

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

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

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

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

Conclusion

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

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

Human Rights

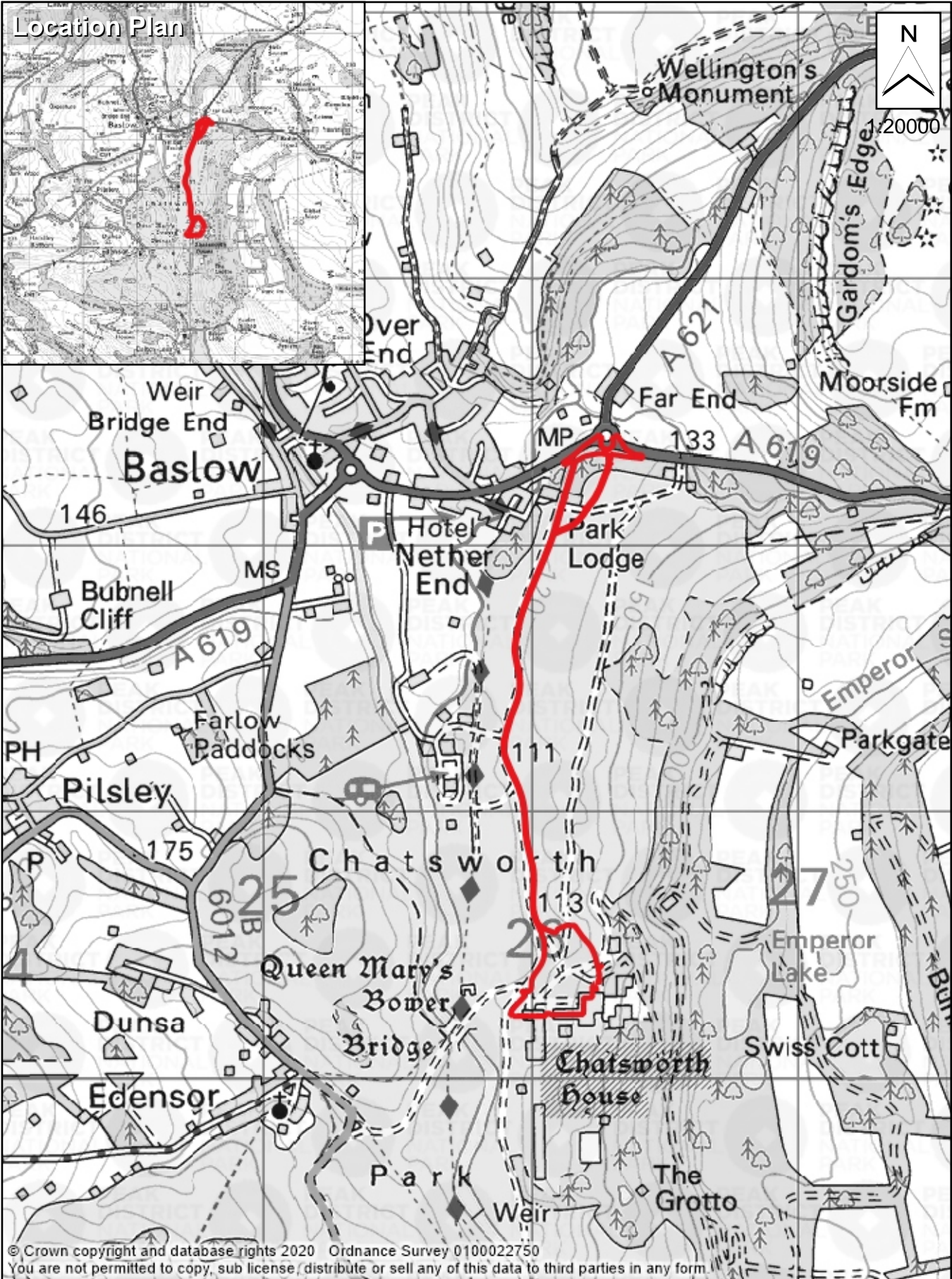
- (i) Any human rights issues have been considered and addressed in the preparation of this report.

- (ii) List of Background Papers (not previously published)

- (iii) Nil

Report Author: Andrea Needham, Senior Planner

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|-----------------|-------------------------|--------------------------------|
| Committee Date: | Friday 7th October 2022 | Title: Chatsworth House |
| Item Number: | Item 5 | |
| Application No: | NP/DDD/0622/0760 | |
| Grid Reference: | 425011, 370207 | |



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6. FULL APPLICATION - INSTALLATION OF NEW PLANT INCLUDING, TWO PAYMENT MACHINES, ANPR CAMERA AND ASSOCIATED INFRASTRUCTURE AT LANGSETT BARN CAR PARK LANGSETT (NP/B/0622/0824, KW)

APPLICANT: YORKSHIRE WATER

Summary

1. The application site is the existing public car park at Langsett Barn car park, which is owned by Yorkshire Water.
2. Permission is sought for the installation of two parking ticket machines and an ANPR camera within the existing public car park.
3. The ticket machines and camera would not have a significant visual impact on the site, the conservation area, or the landscape character of the area.
4. The existing car parking provision would remain as existing, and there would be no material, (planning), change of use.
5. Consideration of the wider impacts upon the amenity of local residents and highways by displaced parking will be addressed in the report, with appropriate weight given to these issues.
6. The application is recommended for conditional approval.

Site and Surroundings

7. Langsett Barn car park is owned and managed by Yorkshire Water, and is located on the edge of the village of Langsett. The carpark is an established and popular destination for parking to access to the local walking and biking routes around the reservoir and surrounding area.
8. The A616 Manchester Road bounds the site immediately to the north, with a residential area to the east and agricultural fields to the west. Langsett Reservoir is located immediately to the south of the site. Langsett Barn, a Grade II Listed barn abuts the east side of the car park along with two residential Grade II listed properties, (The Larches & Waterside Cottage), whose gardens also abut the eastern boundary of the car park. There are public footpaths to the southeast and to the west, which connects the car park to Langsett village.
9. Vehicular access to the site is via the established access point off the A616. The car park has 62 spaces alongside 3 disabled parking spaces, 1 coach and a trailer parking area for 2 cars and 2 trailers.
10. The car park is largely screened from wider landscape views because it is located within the edge of the woodland, therefore the existing infrastructure and signage is mostly screened from views outside the site.
11. The site is within the Langsett Conservation Area.

Proposal

12. Planning permission is sought for the installation of two parking ticket machines, which are proposed to be located centrally within the car park, and an ANPR camera proposed to be located close to the vehicular entrance, but set back from the road.
13. The two ticket machines are proposed to be 1.6m in height, with a depth of 0.3m, and a width of 0.4m. Solar panels are proposed for the top of the machine.
14. The ANPR camera 600mm wide x 500mm deep x 700mm high is proposed to be mounted on a pole of 4m in height and powered by mains electricity. The post and camera would be black.
15. Associated signage will need to be considered under a separate application for Advertisement Consent.
16. No trees or vegetation are proposed to be removed as part of the development.
17. No new lighting is proposed as part of the development.

RECOMMENDATION:

18. **I) That the application be APPROVED subject to the following conditions:**

1. **3 year implementation time limit.**
2. **Carry out in accordance with the defined submitted plans.**

And;

II) That the Authority welcomes Yorkshire Water's stated intention to continue to work with local authorities and parish councils regarding on-street parking issues and requests that a written statement be agreed with officers outside the planning process setting out precisely how they propose to liaise closely with the local community, Highway Authority and this Authority over initiatives to better manage visitor parking on local roads and within the village.

Footnote – Re signage is subject to a separate consent regime under the Advertisement Regulations.

Key Issues

19. The key planning issues relating to the development are:
 - Principle of development
 - Impact on the landscape character of the area.
 - Impact on highway safety.
 - Amenity of local residents.

History

20. 1986 – Approval for development of the site into a car park and picnic site – NP/B/1286/005.
21. 2013 – Approval for increased size of the car park - NP/B/0113/0044.

Consultations

22. Barnsley MBC as Highway Authority – The application is supported by a planning, design and access statement which outlines the need for development, proposal, policy review, and planning assessment. Within Section 3, the report states that the site is a long established car park and it is not anticipated that the introduction of pay and display facilities will generate a greater use of or cause any greater impact than arising from the current usage of the site by visitors.
23. However the report fails to recognise the propensity of remote, indiscriminate parking to avoid these charges both on A616 (in layby and verge parking) and surrounding area including the Waggon and Horses car park and road(s) serving Langsett village. Displaced parking to these areas gives rise to road safety and amenity concerns (due to damage of verges and residential impact). In terms of road safety, the A616, between the existing layby to the north west of the car park access is devoid of street lighting or formal footway provision requiring visitors to negotiate the route from layby to car park entrance on foot via narrow verges along this stretch of road that is subject to 40 and 50mph speed limits. In addition, verge parking in and around the car park entrance raises road safety concerns in this regard as well as potentially impeding visibility on exit from the car park as well as the inherent risk when entering and exiting the parked vehicle. Whilst it is acknowledged that such a scenario may exist during extremely busy times, the introduction of this charging regime will undoubtedly result in more frequent instances of indiscriminate parking occurring in order to avoid payment. The application appears to take no account of this nor present details of what actions will be taken should this occur.
24. Langsett Parish Council – Object to the proposal. The concerns expressed are summarised below:
- The impacts of potentially displaced vehicles avoiding charges, especially on Gilbert Hill, Midhope Cliffe Lane, the Wagon and Horses pub and the A628/A616.
 - Concern about highway safety, emergency vehicle access, access for local farmers, and the amenity of local residents. During the pandemic, people parked outside of the car park, which created these issues, which might be exacerbated by introducing parking charges. No solution has so far been found by Yorkshire Water, despite the issues arising during lockdown periods.
 - Concern that Yorkshire Water have not consulted the relevant bodies
 - Impact on local businesses. If people have to pay to park nearby, they might be discouraged from visiting.
 - Lack of public transport means that people can only access by car. Charging may limit access for people who cannot afford to pay.
 - Impact of running the camera etc on the WIFI network, which is currently poor.
25. National Highways - No objections

Representations

210 letters of objection have been received, expressing the following concerns:

1. The introduction of parking charges would result in visitors choosing to park elsewhere in Langsett to avoid charges. This already occurs when the car park is full and has a harmful impact which would be exacerbated by the parking charges. The impacts would be as follows:
 - Detrimental impact on residential amenity by people parking inconsiderately, blocking driveways and damaging property.
 - Impact on highway safety of badly parked vehicles on or adjacent to the very busy

- A616.
 - Concern about the safety of people trying to cross the very busy A616 if parked outside the car park
 - Visual impact on the conservation area of parked vehicles
 - Impact on the listed buildings within Langsett
 - Impact on the business of the Wagon and Horses pub, with patrons being unable to park in the car park belonging to the pub.
2. There are no public transport links to Langsett, so people cannot choose an alternative way to access the area.
 3. Yorkshire Water have not carried out adequate public consultation on the proposal.
 4. Concern that the ANPR camera would only be able to operate using existing broadband infrastructure, which is already very slow for residents, and would impact on the service for local residents.
 5. The proposal is contrary to Policies T1 and T7, which seek to properly manage demand for parking and seek to ensure care is taken *to avoid displacing impact to other sensitive areas and nearby settlements*.
 6. The parking should remain free to allow people access. Should not introduce charges during current economic climate.

Main Policies

26. Relevant Core Strategy policies: GPS1, GSP3, DS1, L3, CC1, T1, T7,
27. Relevant Local Plan policies: DM1, DMC3, DMC5, DMC7, DMC8.

National Planning Policy Framework (NPPF)

28. The Government's intention is that the 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 the Authority's Core Strategy 2011 and policies in the Peak District National Park Development Management Policies document 2019. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and more recent Government guidance in the NPPF.
29. 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.
30. In the National Park, the development plan comprises the Authority's Core Strategy and the Development Management Policies (DMP). These Development Plan policies provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application.

Main Development Plan Policies

Core Strategy

31. GSP1 *Securing National Park Purposes and sustainable* - 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 GSP3 *Development Management Principles* - 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.
33. DS1 - *Development Strategy* - indicates what types of development are acceptable in principle in settlements and in the countryside. The emphasis is on sensitive, managed delivery in order to meet our purposes to conserve and enhance the Peak District
34. 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.
35. 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.
36. T1 – *Reducing the need to travel and encouraging sustainable transport*. States that sustainable access for the quiet enjoyment of the National Park, that does not cause harm to the valued characteristics will be promoted.
37. T3 – *Design of transport infrastructure – sets out the requirements for transport related infrastructure requiring the design to be appropriate for the National Park setting, and kept to a minimum necessary*.

T7 - *Minimising the adverse impact of motor vehicles and managing the demand for car and coach parks* – seeks to manage traffic movement and parking within the National Park.

Development Management Policies

38. 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.
39. 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.

40. DMC5 - *Assessing the impact of development on designated and non-designated heritage assets and their setting.* The policy provides detailed advice relating to proposals affecting heritage assets and their settings, requiring new development to demonstrate how valued features will be conserved, as well as detailing the types and levels of information required to support such proposals. It also requires development to avoid harm to the significance, character, and appearance of heritage assets and details the exceptional circumstances in which development resulting in such harm may be supported.
41. DMC8 – *Conservation Areas* - indicates that development in Conservation Areas must preserve and enhance the Conservation Area setting, taking account of the effects of development to its setting and character. Applicants should be mindful of the appearance and materials chosen. Tree felling will not be permitted without agreement.

Assessment

Principle of Development

42. The development requiring planning permission is limited to the installation of the two ticket machines and the ANPR camera and pole.
43. It is noted that the Yorkshire Water's decision to introduce parking charges is a management issue and therefore does not require planning permission. There would be no change of use of the site and no additional parking spaces or loss of spaces would occur.
44. The introduction of new equipment to help manage the existing car park is acceptable in principle, provided an assessment of in visual impact of the equipment on the site, demonstrates that the conservation area, the nearby heritage assets and the wider landscape will be conserved and where possible enhanced.
45. It is noted that Yorkshire Water have stated that they plan to invest the money from the parking charges to enhance the management of the site. The funding will 'support a new Ranger team allowing them to provide a better visitor experience and contribute towards ongoing nature conservation initiatives and countryside management'.

Visual impact of the proposed development.

46. The equipment is modest in scale and largely dark coloured. It would also be located within the existing car park, which is a well-established site, already laid out with formal parking, and containing paraphernalia such as fencing, lighting, signage etc. Therefore, in this established context, it is not considered that the equipment would appear incongruous, and would not alter the established visual character of the site.
47. The car park is located within woodland and therefore, being surrounded by trees, the proposed equipment would not be clearly visible from outside the site. Given the context of the site, and the nature of the equipment which would not be prominently in views outside the site, it is not considered that the proposal would conserve the valued character of the National Park.
48. The proposed equipment would not be visible in close context with any nearby heritage assets and would therefore have a neutral or no impact on their setting thus conserving their significance.

49. Concern has been expressed that displaced vehicles parking within the conservation area would have an adverse visual impact. Parking already takes place in those areas and hence whilst it is accepted that this may increase at times due to charging, it is not considered that the temporary parking of vehicles would have a significant and permanent adverse visual impact on the character of the conservation area.
50. It is therefore concluded that the proposed payment machines and ANPR pole and camera would have an acceptable visual impact on the site and the wider area, including the impact on the conservation area, the nearby listed buildings, and also in wider landscape views.
51. The proposal therefore complies with the relevant Core Strategy and Local Plan policies.

Impact on the amenity of local residents

52. The machines and ANPR camera equipment would not have a physical impact on the amenity of neighbouring residents in terms of loss of light, privacy, or an overbearing impact due to their scale and the distance from the nearest dwellings.
53. Local residents, (and others), objecting to the scheme have raised wider concerns about the proposal in terms of the impact of the change in the site's management via the introduction of parking charges, and the potential for this to displace vehicles to park on surrounding roads in the village in order to avoid paying to park.
54. Residents report that this displaced parking is already happening at busy times such as bank holidays and weekends, which has been exacerbated during the pandemic. They report that the displaced vehicles are already causing significant problems to local residents in terms of inconsiderate and dangerous parking, blocking of the highway, damage to property, anti-social behaviour etc.
55. These local concerns are fully acknowledged and understood. The increases in visitor pressure since the beginning of the pandemic is an issue that is being faced at most, if not all popular tourist destinations across the National Park and we note that the submitted planning statement states that 'Yorkshire Water will continue to work with local authorities and parish councils regarding on-street parking issues.'. The introduction of charging will inevitably mean some people choosing to find alternative, free parking spaces in the immediate local area adding to the overspill which already happens during popular times. The availability of 'free' parking in and around the village, and the broader matter of parking management on the nearby local streets to mitigate the impacts on local residents amenity, local businesses and highway safety currently falls to be mainly addressed by the local highway authority; in this case Barnsley MBC who have the main responsibility for traffic management and road safety matters, and can liaise with local stakeholders including Yorkshire Water and the Parish Council to manage parking demand and impacts.
56. Although your officers recognise this as an issue that is currently faced by local residents, and is likely to continue, it does fall outside the application site area and on land outside the applicant's ownership or control. In determining the planning application, we must give significant weight to the visual impact of the proposed machines. The knock on effect of the introduction of parking charges, which in itself, does not require planning permission is a material consideration but given this overspill occurs lawfully (in the main) on local public roads is one which we must give less weight in the planning balance.

57. It is also noted that a scheme of signage is proposed as part of the development, which aims to encourage visitors to park considerately etc, but signage that requires consent does not form part of this proposal and would require a separate application for Advertisement Consent. A footnote is therefore suggested in the officer recommendation.
58. Consequently it is concluded that the impact of the proposed physical development itself on neighbouring residents would accord with the relevant policies.

Impact on highway safety

59. It is noted that National Highways have no objection to the proposal whereas Barnsley Metropolitan Borough Council Highways response highlights strong concerns about highway safety and amenity issues which arise from the indiscriminate parking that already occurs in the area. They comment that charging will undoubtedly add to this and note the planning statement in the application appears to take no account of this or measures to address the issue.
60. The highway safety issues noted by Barnsley MBC and identified by the parish and local residents are acknowledged. However, as noted above, given that this application is only for the machines and camera equipment and because the introduction of parking charges itself does not require planning permission, little weight can be given in the assessment, to the impact of people potentially choosing to park in the village and on side roads elsewhere when visiting the area.
61. How this is managed on the public side roads currently falls to Barnsley MBC. Officers note that the planning statement explains that it is Yorkshire Waters' intention that the new on-site ranger team would "ensure that the public engage safely with their surrounding environment" but that will focus on their own water assets. The statement also states that "Yorkshire Water will continue to work with local authorities and parish councils regarding on-street parking issues". This is welcomed, especially given the weight we can attach to off-site parking issues as a material consideration in the planning balance is limited. In concluding on balance that there are no highway matters raised by the application that would justify refusal of the proposal we have also recommended that, outside the planning application process, YW formally engage with ourselves, Barnsley MBC and the local community to look into this issue to better understand and then implement measures to manage this problem.

Conclusion

62. The visual impact of the proposed ticket machines and the camera are considered to be acceptable, and would not have a detrimental visual impact on the character and appearance of the National Park or local designated heritage assets.
63. The impacts on the amenity of local residents and highway safety from the people choosing to park outside the car park to avoid parking charges is acknowledged but cannot be given significant weight in the consideration of this application. The issues identified by local residents falls to be addressed through local parking control and management initiatives delivered by the local Highway Authority working with Yorkshire Water, ourselves and the local community.
64. Consequently, the application is recommended for conditional approval with a separate approach made to YW to liaise over local parking management issues.

Human Rights

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

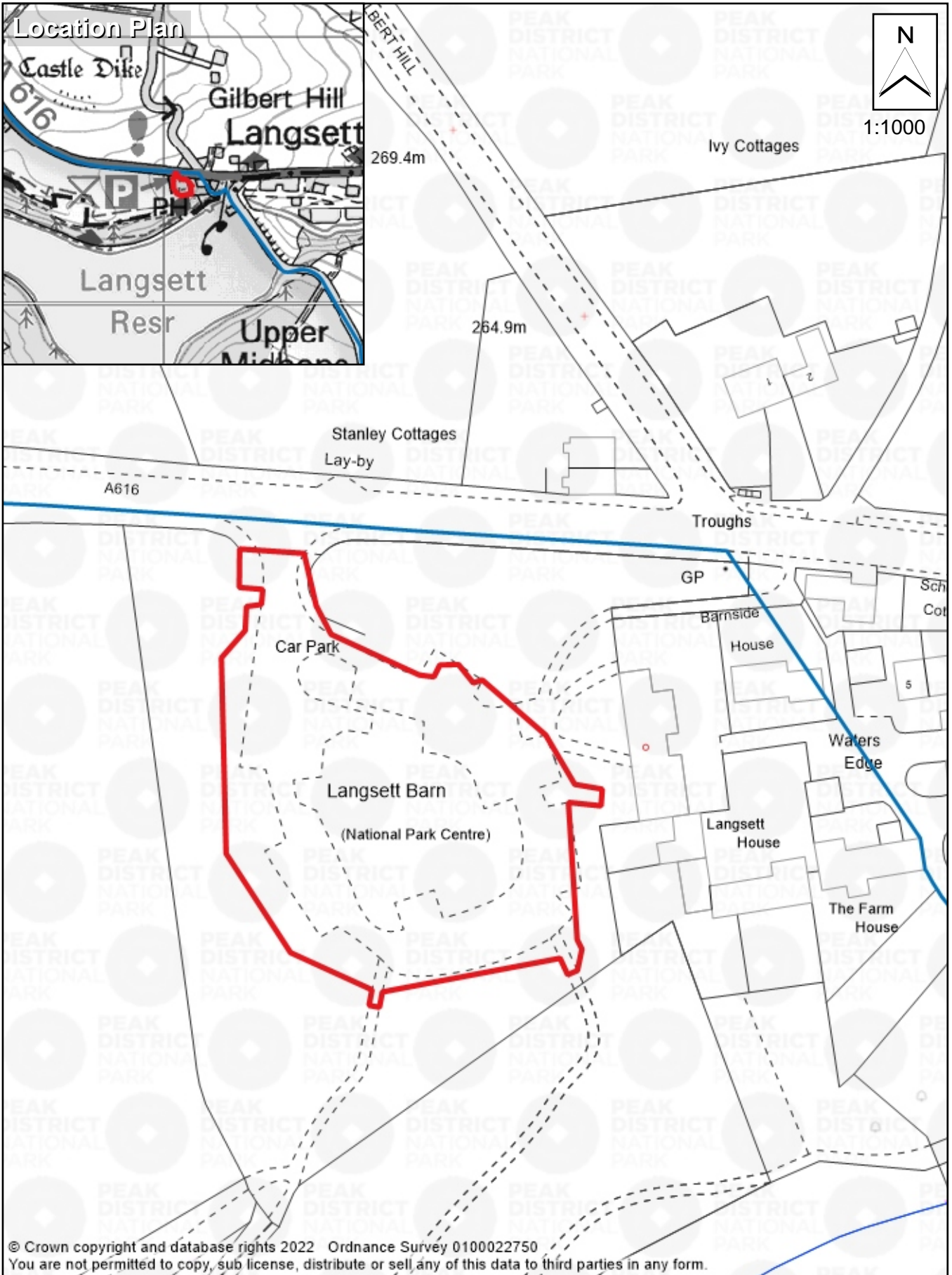
List of Background Papers (not previously published)


66. Nil

Report Author and Job Title

67. Kathryn White – Planning Officer

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|-----------------|-------------------------|---------------------------------------|--|
| Committee Date: | Friday 7th October 2022 | Title: Langsetts Barn Car Park |  PEAK DISTRICT NATIONAL PARK |
| Item Number: | Item 6 | Red Line = Site Boundary | |
| Application No: | NP/B/0622/0824 | Blue Line = National Park Boundary | |
| Grid Reference: | 421065, 400439 | | |

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7. FULL APPLICATION - EXTENSION OF EXISTING GRITSTONE BARN AND DEMOLITION OF REDUNDANT AGRICULTURAL BUILDINGS TO FORM ONE DWELLING AT SHATTON FARM, SHATTON LANE, SHATTON (NP/HPK/0722/0888, BJT)

APPLICANT: MR RICHARD BRUCE

Summary

1. Nether Shatton Farm is located at the south-western end of Shatton.
2. The proposal is a revised application for the extension of the existing stone barn and demolition of redundant agricultural buildings to form a single market dwelling.
3. It is concluded that the development would conserve, and to some extent enhance, the character and appearance of the existing barn, the site and its surroundings and would not harm the setting of the Grade II listed Nether Cottage
4. The application is recommended for approval, subject to conditions.

Site and Surroundings

5. Nether Shatton Farm is situated at the south-western end of the hamlet of Shatton, south of Bamford and the A6187. The eastern end of the hamlet is a relatively suburban development of 20th century houses. The historic core of the hamlet is a more traditional cluster of buildings at its south-western end. Shatton Lane runs through Shatton, running past the application site and eventually continuing onto Shatton Edge.
6. The application site is on the eastern side of Shatton Lane as it rises up the southern slope of the valley side, at the southernmost edge of the settlement. It includes a range of modern and traditional agricultural buildings which are now redundant. The site contains a traditional gritstone barn, with a gritstone roof, situated on the roadside frontage with a large post-war agricultural building immediately to the rear of this building.
7. The traditional barn was rebuilt following the grant of planning permission for conversion in 2013. The rebuilding of the barn with extensions to create a market dwelling was granted planning permission in 2016. Since the 2016 permission was granted, further works have taken place to raise the eaves and ridge height of the barn and alter an opening in the southern gable. This work appears to have been undertaken in 2018 and does not benefit from planning permission.
8. The approved development includes the demolition of the non-traditional agricultural sheds on the site and the erection of a new extension to the side of the barn, which would be partially dug into the ground levels to the south of the barn, and the erection of a detached garage.
9. There are neighbouring residential properties to the west and north. The property to the north Nether Cottage is Grade II listed (named Shatton Cottage on the listing description).

Proposal

10. Redevelopment of Shatton Farm to form an open market dwelling.

11. The plans show that the existing modern agricultural buildings would be demolished and the ground level to the rear of the stone barn lowered to facilitate the construction of extensions. The work undertaken to raise the roof of the barn would be retained and the barn converted.
12. The existing stone barn would provide a hallway, W.C, kitchen and dining space at ground floor and a single bedroom at first floor. A second staircase within the barn would provide access to a further mezzanine.
13. A two storey 'L' shaped extension is proposed to the rear of the stone barn, connected to it by a single storey glazed link. The extension would provide a hallway and lounge at ground floor and four bedrooms at first floor with one shared bathroom and two ensuite bathrooms. This is a revised scheme, as compared to that refused earlier in 2022, with the extension being longer, but with a shorter return with a slightly lower roof.
14. The application also includes details of the disposal of waste earth arising from the excavation; the two storey extension and adjacent yard would require lowering of the existing ground levels. The proposal is to spread this in an adjacent field.
15. Two parking areas are proposed one to the south of the site and one to the east with two access points from the north and south of the stone barn. The stone barn and extensions would form a courtyard garden area with lawn beyond up to the adjoining fields.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions:

- **Statutory time limit.**
- **Development in complete accordance with the submitted plans, subject to the following:**
- **All new stonework shall be in natural, reclaimed stone faced, laid and pointed to match the existing stonework. Agree sample.**
- **Agree slate sample.**
- **Window and door details to be agreed.**
- **Precise details of glazing of link to be agreed.**
- **Design details.**
- **Location of earth spoil disposal and method of restoration to be agreed, avoiding ridge and furrow features. No building materials from the existing building group to be disposed of on neighbouring land.**
- **Submission of a waste disposal management plan (to include hours of work, vehicle trips etc)**
- **Withdraw permitted development rights for extensions, alterations, means of enclosure, ancillary buildings.**
- **Implement climate change/environmental management measures.**
- **Highway conditions.**

Key Issues

- Whether the proposed development is acceptable in principle.
- The impact of the proposed development on the barn and its setting.
- The impact of the disposal of waste arising from the site excavation on any archaeological interest.

Relevant Planning History

16. 2013: NP/HPK/0113/0072: Planning permission granted conditionally for change of use of barn to dwelling, demolition of redundant agricultural buildings and erection of garage, store and earth covered residential extension.
17. ENQ: 23500: Pre-application advice in regard to amendments to the above scheme. At the site visit Officers became aware that the traditional barn had been re-built and therefore the 2013 permission had not been (and now could not be) implemented.
18. Enforcement 15/0061: Relating to demolition and re-build of barn.
19. 2016: NP/HPK/1115/1115: Planning permission granted conditionally for change of use and extension of a reconstructed barn to dwelling, demolition of redundant agricultural buildings and erection of garage and store (part retrospective).
20. 2019: NP/HPK/0519/0456: Redevelopment of Shatton Farm to form one dwelling, involving the extension of the existing gritstone barn and the demolition of the redundant agricultural buildings. Planning permission refused for the following reasons:
 1. *“The proposed development would harm the character and appearance of the site and its surroundings and would harm the setting of the Grade II listed Nether Cottage contrary to Core Strategy policies GSP1, GSP2, GSP3, L3 and HC1; Development Management policies DMC3, DMC5, DMC7 and DMC10; the Authority's adopted design guide Supplementary Planning Document and the National Planning Policy Framework.*
 2. *The proposed development would result in overlooking from occupants of the dwelling towards the neighbouring property Nether Cottage. This would result in a significant loss of privacy to habitable rooms and the garden of Nether Cottage which would harm the privacy and amenity of occupants contrary to Core Strategy policy GSP3 and Development Management policy DMC3.*
 3. *Insufficient information has been submitted with the application to demonstrate that the proposed development would achieve the highest possible standards of carbon reductions and water efficiency in order to mitigate the causes of climate change contrary to Core Strategy Policy CC1 the Authority's adopted Supplementary Planning Document 'Climate Change and Sustainable Building' and the National Planning Policy Framework”.*
21. February 2022: NP/HPK/0920/0874 - Extension of existing gritstone barn and demolition of redundant agricultural buildings to form one dwelling. Planning permission was refused for the following reason:

“The proposed development would harm the character and appearance of the existing barn, the site and its surroundings and would harm the setting of the Grade II listed Nether Cottage contrary to Core Strategy policies GSP1, GSP2, GSP3, L3 and HC1; Development Management policies DMC3, DMC5, DMC7 and DMC10; the Authority's adopted design guide Supplementary Planning Document and the National Planning Policy Framework”.

Consultations

22. Highway Authority – Key points as follows:

23. The application site has been the subject of previous applications, most recently NP/HPK/0920/0874 which received no objections from the Highway Authority. This current application appears to be similar in principle from a highways point of view, therefore, there are no objections in principle.
24. Emerging visibility from the sites existing accesses are extremely limited, primarily by the barn to be converted. However, the application proposals appear to completely remove the existing agricultural buildings within the site apart from the ones to be converted. The Highway Authority is therefore satisfied that the application constitutes the complete removal of any agricultural activity from the site and this is considered to be an equitable exchange of traffic generation for the proposed single dwelling.
25. The Proposed Site Plan demonstrates sufficient levels of off-street parking to serve the proposed dwelling along with manoeuvring space so that vehicles can both enter and emerge in forward gear. Based on the above, it is considered the risk of danger to highway users would be no greater than at present. You may wish to ask the applicant to address the above comments in relation to the closure of the existing North access and submit a revised drawing which I will be happy to comment upon in due course.
26. Alternatively, provided that you are satisfied that a satisfactory layout can be controlled by conditions, there are no highway objections to the proposal from the highway point of view, subject to conditions being included in any consent granted in the interests of highway safety. A list of conditions is provided.
27. Borough Council – No response to date.
28. Parish Meeting – No response to date.
29. PDNPA Archaeology:

“A Heritage Assessment has been provided this is primarily concerned with the two large fields south of the site of the proposed farm building and farm sheds, where it is proposed to bury excavated surplus soil removed. This identified that ridge and furrow is present in a swath that runs east to west across the fields and recommended that any soil disposal should avoid this area.

Checking on the HBSMR I discovered a reference to previous work on the current farm building. This was originally a 19th century outfarm but: “MPD12347 needs updating. Outfarm in Shatton, monument record currently suggests that all traditional farm buildings remain extact, whereas the barn structure has been entirely rebuilt.

Following permission for conversion of barn 0113/0072 it was entirely rebuilt rather than converted and this was regularised under 1115/1115.” Based on this it would appear that there is no archaeological potential for the current building. The other sheds are 20th century in date and of negligible significance.

Recommendations *The proposed development will take place in an area with existing buildings. Based on current information these buildings are of negligible significance and no further work is suggested with regard to them.*

The ridge and furrow is a low to moderate significance heritage assets.

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

Should the planning balance be favourable then the following condition is recommended: With regard to the disposal of the excavated material this should be disposed of away from areas of ridge and furrow to preserve these features.”

Representations

30. No letters of representation received to date.

Main Policies

31. Relevant Core Strategy policies: GSP1, GSP2, GSP3, CC1, DS1, L1, L3 and HC1
32. Relevant Development Management policies: DMC1, DMC3, DMC5, DMC7, DMC10, DMT3 and DMT8

National Planning Policy Framework

33. The National Planning Policy Framework (NPPF) was published on 27 March 2012 and replaced a significant proportion of central government planning policy with immediate effect. It was last updated 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 those in the Development Management DPD adopted in May 2019. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and more recent Government guidance in the NPPF. The development plan is up-to-date and therefore is afforded full weight in decision making.
34. Paragraph 79 of the NPPF states that planning decision should avoid the development of isolated homes in the countryside unless there is an essential need for a rural worker, the development would represent the optimal viable use of a heritage asset, would re-use redundant or disused buildings and enhance its setting, involve the subdivision of an existing dwelling or where the design is of exceptional quality.
35. Paragraph 176 of the NPPF states that great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas and should be given great weight in National Parks and the Broads.
36. Paragraph 194 of the NPPF 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. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.
37. Paragraph 195 of the NPPF states that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

38. Paragraph 199 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
39. Paragraph 200 of the NPPF states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of grade II listed buildings, or grade II registered parks or gardens, should be exceptional.
40. Paragraph 202 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
41. Paragraph 203 of the NPPF 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.

Core Strategy Policies

42. Policy DS1 sets the development strategy and says that in the country side conversion or change of use for housing is acceptable in principle.
43. 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).
44. Policy GSP2: *Enhancing the National Park* states that:
 - Opportunities for enhancing the valued characteristics of the National Park will be identified and acted upon.
 - Proposals intended to enhance the National Park will need to demonstrate that they offer significant overall benefit to the natural beauty, wildlife and cultural heritage of the area.
 - When development is permitted, a design will be sought that respects the character of the area.
 - Opportunities will be taken to enhance the National Park by the treatment or removal of undesirable features or buildings. Work must be undertaken in a manner which conserves the valued characteristics of the site and its surroundings.
 - Development in settlements necessary for the treatment, removal or relocation of nonconforming uses to an acceptable site, or which would enhance the valued characteristics of the National Park will be permitted.
45. 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.

46. Policy CC1 requires development to make the most efficient and sustainable use of land, buildings and natural resources. CC1 D. and E. require development to achieve the highest possible standards of carbon reductions and water efficiency.
47. 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.
48. Policy L3 states that development must conserve and enhance any asset of archaeological, architectural, artistic or historic significance or its setting that has statutory designation or registration or is of other international, national, regional or local significance.
49. Policy HC1 says that provision will not be made for housing solely to meet open market demand. New housing can be accepted where it would meet eligible local need for affordable housing, provides for key rural workers or is required to achieve conservation and or enhancement of valued vernacular or listed buildings.

Development Management Policies

50. Policy DMC3 says that where development is acceptable in principle, it will be permitted provided that its detailed treatment is of a high standard that respects, protects and where possible enhances the natural beauty, quality and visual amenity of the landscape, including the wildlife and cultural heritage that contribute to the distinctive sense of place. DMC3 B. sets out various criteria which will be taken into account.
51. Policy DMC5 says that planning applications for development affecting a heritage asset, including its setting must clearly demonstrate its significance including how any identified features of value will be conserved and where possible enhanced and why the proposed development and related works are desirable or necessary. DMC E. says that if applicants fail to provide adequate or accurate detailed information to show the effect of the development on the significance, character and appearance of the heritage asset and its setting, the application will be refused.
52. Policy DMC5 says that planning applications for development affecting a Listed Building and/or its setting should be determined in accordance with policy DMC5 and clearly demonstrate how their significance will be preserved and why the proposed development and related works are desirable or necessary.
53. Policy DMC10 A. says that the conversion of a heritage asset will be permitted provided that:
 - i. it can accommodate the new use without changes that adversely affect its character (such changes include enlargement, subdivision or other alterations to form and mass, inappropriate new window openings or doorways and major rebuilding); and
 - ii. the building is capable of conversion, the extent of which would not compromise the significance and character of the building; and
 - iii. the changes brought about by the new use, and any associated infrastructure (such as access and services), conserves or enhances the heritage significance of the asset, its setting (in accordance with policy DMC5), any valued landscape character, and any valued built environment; and

- iv. the new use of the building or any curtilage created would not be visually intrusive in its landscape or have an adverse impact on tranquillity, dark skies or other valued characteristics.
54. Policy DMC10 B. says proposals under Core Strategy policy HC1CI will only be permitted where:
- i. the building is a designated heritage asset; or
 - ii. based on the evidence, the National Park Authority has identified the building as a non-designated heritage asset; and
 - iii. it can be demonstrated that conversion to a market dwelling is required in order to achieve the conservation and, where appropriate, the enhancement of the significance of the heritage asset and the contribution of its setting.
55. Policies DMT3 and DTM8 require safe access and adequate parking to be provided for development.

Adopted supplementary planning documents

56. The Authority adopted design guide is relevant as is the Authority's adopted supplementary planning guidance on climate change and sustainable building. The Design Guide states that *'the guiding principle behind the design of any conversion should be that the character of the original building and its setting should be respected and retained'*.

57. Conversion of Historic Buildings Supplementary Planning Document (SPD):

This SPD was adopted in April 2022. It is intended to be used by those wishing to convert historic buildings. It provides a level of detail that is necessary to interpret national guidance in the context of Peak District National Park's protected landscape. In particular it clarifies DMP policy DMC10 'Conversion of a heritage asset' by focusing on:

- Principle 1: Understand the building and its setting
- Principle 2: Work with the existing form and character
- Principle 3: Follow a conservation approach
- Principle 4: Create responsive new design
- Principle 5: Use appropriate materials and detailing
- Principle 6: Conserve and enhance the setting

Assessment

Principle of the development

58. The proposal is for the redevelopment of the site to create a single open market dwelling. The site is located on the edge of Shatton, which is not a named settlement in Core Strategy policy DS1 so our policies would only support the development if it was demonstrated to be required to achieve conservation and / or enhancement of a heritage asset (policies HC1 and DMC10).

59. The property is not listed, a scheduled monument or within a conservation area and therefore is not a designated heritage asset. As with the previous application, a Heritage Statement has not been submitted with the application to assess the significance of the site or buildings or its relationship with and setting of the nearby grade II listed Nether Cottage, as required by policy DMC5. A Heritage Statement has been submitted in relation to the disposal of spoil in the fields around the site.
60. However, the design and access statement and the submitted drawings and visuals do allow an assessment of the impact of the development to be made. Therefore, the lack of a heritage statement contrary to policy DMC5 is not a reason to refuse the application, taking into account the previous decisions on the site. This conclusion was also reached on the last application
61. The 2016 planning permission represents a material fall-back position because it has been implemented and remains extant. The 2016 permission allows for retention of the stone barn (in its original lower configuration), along with extensions to create an open market dwelling. In determining the 2016 application, we concluded that despite being rebuilt, the stone barn remained important for the street scene and for the setting of the adjacent grade II listed Nether Cottage. We therefore concluded that the 2016 scheme achieved the conservation of the site and its surroundings.
62. Therefore, the key issue is the impact of the development and whether the development is required to achieve the conservation or enhancement of the stone barn and the impact upon the surrounding area, including the setting of the grade II listed Nether Cottage.

Impact of development

63. The proposed design approach differs to that approved by the 2016 scheme. The original barn had been rebuilt but the 2016 scheme to retain the rebuilt barn was nevertheless approved on the basis that the overall proportions, form, height, materials and external appearance of the barn closely reflected the original structure and this was considered an important element of the significance of the barn.
64. Since the approval of the 2016 scheme the barn has been further altered without the benefit of planning permission. The eaves and ridge height of the barn have been increased. This application seeks to retain these alterations to the roof of the barn as part of the scheme along with an alteration to the opening in the southern gable.
65. The proposed increase in the eaves and ridge height of the barn and changes to the opening in the southern gable are noticeable and change the overall proportions and scale of the building. The increase in eaves and ridge height of the building has inevitably had an impact on the architectural and historic significance of the building.
66. The application again proposes to demolish the modern agricultural buildings, and this is welcomed in principle but does not offer any benefit over and above the 2016 scheme.
67. The development would include significant lowering of ground levels to the rear of the stone barn. The application states that this is to remove 'built up ground', however it is not clear that this is the case. Land to the south and east of the site is rising and the levels at the site generally meet up with the surrounding natural levels. Whilst elements of the modern farm buildings are built up, there is no clear indication that the ground levels more generally are built up or that lowering the levels would restore natural levels.

68. Lowering the ground levels would result in significant changes at the rear of the site between the proposed levels and the existing adjacent field levels, which would necessitate a steep bund or a retaining wall. The submitted plans now indicate that the transition between the site and the adjacent fields or changes in level would be achieved through stepped retaining walls. A substantial amount of spoil would be removed to facilitate the proposed change in levels and the application proposes to deposit this material in the fields to the east of the site.
69. These fields appear to retain a natural level gently sloping down to the northern boundary. It is unclear what type or volume of material would be deposited here and what impact this would have upon the topography of the fields. However, given the existing topography it is considered likely that development associated with depositing spoil could create obvious changes to the landform and potentially harm the landscape of the National Park. The potential impact on archaeology is dealt with below.
70. The application proposes extensions to the stone barn to provide the majority of the proposed residential accommodation. The design approach and location of the proposed extensions are significantly different to those approved in 2016 and is similar to the schemes which were refused planning permission in 2019 and in earlier this year (2022). On both these schemes there were significant concerns about the scale of the extensions, their visual impact, design and impact upon the historic relationship of the site with Nether Cottage and its setting.
71. The current proposal is for a similar level of extension to that refused earlier this year, but in an amended form which seeks to respond to the concerns raised by that refusal. The proposed extension would take the form of a substantial two storey 'L' shape to the rear of the barn, which in terms of volume and footprint would be larger than the existing stone barn. The new building would be linked to the rear of the original barn by a contemporary flat-roofed glass structure to provide visual separation of the original and new buildings. This approach is considered to be acceptable in principle and reflects the "non-building" approach taken with the 2016 approval.
72. The main change from the previously refused scheme is that the new building is of a longer, simpler form reflecting that of a traditional barn, with a shorter and lower return than the previous scheme proposed. The elevation facing north, towards Shatton and the property to the north, would be a blank wall, with three rooflights in the north-facing roof. It would be 19.55 metres long, as compared to 12.525 metres in the previous application. Although it is longer, the return on the north elevation would be much shorter than previously proposed, 3.2 metres as opposed to 8.45 metres. This results in a more traditional massing for the new building, and whilst still relatively large, is a significant improvement on the previously refused scheme. The fenestration is also slightly improved to reflect the barn-like form of the building.
73. In discussions with architect prior to the submission of the current application it was suggested that ideally the return "wing" should be omitted or reduced to a single storey lean-to. Whilst this has not been happened, the return is much shorter, as noted above, and has a slightly lower ride than the main extension. On balance, this is considered to be acceptable. As noted above, the new extension replaces a large and relatively modern structure with a bigger footprint and the previously approved scheme also included an extension, albeit in a different location and a different form. The principle of an extension to the original barn to provide most of the living accommodation has previously been accepted (the original barn is relatively small).

74. The footprint of the extensions is similar to that approved in 2016. The design of the extensions approved in 2016 took advantage of the ground levels of the site by taking a 'non-building' approach for the majority of the extensions. This effectively hid the mass and volume of the extensions leaving the stone barn to remain the dominant building on the site and without affecting or eroding the historic functional relationship with Nether Cottage. The 2016 scheme therefore would have a less significant visual and landscape impact compared to the proposed development, which takes a different design approach, but must still be judged on its own merits.
75. The proposed extensions would be approximately 0.3 metres above the lower access point and approximately 2 metres lower than upper access from the adjacent lane (i.e. the southernmost). The parking and courtyard associated with dwelling would be in the area to the south of the extension, also 2 metres below land level, helping to reduce its visual prominence from the lane and from the public footpath adjacent to the site and the setting of Nether Cottage.
76. Whilst the scheme would retain the raising in the height of the eaves and roof of the original barn, altering its form and massing, it has been carried out reasonably sensitively and it is unlikely that enforcement action on this alone would be successful.
77. On balance, it is considered that the proposed development would be of appropriate scale, siting and design and which would not harm the original barn and its setting, including the setting of Nether Cottage. Therefore, the development would achieve the conservation and enhancement of the building and its setting, in accordance with our housing and conservation policies.

Impact on archaeology

78. As noted above, the application does not include a Heritage Statement in respect of the barn, but the principle of conversion has been accepted in previous applications and the Authority has accepted that it is a non-designated heritage asset. Following the works to convert it to a dwelling, the Authority's Archaeologist considers that there is no archaeological potential for the current building. The other sheds are 20th century in date and of negligible significance.
79. The Heritage Assessment that has been provided is concerned with the two large fields south of the site of the proposed farm building and farm sheds, where it is proposed to bury excavated surplus soil removed from the excavation of the proposed courtyard. The assessment identified that ridge and furrow is present in a swath that runs east to west across the fields. It is recommended that any soil disposal should avoid this area as the ridge and furrow is a "low to moderate significance" heritage asset. The applicant's agent has agreed to a condition covering this.

Impact upon amenity of neighbouring properties

80. The nearest residential property to the site is Nether Cottage (the grade II listed property described as Shatton Cottage). This property is located to the northern boundary of the site and the principal elevation of that property faces south towards the application site. Nether Cottage is set at a lower level than the application site with its access, parking area and front garden located between the cottage and the application site.
81. As with the previous scheme, the proposed extensions would face towards Nether Cottage at a distance of 18m. The elevation facing towards Nether Cottage would be blank other than the ground floor glazed link and three roof lights. Given the relatively blank fenestration of this elevation, there are no concerns that occupants of the development would overlook Nether Cottage. Given the orientation and facing distance

there are also no concerns that the development would result in any significant loss of daylight, sunlight or be overbearing.

82. The proposals would therefore not harm the amenity, security or privacy of any neighbouring property.

Highways

83. The scheme would retain both access points and proposes to create a third access point into the fields to the south of the site. The 2016 scheme proposed to close the southernmost access with a new stone wall and retained the northern access point, which continued into the fields.
84. The Highway Authority raises no objection to retaining the southern access if there is sufficient space within the site for vehicles to park and turn. Whilst the Highway Authority previously recommended that if the southern access is to be retained, the northern access should be permanently closed, it does acknowledge that the application constitutes the complete removal of any agricultural activity from the site and this is considered to be an equitable exchange of traffic generation for the proposed single dwelling. In its response to the current application it advises that if the Authority is satisfied that a satisfactory layout can be controlled by conditions, there are no highway objections to the proposal from the highway point of view.
85. We consider that the highway issues can be resolved in principle with the imposition of the planning conditions recommended by the Highway Authority. Therefore, we agree with the Highway Authority that in principle the development would not harm highway safety and be in accordance with DMT3 and DMT8 in this respect.

Other issues

86. There is no evidence to indicate that the development would impact upon protected species bearing in mind that the stone barn has been recently re-built. Therefore if permission was granted similar conditions would be recommended as previously in respects of avoiding the breeding bird season and incorporating habitat enhancements.
87. In relation to Policy CC2 and climate change measures, the submitted plans show that the scheme would incorporate a ground source heat pump, solar photovoltaic panels and electric vehicle charging points. The application also proposes to retain spoil on site where appropriate.
88. The proposed heat pump, solar panels and charge points are welcomed as these would reduce energy consumption related to heating, hot water and electricity and significantly reduce carbon emissions and mitigate the impacts of climate change. We also welcome charge points as a means of encouraging and providing infrastructure to accelerate the uptake of electric vehicles. The retention of spoil on site is acceptable in principle if spoil does not harm the landscape or the archaeological interest of the area in which it would be deposited.
89. The details indicate that groundwater and rainwater harvesting would be utilised as part of a grey water system. This is welcomed if full details are approved and implemented.

Conclusion

90. It is concluded that the proposed development would conserve, and to some extent enhance, the character and appearance of the site and its surroundings, including the setting of the Grade II listed Nether Cottage.

91. The proposed development would not harm amenity, highway safety or the biodiversity of the National Park; however, these issues do not offset or outweigh the other impacts of the development. On balance, the proposal is considered to be in accordance with the development plan and having taken into account all other material considerations accordingly the application is recommended for refusal.

Human Rights

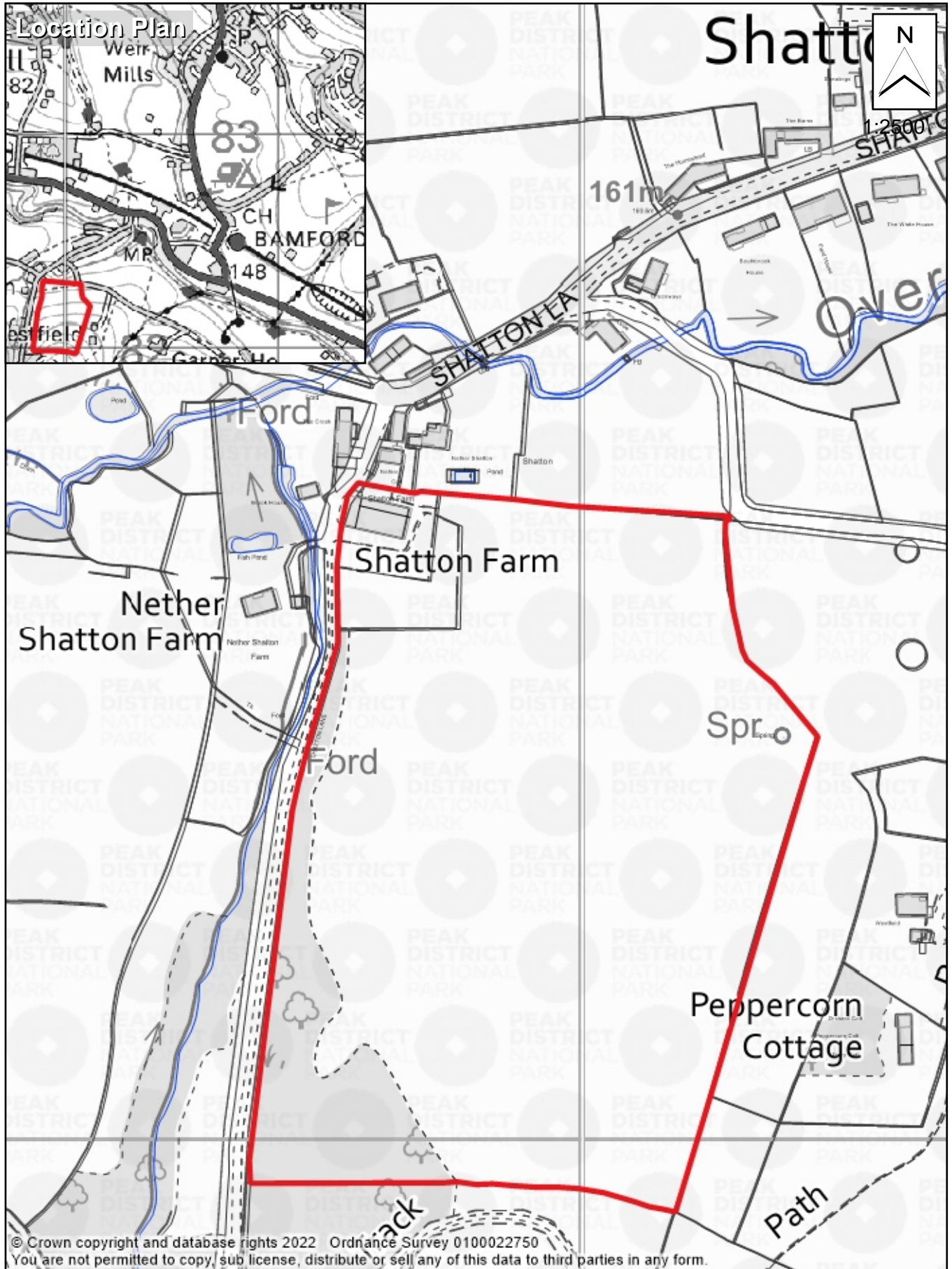
92. Any human rights issues have been considered and addressed in the preparation of this report.


List of Background Papers (not previously published)

93. Nil

Report Author: Brian Taylor, Head of Planning

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| Committee Date: | Friday 7th October 2022 | Title: Shattoon Farm Shattoon |  PEAK DISTRICT NATIONAL PARK |
| Item Number: | Item 7 | | |
| Application No: | NP/HPK/0722/0888 | | |
| Grid Reference: | 419907, 382292 | | |

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8. MONITORING & ENFORCEMENT QUARTERLY REVIEW – OCTOBER 2022 (A.1533/AJC)

Introduction

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

RECOMMENDATION:

That the report be noted.

Summary of Activity

5. Notices issued

| | | |
|---|---|---|
| 22/0040 Land at Cressbrook (otherwise known as Litton Frith Farm) | Engineering operations, including groundworks, alterations in ground levels, laying of surfacing materials and any engineering operations carried out as part of that activity or associated with it. | TSN issued 25 July 2022 – Ceased to have effect on 21 August 2022 |
| 19/0113 The Hut, Wilshaw Bottom, Hollinsclough | Construction of a timber cabin and associated structures, formation of a hard surfaced access and parking area and change of use from agricultural use to use for residential purposes | EN issued 24 August 2022 – Due to come into effect on 30 September 2022 but appeal lodged |

6. Breaches resolved

| | | |
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| 22/0002 Land at Hawkslee Barn Minn End Lane Bosley | Storage of caravan on agricultural land | Caravan relocated |
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| 21/0022 Hawthorn Cottage Weags Bridge Road Grindon | Erection of polytunnel and siting of shepherds hut | Retrospective planning permission granted |
| 22/0015 The Old Vicarage Church Bank Hathersage | Erection of composting bays | Retrospective planning permission granted |
| 14/0070 Church Lodge Ilam Ashbourne | LISTED BUILDING - barge boards and ancillary structures | Barge boards removed – ancillary structures immune from enforcement action |
| 21/0048 Barn off Trot Lane, Great Hucklow | Alterations to building and construction of hardstanding | Retrospective planning permission granted |
| 19/0210 Land Opposite Top Farm Wheston Tideswell | Construction of hardstanding on agricultural land | Hardstanding removed and land restored to grass |
| 22/0041 Newburgh Engineering Works Netherside Bradwell | Breach of condition 7 (Construction Management Plan) on NP/DDD/0815/0779 | Condition complied with |
| 19/0068 College Of The Peak Hallyard House Bakewell Road Over Haddon | Alteration of car park layout | Retrospective planning permission granted |
| 20/0048 Forge House Bottomhill Road Cressbrook | Untidy land | Land cleared |
| 19/0084 Fox House Inn Fox House Hathersage Road | Erection of three sheds | Sheds removed |

| | | |
|---|--|--------------------------------|
| 20/0094 Derbyshire Craft Centre Edge Field Calver Bridge Calver | Display of advertisements (flags) | Flags removed |
| 10/0087 Swallow Barn Wardlow | Breach of conditions on NP/DDD/0306/0253 | Immune from enforcement action |
| 11/0065 The Wheatsheaf Public House Nether End Baslow | Erection of smoking shelter, garden structures and play equipment | Immune from enforcement action |
| 15/0112 Land south of Gill Royd Lane Barnside Moor Midhopestones Sheffield | Erection of shooting screens | Immune from enforcement action |
| 15/0058 Hayloft Mill Bridge Castleton | Erection of pergola and fence | Immune from enforcement action |
| 16/0166 Bakers Fold Barber Booth Edale | Erection of shed | Immune from enforcement action |
| 16/0168 Sheffield Paintball Centre Mortimer Road Sheffield | Use of land for paintballing and associated erection of structures | Immune from enforcement action |
| 17/0150 Holly House Parke Road Tideswell | Erection of shed | Immune from enforcement action |
| 18/0089 Moscar Cross House Stake Hill Road Sheffield | Erection of aerial | Immune from enforcement action |

| | | |
|---|------------------------------|--------------------------------|
| 17/0163 Laneside Farm Hernstone Lane Peak Forest | Creation of vehicular access | Immune from enforcement action |
| 18/0026 Land near Eaton House Farm Brightholmlee Road Sheffield | Construction of hardstanding | Immune from enforcement action |
| 18/0063 Gladstone Jeffrey Lane Bradwell | Construction of pond | Permitted development |

Workload and performance

7. The table below provides an overview of the Monitoring & Enforcement Team’s caseload and performance in the latest quarter. The figures in brackets are for the previous quarter. Our main performance target is to resolve 150 breaches of planning control each year. In the first half of the year (April – September) we resolved 35 breaches so we are not currently on track to achieve our target.
8. The number of breaches outstanding has reduced by eight over the quarter, and currently stands at 618 cases.
9. For enquiries, we have a performance target of dealing with 80% of enquiries within 30 working days. This involves carrying out an investigation (usually including a site visit) and coming to a conclusion on whether there is a breach of planning control. In the latest quarter, 50% of enquiries were dealt with within 30 working days, which is below our performance target. The number of enquiries outstanding has also increased in the latest quarter, from 264 to 300. Our relatively poor performance on enquiries is due to one of the Monitoring and Enforcement Officer posts (with responsibility for investigating enquiries in the southern part of the National Park) being vacant since March 2022 and for almost the whole of the latest quarter. The vacancy was filled on 14 September so once the new employee has settled in to the role and received relevant training we would expect the rate of investigation to improve and the number of outstanding enquiries to start reducing although this will inevitably also lead to an increase in new breaches being discovered.

| | Received | Resolved | Outstanding |
|-----------|-----------|----------|-------------|
| Enquiries | 109 (130) | 78 (54) | 300 (264) |
| Breaches | 14 (12) | 22 (14) | 618 (626) |

10. Current High Priority Cases

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|--|--|---|
| 15/0057 Land at Mickleden Edge, Midhope Moor, Bradfield | Laying of geotextile matting and wooden log 'rafts' to form a track | EN in effect – initial compliance due by 8 November 2022 |
| 17/0044 Woodseats Farm, Windy Bank, Bradfield Dale | External and internal alterations and extension to listed building, erection of lighting and CCTV columns and engineering works (including construction of hardstandings and tracks) | EN in effect with regard to engineering works, extension and erection of lighting and CCTV columns – applications seeking regularization of other works refused – officers considering further enforcement action |
| 17/0134 Bonsall Moor Motocross Track, Blakemere Lane, Ible | Use of land for motocross scrambling | EN in effect – operator has ceased use – items and debris associated with the use not removed – officers seeking removal |
| 18/0062 Land at Cartledge Flat, Bradfield Moors | Creation of a track | EN in effect – officers seeking compliance |
| 19/0064 Alstonefield Hall, Church Street, Alstonefield | External and internal alterations to listed building | Applications for LBC to regularize works being considered |
| 21/0034 Thornbridge Hall, Baslow Road, Ashford In The Water | Erection of building, construction of driveways and car park | EN issued – appeal lodged – public inquiry commences on 11 October 2022 |

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|---|--|--|
| 22/0040 Land at Cressbrook Dale (Otherwise known as Litton Frith Farm) | Engineering operations (including laying of hardstanding) and erection of teepee | TSN issued but no longer in effect – officers considering further enforcement action |
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Author: Andrew Cook, Monitoring and Enforcement Team Manager