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Peak District National Park Authority

Tel: 01629 816200

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

Web: www.peakdistrict.gov.uk

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



Our Values: Care – Enjoy – Pioneer

Our Ref: A.1142/3376

Date: 19 January 2023



NOTICE OF MEETING

Meeting: **Planning Committee**

Date: **Friday 27 January 2023**

Time: **10.00 am**

Venue: **Aldern House, Baslow Road, Bakewell**

PHILIP MULLIGAN
CHIEF EXECUTIVE

Link to meeting papers:

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

AGENDA

1. **Roll Call of Members Present, Apologies for Absence and Members Declarations of Interest**
2. **Minutes of previous meeting on 9th December 2022** *(Pages 5 - 12)*
3. **Urgent Business**
4. **Public Participation**
To note any questions or to receive any statements, representations, deputations and petitions which relate to the published reports on Part A of the Agenda.
5. **Prior Notification - GDO Notification - New building for mixed agricultural use on land at Middle Hay, Long Lane, Cressbrook Dale (NP/GDO/0322/0431/MN)** *(Pages 13 - 24)*
Site Plan
6. **Full Application - Reinstatement of entrance canopy and bargeboards, provision of new windows and doors, re-forming of existing emergency escape ramp, installation of septic tank, removal of chimney stack, and installation of PV cells at Pomeroy Memorial Hall, Flagg (NP/DDD/0822/1062/ALN)** *(Pages 25 - 34)*
Site Plan
7. **Full Application - For the erection of a new garage at Dains Mill, Roach Road, Upper Hulme (NP/SM/1022/1316, DH)** *(Pages 35 - 44)*
Site Plan
8. **Section 73 Application - For the variation of Condition 2 on NP/SM/0321/0297 at Dains Mill, Roach Road, Upper Hulme (NP/SM/1022/1315, DH)** *(Pages 45 - 56)*
Site Plan
9. **Full Application - Erection of steel portal framed agricultural building to house beef cattle. The proposed building is a replacement of a traditional 'cow shed' built in the 1950s and extended in the 1970s that is now beyond reasonable repair. at New Road Farm, New Road, Longnor (NP/SM/1022/1339 PM)** *(Pages 57 - 64)*
Site Plan
10. **Full Application - For the removal or variation of Condition 6 of NP/SM/0605/0614 at Longnor Wood Holiday Park, Longnor (NP/SM/1122/1390) MN** *(Pages 65 - 72)*
Site Plan
11. **Full Application - Conversion and change of use of existing barn and yard into residential use C3 at Stanley Lodge, Great Hucklow (NP/DDD/0822/1079 WE)** *(Pages 73 - 86)*
Sit Plan

12. **Full Application - Change of use to a holiday let. Removal of bay windows and restoration of windows and railings. Removal of air handling units and ductwork. Alterations as detailed on drawings. Replacement windows including Toll Bar Cottages, Castleton (NP/HPK/0822/1030, KW) (Pages 87 - 96)**
Site Plan
13. **Listed Building Consent Application - Change of use to a holiday let. Removal of bay windows and restoration of windows and railings. Removal of air handling units and ductwork. Alterations as detailed on drawings. Replacement windows including Toll Bar Cottage, Castleton. (NP/DDD/0822/1031, KW) (Pages 97 - 104)**
Site Plan
14. **Monitoring & Enforcement Quarterly Review - January 2023 (A.1533/AJC)**
(Pages 105 - 108)
15. **Head of Law Report - Planning Appeals (A.1536/AMC) (Pages 109 - 110)**

Duration of Meeting

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

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

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

Agendas and reports

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

Background Papers

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

Public Participation and Other Representations from third parties

Since the Coronavirus restrictions have eased the Authority has returned to physical meetings. However, meetings of the Authority and its Committees may still take place at venues other than its offices at Aldern House, Bakewell when necessary. 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 either a visual recording or a digital sound recording of the meeting which will be available after the meeting and this 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

Since the Coronavirus restrictions have eased the Authority has returned to physical meetings. However, meetings of the Authority and its Committees may still take place at venues other than its offices at Aldern House, Bakewell when necessary, the venue for a meeting will be specified on the agenda. 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 either visually broadcast via YouTube or audio broadcast and the broadcast will be 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

Peak District National Park Authority
Tel: 01629 816200
 E-mail: customer.service@peakdistrict.gov.uk
 Web: www.peakdistrict.gov.uk
 Aldern House, Baslow Road, Bakewell, Derbyshire. DE45 1AE



MINUTES

Meeting: **Planning Committee**

Date: Friday 9 December 2022 at 10.00 am

Venue: Aldern House

Chair: Cllr P Brady

Present: Mr K Smith, Cllr W Armitage, Cllr A McCloy, Cllr D Murphy and Cllr V Priestley

Apologies for absence: Cllr M Chaplin, Cllr A Hart, Cllr I Huddleston, Cllr Mrs K Potter and Cllr K Richardson.

113/22 ROLL CALL OF MEMBERS PRESENT, APOLOGIES FOR ABSENCE AND MEMBERS DECLARATIONS OF INTEREST

Items 7 & 8

The Chair advised that he had received an email from the Applicant around 4 weeks prior to the meeting but it had addressed the process of the application only. He had then received a further email on behalf of the Applicant 2 days prior, which he had forwarded to all Members on the Planning Committee which was subsequently referred to by Committee Members during the declaration of interests.

114/22 MINUTES OF PREVIOUS MEETINGS HELD ON 30 SEPTEMBER AND 7 OCTOBER 2022

The minutes of the previous meetings of the Planning Committee held on 30th September and 7th October were approved as correct records.

115/22 URGENT BUSINESS

There was no urgent business.

116/22 PUBLIC PARTICIPATION

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

117/22 FULL APPLICATION - APPLICATION FOR THE REMOVAL OR VARIATION OF CONDITION 5 OF NP/SM/0904/0974 - LONGNOR WOOD HOLIDAY PARK, LONGNOR (NP/SM/0922/1125) MN

The report was presented by the Area Team Manager who outlined the reasons for approval, as set out in the report. He also requested that condition 4 be amended as follows:

“Any touring or static caravans within the application site area shall be occupied only as short-term holiday accommodation, and shall not be occupied as permanent dwellings. The owner shall maintain a register of occupants noting their permanent residential address upon which Council Tax is paid for each calendar year, which shall be made available for inspection by the National Park Authority on request.”

He also confirmed that a further application had subsequently been submitted regarding the occupation of other sections of the site.

A motion to approve the application in accordance with the Officer recommendation and subject to amending condition 4 as set out above, was moved, seconded, put to the vote and carried.

RESOLVED

That the application be APPROVED subject to the following conditions:

- 1. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted plan numbered 14.503/HLDL2B and dated June 2005, subject to the following conditions or modifications.**
- 2. This consent relates to the layout of the caravans under Phase 1 (as amended by the annotation on the plan) as shown on the approved drawing numbered 14.503/HLDL2B and dated June 2005.**
- 3. The number of touring caravans on site as part of ‘Phase 1’ shown on the approved plan shall not exceed 33 touring caravans, 14 static caravans and 1 warden’s caravan at any one time.**
- 4. Any touring or static caravans within the application site area shall be occupied only as short-term holiday accommodation, and shall not be occupied as permanent dwellings. The owner shall maintain a register of occupants noting their permanent residential address upon which Council Tax is paid for each calendar year, which shall be made available for inspection by the National Park Authority on request**
- 5. Details of the type and colour of all new caravans and their subsequent replacements shall be submitted to and approved in writing by the National Park Authority before siting.**
- 6. The site warden’s caravan shall not be occupied other than by a site warden working at Longnor Wood Holiday Park and their dependents, and shall be maintained as a single planning unit with the holiday park.**

118/22 FULL APPLICATION - CHANGE OF USE FROM EXISTING STONE BARN TO A LOCAL NEEDS DWELLING, HOLLY BANK BARN, BUTTERTON (NP/SM/0922/1144) MN

The report was introduced by the Planning Area Manager who outlined the reasons for approval as set out in the report. He advised that in paragraph 5, the sentence stating that “no garden space is proposed” should be deleted.

The following spoke under the public participation at meetings scheme:

- Mr Tom Meakin, Applicant

Members requested clarification as to whether a more favourable recommendation might be reached if an application were made for an agricultural workers dwelling, and were advised that no conclusive comment could be provided on that without the further information on agricultural need which would form part of such an application. However based on the information already provided about the farming operation, it was unlikely that an agricultural workers dwelling would be justified.

Members stated the following concerns:

- The lack information regarding any Climate Change provision
- The lack of an up to date protected species report
- Insufficient information to demonstrate that the Applicant was in housing need
- The impact of inappropriate development in open countryside
- The likelihood of the proposed one bedroom conversion requiring extension in the future.

Members expressed sympathy with the situation of the Applicant and his desire to live in the local area and noted that the barn was considered to be an important heritage asset. They stated that they felt that there was potential for many of the above issues to be addressed by the Applicant. After these matters had been resolved, the effect of the conversion and domestication on the landscape could then be assessed at a future meeting. In the meantime it could also be considered if there was a more appropriate solution or site to address the Applicant’s housing need.

Officers advised that if the application was deferred, any further bat survey work would have to be carried out in the Spring, due to the hibernation period.

A motion to defer the application was proposed, seconded, voted on and carried

RESOLVED

That the application be DEFERRED for further information to be provided by the Applicant and for further discussions to take place.

119/22 FULL APPLICATION - CHANGE OF USE OF OUTBUILDINGS TO DWELLING AND FORMATION OF RESIDENTIAL CURTILAGE AND USE OF EXISTING FARMHOUSE. REPLACEMENT OF PORCH WITH GLAZED LINK FROM THE FARMHOUSE TO THE OUTBUILDINGS, EXTENSION AND ALTERATION OF THE OUTBUILDINGS INCLUDING REPLACEMENT OF THE NISSEN HUT TO FORM A FAMILY HOME. REPLACEMENT OF THE STABLES AT WRIGHTS FARM, CLAYHOLES ROAD, KETTLESHULME (NP/CEC/0522/0645 SPW)

Some Members of the Committee had visited the site the previous day.

The report was introduced by the Area Team Manager who advised that there were some amendments to the reasons for refusal as follows:

- After the first sentence of reason 1, add “it would also lose the rank, role and historic significance of the farmhouse as the principal listed building on the site”
- In the final sentence of reason, 1 add policy GSP1
- Reason 2 could then be deleted and 3 and 4 renumbered accordingly.

The Area Tea Manger also confirmed that extra information which had been submitted on behalf of the Applicant had been shared with Members. This largely consisted of clarification on submissions already made and did not necessitate any changes to the report.

The following spoke under the public participation at meetings scheme:

- Mr Mark Heyes, Applicant

The Head of Planning advised that pre-application advice had been provided by both Planning and Heritage Officers. Various concerns had been raised about the scheme at an early stage and advice had been offered accordingly. Officers continued to engage with the Applicant after the listed building application was submitted but the issues of scale which had been raised by Officers, had not been addressed by the Applicant. The Area Team Manager confirmed that there would be various alternative ways to extend the property which would be more acceptable.

In response to the points raised by the Head of Planning the Applicant stated that the size of the scheme was in accordance with guidance from Historic England, and the view of his agent was that after conversion, the outbuildings section would remain subservient to the existing farm house. He also stated that there had been significant delays in obtaining advice from the Authority.

Members discussed the following:

- The viability of the existing house had not been assessed to the extent that they would expect in a listed building application, so there was insufficient evidence to show that the property was not viable as dwelling or that a large extension was necessary.
- A difference of opinion had arisen between the Authority and the Applicant as to whether the proposal constituted one dwelling or two due to the extension having all the characteristics of a separate dwelling- i.e. its own kitchen, bathroom, 3 bedrooms and living room.

- There were concerns over the detrimental impact of the conversion on the character of the outbuildings and on the farm house. The farm house would become subservient to the extended outbuildings
- A new driveway had been created which was unacceptable due to its impact on the setting of the listed building
- The extension was too large and too long, and constituted a replacement building rather than an extension and would be uncharacteristic of buildings in the open countryside.
- The proposed glazing was too extensive and would cause visible domestication which would impact views from the wider landscape
- The impact on the landscape had not been analysed in the heritage statement.
- The impact on the listed barn, which was on adjacent property and not in the ownership of the Applicant, had not been considered
- Undue weight had been given to Historic England guidance and insufficient consideration had been given to the policies of the Authority

However, Members welcomed the principle of conversion, and were impressed by the proposals for the main farm house. They stated that they would like to see the Applicant being helped to arrive at an acceptable solution, but for this to be achieved, advice from Officers would have to be acted upon.

A motion to refuse the application in accordance with the Officer recommendation as amended was moved, seconded, put to the vote and carried.

RESOLVED

To REFUSE the application for the following reasons:

- 1. The scale, massing and detailed design of the proposal is unacceptable and does not follow the advice of the SPD Design Guide or Conversion of Historic Buildings SPD. It significantly extends and alters the outbuildings, harming their form and character and would lose the positive contribution these buildings have as part of the group of listed buildings. It would also lose the rank, role and historic significance of the farmhouse as the principle listed building on the site. The proposal is therefore not achieving the conservation or enhancement requirements of GSP1, GSP2, HC1 or DMC10 to allow for market housing. The proposal would harm the character and appearance of these buildings and their immediate setting and therefore harm the significance of these heritage assets and the valued characteristics of the local landscape. The proposal is therefore contrary to Core Strategy Policies GSP1, GSP2, GSP3, HC1, L1, L3 and Development Management Policies DMC3, DMC5, DMC7 and DMC10 and the NPPF.**
- 2. Given the scale and nature of the proposed residential annexe (the existing farmhouse) and its relationship and arrangements with/ to the proposed new dwelling it would actually form a separate planning unit with a lawful use as an independent dwelling house. The proposal is therefore contrary to Development Management Policy DMH5 and the Authority's adopted Supplementary Planning Document 'Residential Annexes'.**

3. Inadequate and inaccurate plans have been submitted to be certain of the extent of the proposal or be able to fully ascertain the impact on the listed buildings. The proposal is therefore contrary to Core Strategy Policy L3, and Development Management Policies DMC5, DMC7 and the NPPF.

120/22 LISTED BUILDING CONSENT APPLICATION - RENOVATION OF THE FARMHOUSE LINKING TO CHANGE OF USE OF THE OUTBUILDINGS AND REPLACEMENT OF THE NISSEN HUT TO ENSURE PROTECTION OF THE HERITAGE AND THE FARM'S LONG TERM VIABILITY. REBUILDING OF THE STABLES IN KEEPING MATERIALS AT A STANDARD SIZE TO BETTER SUPPORT THE VIABILITY OF THE LAND AT WRIGHTS FARM, CLAYHOLES LANE, KETTLESHULME (NP/CEC/1221/1304 SPW)

This item was debated at the same time as Item 7.

The Area Team Manager advised that an amendment was necessary to the reasons for refusal.

- From reason 1 delete “and the proposed alterations at the top of the track and widening of the access”

A motion to refuse the application in accordance with the Officer recommendation was moved, seconded, put to the vote and carried.

RESOLVED

To REFUSE the application for the following reasons:

1. The proposal by virtue of its design would harm the character, appearance and significance of the heritage assets and their setting, this is because the works required to create the new residential accommodation significantly extend and alter the outbuildings, harming their form and character and would lose the positive contribution these buildings have as part of the group of listed buildings, and would represent an unfortunate domestic intrusion into the landscape as would the new domestic curtilage to the west of the outbuildings. It would also reduce the rank, role and historic function of the existing dwelling to a residential annexe ancillary to the proposed new dwelling. The glazed link would also fail to enhance the significance of the site and would have a negative impact on the character and appearance and significance of the dwelling and outbuildings. The proposed stables will also detract from the setting of the listed buildings, and would represent an unfortunate and unnecessary domestic intrusion into the landscape as would the new domestic curtilage to the west of the outbuildings. The proposal would also potentially harm the butter churning wheel by obscuring it from view due to the position of the relocated cupboards and the proposal would also cut through a historic stone flag, part of a fireplace, unnecessarily harming this historic feature. The proposal is therefore contrary to Core Strategy Policies GSP1, GSP2, GSP3,

L1, L3 and Development Management Policies DMC3, DMC5, DMC7, DMC10 and the NPPF.

- 2. Inadequate and inaccurate plans and justifications have been submitted to be able to fully ascertain the impact on the listed buildings and to be able to be certain of the extent and details of the proposal. The proposal is therefore contrary to Core Strategy Policy L3, and Development Management Policies DMC5, DMC7 and the NPPF.**

121/22 HEAD OF LAW REPORT - PLANNING APPEALS (A.1536/AMC)

The Head of Law presented the report which set out the planning appeals lodged and decided in the last month.

RESOVED

The report was noted.

The meeting ended at 11.42 am

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5. PRIOR NOTIFICATION - GDO NOTIFICATION - NEW BUILDING FOR MIXED AGRICULTURAL USE ON LAND AT MIDDLE HAY, LONG LANE, CRESSBROOK DALE (NP/GDO/0322/0431/MN)

APPLICANT: NATURAL ENGLAND

Summary

1. The proposal is for a general purpose agricultural building to support the management of the Derbyshire Dales National Nature Reserve (NNR) by Natural England.
2. Whilst we welcome the effective management of the very important biodiversity on the National Nature Reserve in principle, the proposed building would occupy a very isolated and prominent position within the landscape, failing to relate acceptably to other buildings or landscape features. It would appear as a large, isolated, and incongruous addition to a largely unsettled landscape.
3. As a result we conclude that prior approval of the development should be refused on the grounds of the siting, design and external appearance of the building, because it runs contrary to policies GSP1, GSP2, GSP3, L1, DMC1, DMC3, and DME1 of the Authority's Local Plan, as well as to the provisions of the NPPF in so far as they relate to conserving the scenic beauty of National Parks.

Site and Surroundings

4. The application site is located in open countryside to the north of Cressbrook Dale, between Wardlow and Little Longstone. It is situated to the west of Long Lane and the B6465 and approximately 550m to the north of Cressbrook Mill.
5. The site sits within the Derbyshire Dales National Nature Reserve (NNR), which is managed by Natural England primarily for the purposes of maintaining, improving and protecting its biodiversity. The grassland within the NNR is managed partly by grazing a herd of belted Galloway cattle. The application site comprises an area of grassland that is currently partly used by Natural England for the informal storage of agricultural equipment and feed. There are a group of livestock pens and a fenced cattle corral to the north of the application site.
6. Areas of woodland to the north and west of the site (outside of the area edged red) fall within the Cressbrook Dale Site of Special Scientific Interest and Special Area of Conservation (SAC).
7. The site is designated as being within the Limestone Hills and Slopes landscape character type by the Authority's Landscape Strategy. (LCT). The Strategy describes this character type as a 'high pastoral landscape with a varied undulating topography and some steep slopes. This is a remote, sparsely populated landscape with a regular pattern of mostly medium to large walled fields, interspersed in places with extensive patches of rough ground and elsewhere by smaller regular fields. There are wide open views to distant skylines, especially around the edges of the White Peak.'
8. Access to site is gained off Long Lane and via a roughly surfaced track.

Proposal

9. The application as submitted was a prior notification for the erection of an agricultural building made under Class A, Part 6 of the Town and Country Planning Act General Permitted Development Order (GPDO) 2015, and sought a determination as to whether the Authority's prior approval of the development was required.

10. The building would measure 31.5m long by 10m wide. As submitted the height would be 5m to the eaves and 6.5m to the ridge. It would be clad in timber boarding above concrete panels on the west and south elevations and timber boarding above a natural stone plinth on the east elevation. On the north elevation, three of the bays would be open and four would have powder coated roller shutter doors in dark green. The roof would be clad in grey metal profiled sheeting with seven rooflights on each roof slope.
11. The building would be used for animal welfare facilities and for the storage of food, materials and agricultural equipment.
12. As submitted the plans showed a concrete hardstanding formed across the front (north) of the building and extended a further 15m to the east.
13. We are satisfied that the development meets the criteria set out within Class A Part 6 of the GPDO and that it therefore meets the tests for 'permitted development'. However Part 6 requires the developer to submit an application to establish whether prior approval is required for the siting, design and external appearance of the development.
14. We took the view that prior approval was required for the siting, design and external appearance of the building. The purpose of this report is to consider whether prior approval should be granted or refused.
15. Following concerns raised with regard to the landscape impact of the scheme, amended plans have been received during the course of the application. These show the area of hardstanding removed (as it is stated that the ground is bound and fit for purpose without the need for hard surfacing). The height of the building is reduced by a metre to 4m to the eaves and 6.5m to the ridge. Additional planting is also proposed.

RECOMMENDATION:

16. **That Prior Approval be REFUSED for the following reasons:**

The siting, design, and external appearance of the development would result in significant harm to the character of the landscape, by virtue of the buildings isolated and prominent position within open countryside and in a largely unsettled landscape, contrary to policies GSP1, GSP2, GSP3, L1, DMC1, DMC3, and DME1 of the Authority's Local Plan, as well as to paragraph 176 of the NPPF.

Key Issues

17. The landscape impacts of the design, siting and external appearance of the building.

History

18. January 2020 – prior notification submitted for a similar development to that which is currently under consideration. (NP/GDO/0120/0076). The Authority determined that prior approval was required and raised significant concerns about the siting and design of the proposed building. A decision notice was issued on 13 Feb 2020 confirming that prior approval was required. The notice stated:
19. *'The location of the building appears to be very isolated out in the open countryside and raises concern as it is likely to result in significant impact upon the immediate and wider landscape. The building does not relate to any other buildings or landscape features and any additional landscaping is unlikely to resolve these matters. Therefore, the proposed building is unlikely to be acceptable.'*

20. No further information was submitted as part of the prior approval application.

Consultations

21. Authority's Landscape Architect – *'The proposed building is in an exposed position in an open landscape and as such highly visible from numerous well used public viewpoints including adjacent access land and footpaths to the east. Although I have suggested several mitigation measures below it will be several years before they have an impact on integrating the building into the landscape. As such, due to its position and visual impact on the wider landscape I suggest refusal.'*
22. *I have looked at all the documentation associated with this application and I carried out a site visit on the afternoon of the 26/10/2022. I took the opportunity to view the site from several external points as indicated in their application, from the access land, as well as assessing the alternative sites.*
23. *The proposed site is in an exposed position with open, long distance views especially from the east from public/concessionary footpaths and close up from the surrounding access land. The building is therefore highly visible within the landscape. No detailed landscaping scheme either hard (walls) or soft (planting) have been provided to mitigate the effects of the building in the landscape. A simple habitat plan setting out the long term aims for the landscape, which covers a larger area has been provided but this is not a detailed mitigation plan for the building and does not give any indication of timescales. '*
24. The response also raised concerns about the standard of some of the information provided. Subsequently the applicant has provided more detailed landscaping plans. The Landscape Architect has been re-consulted and has confirmed that the proposed landscaping does not overcome his objections, advising that whilst the landscaping would reduced the impact on landscape setting in the longer term, in the shorter term the impacts of the building would be harmful in the landscape.

Representations

25. Five letters of support have been received, One person has written in twice, once as a private individual and again in their role as a District Councillor. The letters raise the following points:
- The current base for managing the land is in Bakewell – a lot of time, carbon and money are wasted transporting between base and site.
 - Proposals would provide enhanced animal husbandry facilities.
 - Building would provide a protective working environment for staff.
 - Buidling would result in a less obtrusive yard space.
 - Rainwater harvesting would be possible.
 - Buildings of this type are a recoginsed part of the evolution of the National Park's landscape.
 - Development would be well screened with a planting scheme that will also benefit biodiversity.
 - The chosen site is the only practical one.
 - There are other similar buildings in the vicinity which set a precedent.
 - The building would not stand out in the landscape amd views of it would be limited
 - The building would be close to the exsiting pens and crush.

Main Policies

26. Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L1

27. Relevant Local Plan policies: DMC1, DMC3, DME1

National Planning Policy Framework

28. The National Planning Policy Framework (NPPF) was published on 27 March 2012 and replaced a significant proportion of central government planning policy with immediate effect. The Government's intention is that the document should be considered to be 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 East Midlands Regional Plan 2009, the Authority's Core Strategy 2011 and saved policies in the Peak District National Park Local Plan 2001. 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. 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.

Core Strategy

30. Core Strategy 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.
31. Core Strategy policy GSP2 states, amongst other things, that when development is permitted, a design will be sought that respects the character of the area.
32. Core Strategy 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.
33. DS1 Development Strategy and L1 Landscape character and valued characteristics, both support agricultural development in the open countryside, provided that development respects, conserves and enhances the valued characteristics of the site, paying particular attention to impact upon the character and setting of buildings and siting, landscaping and building materials.
34. Core Strategy policy CC1 states that development must make the most efficient and sustainable use of land, buildings and natural resources.

Development Management Policies

35. Development Management Policy DMC1 addresses conservation and enhancement of nationally significant landscapes. Amongst other things, it states that in countryside beyond the edge of settlements listed in Core Strategy policy DS1, any development

proposal with a wide scale landscape impact must provide a landscape assessment with reference to the Landscape Strategy and Action Plan. It requires that assessment must be proportionate to the proposed development and clearly demonstrate how valued landscape character, including natural beauty, biodiversity, cultural heritage features and other valued characteristics will be conserved and, where possible, enhanced taking into account:

(i) the respective overall strategy for the following Landscape Strategy and Action Plan character areas:

- White Peak;
- Dark Peak;
- Dark Peak Western Fringe;
- Dark Peak Yorkshire Fringe;
- Derbyshire Peak Fringe;
- Derwent Valley;
- Eastern Moors;
- South West Peak; and

(ii) any cumulative impact of existing or proposed development including outside the National Park boundary; and

(iii) the effect of the proposal on the landscape and, if necessary, the scope to modify it to ensure a positive contribution to landscape character.

36. Development Management Policy DMC3 requires development to be of a high standard that respects, protects, and where possible enhances the natural beauty, quality and visual amenity of the landscape, including the wildlife and cultural heritage that contribute to the distinctive sense of place. It also provides further detailed criteria to assess design and landscaping, as well as requiring development to conserve the amenity of other properties.
37. 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.
38. DME1 - Agricultural or forestry operational development. Allows for new agricultural buildings provided that they are functionally required, are close to the main group of buildings wherever possible and in all cases relates well to existing buildings and landscape features, respects the design of existing buildings and building traditions, makes use of the least obtrusive location and does not require obtrusive access tracks, roads or services
39. Supplementary Planning Guidance (SPG) is provided in the adopted guidance note 'Agricultural Developments in the Peak District National Park'.

Assessment

Background and Justification for Development

40. A justification statement has been submitted with the application which explains that the agricultural holding at Middle Hay comprises approximately 65.7 hectares (162 acres) of grassland and woodland. It states that a dedicated management team, based in Bakewell, undertake the management of the NNR. Management techniques include

management of the cattle herd, mowing for hay, maintenance of fencing and other infrastructure and woodland and scrub management. It is stated that the herd of cattle is being built up to enable more flexible and targeted long term management of the important grassland on the reserve.

41. No specific explanation is given as to why the current arrangements of management from the base at Bakewell (Endcliffe) are no longer suitable, but it explains that there are no suitable agricultural buildings on the land at Middle Hay and that a building is required on site to continue the effective management of the land. Machinery and fodder is currently stored outdoors at the site. The proposed building would improve the welfare of livestock on the holding and give capacity for indoor calving and animal isolation. It is stated that the size of the building is dictated by animal welfare standards. It is argued that the site would be easily served by the existing farm track and is logical because of its close proximity to the existing cattle handling facilities located immediately to the north.
42. Our view is that there is an agricultural justification for a new farm building at the site (there is one existing building to the north of the application site, but this a small, dilapidated stone barn which would not be fit for modern farming practices). It is clear that the main driver behind the application for Natural England, is to provide for the effective management of the very important biodiversity on the National Nature Reserve and in principle these aims are supported and welcomed. However, as well as being rich in biodiversity, this area of the National Park is also of high landscape value and it is crucial that the impacts of the proposals on the landscape character of the area are given significant weight, in line with National Park purposes.
43. Agricultural and forestry are extensive land use activities with major landscape implications. Policies set out that development necessary for agriculture is permitted exceptionally in open countryside where it is well sited and designed in accordance within the Authority's Policies and Supplementary Planning Guidance and does not harm the valued characteristics of the area.

The landscape impacts of the design, siting and external appearance of the building

44. Middle Hay is located on a natural plateau in open countryside and comprises of pasture and limestone meadow. The majority of the plateau is publicly accessible (CROW) land. Public access is also provided via a permissive footpath which spurs off north-westwards from the site entrance gate, east of the site. There are also public rights of way to the east of the B6465. The site is clearly visible from stretches of the B6465 to the east.
45. A 'Landscape and Visual Commentary' document has been submitted during the course of the application, as required by policy DMC1, carried out by a firm of Chartered Landscape Architects. This describes the nature of the site and surrounding landscape and assesses its value and then considers the visual impacts of the proposed development. The detailed report is available to view on the application file. It is not repeated in detail here, but its contents have been carefully considered in reaching a recommendation on the application, and are referred to below as relevant.
46. The report identifies four visual receptor groups in the vicinity and then identifies a number of individual viewpoints within each group. The four groups are:
 - People walking a public footpath to the east and across Longstone Moor. The report states that the views experienced in this area would be at a distance of 700 m to 1.25km and that from these viewpoints the building would not break the skyline.

- People walking the footpath that links the B6465 Castlegate Lane to other paths to the south east. Views are at distances of between 900, to 1km and the building would not break the skyline.
 - Views from the public access (CROW) land on Middle Hay, that surrounds the application site. Short range view would be possible from a number of viewpoints on all sides of the application site. More distant views would be available from the upper parts of Wardlow Hay Cop and particularly from the trig point parker on the summit of the Cop. The building would not break the skyline.
 - Road users of the B6465. Predominantly when travelling south. The building would not break the skyline. It is stated that the clue of views from road users is lower.
47. In referring to the value of these views to the people using the public rights of way and open access land, the document states that:
48. *"In all cases, the value of the views for those identified visual receptors that are using public rights of way is considered to be high, given that they will be exploring the unique landscape (recreation) in a National Park, the generally expansive nature of the views and the value of the particular landscape as a resource."* We agree with this assessment.
49. We cannot however, agree with the conclusions that the report proceeds to draw regarding the impacts of the development upon these characteristics and experiences.
50. The report recognises that the site is visible in close range views from the surrounding open access land, as well as in numerous views from footpaths and other rights of way, predominately east of the site and at distances varying between 700m and 1.2km.
51. In assessing impacts in close range views, the report states that *"[when viewed from] ...public access land, [users] will experience a subtle change in their view with the appearance of the proposed agricultural storage building. Nonetheless, the building would form a very small part in an expansive view and does not break the skyline from any viewpoint location along the footpath route or within the CROW public access land. The proposals would introduce robust built form where there currently is none. However, the site is currently visually discernible due to the compound area and associated series of holding pens, fencing, walls, temporary storage units, machinery and parts and (at certain times) open storage of feed or similar material. Hence, one is fundamentally aware that there is agricultural activity upon the site at Middle Hay"*.
52. Whilst we do not question that it is currently apparent that agricultural activity is taking place at the site, there is a significant difference between how the landscape is appreciated by those walking it now and how they would experience it if the development was taken forward. We do not agree that those users would experience a 'subtle change' in their experience of the landscape. The building would appear as a substantial and imposing structure that is dominant and at odds with the immediately surrounding land, with no comparable manmade features or mitigating topography within its immediate setting, or surrounding landscape.
53. The report makes reference to impacts in the other (longer distance) views from the east too, generally concluding them to be at such distance or (in the case of the B4546) subject to traffic types that the impact of the building would be negligible, and that it would be illegible in some views. Whilst having less impact on the public's experience of the landscape in these views due to forming only one part of the landscape view they would be experiencing, the building would remain visible, and as an incongruous addition within the landscape that is not otherwise reflective of the character detailed above.

Consequently, it would detract from the landscape and experience of it in the views from the east.

54. The report makes reference to the Authority's Landscape Strategy, and discusses how the land management carried out by Natural England at Upper Hay accords with the overall strategy for the White Peak Character Area; we find no reason to disagree with that assessment.
55. In further reference to the Landscape Strategy however, the report concludes that "*siting a proposed agricultural building in the location identified would not be at odds with the characteristics identified within the Limestone Hills & Slopes Landscape Character Type*". In our view, however, this statement gives insufficient consideration to the unsettled character of this landscape that the Strategy identifies both in its description "this is a remote sparsely populated landscape" and in the 'Settlement and buildings' section; "This is a sparsely settled landscape with only occasional, large, isolated stone farmsteads, many of which were first established in the 18th or 19th centuries."
56. The site currently reflects this unsettled character; the land is not subject to a plethora of modern farm buildings. In fact none are visible within the immediately surrounding landscape when the site is viewed from the B6465 to the east.
57. As a result, the introduction of the building would – contrary to the assertion of the submitted report – be at odds with the landscape character as it exists at this location, contrary to its conservation.
58. We also do not accept the argument put forward within the report that the historic and significantly more modest stone barn set some 170m north of the proposed building grounds or assimilates the proposed building in to the landscape to an extent that would notably reduce its apparent isolation or impact.
59. The submitted document also places significant weight on the fact that the building would not break the skyline. Whilst this is something that we would typically seek to avoid in new farm developments, the absence of such positioning does not in itself achieve acceptable siting. The building would remain prominent by virtue of its scale and isolation in open countryside.
60. The report also references the impacts of the machinery, holding pens, storage containers, and fencing currently in use at the site, and implies that the proposed development would be mitigated to an extent by accommodating some of these, removing them from the landscape. It is a common argument pursued in applications for such buildings. In this particular case, we do not agree with that conclusion. In addition to being significantly smaller and dispersed, all of these existing items are all transient or temporary. By contrast the proposed building would be of significant massing, with much greater prominence in the landscape, and would be a long-term addition to the landscape. Further, its presence at the site would not guarantee the removal of these items from the site. It is also material that the storage containers currently present on the site do not have the benefit of planning permission, and as such represent unauthorised development.
61. Overall, the report concludes the impacts of the development to be 'negligible' in the short term. Our view, for the reasons set out in the assessment above, is that the development would result in significant harm to the identified landscape character of the area for a number of years, a view reflected in the objection of the Authority's Landscape Architect.

62. In the longer term, the planting proposed within the application site would serve to reduce this impact, although it is difficult to predict the full extent of mitigation it would achieve, or over what timeframe.
63. Overall, for the reasons set out above, the building would cause significant harm to the largely unsettled character of the landscape, contrary to policies GSP1, GSP2, GSP3, L1 DMC1, DMC3, and DME1 of the Authority's Local Plan, as well as to the provisions of the NPPF in so far as they relate to conserving the scenic beauty of National Parks.
64. In conflict with these policies, we can only conclude that the siting, design and appearance of the development are unacceptable.

Additional proposed landscaping/planting

65. Landscape and Visual Commentary' document concludes that the proposals would 'notably enhance' the landscape of the site once the landscaping has been carried out and established in the longer term.
66. This serves to somewhat confuse the scope of development applied for, and brings in to question what exactly has been assessed in reaching the conclusions set out in this submitted document. Whilst the planting immediately around the building and within the application site could reasonably be secured by condition to mitigate its impacts in the longer-term (and that is all it could be said to achieve in our view) the remainder of the landscape planting over the wider landholding is not part of this development and is a separate endeavour.
67. Whilst we welcome the effective management of the nature reserve, these planting proposals cannot be afforded any significant weight in the determination of the current application.

Highway impacts

68. The site is already in agricultural use and it is not anticipated that the development would result in intensification of use of the access. It is possible that a reduction could occur, should the development reduce reliance on bringing equipment from Bakewell to the site.
69. There are therefore no objections to the proposed siting of the proposals on highway safety grounds.

Amenity impacts

70. Due to the isolated position of the building it would not impact on the residential amenity of any residential property, and as such there are no objections to the proposed siting of the building on these grounds.

Other matters

71. We have sought to work with Natural England both as part of this application and during the consideration of the 2020 application, meeting with representatives on site on both occasions to seek an alternative proposal that would support their work whilst having a much reduced landscape impact. Whilst potential alternatives were identified, we are advised the current proposal best meets the organisations operational needs, and have been asked to determine the proposals as they now stand.

Conclusion

72. The proposed building fails to relate acceptably to other buildings or landscape features. It would appear as a large, isolated, and incongruous addition to a largely unsettled landscape.
73. As a result we conclude that prior approval of the development should be refused on the grounds of the siting, design and external appearance of the building, because it runs contrary to policies GSP1, GSP2, GSP3, L1, DMC1, DMC3, and DME1 of the Authority's Local Plan, as well as to the provisions of the NPPF in so far as they relate to conserving the scenic beauty of National Parks.

Human Rights

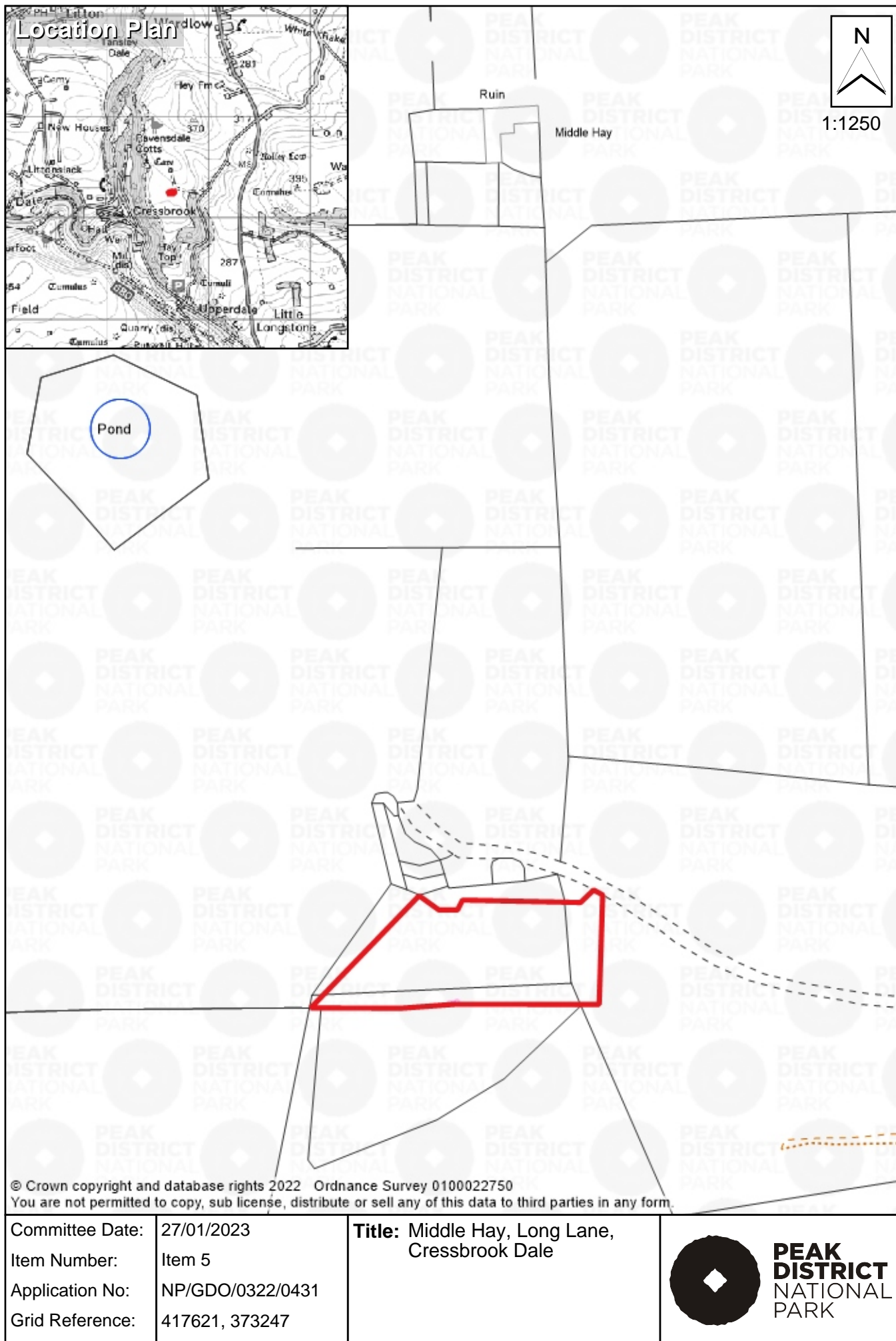
74. Any human rights issues have been considered and addressed in the preparation of this report.

List of Background Papers (not previously published)

75. Nil

Report Author and Job Title

76. Mark Nuttall – Interim Area Team Manager - South



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6. FULL APPLICATION – REINSTATEMENT OF ENTRANCE CANOPY AND BARGEBOARDS, PROVISION OF NEW WINDOWS AND DOORS, RE-FORMING OF EXISTING EMERGENCY ESCAPE RAMP, INSTALLATION OF SEPTIC TANK, REMOVAL OF CHIMNEY STACK, AND INSTALLATION OF PV CELLS AT POMEROY MEMORIAL HALL, FLAGG (NP/DDD/0822/1062/ALN)

APPLICANTS: THE TRUSTEES – THE POMEROY TRUST

Summary

1. The proposals are for alterations to the external appearance of Pomeroy Memorial Hall. The lawful use of the site is as a village hall.
2. The development would conserve the character of the site and the surrounding area.
3. The Highway Authority has recommended refusal on highway safety grounds. The proposed alterations would not, in themselves, lead to an intensification of vehicular and pedestrian access and so whilst it is acknowledged that the existing arrangement is substandard, our view is that there are insufficient grounds to justify a refusal on highway safety grounds.
4. The application is recommended for conditional approval.

Site and Surroundings

5. Pomeroy War Memorial Hall is situated close to the small hamlet of Pomeroy, which is located adjacent to the main A515 Buxton to Ashbourne road. The building is positioned on the northern side of the A515, to the north west of the hamlet. It is within open countryside for planning policy purposes.
6. The building was constructed in 1921 in memory of those who died in the first world war. It comprises a single storey and is orientated with its ridge at right angles to the road and its main entrance doorway in the road facing gable end. It is constructed in a mixture of limestone 'Davey' blocks and limestone rubble walling with sandstone dressings. The roof has a covering of Welsh blue slates.
7. It comprises a single room internally and has been historically used as a community village hall. The building is currently unused.
8. To the west of the building is an enclosed paddock, now fully given over to grass. A public right of way runs along the north eastern boundary of the paddock, just outside of the application site.
9. There is an existing gateway within the boundary wall to the east of the building, which gives vehicular access from the A515 into the site.

Proposal

10. Planning permission is sought for the refurbishment of the Hall, including external alterations. These consist of the reinstatement of an entrance canopy on the south gable elevation; re-introduction of barge boards; restoration of sash windows and new doors. The proposals also include alterations to an external access ramp, installation of photo-voltaic cells and the provision of a septic tank within the field to the east.
11. Internally the southern half of the building would be subdivided to provide a kitchen and dining space and toilets.

RECOMMENDATION:

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

- 1) **3 year implementation period**
- 2) **Adopt amended plans**
- 3) **Written Scheme of Investigation for a scheme of archaeological monitoring/watching brief to be submitted and implemented.**
- 4) **Solar pv panels to be black and non-reflective, with no visible external framing**
- 5) **Retaining walls to access ramp to match the existing stonework**
- 6) **Barge boards to be painted a recessive colour.**
- 7) **No hardsurfacing of paddock to the east of the building.**

Key Issues

- Impact of the character and appearance of the building.
- Highway Safety
- Archaeology

History

13. August 2022 – planning application for widening of existing gateway, reinstatement of entrance canopy and bargeboards, provision of new windows and doors, re-forming of existing ramp, installation of septic tank, removal of chimney stack, installation of PV cells - Withdrawn following objections from the Highway Authority on highway safety grounds (NP/DDD/0222/0233).

Consultations

14. **Highway Authority** – recommends refusal on highway safety grounds. *The proposal, if permitted, could introduce vehicular and pedestrian traffic movements on A515 and could result in indiscriminate car parking issues at the location where emerging and forward visibility is severely restricted. Additionally, due to the unavailability of safe walking and crossing infrastructure, the proposal could lead to potential danger and interfere with the safe and efficient movement of traffic on the adjoining highway.*
15. **District Council** – no response
16. **Parish Council** – no response
17. **Authority's Archaeologist** - The building itself has limited archaeological significance and the intended changes will largely improve its condition and preserve it for future use. In the field to the east of the Hall are three archaeological features, a Roman road, a lead rake and a boundary stone. These are not statutory monuments but are all listed on the HBSMR and are considered to have low (or local) significance. (Note: The response still refers to the re-topping of the hard standing in the field and the potential impact of this on the Roman road and the Lead Rake, however in this amended scheme the hardstanding is omitted). The Parish Boundary stone is located by the gate into the field at the side of the A515. It has been confirmed that the development would not impact upon the stone. The works to install the septic tank are small in scale but could impact on the Roman Road. Recommends a condition to

agree an archaeological monitoring/watching brief to mitigate the impact of the septic tank groundworks on any archaeological remains.

Representations

18. None received.

Main Policies

19. Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, HC4, L3, T1
20. Relevant Local Plan policies: DMC3, DMC5, DMT3

National Planning Policy Framework

21. The National Planning Policy Framework (NPPF) was published on 27 March 2012 and replaced a significant proportion of central government planning policy with immediate effect. The Government's intention is that the document should be considered to be 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 East Midlands Regional Plan 2009, the Authority's Core Strategy 2011 and saved policies in the Peak District National Park Local Plan 2001. 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.
22. 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.
23. Para 110 states that in assessment applications, it should be ensured that a safe and suitable access to the site can be achieved for all users.

Core Strategy

24. Core Strategy policy GSP1 sets out the broad strategy for achieving the National Park's objectives having regard to the Sandford Principle, (that is, where there are conflicting desired outcomes in achieving national park purposes, greater priority must be given to the conservation of the natural beauty, wildlife and cultural heritage of the area, even at the cost of socio-economic benefits). GSP1 also sets out the need for sustainable development and to avoid major development unless it is essential, and the need to mitigate localised harm where essential major development is allowed.
25. Core Strategy policy GSP2 states, amongst other things, that when development is permitted, a design will be sought that respects the character of the area.
26. Core Strategy 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.

27. HC4 states that outside of named settlements, proposals to provide community facilities and services involving the change of use of traditional buildings or a replacement building which achieve enhancement will be encouraged.
28. Core Strategy policy L3 requires that development must conserve and where appropriate enhance or reveal significance of archaeological, artistic or historic assets and their setting, including statutory designation and other heritage assets of international, national, regional or local importance or special interest.
29. Policy T1 states that sustainable transport and access will be encouraged.
30. Core Strategy policy CC1 states that development must make the most efficient and sustainable use of land, buildings and natural resources.

Development Management Policies

31. Development Management Policy DMC3 requires development to be of a high standard that respects, protects, and where possible enhances the natural beauty, quality and visual amenity of the landscape, including the wildlife and cultural heritage that contribute to the distinctive sense of place. It also provides further detailed criteria to assess design and landscaping, as well as requiring development to conserve the amenity of other properties.
32. 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.
33. Development Management Policy DMC5 provides detailed advice relating to proposals affecting heritage assets and their settings, requiring new development to demonstrate how valued features will be conserved, as well as detailing the types and levels of information required to support such proposals. It also requires development to avoid harm to the significance, character, and appearance of heritage assets and details the exceptional circumstances in which development resulting in such harm may be supported.
34. Policy DMT3 states that development which includes a new or improved access will only be permitted where a safe access can be provided.

Assessment

Principle of Development

35. The application building is not within a named settlement and so Core Strategy policy HC4 requires that proposals for community facilities within existing traditional buildings will be encouraged. In this case, the building is not of any heritage significance, being as it is, an early 20th century building built largely in artificial stone. However, it already has a lawful use as a village hall and therefore in principle its refurbishment is acceptable.
36. For clarity, it is understood that the Hall was last used as a general village hall in 1986, but has since been used by parts of the community for band practices and performances, and by local drama groups. It remains watertight and well maintained, and has not had any other intervening uses that we are aware of or advised of. We are therefore satisfied that the use as a village hall has not been abandoned.

Impact on the character and appearance of the building

37. A series of alterations are proposed in order to refurbish the building and bring it back into use as a village hall.
38. Photographic evidence provided with the application shows that there was historically a canopy above the main entrance door on the south facing gable end. The former line of the canopy can still be seen on the surrounding stonework. It is proposed to re-instate a new canopy in the same position and of a similar size and design as the original. This is acceptable as it would restore the building to its original design.
39. Similarly the building originally had projecting barge boards on the gable end and these would also be reinstated. The existing window frames would be refurbished and fitted with slim line double glazing. Both of these proposed elements would be in keeping with the character of the building.
40. Solar pv panels are proposed on both roofslopes, towards the southern end of each slope. No details have been provided with regard to their design, but provided they are black with a non-reflective finish, then given the relatively modern origins of the building, they are acceptable, despite being prominent from the A515.
41. There is an existing external ramp on the east elevation but it is narrow and not up to modern specifications, A new accessible ramp would be provided with a black powder coated handrail. Provided the dwarf walls are faced in stone to match the main building, the appearance of the ramp would be satisfactory.
42. A chimney stack which projects off the eaves in the centre of the east elevation, would be removed. The stack does not contribute to the character of the area in any way and so the works are acceptable.
43. In conclusion the proposed alterations to the external elevations of the building would be in keeping with the character of the host building in accordance with policies GSP3 and DMC3.

Highway Considerations

44. Vehicular access to the site is currently served off the adjacent A515, which is a busy main road with a 50mph speed limit. Emerging and forward visibility splay are substandard. To the east, only a 126m splay is available, when the standard requirement is 149m. In addition the site access is within 60m of sharp bend in the A515 road. There is no protected right turn lane into the site and due to the bend in the road, there is substandard forward visibility for vehicles approaching from the east.
45. A previous application, submitted in early 2022, proposed to widen the access gateway and to create a newly surfaced car park to the east of the building. The Highway Authority objected on the grounds that although the lawful use of the building is as a village hall, the proposals would be likely to lead to an intensification of the use of the access. Because of the narrow nature of the access and the lack of any formal surfacing in the paddock and on the verge, in reality few drivers would risk entering the site as it currently exists. The proposed widening of the access and the creation of a surfaced car park would have made the site more inviting to motorists to try to enter and therefore intensified its use. We agreed with the Highway Authority's objections in that case and as a result, the application was withdrawn.

46. This re-submission excludes any alterations to the access and does not propose to create a surfaced car park. The proposals are simply to refurbish the building as part of bringing it back into its current lawful use. The Highway Authority has, however, maintained its objections, on the grounds that the proposals would introduce pedestrian traffic movements on the A515 and could lead to indiscriminate car parking at a location where visibility is severely restricted. They point out that there is no footway or street lighting in the area (the substandard footway on the southern side of the A515 only leads up to Pomeroy Cottages) and pedestrians attempting to cross opposite Pomeroy Cottages would be in potential danger due to high speed, lack of street lighting and restricted safe stopping distances.
47. We fully agree with the Highway Authority's assessment that the current access arrangements are substandard and potentially dangerous, both for vehicles and for any pedestrian attempting to access the site. However the key point is that Hall could be brought back into use as a community facility at any time without the need for planning permission, and the access arrangements would remain as they are at present.
48. The question is whether the proposed development (which are only to make alterations to the external appearance of the building), would in itself lead to an intensification of the use of the access by both cars and pedestrians, when compared to the level of use if the building were simply re-opened without any external changes (Note, any internal refurbishments do not need planning permission).
49. The proposals subject of the current application that require planning permission are not required to facilitate the return of the building to wider community use. The only provision that is arguably required to broaden the attractiveness of the venue to use is the provision of the septic tank; but even that could be substituted for a composting toilet without requiring planning permission, or by utilising portable toilets for any community events of lengthy duration.
50. As such, our view is that the proposed development would not in and of itself directly lead to or facilitate an increased intensity of use of the building, and therefore we do not consider that there are sufficient grounds to refuse the application on Highway Safety grounds.

Archaeological considerations

51. The Authority's archaeologist has identified that in the field to the east of the Hall there are three archaeological features: a Roman road, a lead rake and a boundary stone. These are not statutory monuments but are all listed on the HBSMR and are considered to have low (or local) significance
52. The Parish Boundary stone is located by the gate into the field at the side of the A515. It has been confirmed that the development would not impact upon the stone. The works to install a septic tank are small in scale but could impact on the Roman Road.
53. A condition is recommended to agree and carry out an archaeological monitoring/watching brief to mitigate the impact of the septic tank groundworks on any archaeological remains.

Climate Change Mitigation

54. No climate change mitigation statement has been submitted. However the plans do include proposals for an array of solar panels on both the west and east facing roof slopes, which will provide a source of renewable power to the village hall. Given the fairly minor nature of the proposed development, the provision of solar pv panels is proportionate and meets the requirements of policy CC1.

Other Considerations

55. A septic tank is proposed in the field to the east of the building. The Design and Access Statement explains that a package treatment plant (which is sequentially preferred) is not possible as package plants require a permanent electrical feed. The Hall is not connected to the main electric supply and is considering the use of a generator as back up to the batteries of the photo-voltaic installation. The additional cost of mains electric is not viable. This argument is accepted in this case and the septic tank is acceptable in principle.
56. As the site already has a lawful use as a village hall, we do not consider that the proposals would have any additional impacts on residential amenity over and above the existing situation.

Conclusion

57. The proposed alterations to the Memorial Hall would be in keeping with the character of the building and the surrounding area. The proposed alterations would not, in themselves, lead to an intensification of vehicular and pedestrian access and so whilst it is acknowledged that the existing arrangement is substandard, there are insufficient grounds to justify a refusal on highway safety grounds. The application is recommended for conditional approval.

Human Rights

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

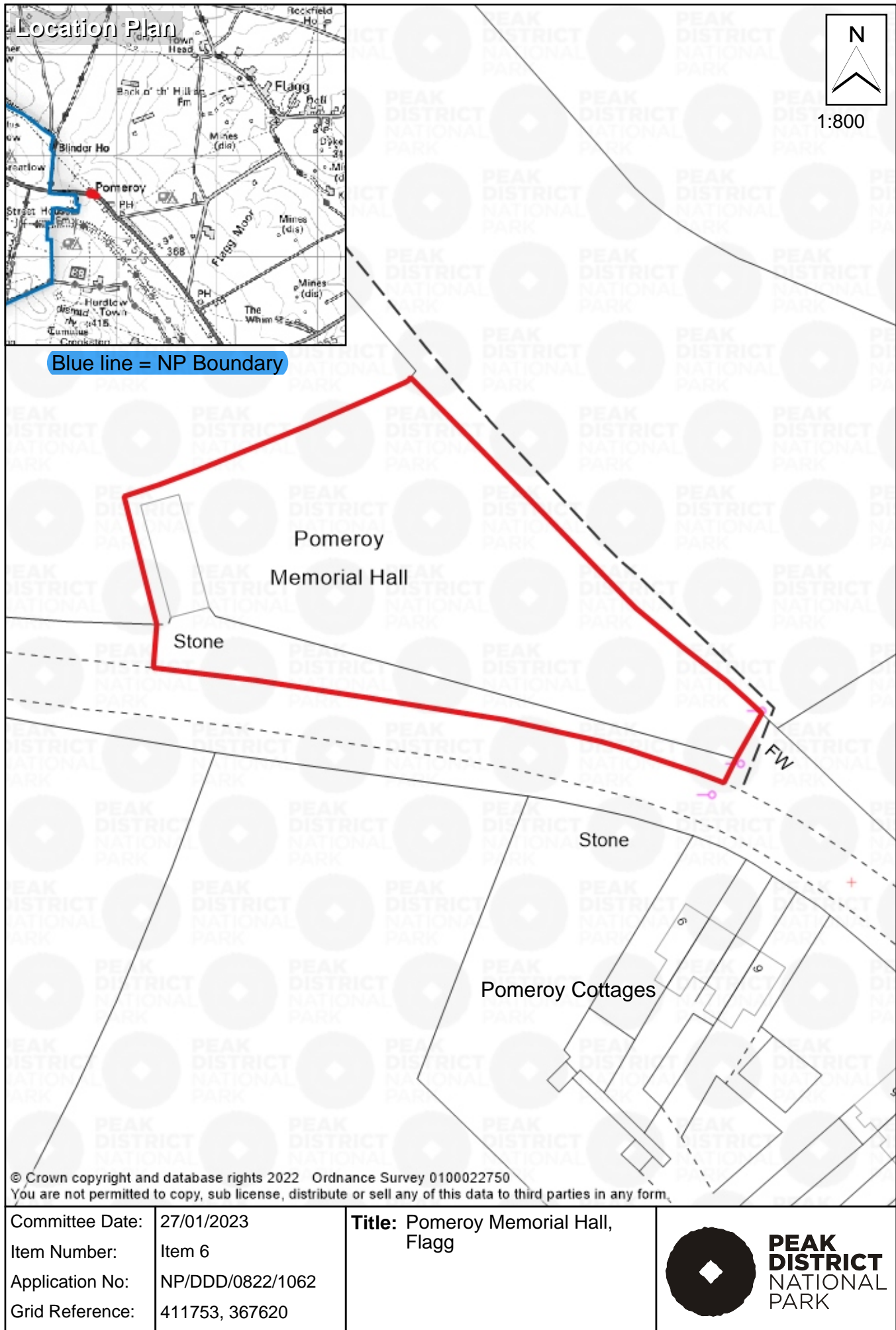
List of Background Papers (not previously published)

59. Nil

Report Author and Job Title

60. Andrea Needham – Senior Planner - South

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7. APPLICATION FOR THE ERECTION A NEW GARAGE AT DAINS MILL, ROACH ROAD, UPPER HULME (NP/SM/1022/1316, DH)

APPLICANT: MR MICHAEL JONES

Summary

1. The application is for a new garage building to the west of the former corn mill building and north of the former drying store, referred to as the Kyle Building.
2. The garage building, by virtue of its form, character and scale, would cause harm to the significance of the historic mill and drying store, which are considered to be non-designated heritage assets.
3. The harm to the non-designated heritage assets is not outweighed by any public benefits.
4. The application is recommended for refusal.

Site and Surroundings

5. The application site is located in open countryside to the southern (lower) end of a narrow steep sided valley on Back Brook, a tributary of the River Churnet. It is approximately 300m north of Upper Hulme, which is not a named settlement in policy DS1.
6. The site comprises a C17th former corn mill and detached corn drying store (the Kyle Building) to the west, a mill pond, dam and weir to the north, set within 4.4 acres. Dains Mill is a two-storey structure constructed in natural gritstone with a pitched roof and an adjoining waterwheel house. The Kyle Building is a three-storey pitched roof building built into the bank side and constructed in the same materials.
7. The historic buildings on site are not listed but are considered to be non-designated historic assets.
8. The site does not lie within the designated conservation area, but is described in the Upper Hulme Conservation Area Appraisal.
9. A public right of way runs in a north to south direction along the track between the former mill and the former drying store.
10. The mill and drying store were restored in 2006, and planning permission was granted for the mill to be a holiday let. In 2021 planning permission was granted for the conversion of the corn mill to a single open market dwelling, and for the conversion of the drying store (now known as the 'Kyle' building) to a further single open market dwelling or holiday let.

Proposal

11. The proposal is for the erection of a detached garage to the west of the mill and north of the Kyle building.

RECOMMENDATION:

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

The garage, by virtue of its scale, form and design would cause harm to the significance of the Kyle Building and the setting of the historic corn mill, which are considered to be non-designated heritage assets. The harm would not be outweighed by any public benefits. Consequently, the proposal is contrary to Core Strategy policies GSP1, GSP3 and L3, Development Management policies DMC3, DMC5 and DMH8, and to advice in the Authority's adopted Supplementary Planning Documents 'Design Guide' and 'Building Design Guide'

Key Issues

13. The key issues are:

- Whether the proposal would have a detrimental effect on the character and appearance of the site and its setting, or the wider landscape setting within which it sits; and
- Whether the proposals would harm the amenities of nearby neighbouring properties.

History

14. 2004 – The restoration of the derelict mill was approved under NP/SM/1203/0923
15. 2006 – The change of use of the restored mill to holiday accommodation was granted subject to conditions under NP/SM/0106/0032
16. 2016 – A Section 73 application to remove condition 4 from the above (holiday occupancy restriction) was refused by NP/SM/0716/0609
17. 2018 - A Section 73 application to remove condition 4 from the above (holiday occupancy restriction) to allow the property to be occupied as a single open market dwelling was granted conditionally by NP/SM/1017/1042.
18. July 2021 – The conversion and change of use of the former drying store (Kyle Building) to an open market dwelling or holiday let was granted subject to conditions by NP/SM/0321/0302. Non-Material Amendments to this application were later accepted by NP/NMA/0921/0958
19. July 2021 - The change of use of the Mill to residential and holiday let with external alterations was granted subject to conditions under NP/SM/0321/0297
20. October 2021 – A pre-application enquiry regarding the erection of a double garage and stables was received (Enquiry 43987) Advice was that the proposed would cause harm to the setting of Dains Mill contrary to policies. With regard to the garage, a more modestly sized single storey garage dug into the hillside with a flat green roof (as proposed at this time) may be acceptable.
21. April 2022 – An application for the erection of a double garage (NP/SM/0422/0516) was refused. Post decision correspondence in July 2022 advised that a smaller single garage dug into the banking with a flat or mono-pitch roof with a parapet front wall may be an acceptable alternative. Further correspondence in September 2022 maintained this view.

22. April 2022 – A Section 73 application for the variation of condition 2 on NP/SM/0321/0297 (NP/SM/0422/0514) to permit a larger balcony was refused. Post decision correspondence in July 2022 advised that a balcony any bigger than that already approved would not be accepted but the Authority would be sympathetic to a modest area of domestic curtilage to the north (rear) of the Mill.
23. April 2022 – The erection of stables, fencing and creation of two car parking spaces was granted subject to conditions by NP/SM/0422/0523
24. December 2022 – An enforcement complaint (reference 46905) was received regarding excavations and hard surfacing at the site which has yet to be investigated

Consultations

25. Staffordshire County Council (Highway Authority) – There are no highway issues but it is noted that the garage is not required to meet parking standards.
26. Staffordshire Moorlands District Council – No response to date.
27. Leekfirth Parish Council - No response to date.
28. PDNPA Conservation Officer – *‘The plans are not sufficiently different to those refused under the previous application and the garage would dominate the setting of the Kyle building and the surroundings in which this and the Mill are experienced. This would result in harm to the setting of the two non- designated heritage assets which are seen together as a group. While the proposed materials for walling, the roof and for the doors are acceptable, the size and design are not and it is not in accordance with PDNPA guidance requiring roof pitches to reflect those of the house.’*

Representations

29. During the publicity period the Authority received 14 representations, all of which support the proposal. Comments are as follows:
 - *The erection of a double garage would have a positive benefit for the existing site.*
 - *It will enhance the existing building.*
 - *It sits well with the other buildings, its design is consistent with the rest of the location and will prove very useful in the maintenance of the site.*
 - *This building can only add merit to the site and future proof its existence.*
 - *It will prove to be of great value to the location, which needs to be developed in order for it to be utilised.*
 - *The garage can only assist in the projects development going forward.*

Main Policies

30. Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L1 & L3
31. Relevant Local Plan policies: DM1, DMC3, DMC5 & DMH8
32. National Planning Policy Framework

Wider Policy Context

33. 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:
- Conserve and enhance the natural beauty, wildlife and cultural heritage
 - 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

34. The National Planning Policy Framework (NPPF) replaced a significant proportion of central government planning policy with immediate effect. A revised NPPF was published in July 2021. The Government's intention is that the document should be considered as a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. In the National Park the development plan comprises the Authority's Core Strategy 2011 and policies in the Peak District National Park Development Management Policies document 2019. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and more recent Government guidance in the NPPF.
35. Paragraph 176 of the NPPF states that *'great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in all these areas, and should be given great weight in National Parks and the Broads.'*
36. Paragraph 134 states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.
37. Paragraph 194 states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. It advises that the level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.
38. Paragraph 203 states that 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.

Peak District National Park Core Strategy

39. GSP1 & GSP2 - *Securing National Park Purposes and sustainable development & Enhancing the National Park*. These policies set out the broad strategy for achieving the National Park's objectives, and jointly seek to secure national park legal purposes and duties through the conversion and enhancement of the National Park's landscape and its natural and heritage
40. GSP3 - *Development Management Principles*. GSP3 states that all development must respect, conserve and enhance all valued characteristics of the site and buildings, paying particular attention to, amongst other elements, impact on the character and setting of buildings, scale of the development appropriate to the character and appearance of the National Park, design in accordance with the National Park Authority Design Guide and impact on living conditions of communities.
41. CC1 – *Climate change mitigation and adaptation*. CC1 requires all development to make the most efficient and sustainable use of land, buildings and natural resources to achieve the highest possible standards of carbon reductions
42. DS1 - *Development Strategy*. This sets out what forms of development are acceptable in principle within the National Park.
43. L1 - *Landscape character and valued characteristics*. L1 states that all 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.
44. L3 - *Cultural heritage assets of archaeological, architectural, artistic or historic significance*. This policy requires that development must conserve and where appropriate enhance or reveal significance of archaeological, artistic or historic asset and their setting, including statutory designation and other heritage assets of international, national, regional or local importance or special interest.

Local Plan Development Management Policies

45. DM1 – *The presumption of sustainable development in the context of National Park purposes*. These being (i) to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park; and (ii) to promote opportunities for the understanding and enjoyment of the valued characteristics of the National Park.
46. DMC3 - *Siting, Design, layout and landscaping*. DMC3 states 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.
47. DMC5 - *Assessing the impact of development on designated and non-designated heritage assets and their settings*. This policy 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.

48. DMH8 - *New outbuildings and alterations and extensions to existing outbuildings in the curtilage of dwelling houses*. The policy states that 'New outbuildings will be permitted provided the scale, mass, form, and design of the new building conserves or enhances the immediate dwelling and curtilage, any valued characteristics of the adjacent built environment and/or the landscape, including Listed Building status and setting, Conservation Area character, important open space, valued landscape character.'

Supplementary Guidance

49. Paragraph 7.14 of the 2007 Design Guide states that garages should be designed in sympathy with the property they serve, with materials and roof pitches reflecting those of the house.
50. The Supplementary Planning Document (Detailed Design Guide) which was adopted July 2014 for alterations and extensions includes advice on ancillary buildings. Paragraph 3.24 reiterates that garages should be designed in sympathy with the property they serve; it goes on to say that if size requirements result in a building of a size that cannot be considered to be a design that is sympathetic to the property then these considerations will outweigh any considerations towards car storage.
51. Paragraph 3.26 of the 2014 guidance states that garage doors on gable elevations should be avoided.
52. Paragraph 3.27 states that another design option for garages is the 'non-building' approach where the garage is underground or behind high walls or planting, which is a situation where a flat-roofed solution is appropriate.

Assessment

Principle of the development

53. Policy DS1 states that in principle, extensions and alterations to dwellings, including ancillary buildings are supported by the Authority, provided that they are of a suitable design, scale, form and massing and do not raise any amenity issues. Similarly, DMH8 supports the provision of outbuildings provided they, through their scale, mass, form and design, conserve or enhance the immediate dwelling and curtilage and any valued characteristics of the built environment and/or surrounding landscape.
54. In this instance Dains Mill and the Kyle building are considered to be non-designated heritage assets. Therefore, the requirements of policies L3 and DMC5, to take into account the significance of the existing buildings and their setting, forms the basis of the balanced judgement as to whether the development is acceptable.

Visual Impacts

55. The siting for the proposed garage to the north of the Kyle building on the west side of the track through the site is such that it would not block views of the principal elevations of the Mill or the Kyle building. However, it would partially block views of the Kyle building from the site approach from the north, and the siting means that it would be seen in conjunction with both buildings from both the north and south, therefore affecting their setting.
56. DMC5 (F) states that development will not be permitted if it would result in any harm to, or loss of, the significance, character and appearance of a heritage asset (from its alteration or destruction, or from development within its setting), unless there a clear and convincing justification is provided.

57. In this instance the justification provided is that the garage building would facilitate the restored buildings in the approved holiday let use. The Highway Authority note that the garage is not required to meet parking standards at the site. There is no public benefit identified.
58. As noted, following the refusal of NP/SM/0422/0516, post decision correspondence was entered into. The advice provided was that a smaller single garage dug into the banking with a flat or mono-pitch roof with a parapet front wall may be an acceptable alternative. Further correspondence in September 2022 maintained this view.
59. With regard to the advice that the garage could be dug into the banked land to reduce its visual impact, a Slope Stability Report has been provided with the application to support this advice not being taken. However, the report relates to the instability of an area to the south-east of the site, the proposed site, which is the slope to the west side of the track and north of the Kyle building has not been assessed.
60. The revised scheme for the proposed garage shows the footprint as previously proposed and also retains the pitched roof, which has been turned by 90 degrees such that the gable is now wider than the other axis, which traditionally should be the longer elevation. Whilst the eaves and ridge height has been reduced and the rooflights omitted, the advice provided that a flat or mono-pitch roof could be more acceptable has not been heeded.
61. The height reduction results in a disproportionate massing with the roof to the building appearing over-large in addition to the gable being over-wide. The form is not sympathetic to either the Mill or the Kyle building, contrary to policies GSP3, DMC3, DMH8, and design guidance.
62. The openings, which now include a pedestrian door in addition to the double garage doors are all in the gable of the building, which is contrary to advice in the Authority's Adopted Design Guidance which states that where pitched roofs are acceptable, openings should predominantly be below the eaves. In addition, the garage doors and the pedestrian door are all under a single lintel, which draws further attention to the width of the gable.
63. The form and massing of the building now proposed is not considered to be acceptable as it is non-traditional and disproportionate.
64. In terms of the detailed design, the character of the proposed is more domestic and suburban in character and appearance than that the originally submitted scheme. This, along with the elevated position of the building, which is on higher ground than the Kyle building and the Mill itself, makes the proposed more prominent within the setting.
65. The proposal, by virtue of its scale, massing, form and detailed design fails to respect the character and appearance of the existing buildings on the site and has a detrimental impact on the setting and significance of Dains Mill and the Kyle building, which are non-designated heritage assets.
66. As such, it is concluded that the proposal is contrary to policies GSP3, L1, L3, DMC3, DMC5 and DMH8, and contrary to advice in the Authority's Design Guidance.

Amenity Impacts

67. Due to the location of the site in relation to neighbouring properties, it will have will not have an adverse effect upon any neighbouring properties. However, as noted in policy DMH8, an application of this type would only be acceptable if the scale, mass, form,

and design of the new building conserves or enhances the immediate dwelling and curtilage, any valued characteristics of the adjacent built environment and/or the landscape.

68. As noted above, the proposed form, massing and design of the proposed building do not respect the existing buildings on the site, the setting of Dains Mill, or the wider landscape area. It is therefore considered that it will have a detrimental effect on the character and appearance of the site, the setting of the non-designated heritage assets, and the appearance of the locality, therefore the proposal is contrary to the requirements of GSP3, L1, L3, DMC3, DMC5, DMH8 and national planning policy.

Sustainability

69. Policy CC1 requires all development to make the most efficient and sustainable use of land, buildings and natural resources to achieve the highest possible standards of carbon reductions. All development must address this policy and validation requirements require a statement be provided for every application, the statement and the measures should be commensurate to the scale of the development. No Sustainability Statement was provided with the application.

Conclusion

70. The Authority is required to take a balanced judgement, weighing any public benefits of the development against the impact on the significance of non-designated heritage assets on the site.
71. The proposed development, by virtue of its massing, form and detailed design, fails to respect the character and appearance of the existing buildings on the site.
72. Whilst the principle of a garage in this location is acceptable, the benefits identified do not outweigh the adverse impact of the proposed development on the significance and setting of the non-designated heritage assets of Dains Mill and the Kyle building.
73. As such, it is concluded that the proposal is contrary to policies GSP3, L1, L3, DMC3, DMC5, DMH8 and national planning policy, and advice in the Authority's Design Guidance.

Human Rights

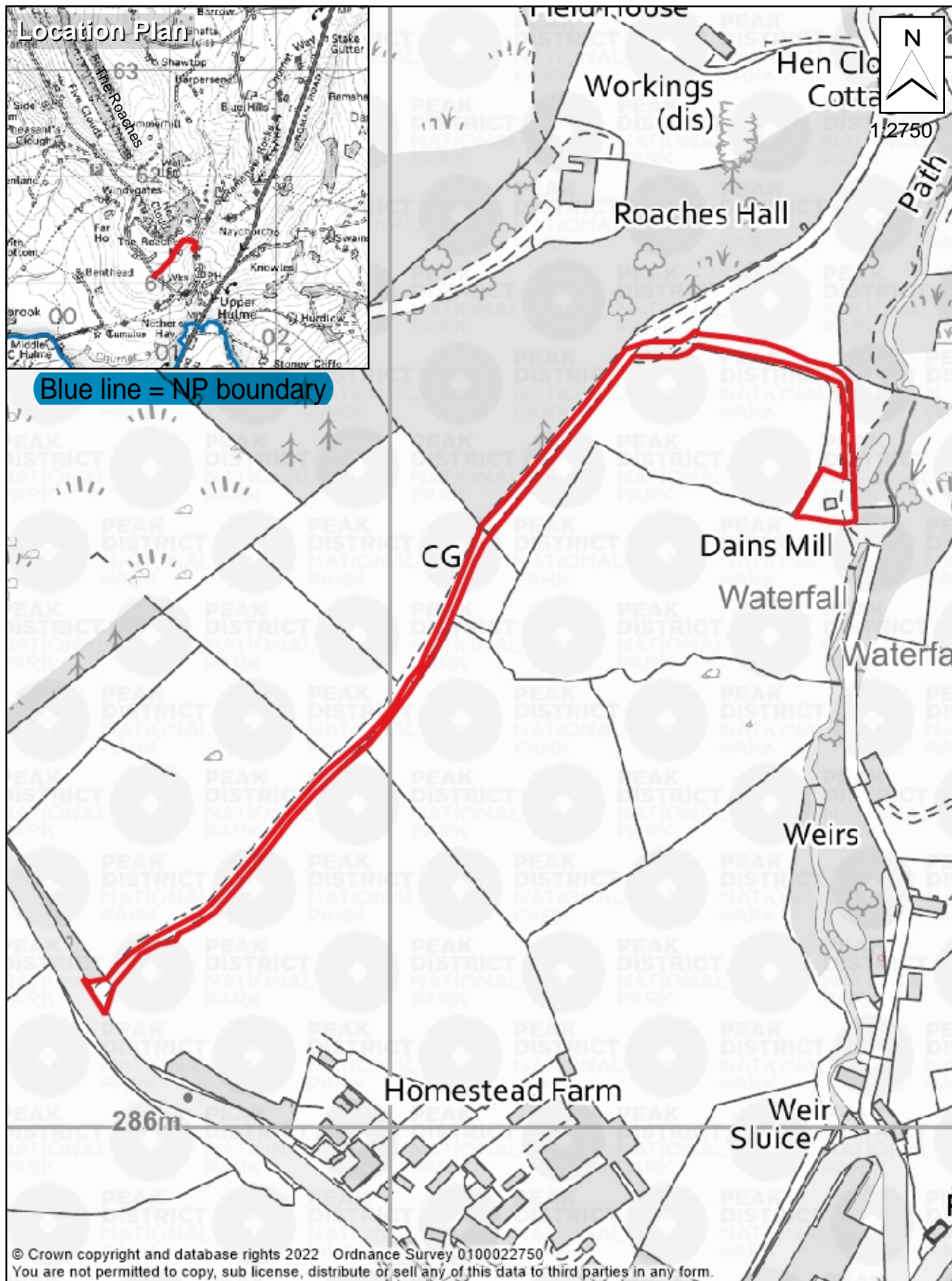
Any human rights issues have been considered and addressed in the preparation of this report.

List of Background Papers (not previously published)

Nil

Report Author and Job Title

Denise Hunt – Planner – South Area



Committee Date: 27/01/2023
Item Number: Item 7
Application No: NP/SM/1022/1316
Grid Reference: 401083, 361288

Title: Dains Mill, Roach Road, Upper Hulme



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8. SECTION 73 APPLICATION FOR THE VARIATION OF CONDITION 2 ON NP/SM/0321/0297 AT DAINS MILL, ROACH ROAD, UPPER HULME (NP/SM/1022/1315, DH)

APPLICANT: MR MICHAEL JONES

Summary

1. The application is for a metal balcony to the loading door at first floor level on the south facing (principal) elevation of the historic former corn mill building; and for a new post and rail fence with double gates to the south of the building.
2. The balcony would cause harm to the significance of the mill which is considered to be a non-designated heritage asset.
3. The harm to the non-designated heritage asset is not outweighed by any public benefits.
4. The application is recommended for refusal.

Site and Surroundings

5. The application site is located in open countryside to the southern (lower) end of a narrow steep sided valley on Back Brook, a tributary of the River Churnet. It is approximately 300m north of Upper Hulme, which is not a named settlement in policy DS1.
6. The site comprises a C17th former corn mill and detached corn drying store (the Kyle Building) to the west, a mill pond, dam and weir to the north, set within 4.4 acres. Dains Mill is a two-storey structure constructed in natural gritstone with a pitched roof and an adjoining waterwheel house. The Kyle Building is a three storey pitched roof building built into the bank side and constructed in the same materials.
7. The historic buildings on site are not listed but are considered to be non-designated historic assets.
8. The site does not lie within the designated conservation area, but is described in the Upper Hulme Conservation Area Appraisal.
9. A public right of way runs in a north to south direction along the track between the former mill and the former drying store (referred to as the Kyle Building).
10. The mill and drying store were restored in 2006, and planning permission was granted for the mill to be a holiday let. In 2021 planning permission was granted for the conversion of the corn mill to a single open market dwelling, and for the conversion of the drying store (now known as the 'Kyle' building) to a further single open market dwelling or holiday let.

Proposal

11. The proposal is a Section 73 application to vary condition 2 on NP/SM/0321/0297, which reads, "*The development hereby permitted shall not be carried out otherwise than in complete accordance with the amended plan no.s L100-P2, L103-P5, L104-P2, L105-P3, L106-P2, L109- P3, L110-P2 and L118-P3 subject to the following conditions or modifications.*"

12. The variations proposed to the approved plan are to have a larger balcony to the loading door at first floor level in the principal (south) elevation of the Mill, in place of the approved Juliet balcony to the bedroom beyond. Also, to have a post and rail fence with double five bar gates to the site entrance at the south.

RECOMMENDATION:

13. That the application be **REFUSED** for the following reasons:

The balcony, by virtue of its position on the building, its size and its design, would cause harm to the significance of the non-designated heritage asset. The harm would not be outweighed by any public benefits. Consequently, the proposal is contrary to Core Strategy policies GSP3 and L3, Development Management policies DMC3, DMC5, DMC10, and DMH7, and advice in the Authority's Adopted Supplementary Planning Documents 'Conversion of Historic Buildings' and 'Alterations and Extensions'

Key Issues

14. The key issues are the impact of the proposals on the significance of the non-designated heritage asset.

History

15. 2004 – The restoration of the derelict mill was approved under NP/SM/1203/0923
16. 2006 – The change of use of the restored mill to holiday accommodation was granted subject to conditions under NP/SM/0106/0032
17. 2016 – A Section 73 application to remove condition 4 from the above (holiday occupancy restriction) was refused by NP/SM/0716/0609
18. 2018 - A Section 73 application to remove condition 4 from the above (holiday occupancy restriction) to allow the property to be occupied as a single open market dwelling was granted conditionally by NP/SM/1017/1042.
19. July 2021 – The conversion and change of use of the former drying store (Kyle Building) to an open market dwelling or holiday let was granted subject to conditions by NP/SM/0321/0302. Non-Material Amendments to this application were accepted by NP/NMA/0921/0958
20. July 2021 - The change of use of the Mill to residential and holiday let with external alterations was granted subject to conditions under NP/SM/0321/0297
21. April 2022 – Applications for the erection of a double garage (NP/SM/0422/0516) and a Section 73 for the variation of condition 2 on NP/SM/0321/0297 (NP/SM/0422/0514) were both refused.
22. July 2022 - Post decision correspondence following refusal of NP/SM/0422/0514 (the Section 73 regarding a larger balcony than approved by NP/SM/0321/0297) advised:
23. *"My view is that the Authority would not accept a balcony any bigger than the French balcony that was approved as part of the original application. However, one of the reasons you set out for why the applicant wished to have a balcony, was because a condition appended to the original permission prevented use of the land in ownership to the north of the mill building as domestic curtilage. The condition was necessary because*

the area in question, which contains the former mill pond and other water management features, is important to the setting of the Heritage Asset. However, as I outlined at the time of the original application, if the applicant is seeking a little more domestic curtilage, we would be sympathetic to a modest area of this land, directly adjacent to the north side of the building, being used as a small garden area. As well as being modest in size, the boundary treatments between the garden and the remaining area in ownership to the north would need to be carefully considered so as to conserve the setting of the building. You may wish to consider submitting a section 73 application to amend the condition in question.”

Consultations

24. Staffordshire County Council (Highway Authority) – No response
25. Staffordshire Moorlands District Council – No response
26. Leekfirth Parish Council – No response
27. PDNPA Conservation Officer - The balcony proposed on the front elevation is a domestic feature and a non-traditional detail. It is entirely out of character with a mill building, out of keeping with its historic development and function, and would be harmful to the character of the front elevation and the significance of the mill. The fencing, if not used to demarcate a private garden area (which would be detrimental to the setting of the mill building and wider landscape) may be acceptable provided the character of the area is not altered.

Representations

28. During the publicity period the Authority received 13 representations, all of which support the proposals. The following comments were made:
 - *The balcony proposed for this property which will be constructed in a sympathetic manner in accordance with the Mill itself.*
 - *The balcony will be in keeping with the style of the Mill*
 - *A balcony can only add design merit to the building*
 - *A balcony can only benefit the future privacy of the site once occupied and used as a residence*
 - *The balcony in no way affects the alleged historic value of the site*
 - *The building is not listed*
 - *There is no private amenity area*

Main Policies

29. Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, RT2, L1 & L3
30. Relevant Local Plan policies: DM1, DMC3, DMC5, DMC10 & DMH7
31. National Planning Policy Framework

Wider Policy context

32. National Park designation is the highest level of landscape designation in the UK. The Environment Act 1995 sets out two statutory purposes for national parks in England and Wales:
 - Conserve and enhance the natural beauty, wildlife and cultural heritage
 - 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

33. The National Planning Policy Framework (NPPF) replaced a significant proportion of central government planning policy with immediate effect. A revised NPPF was published in July 2021. The Government's intention is that the document should be considered as a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. In the National Park the development plan comprises the Authority's Core Strategy 2011 and policies in the Peak District National Park Development Management Policies document 2019. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and more recent Government guidance in the NPPF.
34. Paragraph 176 of the NPPF states that *'great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in all these areas, and should be given great weight in National Parks and the Broads.'*
35. Paragraph 134 states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.
36. Part 16 of the NPPF relates to conserving and enhancing the historic environment.
37. Paragraph 194 states that in determining applications, local planning authorities (LPA's) should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. It advises that the level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.
38. Paragraph 196 deals with balancing harm. It says 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.
39. Paragraph 197 states that LPAs should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.
40. Paragraph 203 states that the effect of an application on the significance of a non-designated heritage asset 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.

Peak District National Park Core Strategy

41. GSP1 & GSP2 - *Securing National Park Purposes and sustainable development & Enhancing the National Park.* These policies set out the broad strategy for achieving the National Park's objectives, and jointly seek to secure national park legal purposes

and duties through the conversion and enhancement of the National Park's landscape and its natural and heritage

42. GSP3 - *Development Management Principles*. GSP3 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.
43. DS1 - *Development Strategy*. DS1 sets out what forms of development are acceptable in principle within the National Park.
44. L1 - *Landscape character and valued characteristics*. This policy states that all 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.
45. L3 - *Cultural Heritage assets or archaeological, architectural, artistic or historic significance*. L3 requires 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.
46. RT2 – *Hotels, bed and breakfast and self-catering accommodation*. RT2 (A) is supportive of the change of use of traditional buildings of historic or vernacular merit to holiday accommodation except where there could be unacceptable landscape impact. RT2 (B) relates to appropriate minor developments which extend or make quality improvements to existing holiday accommodation.

Local Plan Development Management Policies

47. DM1 – *The presumption of sustainable development in the context of National Park purposes*. These being (i) to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park; and (ii) to promote opportunities for the understanding and enjoyment of the valued characteristics of the National Park.
48. DMC3 - *Siting, Design, layout and landscaping*. DMC3 states 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.
49. DMC5 - *Assessing the impact of development on designated and non-designated heritage assets and their setting*. DMC5 provides detailed advice relating to proposals affecting heritage assets and their settings. It 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.
50. DMC10 – *Conversion of a heritage asset*. DMC10 states (amongst other things) that conversion will be permitted provided that the new use can be accommodated without changes that adversely affect its character.

51. DMH7 - *Extensions and alterations*. DMH7 states (amongst other things) that extensions and alterations to dwellings will be permitted provided that the proposal does not detract from the character, appearance or amenity of the original building, its setting or neighbouring buildings, or create an adverse effect on, or lead to undesirable changes to the landscape or any other valued characteristic.

Supplementary Guidance

52. The Authority has a Supplementary Planning Document (Detailed Design Guide) for alterations and extensions, which states that the original character of the property should not be destroyed when providing additional development. It goes on to state that an insensitive design can easily spoil both an existing building and an area. The key to a more sensitive approach is to take careful note of what is there already before preparing the design, to work with rather than against the character of the building.
53. Further advice is given with the Authority's recently adopted Supplementary Planning Document (SPD) on the '*Conversion of Historic Buildings*'. It states that the guiding principle behind any conversion is that the new use should respond to the character, form and function of the building, rather than the building being made to fit the new use. It goes on to say that garden areas or outdoor sitting areas are best accommodated in small walled enclosures where these exist, or where they can be added discreetly without adversely affecting the setting.

Assessment

Principle of the development

54. Policy LC3 states that if it can be demonstrated that development which affects cultural heritage assets is desirable or necessary, and would not harm the significance of the heritage asset and its setting or detract from the valued characteristics and the scenic beauty of the wider landscape, in principle they would be acceptable.
55. Alterations to dwellings and their boundaries are acceptable in principle provided the development is of a high standard of design and does not detract from the character and appearance of the locality.

Visual and Heritage Impacts

56. The conversion of Dains Mill, as approved in 2021, included a very modest 'Juliet' balcony within the width of the first floor door opening as a safety feature. This was in place of the originally proposed larger balcony which was considered to have a harmful impact on the character and appearance of the non-designated heritage asset.
57. The view of the Authority was that the balcony, as amended to a Juliet balcony, would cause some minor harm to the significance of the heritage asset but that the public benefits of securing a long term sustainable use of the building outweighed this 'less than substantial harm' even though the view was maintained that without it the character of the building would have been better conserved.
58. The Mill dates from the C17th, or possibly earlier, and is an example of a traditional waterpowered corn mill. The restoration of the Mill granted in 2004 was sensitive to its significance. A detailed archaeological building assessment carried out before the restoration works in 2004 indicates that the south elevation (where the proposed balcony would be erected) dates from between 1640 to 1680 and 1720 to 1760 and highlights details such as the red sandstone walls, large sandstone quoins and doorway architraves and arched cart entrance. All of these features contribute to the significance of the

building. Although parts of the mill have been re-built the report states '*The mill has been rebuilt using the original collapsed stonework on site and has been restored with extreme accuracy and authenticity under the direction of the Peak District National Park Authority.*'

59. The balcony proposed by this application would be to the loading door (D7) at first floor level in the principal elevation of the building, which would historically have been an open access for sacks of grain. As such it would introduce a feature which would cause significant harm to its architectural and historic character, appearance and setting.
60. As proposed in the previous application to vary condition 2 (NP/SM/0422/0514) the revised balcony spanned almost the width of the lower part of the building and would have been supported on cast iron columns. This application has reduced the size significantly and omitted the supporting columns. Nonetheless, the balcony is a domestic feature which is out of character to the mill building.
61. The balcony now proposed extends beyond the width of the door opening to each side, to a width of 2.2m, and protrudes 1.2m from the face of the building. The balcony is the same width as the cart door below (D3) and is positioned such that it is directly over this opening but without obscuring the stone arch above the cart door.
62. The depth of, and extension of the balcony beyond the width of the opening it would serve, the asymmetry of its position relative to that opening, and the door details, now shown as French doors with no subdivision, are considered to result in an alien feature which would be prominent and visually intrusive on the elevation.
63. The justification provided is that the floor level of the bedroom the balcony would serve does not allow for inward opening doors. However, the floor is not historic fabric and could be altered to allow inward opening, and this option does not appear to have been explored. At the last committee meeting Members queried whether designing balcony doors with a fixed bottom panel to address the difference in floor height could be considered. The applicant advises that they have been discounted that suggestion on the basis that the door design would not be reflective of the historic function of this opening. Whilst that may be true to an extent, it would be significantly more in keeping with the heritage of the building than the proposed balcony. Therefore, it is considered that the need for the proposed alteration to the approved plans on grounds of inoperability of the design as approved is not justified.
64. A second reason given for the larger balcony is the lack of amenity space to the five bedroom dwelling, due to a condition on NP/SM/0321/0297. The officer's delegated report at that time also noted that the submitted plans did not show any space set aside for residential curtilage in association with the property. The reports stated '*The area to the north of the building, around the mill pond forms an important part of the setting of the mill and domestication of this whole area would cause unacceptable harm to the character and setting of the mill. We have made several attempts to agree a defined, modest residential curtilage that is drawn tightly up to the building. This is because if insufficient garden space is provided at the design stage it is likely that future owners (especially if the property is used a full time dwelling) will expand their domestic activity into this area in an uncontrolled manner. The applicant seems adamant however that the rear balcony is sufficient to serve the needs of the development.*' Consequently, a condition was imposed that required that none of the area to the north of the building is to be used as residential curtilage.
65. Notwithstanding the restriction on the land to the north of the Mill, there is space within the surfaced area to the south of the mill (between the building and the line of the proposed post and rail fence), as well as on the rear balcony. Together these provide a relatively modest area, but it is adequate to serve the needs of the development.

66. Nevertheless, following the refusal of the previous application by Members, and their discussions around scope to increase the curtilage in this area, officers contacted the applicant to suggest that they may wish to seek to pursue an application to relax the condition currently limiting the use of that land – see ‘History’ section above.
67. Beyond this scope, we take this view in the context of the SPD on Conversions which states that ‘*in some cases it may prove impossible to provide much in the way of garden space*’. Any perceived need for additional outdoor living space is a private benefit that does not outweigh the harm caused by the balcony that has been identified above.
68. It is therefore concluded that the proposed balcony would cause significant harm to the historic and architectural significance of the this former mill building, contrary to policies GSP3, L3, DMC3, DMC5, DMH7 and DMC10 and advice in the Authority’s Supplementary Planning Documents. There are no public benefits that would offset or outweigh this harm.
69. With regard to the proposed post and rail fence to the front (south) of the building, which, it is stated, is to contain dogs, provided this area is clearly restricted to non-curtilage use to prevent domestic paraphernalia being introduced, the harm to the setting would be minimal.
70. Drystone walls would be a more traditional boundary treatment, however, the proposed is lightweight in appearance, and, stained a dark recessive colour, would maintain the open character of the mill frontage better and therefore would not harm the setting of the mill building.
71. It is also noted that Members previously discussed that a more discrete option may be black estate fencing; this could be addressed through conditions should Members be minded to approve the proposals and to consider this alteration to be required.

Amenity Impacts

72. The only neighbouring property is the Kyle building, to the north-west of the Mill, and in the same ownership. The proposed balcony would be on the east side of the southern elevation of the Mill, and therefore, by virtue of the separation distance of approximately 27m, the presence of the intervening bays that form the remainder of Dains Mill, and the fact that the balcony would face away from the Kyle building, the development would not cause harm to the amenity of that property as a result of any overlooking or noise generation.

Conclusion

73. The balcony, by virtue of its position, size and design would cause harm to the significance of Dains Mill, which is a non-designated heritage asset. The harm would not be outweighed by any public benefits. Consequently the proposals are contrary to Core Strategy policies GSP3 and L3, Development Management policies DMC3, DMC5, DMH7 and DMC10 and advice in the Authority’s Adopted Supplementary Planning Documents ‘Conversion of Historic Buildings’ and ‘Alterations and Extensions’.

74. The application is recommended for refusal.

Human Rights

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

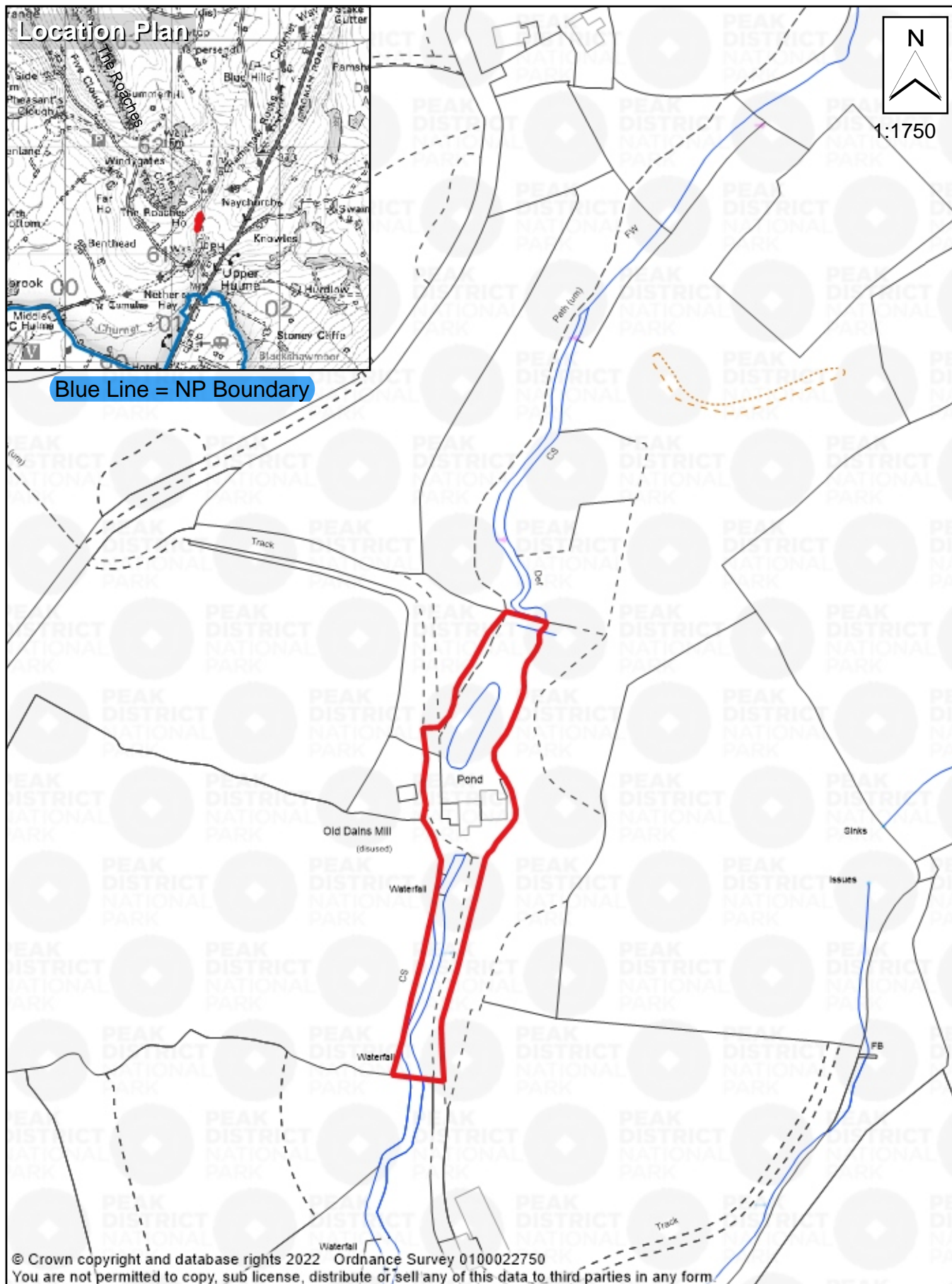
List of Background Papers (not previously published)

Nil

Report Author and Job Title

Denise Hunt – Planner – South Area

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Committee Date: 27/01/2023
Item Number: Item 8
Application No: NP/SM/1022/1315
Grid Reference: 401246, 361312

Title: Dains Mill, Roach Road,
Upper Hulme



**PEAK
DISTRICT
NATIONAL
PARK**

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9. FULL APPLICATION – ERECTION OF STEEL PORTAL FRAMED AGRICULTURAL BUILDING TO HOUSE BEEF CATTLE. THE PROPOSED BUILDING IS A REPLACEMENT OF A TRADITIONAL ‘COW SHED’ BUILT IN THE 1950S AND EXTENDED IN THE 1970S THAT IS NOW BEYOND REASONABLE REPAIR AT NEW ROAD FARM, NEW ROAD, LONGNOR (NP/SM/1022/1339/PM)

APPLICANT: PEAK DISTRICT NATIONAL PARK AUTHORITY

Summary

1. The application site is New Road Farm, located about 2km north of Warslow.
2. The application seeks planning permission for the erection of a steel portal framed agricultural building to house cattle. The building would be a replacement for an existing agricultural building that is now beyond reasonable repair.
3. Planning policy is supportive of new agricultural buildings subject to it being demonstrated that they are reasonably necessary for the purposes of agriculture at the scale proposed and subject to them conserving and enhancing the valued characteristics of the National Park. Subject to conditions, the design and appearance of the development has been found to be acceptable in its context and to accord with planning policy in all other regards.
4. The application is therefore recommended for conditional approval.

Site and Surroundings

5. New Road Farm is an 80 hectare (200 acre) beef and sheep farm on the Peak District National Park Authority owned Warslow Moors Estate.
6. The farm is let under an Agricultural Holdings Act tenancy and is farmed as a full time business with a herd of suckler cows and ewes.
7. The existing farm buildings consist of a modern set of farm buildings around a traditional stone barn.
8. The site is located within the hamlet of Wigginstall, located approximately 2km north of the village of Warslow. Part of the farmyard is located within the Wigginstall Conservation Area, although the site of the proposed building is located just outside of the conservation area. The hamlet is accessed by an unmetalled no through road from the B5053 Warslow to Longnor road. A public footpath passes through the farmyard to the west of the proposed building.
9. The site is located within the Upland Pastures landscape character type within the wider South West Peak landscape character area. The surrounding landscape can be characterised as an upland pastoral landscape of permanent pasture enclosed by drystone walls.

Proposal

10. The erection of a steel portal framed agricultural building to house beef cattle. The building would replace an existing cowshed of concrete block construction and a steel monopitched roof calving shed both of which are proposed to be demolished.

RECOMMENDATION:

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

1. **3 year implementation time limit.**
2. **Carry out in accordance with submitted plans**
3. **Timber boarding to be stained a dark recessive colour at time of erection and permanently so maintained.**
4. **Fibre cement roofing sheets to be factory colour-coated to BS 5252 Ref. No. 18B29 (Slate Blue) and permanently so maintained.**
5. **Not to be used for any other purpose than agriculture**
6. **Removal of building when no longer required for purposes of agriculture**

Key Issues

1. The principle of the development.
2. Siting, landscape impact and design
3. Climate Change Mitigation

History

11. 2008 – Planning permission granted for proposed roof building to existing agricultural feed areas.
12. 1998 – Planning permission granted for alterations and extensions of barn.
13. 1993 – Planning permission granted for erection of agricultural building
14. 1990 – Planning permission granted for erection of slurry store, associated handling system and landscaping.

Consultations

15. **Highway Authority** – no response
16. **District Council** – no response
17. **Parish Council** – no objection

Representations

18. No representations have been received.

Main Policies

19. Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L1, CC1
20. Relevant Local Plan policies: DMC3, DME1

National Planning Policy Framework

21. The National Planning Policy Framework (NPPF) was published on 27 March 2012 and replaced a significant proportion of central government planning policy with immediate effect. The Government's intention is that the document should be considered to be 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 East Midlands Regional Plan 2009, the Authority's Core Strategy 2011 and saved policies in the Peak District National Park Local Plan 2001. 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.
22. 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.

Core Strategy

23. Core Strategy policy GSP1 sets out the broad strategy for achieving the National Park's objectives having regard to the Sandford Principle, (that is, where there are conflicting desired outcomes in achieving national park purposes, greater priority must be given to the conservation of the natural beauty, wildlife and cultural heritage of the area, even at the cost of socio-economic benefits). GSP1 also sets out the need for sustainable development and to avoid major development unless it is essential, and the need to mitigate localised harm where essential major development is allowed.
24. Core Strategy policy GSP2 states, amongst other things, that when development is permitted, a design will be sought that respects the character of the area.
25. Core Strategy policy GSP3 sets out development management principles and states that all development must respect, conserve and enhance all valued characteristics of the site and buildings, paying particular attention to, amongst other elements, impact on the character and setting of buildings, scale of the development appropriate to the character and appearance of the National Park, design in accordance with the National Park Authority Design Guide and impact on living conditions of communities.
26. Core Strategy 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.
27. Core Strategy policy CC1 states that development must make the most efficient and sustainable use of land, buildings and natural resources.

Development Management Policies

28. Development Management Policy DMC3 requires development to be of a high standard that respects, protects, and where possible enhances the natural beauty, quality and visual amenity of the landscape, including the wildlife and cultural heritage that contribute to the distinctive sense of place. It also provides further detailed criteria to assess design and landscaping, as well as requiring development to conserve the amenity of other properties.

29. DME1 deals specifically with agricultural development and states the following:

30. New agricultural and forestry buildings, structures and associated working spaces or other development will be permitted provided that it is demonstrated to the Authority's satisfaction, that the building at the scale proposed is functionally required for that purpose from information provided by the applicant on all the relevant criteria:

- a. location and size of farm or forestry holding;
- b. type of agriculture or forestry practiced on the farm or forestry holding;
- c. intended use and size of proposed building;
- d. intended location and appearance of proposed building;
- e. stocking type, numbers and density per hectare;
- f. area covered by crops, including any timber crop;
- g. existing buildings, uses and why these are unable to cope with existing or perceived demand;
- h. dimensions and layout;
- i. predicted building requirements by type of stock/crop/other usage; and
- j. contribution to the Authority's objectives, e.g. conservation of valued landscape character as established in the Landscape Strategy and Action Plan, including winter housing to protect landscape.

B. New agricultural and forestry buildings, structures and associated working spaces or other development shall:

- k. be located close to the farmstead or main group of farm buildings, and in all cases relate well to, and make best use of, existing buildings, trees, walls and other landscape features; and
- l. not be in isolated locations requiring obtrusive access tracks, roads or services; and
- m. respect the design, scale, mass and colouring of existing buildings and building traditions characteristic of the area, reflecting this as far as possible in their own design; and
- n. avoid adverse effects on the area's valued characteristics including important local views, making use of the least obtrusive or otherwise damaging possible location; and
- o. avoid harm to the setting, fabric and integrity of the Natural Zone.

Assessment

Principle of Development

31. Policy DME1 permits new agricultural buildings providing that the building is functionally required for that purpose.
32. The farming operation at New Road Farm is long established with a sizeable herd of cows and sheep.
33. The proposed building is a replacement building for two smaller agricultural buildings proposed for demolition. The net increase in floor space would be approximately 80 square metres.
34. It is not proposed to increase stocking numbers on the farm. The larger size building footprint will allow for more space for the existing cattle and improved ventilation. The size and design of the building will also allow for a vehicle to enter the building, aiding farming operations.
35. On this basis it is accepted that the building is functionally required for the purposes of agriculture, and its erection therefore complies with policy DME1 in principle.

Siting, Landscape Impact and Design

36. The proposed building would be located predominantly on the footprint of existing buildings proposed for demolition. The building would be higher than the existing buildings proposed for replacement but would not be higher than surrounding buildings. The ridge height of the proposed building would be the same height as the existing agricultural building located to the north and lower than the ridge height of the traditional stone barn located to the south.
37. The proposed agricultural building would sit within the existing building group at the farm and would be screened in views from the surrounding landscape by adjacent buildings. A belt of mature trees would soften views of the building from within the Wigginstall conservation area to the east.
38. The proposed materials comprising concrete panels, timber boarding and fibre cement roof tiles will match the adjacent agricultural building located to the north and are considered acceptable.
39. The adjacent traditional stone barns would remain. Whilst the development would not refelt their traditional character or appearance, the same can be said for the existing development surrounding these buildings. As such, any impact on their setting would be negligible.
40. The siting and design of the proposed building is considered to accord with policies L1 and DMC3. The design and appearance of the proposed building will conserve the landscape character and valued characteristics of the National Park.

Climate Change Mitigation

41. The proposal is for an unheated and natural ventilated cattle building. The roof would contain Perspex panels to allow natural light into the building to reduce the need to use artificial lighting. It is considered that this accords with the requirements of policy CC1.

Conclusion

42. The proposed building is considered reasonable necessary for the purposes of agriculture and therefore accords with DM policy DME1. The proposed building by reason of its scale, siting and appearance would conserve and enhance the valued characteristics of the site, the surrounding landscape and the wider National Park. The proposal would accord with Core Strategy policies GSP1, GSP2, GSP3, DS1, L1, CC1 and DM policy DMC3. It is recommended that conditional approval be granted.

Human Rights

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

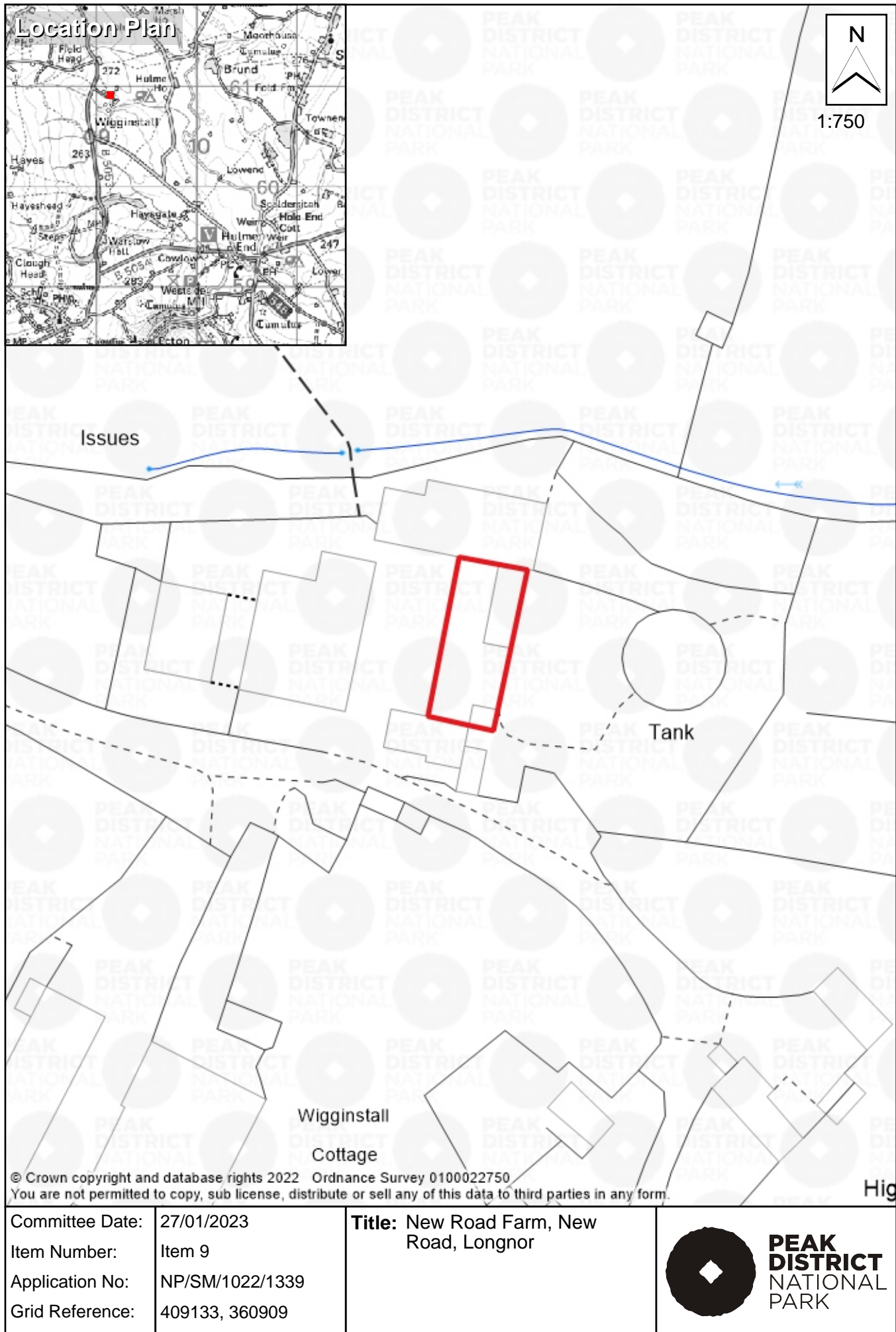
List of Background Papers (not previously published)

44. Nil

Report Author and Job Title

45. Peter Mansbridge – Assistant Planner - South

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10. FULL APPLICATION – FOR THE REMOVAL OR VARIATION OF CONDITION 6 OF NP/SM/0605/0614 – LONGNOR WOOD HOLIDAY PARK, LONGNOR (NP/SM/1122/1390) MN

APPLICANT: MR DALE JAMIESON

Summary

1. The proposals seek to remove a condition that currently prevents the siting of touring caravans on the site between 10th January and 28th February each calendar year.
2. Further conditions of the permission would continue to prevent the permanent occupation of the caravans as permanent dwellings.
3. There are no further policy or material considerations that would indicate that the condition requested to be removed should be maintained.
4. The application is therefore recommended for approval.

Site and Surroundings

5. Longnor Wood Holiday Park lies in open countryside approximately 1.7 kilometres to the south west of Longnor village. The site is situated on high ground and is well screened from views to the north and west by mature trees within Longnor Wood.
6. The site contains wooden lodges, static caravans, pitches for touring caravans and tents, and facilities buildings.

Proposal

7. Planning permission is being sought for the removal or variation of condition 6 of NP/SM/0605/0614.
8. NP/SM/0605/0614 was described as ‘Phase 2 of masterplan - change of use of tent camping paddocks to 14 touring units’. The permission permitted the change of use of part (the southern part) of the site to be used for the siting of 14 touring caravans, instead of the previous use of the area for tent pitches. The remainder of the site remained unaltered by the proposals.
9. Condition 6 of SM/0605/0614 reads as follows:

“No touring caravan shall remain or be brought on the site between 10th January and the 28th February each calendar year.”

RECOMMENDATION:

That the application be APPROVED subject to the following conditions:

1. The development hereby permitted shall not be carried out otherwise than in complete accordance with plan 14.503/HLDL2B (dated June 2005) and the additional landscaping plan submitted by the applicant under application NP/SM/0605/0614, subject to the following conditions or modifications.
2. This consent relates solely to the layout of the caravans under Phase 2 as shown on the approved drawing numbered 14.503/HLDL2B

The use of the Phase 2 area shall be limited solely to touring caravans, the

3. number of which shall not exceed 14 at anyone time.

4. This permission, in relation to the 14 touring caravans hereby approved, relates solely to their use for short term holiday residential use. The owner shall maintain a register of occupants noting their permanent residential address upon which Council Tax is paid for each calendar year which shall be made available for inspection by the National Park Authority on request.

Key Issues

The key issues are:

- The policy implications for relaxing the condition
- The landscape impacts of relaxing the condition
- Any amenity impacts associated with relaxing the condition

History

10. 2022 – Permission granted for variation of condition 5 on NP/SM/0904/0974, to allow the occupation of the static caravans on the site during all months of the year (previously restricted during the months of January and February each year)
11. 2020 - NP/SM/0620/0543 – Permission granted for the temporary variation of condition 5 on NP/SM/0904/0974 to temporarily suspend the requirement for the park to close during January and February 2021 and 2022.
12. 2020 - NP/SM/0620/0544 – Permission granted for the temporary variation of condition 6 on NP/SM/0605/0614 to temporarily suspend the requirement for the parks camping paddock to close during January and February 2021 and 2022.
13. 2017 - NP/SM/0717/0699 – Permission granted for change of use of area of the site from campsite to the siting of 6 static caravans, 2 pods and 4 tents ancillary to the wider use of the existing holiday park; retention of existing access road, construction of parking spaces, hardstanding bases and associated landscape planting and deckage
14. 2017 - NP/SM/0217/0189 – Permission refused for change of use of area of the site from camp site to the siting of timber-clad static caravans ancillary to the wider use of the existing holiday park; construction of access road, parking spaces and hardstanding bases and associated landscape planting.
15. 2005 - NP/SM/0605/0614 – Permission granted for ‘Phase 2’ of masterplan - change of use of tent camping paddocks to 14 touring units
16. 2005 - NP/SM/0904/0974 – Permission granted for variation to conditions as set out in the ‘Poposals’ section, above.
17. 1997 - NP/SM/0797/059 – Permission granted for renewal of temporary consent for caravan site
18. These applications were proceeded by additional historic temporary permissions for the caravan and camping site and associated managers dwelling.

Consultations

19. **Highway Authority** – No objections.
20. **Parish Council** – *“The Parish Council objects on the basis that accommodation may be used continuously as residential accommodation and that the period of maintenance would no longer be available. The existing condition of 11 month occupancy is supported by the Parish Council.”*

Representations

21. No third party representations have been received.

National Planning Policy Framework (NPPF)

22. 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.
23. The National Planning Policy Framework (NPPF) has been revised (2019). This replaces the previous document (2012) with immediate effect. The Government's intention is that the document should be considered as a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. In particular Paragraph 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.
24. 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.

Main Development Plan Policies

Core Strategy

25. Core Strategy policy L1 states that development must conserve and enhance valued landscape character, as identified in the Landscape Strategy and Action Plan, and other valued characteristics.
26. Core Strategy policy HC1 states that provision will not be made for housing solely to meet open market demand and that, exceptionally, new housing can be accepted where:
- A. It addresses eligible local needs
 - B. It provides for key workers in agriculture, forestry or other rural enterprises
 - C. It is required in order to achieve conservation and/or enhancement of valued vernacular or listed buildings; or it is required in order to achieve conservation or enhancement in settlements.
27. Policy CC1 states that development must make the most efficient and sustainable use of land, buildings and natural resources.

Development Management Policies

28. Development Management Policy DMC3 requires development to be of a high standard that respects, protects, and where possible enhances the natural beauty, quality and visual amenity of the landscape, including the wildlife and cultural heritage that contribute to the distinctive sense of place. It also provides further detailed criteria to assess design and landscaping, as well as requiring development to conserve the amenity of other properties.

29. Policy DMR2 addresses occupancy of touring camping and caravan sites. It states that where the development of a touring camping or touring caravan site is acceptable, its use will be restricted to no more than 28 days per calendar year by any one person. It also states that for an existing camping or caravan site, the removal of any existing condition that stipulates months of occupation, and its replacement by a holiday occupancy condition, will be permitted, provided that the site is adequately screened in winter months and that there would be no adverse impact on the valued characteristics of the area or residential amenity.
30. The supporting text to this policy states that applications to relax seasonal occupancy conditions will be considered on their merits but will more often than not be refused. This is because caravans and tents (or similar) are not considered appropriate permanent homes in a protected landscape, and because when they are occupied for holiday use they enable a large number of people to visit, experience and enjoy the National Park.

Assessment

31. This application follows a similar application in 2022, which sought to remove a condition that prohibited the occupation static caravans on the site between 10th January and 28th February each year. That application was approved by Members of the Planning Committee in December 2022.

Principle of Development

32. The reason for the imposition of condition 6 as set out in the decision notice for SM/0605/0614 is *'to ensure that the site is not occupied on a permanent basis'*.
33. The rationale for restricting such occupation is not set out in the notice, but is detailed in the officer report at that time. Essentially it was imposed to ensure (continued) compliance with adopted planning policy of that time in relation to holiday accommodation. Whilst the current application must be assessed against current planning policy, the requirement to impose holiday occupancy restrictions as set out by policy DMR2 follows the Authority's longstanding position on such accommodation, with the reasons for such conditions commonly and principally being:
- To ensure that developments proposed for use as holiday accommodation do not result in the establishment of permanent dwellings in a location and of types that would not accord with adopted planning policy due to causing adverse landscape and/or heritage impacts, and that would undermine the need to broadly restrict new housing development to affordable housing to meet a local need.
 - To minimise landscape harm during winter months when landscapes are at their most exposed due to reduced tree cover and other vegetation.
 - To provide periods of reduced activity at tourist accommodation sites for some of year, in the interests of the amenity of local residents

34. Each of these is taken in turn below.

Establishment of permanent dwellings

35. The removal of condition 6 from the existing permission would allow year-round siting and use of touring caravans on the site.
36. It should be noted however, that condition 5 of this same permission reads as follows:

This permission, in relation to the 14 touring caravans hereby approved, relates solely to their use for short term holiday residential use. The owner shall maintain a register of occupants noting their permanent residential address upon which Council Tax is paid for each calendar year which shall be made available for inspection by the National Park Authority on request.

37. This means that whilst caravans could be occupied on the site all year round if Condition 6 was to be removed, they could not be occupied by the same person for all of that time, with any occupier being required to have a permanent registered address elsewhere. The wording of condition 5 as it exists is not conventional or reflective of current planning policy, which seeks to limit occupation to 28 days per year by any one individual. Such a condition was previously in place however, and the Authority granted permission for it to be changed to the current wording as part of the permission SM/0605/0614.
38. To summarise the implications of the discussion above, there are (at present) two conditions that prevent touring caravans at the site from being occupied on a permanent basis; one that explicitly prevents the permanent occupation of the units by any one individual, and one that requires all of them to remain unoccupied during a period of the year. Removing the condition securing the latter would not, therefore, create a situation whereby the accommodation at the site could be occupied on a permanent basis, and the development would continue to comply with the provisions of policy DMR2b insofar as the removal of condition 6 would remove stipulations on months of occupation whilst maintaining another holiday occupancy clause.

Landscape impacts

39. The site is well screened in wider views by dense and established planting and landscape topography, as well as by planting secured as part of the original permission that is now sought to be varied. The landscape impacts associated with allowing the holiday park to operate throughout the months of January and February are therefore negligible, and would not conflict with policies L1 or DMC3.

Amenity and other impacts

40. The development is positioned a significant distance from neighbouring properties and as a result extended opening seasons would have no impact on their amenity, according with policy DMC3.
41. It appears from the Authority's records that applications to discharge the conditions of the extant permission relating to landscaping (planting plans and surfacing materials) were never made; they have been breached for more than 10 years and are therefore no longer enforceable and the development as implemented is now lawful. Landscaping of the site has however been carried out broadly in accordance with the plans approved by the extant permission. In that context, and given that landscape impacts remain low and that the change to the approved development now proposed is slight, it is not considered reasonable to re-impose these.

Conclusion

42. Approval of the application would not prejudice or alter the use of the site for holiday accommodation, and would give rise to no other significant adverse planning impacts.
43. It would support the local economy to a modest extent, and help to sustain a business promoting the enjoyment of the National Park, according with statutory purposes and duties in these regards.

44. The application is therefore recommended for approval, subject to the reimposition of the remaining conditions from the previous permission to properly secure the development, subject to the omission of the previously imposed landscaping conditions and variation of the restriction on the warden's accommodation to reflect the change to the occupancy of the site hereby supported.

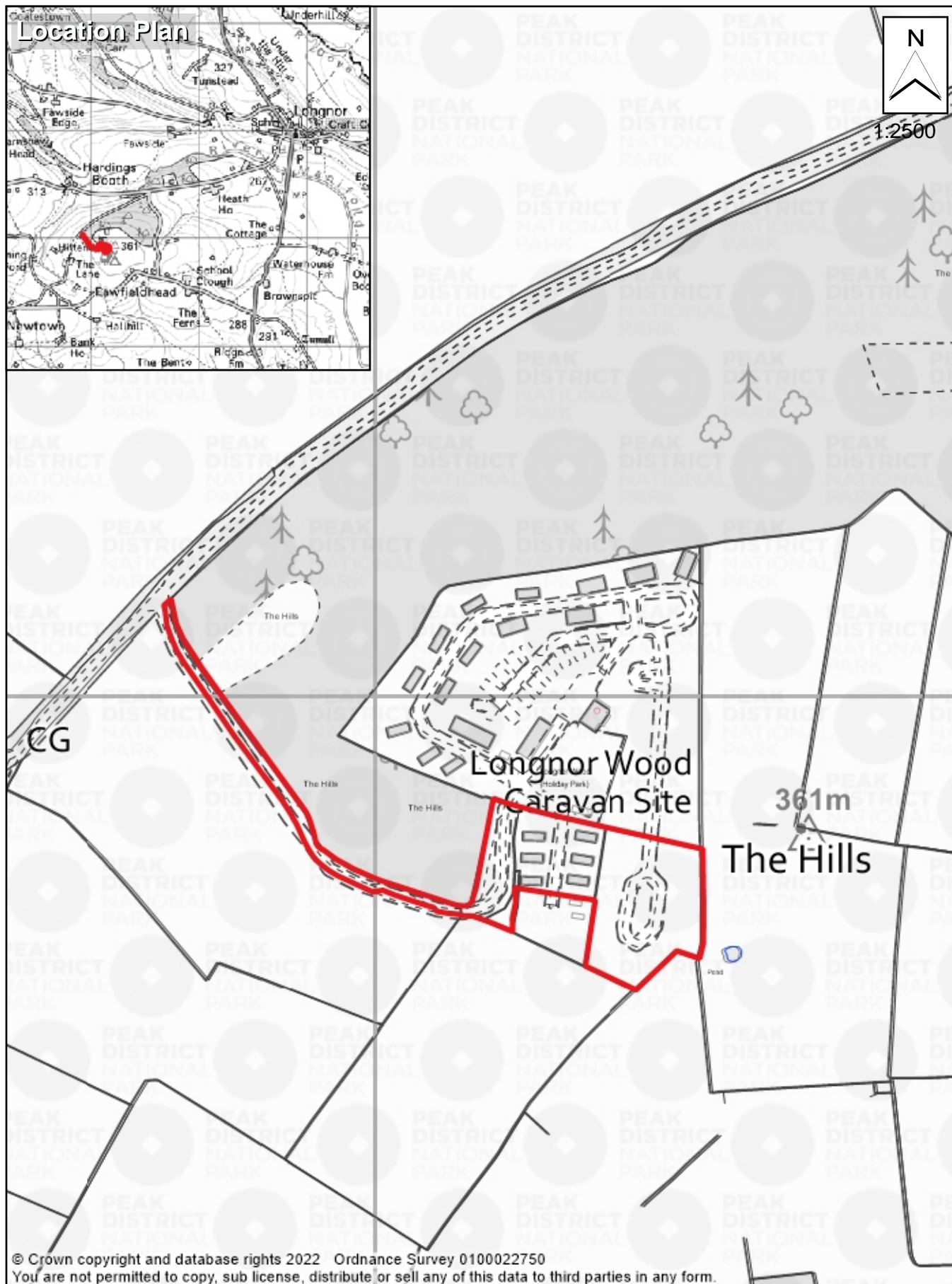
Human Rights

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

List of Background Papers (not previously published)

46. Nil

47. Report author:
Mark Nuttall, Interim Area Team Manager, 19 January 2023



Committee Date: 27/01/2023
Item Number: Item 10
Application No: NP/SM/1122/1390
Grid Reference: 407077, 363919

Title: Longnor Wood Holiday Park, Longnor



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11. FULL APPLICATION – CONVERSION AND CHANGE OF USE OF EXISTING BARN AND YARD INTO RESIDENTIAL USE (C3) AT STANLEY LODGE, GREAT HUCKLOW (NP/DDD/0822/1079/WE)

APPLICANT: MR & MRS BURROWS

Summary

1. This application seeks consent to convert and change the use of an outbuilding at Stanley Lodge Farm to create an ancillary dwelling on site.
2. This application is a variation of a previous application (NP/DDD/0521/0531) which sought consent for the conversion of the outbuilding, in addition to the demolition and rebuilding of a blockwork lean-to on the barn which would form part of the living accommodation. Following feedback from the Cultural Heritage team, that scheme was amended to remove the lean-to element. It was subsequently granted planning permission.
3. Whilst the detailed design of the rear lean-to extension has been amended from the scheme originally proposed in NP/DDD/0521/0531, it is considered that its inclusion within the scheme would not conserve or enhance the non-designated heritage asset. The inclusion of the lean-to extension would detract from the significance of the heritage asset, and be contrary to the conservation principles the conversion of the outbuilding was originally approved on. This application is therefore recommended for refusal.

Site and Surroundings

4. Stanley Lodge Farm is a retired working farm, situated to the south of Great Hucklow and is approximately 1.7 miles to the north of Wardlow. The barn is two storeys, and forms an L-shape around a yard area, with stable door openings and three windows on the ground floor on the elevations facing the yard, (front elevations), with three openings on the first floor. On the rear elevation there are two windows and a blocked-up door. To the western side there is a modern steel framed storage building with concrete block walls under a lean-to concrete tiled roof.
5. The main barn is a traditional form, previously used as a milking parlour and hay storage, but with openings that have been altered over the years. The main farm house is attached to the east of the barn and there is hardstanding for parking within the site, all of which is included in the application site. The farm is approximately 3.5ha. There is a riding arena to the front of the barn and a large modern barn to the west.
6. The land slopes gently upwards to the north, and as a result the site is visible from public roads to the south albeit from a large distance. The nearest neighbouring property is sited approximately 0.4km to the north. The existing buildings are not listed and the site is not within a conservation area.
7. The barn is considered to be a non-designated heritage asset. The attached lean-to is of no merit being a modern concrete and steel addition.

Proposal

8. This application is seeking consent to change the use and conversion with extension of the barn from storage (sui generis) to form a four-bed market dwelling (C3). The supporting planning and design and access statements refer to the new dwelling as being an ancillary dwelling to the farmhouse which would be occupied by the applicant's father.

9. The conversion would be accommodated within the existing shell of the traditional building and a rebuilt lean-to. The proposed development would result in four additional openings within the walls of the original structure and four rooflights. It seeks consent for the removal of the existing timber framed windows and doors, and proposes to replace them with timber windows and doors to match Stanley Lodge farmhouse. It also seeks consent to replace the concrete Hardow roof tiles with natural blue slate to match Stanley Lodge farmhouse.
10. The existing 20th century blockwork lean-to located on the western elevation of the barn, would be replaced with a largely rubble limestone lean-to to match the stonework of the barn. The lean-to would feature a full-height timber window on the main southern gable elevation of the lean-to. Its roof would be finished in natural blue slates, with the exception of a section in the middle of the lean-to where the roof would be fully glazed, with Glazed wall section below featuring 5-panelled bi-fold doors with painted timber frames.

RECOMMENDATION:

That the application be REFUSED for the following reasons:

1. **The proposed conversion including the lean-to extension on the western elevation of the barn would harm the significance of the non-designated heritage asset by introducing a modern extension to the traditional barn which would erode the original form and character of the outbuilding. It would therefore detract from the significance of the non-designated heritage asset and would not therefore meet the required conservation and/or enhancement test within housing policy HC1C which enables the conversion of suitable ‘valued vernacular’ buildings to form new dwellings. The proposal is therefore contrary to policies GSP1, GSP3, L3, HC1C, DMC3, DMC5, DMC10, DMH8, the NPPF and the Conversion of Historic Buildings SPD.**
2. **By virtue of the proposed development’s scale, it is considered that the proposal would not constitute an ancillary dwellinghouse. In the absence of a clear and robust justification for its size, it would not be subordinate to Stanley Lodge Farmhouse and would instead constitute a separate planning unit. It is therefore contrary to policy DMH5 and the Residential Annexes Supplementary Planning Document.**

Key Issues

1. Principle of development
2. Impact on heritage assets
3. Whether proposed development would be ancillary to Stanley Lodge
4. Impact on valued characteristics of the landscape

History

11. 7th May 2010 – Construction of a ménage for own private use (schooling of horses and horse turnout area) on land currently used as slurry pit – Granted conditional consent.
12. 29th January 2021 – Demolition of existing garage outbuilding and replace with 5-stall stable block and tack room – Granted conditional consent

13. 7th May 2022 – Conversion and change of use of existing barn and yard into dwelling ancillary to Stanley Lodge – Granted conditional consent

Consultations

14. Derbyshire County Council Highways - No highway authority comments to make on the basis the conversion forms private, domestic, ancillary living accommodation for the existing dwelling.
15. Great Hucklow Parish Council – Supportive of the application due to complying with policy DMH6. Supportive of re-using vacant agricultural buildings where it maintains the character of the National Park.
16. Natural England – No objections
17. PDNPA Archaeology – The lean-to is an entirely modern structure (portal framed, 20th century) is of no heritage value, and actually detracts from the significance of the building. The inclusion and conversion of this modern structure is contrary to the PDNPA Design Guide and Policy DMC10. Its removal would enhance and better reveal the significance of the barn as a heritage asset, and could be considered a heritage benefit of the scheme in the planning balance. Its removal and replacement with a different modern structure would not secure these benefits. As such, the heritage advice remains that the scheme should be revised so that the conversion is achieved within the historic shell of the traditional farm buildings and the detracting modern structure is removed.

Representations

18. No representations were received during the course of the application.

National Planning Policy Framework (NPPF)

19. The National Planning Policy Framework (NPPF) was published on 27 March 2012 and replaced a significant proportion of central government planning policy with immediate effect. The latest revised NPPF was published on 20 July 2021. The Government's intention is that the document should be considered as a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. In the National Park the development plan comprises the Authority's Core Strategy 2011 and Development Management Policies (adopted May 2019) in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and more recent Government guidance in the NPPF.
20. 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.

21. Para 203 of the NPPF states: 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.

Main Development Plan Policies

Core Strategy

22. GSP1, GSP2 - *Securing National Park Purposes and sustainable development & Enhancing the National Park*. These policies jointly seek to secure national park legal purposes and duties through the conversion and enhancement of the National Park's landscape and its natural and heritage assets.
23. GSP3 - *Development Management Principles*. Requires that particular attention is paid to the impact on the character and setting of buildings and that the design is in accord with the Authority's Design Guide and development is appropriate to the character and appearance of the National Park.
24. DS1 - *Development Strategy*. Sets out that most new development will be directed into named settlements. Taddington is a named settlement.
25. 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.
26. L3 – *Cultural heritage assets of historic significance*. Development must conserve and where appropriate enhance or reveal the significance of historic assets and their setting.
27. HC1: *New housing*
This states that - Provision will not be made for housing solely to meet open market demand. Housing land will not be allocated in the development plan. Exceptionally, new housing (whether newly built or from re-use of an existing building) can be accepted where: (*only section relevant to this case shown*)
- C. In accordance with core policies GSP1 and GSP2: I. it is required in order to achieve conservation and/or enhancement of valued vernacular or listed buildings;
28. Policy CC1 states that development must make the most efficient and sustainable use of land, buildings and natural resources.

Development Management Policies

29. Policy DMC1 states that any development outside of named settlements which have the potential for wide scale landscape impacts must provide a landscape assessment with reference to the Landscape Strategy and Action Plan.
30. Policy DMC3 states 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. Particular attention will be paid to siting, scale, form, mass, levels, height and orientation in relation to existing buildings, settlement form and character, and the degree to which

buildings and their design, details, materials and finishes reflect or complement the style and traditions of the locality as well as other valued characteristics of the area.

31. Policy DMC5 states that applications for development affecting a heritage asset, including its setting, must clearly demonstrate:

- i) Its significance including how any identified features of value will be conserved and where possible enhanced; and
- ii) Why the proposed development and related works are desirable or necessary.

The supporting evidence must be proportionate to the significance of the asset.

32. Policy DMC10 states that conversion of a heritage asset will be permitted provided that:

- i) It can accommodate the new use without changes that adversely affect its character;
- ii) The building is capable of conversion, the extent of which would not comprise the significance and character of the building; and
- iii) The changes brought about by the new use, and any associated infrastructure, conserves or enhances the heritage significance of the asset, its setting, 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.

33. Policy DMH5 states that the conversion of an outbuilding close to a dwelling to ancillary dwelling use will be permitted provided:

- i) It would not result in an over-intensive use of the property, an inadequate standard of accommodation or amenity space, or create a planning need for over intensive development of the property at a later date through demand for further outbuildings; and
- ii) The site can meet the parking and access requirements of the proposed development; and
- iii) The new accommodation provided would remain within the curtilage of the main house, accessed via the same route, sharing services and utilities, and remain under the control of the occupier of the main dwelling.

34. Policy DMH8 outlines that alterations and extensions to existing outbuildings will be permitted provided changes to the mass, form, and appearance of the building conserves or enhances the immediate dwelling and curtilage, any valued characteristics of the adjacent built environment and/or the landscape, including Listed Building status and setting, Conservation Area character, important open space, valued landscape character.

Supplementary Planning Documents

35. The Peak District Conversion of Historic Buildings (SPG) offers guidance for converting historic buildings. The guidance aims to ensure that the new use respects the original character, appearance and setting of the building.

ASSESSMENT

Principle of development

36. Policy DMC10 permits the conversion of non-listed buildings to dwellinghouses in accordance with policy HC1 in principle, where they have been demonstrated to be non-

designated heritage assets. Policy DMH5 also allows for the conversion of outbuildings into ancillary residential accommodation.

37. Whilst this application is not supported by a Heritage Statement, the Authority is mindful that a previous application, NP/DDD/0521/0531, was supported by a Heritage Statement which confirms that the barns at Stanley Lodge are non-designated heritage assets. Accordingly, the principle of converting the barn into ancillary residential accommodation is acceptable.
38. This planning application differs from the previously approved planning application at Stanley Lodge (NP/DDD/0521/0531) by proposing a lean-to extension off the western elevation of the barn. A similar extension was proposed as part of the previous application; however, this was subsequently removed following Officer concerns with the impact of the extension on the significance of the non-designated heritage asset.
39. Notwithstanding the above, policy DMH8 permits the alteration and extension of outbuildings in the curtilage of dwellings in principle, subject to the alteration and extension conserving or enhancing the valued characteristics of the built environment.
40. Accordingly, the proposed conversion of the non-designated heritage asset is acceptable in principle. The previous extant planning permission at Stanley Lodge for the conversion of the structure is a significant material consideration in the determination of this application. As such, the pertinent consideration for this application is whether the lean-to extension off the rear elevation of the barn conserves or enhances the significance of the non-designated heritage asset; however, it is noted that whilst this application is similar to NP/DDD/0521/0531, this application has been submitted as a Full Planning Application, so it is also appropriate to consider the principle of the whole development in the determination of this application.

Impact on heritage assets

41. Policy DMC10 permits the conversion of heritage assets subject to several criteria. Policy DMH5 further outlines that the conversion of existing outbuildings in the curtilage of dwellings into ancillary dwellinghouse is acceptable subject to criteria. It is noted that in the Design and Access Statement, it is the applicant's intention for the outbuilding to be occupied by family members, and for the dwelling to remain ancillary to Stanley Lodge Farm. Policy DMC5 provides the overarching position on development affecting heritage assets, stating that development should only be approved if it conserves or enhances the setting or significance of the asset, and provides a reasoned justification for why the development is desired or necessary.
42. At present, the barn is currently used as a sui generis store. The associated land holding is relatively small in nature, operating on 3.5 hectares of land. The property benefits from a set of modern stables and a horse-riding arena. The outbuildings subject to this application are two gabled barns formed in an L-shape. It is understood that the barns would have been originally used as a milk-parlour, with the upper floors used for hay-storage. They are constructed from coursed limestone and currently feature concrete Hardrow roof tiles. The majority of the barn openings are orientated to face onto the semi-enclosed yard. The openings currently comprise of a combination of dark stained timber and painted timber with single glazed panes, gritstone lintels and sills. The barn's orientation, form, and relationship with Stanley Lodge Farmhouse are all considered to be features of value which contribute to their significance.
43. The majority of the conversion would utilise the existing form of the structure. The existing roof tiles would be removed and replaced with natural blue-slate tile. This would match the material palette of Stanley Lodge, and is seen as an improvement on the current

Hardrow tiles which are non-traditional and contrast with the limestone finish of the outbuilding. This element is acceptable.

44. The conversion would broadly mainly utilise existing openings on the barn. The current stained or painted timber frames (both window and doors) would be removed and replaced with timber frames in recessive heritage colours. At present, there are various styles of frames across the structure, with no original units surviving. It is considered that the simplified style proposed is broadly acceptable and will present a more utilitarian and agricultural style and character. It is considered that the proposed replacement window and door frames are acceptable subject to precise agreement of the details including an appropriate lintel for the new opening on the rear, and would conserve the agricultural character of the barn.
45. As previously stated the application proposes an additional window opening on the northern elevation of the barn. The Conversion of Historic Building (SPD) states that new openings *should only be inserted into walls where necessary*. It is considered that the new window is necessary to facilitate the conversion by enabling the room to be used as another bedroom. As such, it is considered that the new opening is acceptable, particularly as it generally reflects the style and size of other openings across the barn, and does not weaken the barn's agricultural style. This alteration is considered acceptable on balance provided it is fitted with a stone lintel.
46. This application seeks consent for a black vitreous enamel stove flue pipe on the western roofslope of the barn. Due to the tall height of the flue, it would only be slightly visible above the roof-pitch when viewed from inside the semi-enclosed yard of Stanley Lodge. It would however be much more visible from the west and the south. In these views its prominence could be significantly reduced to an acceptable level if it were cranked over internally within the upper floor of the barn before emerging through the roof which would present a shorter visible section. This would then have a minimal impact on the appearance of the barn, and be considered acceptable and hence can be covered by a condition if the development were to be approved. Similarly, the proposed rooflights would be conservation models with a central glazing bar fitted flush in the roofslope. The majority of the rooflights would be directed onto the rear roofslope of the barn, minimising their impact. Additionally, the UPVC rainwater goods would be replaced with cast iron goods. These elements are considered acceptable.
47. In addition to the above alterations, which broadly comply with the approved plans of NP/DDD/0521/0531, this application also seeks consent for an extension of the western elevation of the barn. At present, there is a 20th century blockwork lean-to which extends approximately 5m from the western elevation of the barn. The current lean-to has a very shallow 18-degree roof-pitch when compared to the 37.5 degree pitched roof of the barn itself. The lean-to is considered to be a significant detracting feature by virtue of its material, scale, and form. Amended plans showing its removal was considered an essential enhancement and therefore a pre-requisite before the positive determination of application NP/DDD/0521/0531.
48. This application seeks to remove the existing lean-to, and replace it with a modern extension matching the scale and form of the existing. It would extend 5m from the western elevation of the barn and span the whole elevation (17m). As such, it would introduce a further ~85sqm of floorspace into the conversion.
49. The replacement lean-to extension would be largely constructed from rubble limestone to match the existing barn finish. Its roof would be blue slates to match the roof of the main barn. On the rear elevation, the extension would feature 2 full length glazed openings with timber frames, and a single window in timber frames. These would broadly match the existing openings of the barn in terms of scale, design and materials.

50. The middle 4.75m section of the extension would not be finished in limestone and blue slate. Instead it would feature 5 timber bi-fold doors in recessive heritage colours. The roof for this section would be glazed panels set in frames.
51. The rationale for this design stems from historic plans of Stanley Lodge. The accompanying covering letter features a historic OS map of Stanley Lodge from 1898 which shows that the barn historically had 2 small lean-tos off its western elevation. This application states that the development would remove the detracting element of the blockwork lean-to and construct a modern limestone extension which would “reinstate” the historic form of the barn.
52. Accordingly, the design features a central glass element so that the northern and southern “solid” sections of the extension reflect the historic lean-tos, with the glass central section representing the gap between the historic lean-tos.
53. Notwithstanding the limited evidence of some historic lean-tos, it is considered that the modern lean-to is a detracting influence on the non-designated heritage asset’s significance. This point has not been disputed by the applicant. The applicant states that the proposed replacement extension provides an enhancement to the barn and its wider setting.
54. It is considered that the removal of the lean-to would best reveal the significance of the barn. Its removal would present the non-designated heritage asset’s original form, enhancing the wider setting of Stanley Lodge by presenting the original relationship between the barn and farmhouse, prior to the later alterations.
55. The form of the proposed lean-to is considered to be inappropriate. It would be extremely shallow when compared to the roof-pitch of the main barn, and would be wider than the gable of the barn. This is considered to constitute poor design as it would not respect the host barn’s form, massing or scale. It would therefore erode its character and appearance, detracting from its significance. It would be contrary to policies DMC3 and DMC5.
56. Whilst the limestone finish of the lean-to would be considered acceptable in isolation, it is considered that the glass central section would be at odds with the wider character of Stanley Lodge. The rationale behind the glass section is understood and acknowledged; however, it is considered to be somewhat contrived in nature. It would erode the solid character of the barn and wider farmstead, and harm its significance and setting. Whilst it is acknowledged that the western elevation is screened from wider long-distance views, it is considered that the impact on the significance of the barn itself is harmful and contrary to policies DMC5.
57. It is also noted that the information provided does not give an indication on the material or form of the historic lean-to extensions. The 1898 OS plan only shows the area occupied by the extension. It is of an unknown form and material palette, and has since been completely removed and replaced by a 20th century blockwork extension. Accordingly, it is considered that the existence of historic alterations is not a material planning consideration in the determination of this planning application.
58. As such, the pertinent consideration is whether the proposed extension is acceptable with regard to impact on heritage assets and in design terms. As noted, the current extension is considered to be a detracting influence on the historic form of the barn and farmstead. Policy L3 states that development should seek to “reveal” the significance of heritage assets. It is considered that the removal of the lean-to would reveal the significance of the barn by showing its original form. The provision of a modern extension

in the same scale as the existing would not assist in revealing the significance of the barn.

59. It is considered that the form of the barn, in addition to its relationship with Stanley Lodge farmhouse, is a feature of value. Policy DMC5 states that development affecting heritage assets should seek to conserve or enhance features of value. The addition of a modern extension would erode the form of barn by introducing a non-traditional element which does not respect the massing, form, or material palette of the host barn.
60. Policy DMH8 states that alterations and extensions to existing outbuildings will be permitted provided that the changes to the form, mass and appearance of the host building conserves or enhances the immediate curtilage with regard to the built environment of the locality. Whilst policy permits extensions in principle, it is considered that the construction of a modern lean-to extension would not conserve or enhance the host building by virtue of the proposed extension's form and mass, which is considered inappropriate.
61. To conclude, it is considered that the conversion of the barn is appropriate in policy and guidance terms. It would utilise the existing openings of the barn with the exception of one opening, and would feature several enhancements as a result of the conversion such as more traditional window and door frames, blue-slate roof tiles, and higher quality rainwater goods. This part of the application complies with the guidance contained within the Conversion of Historic Buildings SPD.
62. Notwithstanding the above, the proposed extension to the barn is considered inappropriate. It would erode the significance of the barn by introducing a modern element to the asset which erodes the historic form and massing of the barn. The design of the extension would introduce contrasting design principles through the glazed central element of the extension.
63. It is contrary to the Conversion of Historic Buildings SPD which states that extensions to stand alone building will require a strong and convincing justification. This application has been supported by a covering letter which outlines that the extension would "reinstate" the historic form the barn. It is considered that the application has failed to demonstrate that the extension would do this by failing to provide robust information on the exact detailing of the lean-to shown in the 1898 OS plan. Accordingly, it has been determined as a modern extension to the heritage asset.
64. For the reasons above, it is considered that the development is contrary to policies DMC3, DMC5, DMH8 and L3. The modern extension would erode the significance of the heritage asset by introducing an inappropriately design, scaled and detailed element to the historic barn and would not therefore secure the necessary conservation and enhancement required to meet housing policy HC1. It is considered that its features of value will not be conserved or enhanced as a result of development, and there has been no justification to why the proposed development is desirable or necessary in conservation terms.
65. The development is therefore considered contrary to local policy and the guidance pertained in the Conversion of Historic Buildings SPD.

Whether proposed development would be ancillary to Stanley Lodge

66. Policy DMH5 states that the conversion of an outbuilding close to a dwelling into ancillary dwelling use will be permitted provided it would not result in an over-intensive use of the property, an inadequate standard of accommodation or amenity space, or create a planning need for over intensive development on site. The site should be able to meet

the parking and access requirements of the proposed development, and the new accommodation provided would remain within the curtilage of the main house, accessed via the same access route, sharing services and utilities, and remain under the control of the occupier of the main house.

67. In addition to demonstrating compliance with policy DMH5, it is necessary for the application to demonstrate that the accommodation would genuinely be ancillary to the host dwelling. Chapter 5 of the Residential Annex SPD outlines several criteria to demonstrate that accommodation would be ancillary. Pertinent to this application are the following requirements:
- Be subordinate in scale to the main dwelling in the case of new development;
 - Contain a level and scale of accommodation that can be justified for its intended occupants;
 - Have a functional connection/degree of dependence with the main dwellinghouse;
 - Conserve and enhance the heritage significance of the building group.
68. It is noted that the development broadly complies with the three requirements of policy DMH5. It would not result in an over-intensive use of the property, or contribute towards an inadequate standard of accommodation or amenity space. Whilst the site would feature a substantial level of development, including agricultural store, traditional barn including modern extension, farmhouse with modern lean-to extension, and stable block, it is considered that this would not constitute an over-development. Furthermore, it is considered that the site can accommodate sufficient parking and access provision, and the site would share the access, service and utilities of the host dwelling.
69. Notwithstanding its compliance with the policy stipulations of policy DMH5, it is considered that the conversion, inclusive of the proposed lean-to, would not constitute ancillary accommodation. The proposed development would result in a large dwelling with 4-bedrooms, living room, another sitting room area, kitchen diner, utility room, boot room, and 2 bathrooms and a WC. This is considered to be a sizeable element that may rival the dominance of the farmhouse at Stanley Lodge when viewed as a collective farmstead.
70. The application has only made passing remarks to the intended use of the accommodation, stating in the Design and Access Statement that the applicants intend to live in the conversion as their lifetime home with their father occupying the main house.
71. For the previous application on site (0521/0531), it was considered that as the conversion conserved the non-designated heritage asset through appropriate design, and would ensure its future through a viable use, its conversion into a three-bedroom property was acceptable and compliant with policy DMH5 and associated design guidance. Conversely, this application seeks a sizeable extension to the barn, and as such it is appropriate to consider the justification for the size, including who will live in the property and why there will be a functional connection or degree of dependence on the main dwellinghouse.
72. The application has not provided any justification for the proposed size of the development. There is no further justification to outline the requirement for an additional ~85sqm of liveable floorspace, and no information on how the proposed dwellinghouse will retain a degree of dependence on the main dwelling.
73. It is noted that the application also seeks consent for the change of use of the semi-enclosed yard into residential curtilage. This would essentially lead to the ancillary dwelling benefitting from its own curtilage separate to that of Stanley Lodge Farmhouse. Similarly, the site has sufficient space for Stanley Lodge farmhouse and the barn to have

separate parking areas, although this is not explicitly outlined in the application package. As a result, it is important to consider the severability of the proposed ancillary annex.

74. An annexe will become a single dwellinghouse where it is self-contained with all the necessary living facilities and has resulted in the creation of a separate planning unit. But, as, for example, with “granny flats” used in connection with the parent dwelling, this would not necessarily amount to a “material change of use”. Ancillary accommodation cannot exist without a parent dwelling.
75. In all respects the nature and scale of the proposal *could* create two separate planning units and while there may be a family connection between the occupants of the proposed accommodation and farmhouse, the scale of accommodation, coupled with the separate amenity space and parking, would be tantamount to a new dwelling on site by virtue of its size and services.
76. The proposed development would result in an ancillary dwellinghouse which would not be subordinate to the existing farmhouse, and would instead result in a separate planning unit as an independent residential dwelling house with no clear dependence on the host dwelling. The application has not provided clear and concise evidence to demonstrate the justification for the development (in particular its increase in size), and it is considered that the development would be harmful to the setting of Stanley Lodge farmstead. It is therefore considered contrary to policy DMH5 and the associated Residential Annexes SPD.

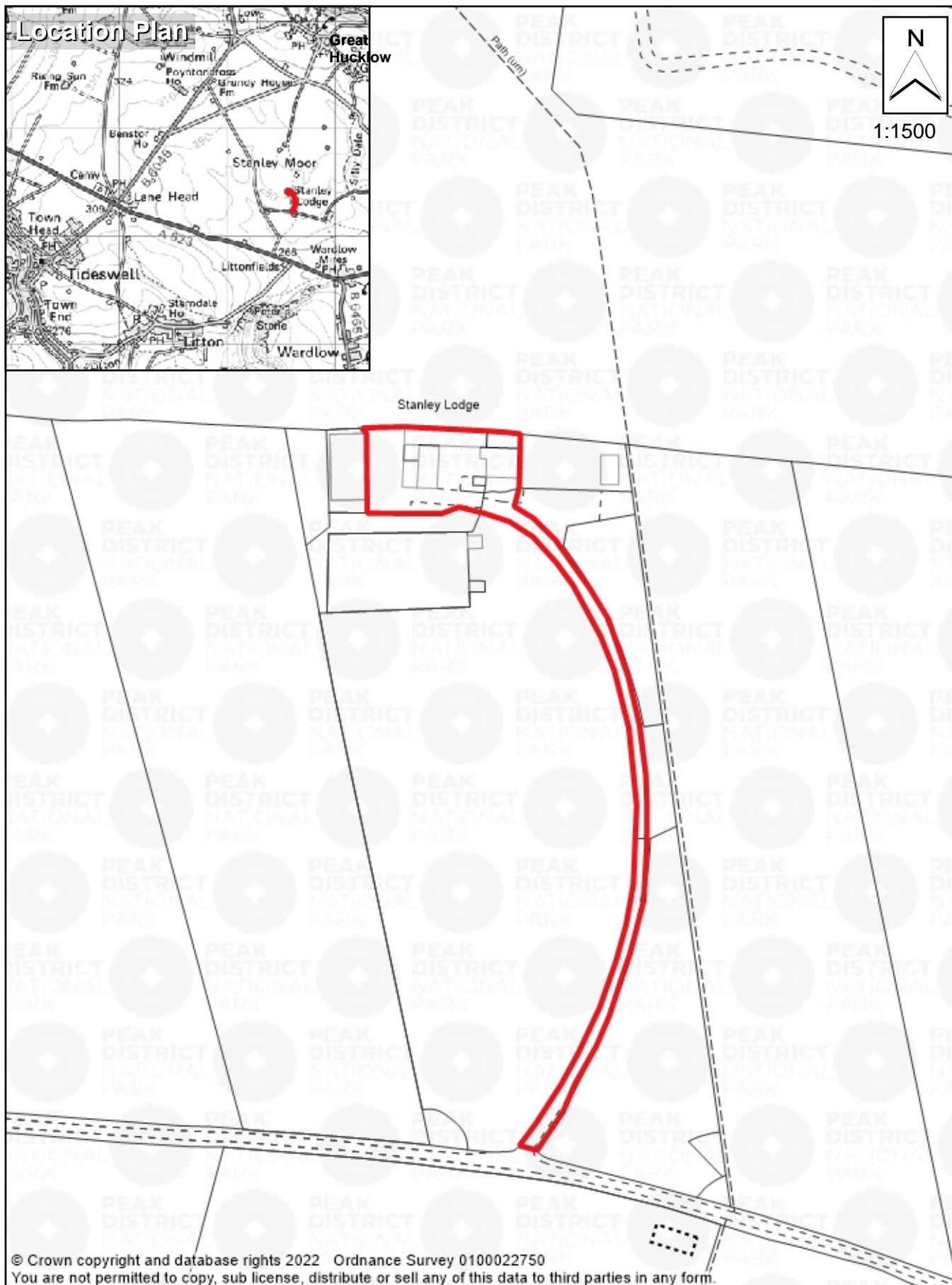
Impact on the valued characteristics of the landscape


77. Policy L1 requires development to conserve and enhance the valued characteristics of the landscape.
78. The proposed development would broadly be contained within the existing form of the barn. It would not result in variations to the domestic curtilage of the property, apart from the change of use of the yard into amenity space. As this would not involve any material changes to the already paved yard, it is considered that it would have a negligible impact on the landscape.
79. It is acknowledged that the inclusion of the extension would be somewhat detracting due to the barn losing its legibility on the landscape; however, it is also acknowledged that there is an existing lean-to which matches the form of the proposed. As such, its impact on the landscape can only be given limited weight in the planning balance.

Human Rights

80. Any human rights issues have been considered and addressed in the preparation of this report.
81. List of Background Papers (not previously published): Conversion of Historic Buildings (SPG), Residential Annexes SPD
82. Nil
83. Report author and job title:
84. William Eyre – Planner

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Committee Date:	27/01/2023	Title: Stanley Lodge, Great Hucklow	 PEAK DISTRICT NATIONAL PARK
Item Number:	Item 11		
Application No:	NP/DDD/0822/1079		
Grid Reference:	417580, 376367		

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12. FULL APPLICATION – CHANGE OF USE TO A HOLIDAY LET. REMOVAL OF BAY WINDOWS AND RESTORATION OF WINDOWS AND RAILINGS. REMOVAL OF AIR HANDLING UNITS AND DUCTWORK. ALTERATIONS AS DETAILED ON DRAWINGS. REPLACEMENT WINDOWS INCLUDING TOLL BAR COTTAGE, CASTLETON (NP/HPK/0822/1030, KW)

APPLICANT: MRS J HARRISON

Summary

1. The application site comprises a small two storey, semi-detached building in the centre of Castleton, that has been used as a gift shop, but has been vacant for over 12 months. The building is Grade II listed. The building would have originally been built as a cottage.
2. It is proposed to convert the shop into a one bedroom holiday let, which would also involve external changes and enhancements, such as the removal of non-original bay windows to the front, and the tidying up of the rear yard, removing a modern canopy structure and other services.
3. Planning policy supports the change of use of traditional buildings of historic or vernacular merit into self-catering holiday accommodation. Subject to conditions, the design and appearance of the development has been found to be acceptable in its context and to accord with planning policy in all other regards.
4. The application is therefore recommended for conditional approval.

Site and Surroundings

5. The site comprises a Grade II listed, semi-detached building that has most recently been used as a gift shop, but is currently vacant. The building fronts Cross Street in the centre of the village of Castleton. The attached building is a cottage and in the same ownership as the application building, and previously had some shared facilities such as the toilet.
6. The building comprises a ground floor retail space, with a narrow staircase leading to a small first floor storage area, which is smaller in footprint, with some of this floor historically given over to the adjoining cottage.
7. The building was originally built as a cottage, but has been subject to a number of physical changes to facilitate the use as a gift shop, such as the installation of bay windows to the front elevation on both ground and first floor level, the removal of the front boundary railings and the installation of an air conditioning unit.
8. To the rear is a small yard area which backs onto the graveyard of a Grade I listed church. This yard area is currently covered with a canopy structure and is bounded by a tall stone wall. The rear elevation also contains various modern additions such as soil vent pipes and other pipework, together with an air conditioning unit, and the two windows have been blocked up.
9. Some historical features remain inside the property, most notably the remnants of a cruck frame, which could date from the late middle ages to the early 17th Century.
10. The site is within the Castleton Conservation Area and located in the centre of the village on the main road through the village.
11. The floor area of the building is 48 square metres over the two floors.

Proposal

12. Planning permission is sought for the conversion of the building into a single unit of holiday accommodation, which would have living accommodation on the ground floor and one bedroom and a shower room on the first floor.
13. The bay windows to the front elevation are proposed to be removed, replaced by timber framed windows, which would aim to replicate the original windows, along with the re-instating of railings to enclose the small front yard, which would match the existing railings to the adjoining cottage. Both these changes are in-keeping with a historic photo showing the building prior to it being converted into a shop.
14. Small changes to the fenestration are proposed, which include the unblocking of a small square opening on the side of the building, with frameless glass inserted. At the rear, there is evidence of existing windows having been blocked up, which are proposed to be re-instated.
15. To the rear, the canopy over the yard would be removed, and the excess of external pipe work removed, with the rear elevation tidied up. The existing shop sign and the air conditioning unit will be removed.
16. Internally, the existing shop fittings are proposed to be removed, along with a small kitchen area that is walled off with modern partition, and ventilation duct will also be removed.
17. A door linking to the adjoining dwelling is proposed to be blocked up.
18. It is noted that there is also a Listed Building Consent application under consideration – NP/HPK/0822/1031.

RECOMMENDATION

19. **That the application is APPROVED subject to the following conditions:**

- 1) **Standard 3-year time limit for commencement.**
- 2) **Carry out in accordance with the submitted plans**
- 3) **Occupancy Restriction - short-let holiday accommodation**
- 4) **Archaeology condition – Written Scheme of Investigation**

Key Issues

20. The principle of the development; design and impact of the proposals on the listed building and its setting; neighbouring amenity; highways and parking; and other matters raised in the objections.

Relevant Planning History

21. No relevant planning history.

Consultations

22. PDNPA Conservation Officer – Supports the proposed subject to satisfactory details of the windows and doors being submitted. The proposal would result in an enhancement to the building and its setting next to the Grade 1 listed church.
23. Parish Council – Object to the proposal stating that there is an over provision of holiday lets and campsites. Affordable housing is needed.
24. Local Highway Authority – no comments received.

25. PDNPA Archaeology officer – due to the fact that a small area of ground excavation is proposed, conditions are recommended to monitor the potential for buried archaeology given the location of the site in the medieval part of Castleton.

Representations

26. No representations have been received at the time of writing.

Main Policies

27. Core Strategy policies: GSP1, GSP2, GSP3, DS1, L3, RT2 & CC1
28. Development Management policies: DCM3, DMC5, DMC7, DMC8, DMC10, DMS2, DMR3
29. 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:
- a. Conserve and enhance the natural beauty, wildlife and cultural heritage
 - b. Promote opportunities for the understanding and enjoyment of the special qualities of national parks by the public
30. 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

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

Peak District National Park Development Plan

33. GSP1, GSP2 - Securing National Park Purposes and sustainable development & Enhancing the National Park. These policies jointly seek to secure national park legal purposes and duties through the conversion and enhancement of the National Park's landscape and its natural and heritage assets.
34. GSP3 - Development Management Principles. Requires that particular attention is paid to the impact on the character and setting of buildings and that the design is in accord with the Authority's Design Guide and development is appropriate to the character and appearance of the National Park.

35. Policy DS1 - Development Strategy details the development strategy for the National Park, and is permissive of development to provide conversion of change of use for business uses including visitor accommodation, preferably by re-use of traditional buildings.
36. Policy 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.
37. Policy RT2 - Hotels, bed & breakfast & holiday accommodation. Part-A of the policy states, that the change of use of a traditional building of historic or vernacular merit will be permitted.
38. CC1 - Climate change mitigation and adaption. Sets out that development must make the most efficient and sustainable use of land, buildings and natural resources. Development must also achieve the highest possible standards of carbon reductions.
39. 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.
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. DMC7 - Listed buildings - Addresses development affecting listed building, advising that applications for such development should be determined in accordance with policy DMC5. In addition, should clearly demonstrate how these will be preserved and where possible enhanced and why the proposed works are desirable or necessary.
42. DMC8 - Conservation Areas. States that applications for development in a Conservation Area, or for development that affects its setting or important views into or out of the area, across or through the area should assess and clearly demonstrate how the existing character and appearance of the Conservation Area will be preserved and, where possible, enhanced.
43. DMC10 - Conversion of a heritage asset. Conversion will be permitted provided it can accommodate the new use without changes that adversely affect its character, including enlargement, subdivision, or other alterations to form and mass, inappropriate new window openings or doorways and major rebuilding, and that any changes conserves or enhances the heritage significance and its setting in accord with policy DMC5.
44. DMS2 – where change of use of a shop is sought, applicants must provide evidence of reasonable attempts to sell or let the shop. Schemes providing affordable housing would be considered favourably.
45. DMR3 - Holiday occupancy of self-catering accommodation. States that where self-catering accommodation is acceptable, its use will be restricted to holiday accommodation for no more than 28 days per calendar year by any one person.

Assessment

Principle of Development

46. The key policies relating to this proposal are Core Strategy Policy RT2 - Hotels, bed & breakfast & holiday accommodation, and Local Plan Policy DMS2 relating to the change of use of existing shops.
47. Policy RT2 comprises of 3 parts, with only Part A being relevant. Part-A of the policy states, that the change of use of a traditional building of historic or vernacular merit will be permitted, except where it would create unacceptable impact in the open countryside, therefore given that this a Grade II listed building, it is considered that the proposal complies with Part-A of policy RT2
48. It is considered that the external alterations proposed represents an enhancement of the property which meet the high standard of design required by policy DMC3.
49. Local Plan policy DMS2 requires that where change of use of a shop is sought, evidence should be provided to prove that the shop use is no longer viable. This has been provided in the form of a statement from a property valuer, who have assessed the viability of the shop and concluded that given the size of the retail space, along with current market conditions, the shop would not be viable.
50. It is considered that the loss of this small gift shop would not have a harmful impact on the local economy or community facilities, with numerous other similar retail spaces found in Castleton.
51. Policy DMS2 favours the use of the building as an affordable dwelling or other community use. It is noted that the Parish Council objected to the proposal to use the building as a holiday let, and suggested that it should be used as an affordable dwelling to meet the local need. They also commented that there is no need for another holiday let in Castleton.
52. However, the floorspace of the building is 48 square metres over the two floors, which does not comply with the government's Nationally Described Spaces Standard, (statutory guidance), for a one bed property over two floors. This standard requires there to be 58 square metres of floor space, the same as our maximum floor area for a two-person affordable dwelling. Therefore, it is not considered that the building is viable for a full-time residential use by failing to provide sufficient floor space for residents.
53. Furthermore, there is no off-street parking, with double yellow lines in front of the building, and a very small yard area to the rear.
54. Occupation as a holiday let would be acceptable with less floor space and outdoor area required, and less storage space required or expected for temporary occupation. Parking is available in nearby public car parks. The outdoor space would be suitable for bin and bike storage, which would be adequate for temporary occupation.
55. The conversion of the shop to a holiday let is therefore considered to be acceptable in principle, subject to further consideration of design, amenity, highways/parking and other matters raised in the objections.

Design & Visual Impact on the Conservation Area

56. To facilitate the change of use of the shop into a holiday let, external changes are proposed to undo some of the harmful alterations that have previously been carried out to the building.

57. Historic photos reveal that the existing bay windows on ground and first floor level are additions to the original frontage, and the scheme includes the removal of these bays, to be replaced with appropriate timber framed windows to replicate the old images of the building.
58. Along with the re-instatement of the railings around the front boundary to match the attached property, and the removal of the shop sign, it is considered that the proposal would result in significant enhancements to the Listed Building itself, its setting within the Conservation Area, and the prominent views of the building from the main road through Castleton.
59. The improvements continue at the rear, where the building backs on to the graveyard of the Grade I listed church. This rear elevation and yard would be tidied up and returned to closer to its original appearance, with the removal of modern paraphernalia and the reinstatement of blocked up windows enhancing the listed building and its character, and also the setting of the listed church.

Impact on the Listed Building

60. The conservation officer has assessed the proposal, and considered that subject to conditions, the development would result in an enhancement of the listed building as well as the setting of the Grade 1 listed St Edmonds church, and the setting within the Conservation Area.
61. A full assessment of the impact on the listed building will be made in the committee report for the listed building consent, application NP/HPK/0822/1031.
62. As detailed above, the external changes would enhance the building by removing unsympathetic additions, and returning the building to be closer to what is likely to be its original design.
63. The internal changes are minimal on the ground floor, with some minor alterations to the fabric of the listed building on the first floor. However, subject to conditions recommended by the conservation officer requiring further details of some elements of the proposal, both the internal and external works are considered to have an acceptable impact on the listed building, and would preserve and enhance its historic features.

Amenity

64. Given that the building is attached to a residential dwelling within the same ownership, it is considered that the use of the building as a holiday let would be acceptable. Sound proofing is proposed to ensure that noise disturbance would be minimised.

Highways and Parking

65. There is no off-street parking available at the site, but given that public car parks are available in walking distance of the site. The PDNPA Parking Standards do not have a minimum requirement for parking spaces for holiday residences.

Conclusion

66. Planning policy supports the conversion of historic buildings into holiday let, along with quality improvements.
67. It is accepted that the shop is no longer viable, and the building is too small to be used as a full time dwelling.
68. Subject to conditions, the design and appearance of the development has been found to be acceptable and would enhance the appearance and historic character of the listed building

and its setting.

Human Rights

69. None arising.

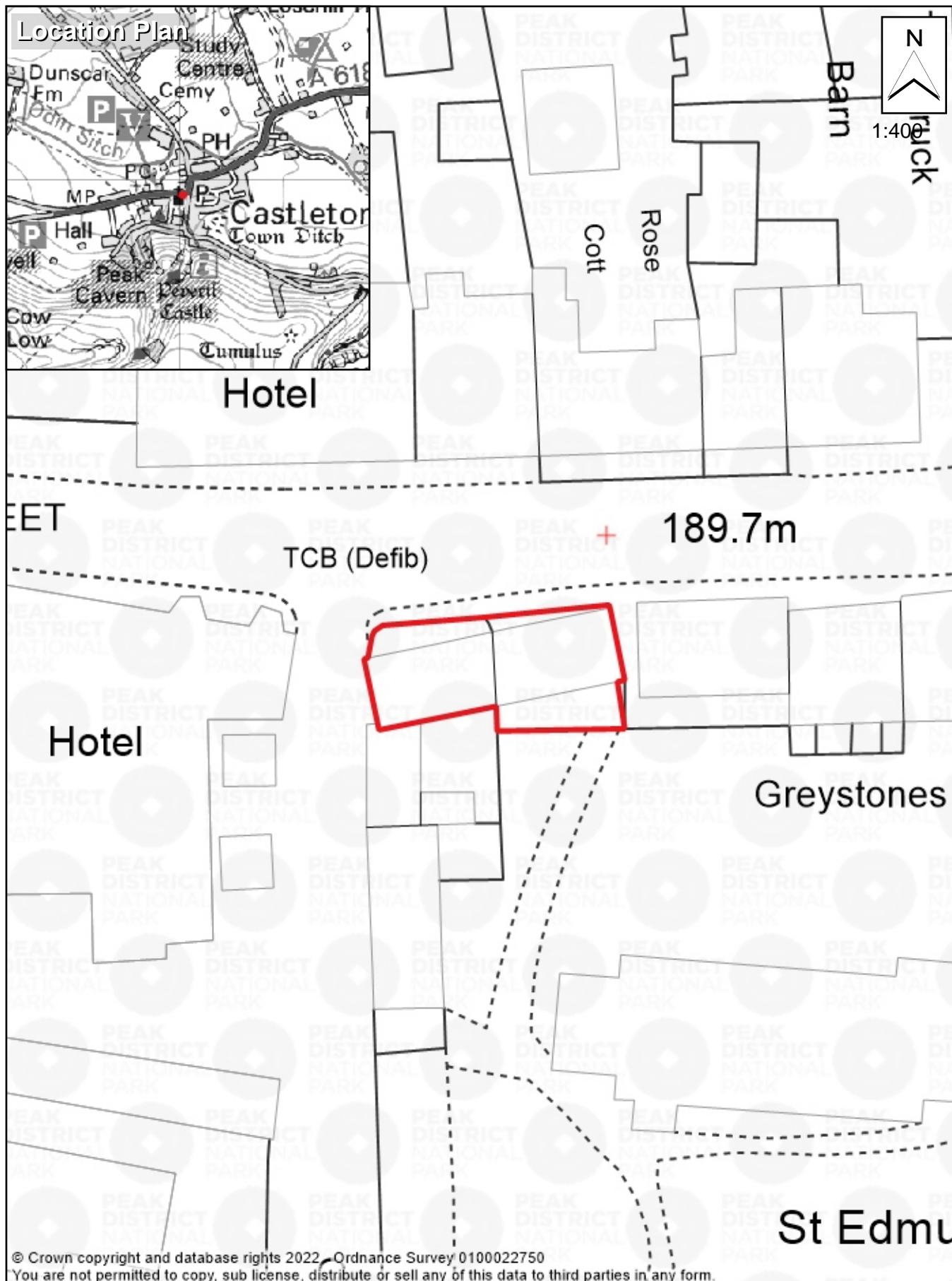
List of Background Papers (not previously published)

70. None.

Report Author and Job Title

71. Kathryn White – Planning Officer

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Committee Date: 27/01/2023
 Item Number: **Item 12**
 Application No: NP/DDD/0822/1030
 Grid Reference: 415004, 382928

Title: Toll Bar Gift Shop, Cross Street, Castleton



**PEAK
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13. LISTED BUILDING CONSENT APPLICATION – CHANGE OF USE TO A HOLIDAY LET. REMOVAL OF BAY WINDOWS AND RESTORATION OF WINDOWS AND RAILINGS. REMOVAL OF AIR HANDLING UNITS AND DUCTWORK. ALTERATIONS AS DETAILED ON DRAWINGS. REPLACEMENT WINDOWS INCLUDING. TOLL BAR COTTAGE, CASTLETON. (NP/DDD/0822/1031, KW)

APPLICANT: MRS J HARRISON

Summary

1. The application site comprises a small two storey, semi-detached building in the centre of Castleton, that has been used as a gift shop, but has been vacant for over 12 months. The building is Grade II listed. The building would have originally been built as a cottage.
2. It is proposed to convert the shop into a one bedroom holiday let, which would also involve external changes and enhancements, such as the removal of non-original bay windows to the front, and the tidying up of the rear yard, removing a modern canopy structure and other services. This application for Listed Building Consent concerns only the physical alteration to the building.
3. Planning policy supports the change of use of traditional buildings of historic or vernacular merit into self-catering holiday accommodation. Subject to conditions, the design and appearance of the development would conserve and indeed enhance the significance of the Listed Building.
4. The application is therefore recommended for conditional approval.

Site and Surroundings

5. The site comprises a Grade II listed, semi-detached building that has most recently been used as a gift shop, but is currently vacant. The building fronts Cross Street in the centre of the village of Castleton. The attached building is a cottage and in the same ownership as the application building, and previously had some shared facilities such as the toilet.
6. The building comprises a ground floor retail space, with a narrow staircase leading to a small first floor storage area, which is smaller in footprint, with some of this floor historically given over to the adjoined cottage.
7. The building was originally built as a cottage, but has been subject to a number of physical changes to facilitate the use as a gift shop, such as the installation of bay windows to the front elevation on both ground and first floor level, the removal of the front boundary railings and the installation of an air conditioning unit.
8. To the rear is a small yard area which backs onto the graveyard of a Grade I listed church. This yard area is currently covered with a canopy structure and is bounded by a tall stone wall. The rear elevation also contains various modern additions such as soil pipes and other pipework, and an air conditioning unit, and the two windows have been blocked up.
9. Some historical features remain inside the property, most notably the remnants of a cruck frame, which could date from the late middle ages to the early 17th Century.
10. The site is within the Castleton Conservation Area and located in the centre of the village on the main road through the village.
11. The floor area of the building is 48 square metres over the two floors.

Proposal

12. Listed Building Consent is sought for the physical alterations to the building required as part of the proposed conversion of the building into a single unit of holiday accommodation.
13. The bay windows to the front elevation are proposed to be removed, replaced by timber framed windows, which would aim to replicate the original windows, along with the re-instating of railings to enclose the small front yard, which would match the existing railings to the adjoined cottage. Both these changes are in-keeping with a historic photo showing the building prior to it being converted into a shop.
14. Small changes to the fenestration are proposed, which include the unblocking of a small square opening on the side of the building, with frameless glass inserted. At the rear, there is evidence of existing windows having been blocked up, which are proposed to be re-instated.
15. To the rear, the canopy over the yard would be removed, and the excess of external pipe work removed, with the rear elevation tidied up. The existing shop sign and the air conditioning unit will be removed.
16. Internally, the existing shop fittings are proposed to be removed, along with a small kitchen area that is walled off with modern partition, and ventilation duct will also be removed.
17. A door linking to the adjoining dwelling is proposed to be blocked up.
18. There is also a separate full planning application for the proposed development– NP/DDD/0822/1030.

RECOMMENDATION

19. **That the application is APPROVED subject to the following conditions:**
 - 1) **3-year time limit**
 - 2) **In accordance with the submitted plans**
 - 3) **Submit for written approval the details and methodology of the insulation to the roof and first floor window soffit.**
 - 4) **Submit for written approval further information on the construction of the first-floor partition wall and the impact of soundproofing on the fabric.**
 - 5) **Submit for written approval full details of window and door finishes in accordance with conservation officer comments.**
 - 6) **Submit for written approval samples of any new stonework used in the forecourt wall and ground floor windows.**
 - 7) **Building recording condition - via Written Scheme of Investigation in accordance details specified in conservation officer comments and approved in writing.**

Key Issues

20. The impact of the proposed development on the significance of the Listed Building and its setting.

Relevant Planning History

21. No relevant planning history.

Consultations

22. PDNPA Conservation Officer – Supports the proposed subject to satisfactory details of the windows and doors being submitted. The proposal would result in an enhancement to the building and its setting next to the Grade 1 listed church.
23. Parish Council – Object to the proposal stating that there is an over provision of holiday lets and campsites. Affordable housing is needed.
24. Highway Authority – No comments received and not relevant to an application for Listed Building Consent
25. PDNPA Archaeology officer – due to the fact that a small area of ground excavation is proposed, conditions are recommended to monitor the potential for buried archaeology given the location of the site in the medieval part of Castleton.

Representations

26. No representations have been received at the time of writing

Main Policies

27. Core Strategy policies: GSP1, GSP2, GSP3, L3
28. Development Management policies: DCM3, DMC5, DMC7, DMC8, DMC10
29. 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:
 - a. Conserve and enhance the natural beauty, wildlife and cultural heritage
 - b. Promote opportunities for the understanding and enjoyment of the special qualities of national parks by the public
30. 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

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

Peak District National Park Development Plan

33. GSP1, GSP2 - Securing National Park Purposes and sustainable development & Enhancing the National Park. These policies jointly seek to secure national park legal purposes and duties through the conversion and enhancement of the National Park's landscape and its natural and heritage assets.
34. GSP3 - Development Management Principles. Requires that particular attention is paid to the impact on the character and setting of buildings and that the design is in accord with the Authority's Design Guide and development is appropriate to the character and appearance of the National Park.
35. Policy 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. 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.
37. 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.
38. DMC7 - Listed buildings - Addresses development affecting listed building, advising that applications for such development should be determined in accordance with policy DMC5. In addition, should clearly demonstrate how these will be preserved and where possible enhanced and why the proposed works are desirable or necessary.
39. DMC8 - Conservation Areas. States that applications for development in a Conservation Area, or for development that affects its setting or important views into or out of the area, across or through the area should assess and clearly demonstrate how the existing character and appearance of the Conservation Area will be preserved and, where possible, enhanced.
40. DMC10 - Conversion of a heritage asset. Conversion will be permitted provided it can accommodate the new use without changes that adversely affect its character, including enlargement, subdivision, or other alterations to form and mass, inappropriate new window openings or doorways and major rebuilding, and that any changes conserves or enhances the heritage significance and its setting in accord with policy DMC5.

Assessment

41. The principle of the development, including the proposed loss of the shop and its use as a holiday let are assessed in detail in the committee report for the full planning application; NP/HPK/0822/1030

42. This assessment will focus solely on the impact on the listed building.
43. The conservation officer has assessed the proposal, and considered that subject to conditions, the development would result in the conservation and enhancement of the listed buildings significance as well as the setting of the Grade 1 listed St Edmonds church, and the setting within the Conservation Area.
44. To facilitate the change of use of the shop into a holiday let, external changes are proposed to undo some of the harmful alterations that have previously been carried out to the building.
45. Historic photos reveal that the existing bay windows on ground and first floor level are additions to the original frontage, and the scheme includes the removal of these bays, to be replaced with timber framed windows to replicate the old images of the building.
46. Along with the re-instatement of the railings around the front boundary of the property to match the attached property, and the removal of the shop sign, it is considered that the proposal would result in significant enhancements to the Listed Building itself, its setting within the Conservation Area, and the prominent views of the building from the main road through Castleton.
47. The improvements continue at the rear, where the building backs on to the graveyard of the Grade I listed church. This rear elevation and yard would be tidied up and returned to closer to its original appearance, with the removal of modern paraphernalia and the reinstatement of blocked up windows, which will enhance the listed building and its character, and also the setting of the listed church.
48. Subject to conditions recommended by the conservation officer requiring full details of the reinstated windows and the stone work proposed for the new front boundary treatment, it is considered that the external alterations would have a positive impact on the listed building.
49. The proposals to the ground floor room are fairly minimal. They include the removal of the shop fixtures and fittings which are of no historic interest, the removal of ventilation ducts and the installation of kitchen equipment at the back of the room. It is also proposed that a door leading to the neighbouring property be blocked, and a small blocked opening, apparently a 'toll window'. The proposals are mostly neutral in impact. The blocking of the doorway, although reversible would somewhat erode the historic planform of the building, however the removal of the ventilation ducts would be an improvement.
50. The historic cruck feature would be maintained and remain exposed as a feature.
51. The proposals for the first floor are for the conversion of a store room into a bedroom with an en-suite W.C. and shower room. The proposals include moving an opening in the lath and plaster partition to make room for both the W.C. and entry into the room. The rearrangement of the planform would cause some harm, although it is likely that the partitions date to the late-19th or early 20th century and are of limited interest.
52. The plans also include mention of insulating the soffit to the first floor front window (WF01). More information is needed here as to the materials used, the methodology and the impact on the fabric of the building, both in terms of hygroscopic performance and historic interest.
53. The proposed first floor plan identifies the west partition as stud and plasterboard and proposes over-cladding it with sound blocking plasterboard. On site it appeared to be constructed of lath and plaster. This needs to be further investigated and details given on how any proposed sound proofing would impact on the historic lath and plaster partition.
54. Subject to conditions, overall, the proposed works are considered an enhancement on the

existing visual appearance of the building, with the alterations returning the building closer to its original form, and therefore enhancing the appearance of the conservation area.

Conclusion

55. Subject to conditions, the design and appearance of the development has been found to be acceptable and would conserve and enhance the significance, appearance and historic character of the listed building and its setting.

Human Rights

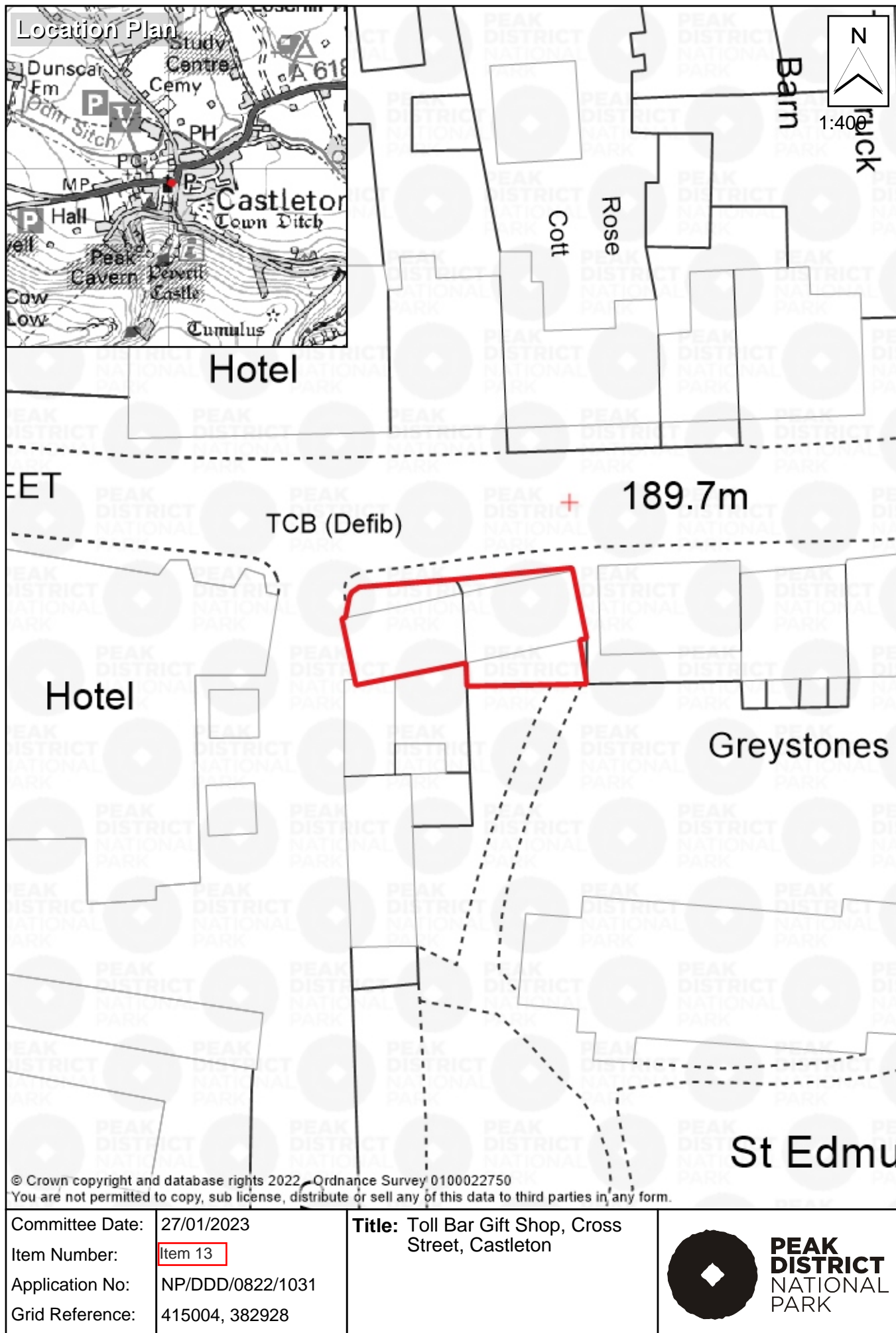
56. None arising.

List of Background Papers (not previously published)

57. None.

Report Author and Job Title

58. Kathryn White – Planning Officer



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14. MONITORING & ENFORCEMENT QUARTERLY REVIEW – JANUARY 2023 (A.1533/AJC)

Introduction

1. This report provides a summary of the work carried out by the Monitoring & Enforcement Team over the last quarter (October – December 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 for 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

<p>21/0038 Land to the west of 50 Woodhead Road Tintwistle Glossop</p>	<p>The carrying out of building or other operations comprising the installation of a green steel container</p>	<p>Enforcement Notice issued 25 November 2022 – came into effect on 16 January 2023. Compliance due by 16 April 2023.</p>
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6. Breaches resolved

<p>18/0128 Wayside Cottage Pott Shrigley Macclesfield</p>	<p>Change of use of building from garage to place of worship</p>	<p>Use ceased</p>
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<p>22/0044 Gild Low Moor Road Great Longstone</p>	<p>Ground source heat pump</p>	<p>Land restored</p>
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18/0183 The Eyre Arms Kingsgate Calver	Display of advertisements	Advertisements removed
18/0173 Derwent Water Arms Low Side Calver	Display of advertisements	Advertisements removed
16/0113 9 Diggle Mill Saddleworth	Erection of shed	Shed removed
06/0145 Manor Farm Grindon Leek	Untidy land – storage of scrap etc	Land cleared
14/0138 Ash Tree Farm Alstonefield	LISTED BUILDING - satellite dish on outbuilding	Satellite dish removed
21/0036 Land adjacent Snake Pass Summit A57	Erection of generator building	Building removed
20/0126 Cambridge Wood Main Road Wensley	Sheds erected, tracks created, planting work, addition of a composting toilet, abandoned vehicle and siting of a caravan	No breach of planning control
20/0127 Cambridge Wood Main Road Wensley	Sheds erected, tracks created, planting work, addition of a composting toilet, abandoned vehicle and siting of a caravan	No breach of planning control
20/0036 Roseway Hope Road Bamford	Erection of extension	Planning permission granted

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 (1 April – 31 March). In the latest quarter we resolved 11 breaches and so far this year we have resolved 46 breaches so with only one quarter remaining it seems inevitable that we will not achieve our target.
8. In the latest quarter, 31% of enquiries were dealt with within 30 working days, which is well below our performance target of 80%. However, the number of enquiries outstanding has fallen in the latest quarter, from 300 to 288. This is because progress is now being made on the backlog of enquiries which had arisen 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 between March and September 2022. The vacancy was filled on 14 September 2022 so, as expected, the number of outstanding enquiries has started to reduce.
9. As also expected, the number of new breaches has increased since the previous quarter – from 14 to 24 – and the number of breaches outstanding has increased slightly - from 618 to 631.

	Received	Resolved	Outstanding
Enquiries	105 (109)	84 (78)	288 (300)
Breaches	24 (14)	11 (22)	631 (618)

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 period expired - officers seeking compliance |
| 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 – compliance period expired - officers seeking compliance
19/0064 Alstonefield Hall, Church Street, Alstonefield	External and internal alterations to grade II* 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 and decision awaited
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

Report Author: Andrew Cook, Monitoring and Enforcement Team Manager

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

1. **APPEALS LODGED**

The following appeals have been lodged during this month.

<u>Reference</u>	<u>Details</u>	<u>Method of Appeal</u>	<u>Committee/ Delegated</u>
NP/DDD/0222/0142 3308249	Replacement of 2 existing single glazed shopfront windows with double glazed units and reinstatement of transom to one window at Fountain Square, Youlgreave	Written Representations	Delegated
NP/DDD/0622/0851 3307714	Retrospective application for alterations and extension to dwelling at old Post Office, Main Street, Birchover	Written Representations	Delegated
NP/DDD/1121/1263 3306102	Repair, renovation and extension of previous mill complex building into a detached dwelling at The Priory, Fenny Bentley, Ashbourne	Written Representations	Delegated
NP/DDD/0222/0189 3305642	Proposed agricultural building to house and feed livestock and to store fodder and implements at Limestone Meadow, Meadow Lane, Millers Dale	Written Representations	Delegated
NP/K/0921/0945 3303535	Removal of condition on holiday let to form dwelling and partial conversion of barn to integrate into dwelling at 1 Meal Hill Farm, Holmfirth	Written Representations	Delegated

2. **APPEALS WITHDRAWN**

There have been no appeals withdrawn during this month.

3. **APPEALS DECIDED**

The following appeals have been decided during this month.

<u>Reference</u>	<u>Details</u>	<u>Method of Appeal</u>	<u>Decision</u>	<u>Committee/ Delegated</u>
NP/SM/0621/0633 3300002	Erection of a new sunroom at Rue Hayes Farm, Blakelow Road, Onecote	Householder	Allowed	Delegated

The Inspector considered that the proposal would blend in with the existing stone farmhouse and would not harm the appearance of the farmhouse building or its group of associated outbuildings. The appeal was allowed.

NP/DDD/0222/0276 3305522	Erection of a single storey side extension to dwelling at 4 Steward Gate, Bamford	Householder	Allowed	Delegated
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The Inspector considered that the extension would be acceptable and would not be in conflict with policies GSP1, GSP3, DMC3 and DMH7. The appeal was allowed.

4. **RECOMMENDATION:**

To note the report.