

Public Document Pack

Peak District National Park Authority

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



Our Values: Care – Enjoy – Pioneer

Our Ref: A.1142/3381

Date: 6 July 2023



NOTICE OF MEETING

Meeting: **Planning Committee**

Date: **Friday 14 July 2023**

Time: **10.00 am**

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

PHILIP MULLIGAN
CHIEF EXECUTIVE

AGENDA

1. **Roll Call of Members Present, Apologies for Absence and Members Declarations of Interest**
2. **Minutes of previous meeting of 16 June 2023** *(Pages 7 - 22)*
3. **Urgent Business**
4. **Public Participation**
To note any questions or to receive any statements, representations, deputations and petitions which relate to the published reports on Part A of the Agenda.
5. **Full Application - Construction to re-establish an L shaped building including landmark East elevation of former Marquis of Granby to provide 21 open market apartments with associated car parking and landscaping with financial contribution for off-site affordable housing. NP/HPK/1222/1543/SW) AND Construction to re-establish an L shaped building including landmark East elevation of former Marquis of Granby of building to provide 21 open market apartments and construction of separate terrace of 3 affordable houses with associated car parking and landscaping at Marquis of Granby, Hathersage Road, Sickleholme, Bamford NP/HPK/1222/1563 /SW)** *(Pages 23 - 66)*
Site Plan
6. **Full Application - Proposed restoration and extension of Thornseat Lodge and ancillary buildings to form holiday accommodation and guest facilities; erection of events venue; alterations to existing access including parking facilities; enhanced site landscaping at Thornseat Lodge, Mortimer Road, Sheffield (NP/S/01022/1300, JRS)** *(Pages 67 - 76)*
Site Plan
7. **Full Application - Proposed annex to rear of dwelling and associated works at Heatherlea, The Hillock, Curbar (NP/DDD/0323/0314, EJ)** *(Pages 77 - 88)*
Site Plan
8. **Full Application - Change of use of agricultural land to caravan and motorhome camp site, Holmesfield Farm, Millbridge, Castleton (NP/HPK/0422/0586, JRS) - ITEM WITHDRAWN** *(Pages 89 - 106)*
Site Plan
9. **Full Application - S.73 Application for the removal and variation of condition 2 and 7 on NP/DDD/1222/1562 at Newby House, Over Lane, Baslow (NP/DDD/0623/0639, WE)** *(Pages 107 - 116)*
Site Plan
10. **Conservation of Habitats and Species Regulations 2019 - Demolition of farm buildings and the erection of two new farm buildings, with associated building operations at Pump Farm, School Lane, Warslow (NP/SM/0123/0037) /ALN)** *(Pages 117 - 124)*
Site Plan

11. **Full Application - Demolition of farm buildings and the erection of two new farm buildings, with associated building operations at Pump Farm, School Lane, Warslow (NP/SM/0123/0037) /ALN) (Pages 125 - 136)**
Site Plan
12. **Advertisement Consent - 1 X face illuminated (CFF-850) letters on rails 1 X halo illuminated (CFH-850) letters on rails, 1 X double sided non illuminated projection sign, at the Co-Operative Food, Market Street, Bakewell (NP/DDD/0323/0231), P.1030, RD) (Pages 137 - 144)**
Site Plan
13. **Householder Application - Installation of 20 solar panel array at rear of house at The Old Vicarage, unnamed section of road between Main Street and Old Coalpit Lane, Chelmorton (NP/DDD/0622/0830, PM) (Pages 145 - 152)**
Site Plan
14. **Householder Application - Proposed rear single storey extension at Hole Farm, Elkstones, Longnor (NP/SM/0523/0493, PM) (Pages 153 - 160)**
Site Plan
15. **Monitoring & Enforcement Quarterly Review - July 2023 (A1533/AJC) (Pages 161 - 168)**
16. **Planning Appeals Monthly Report (A.1536) (Pages 169 - 170)**

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. 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: Cllr V Priestley

Dr Beer	Cllr M Buckler
Cllr M Chaplin	Cllr B Hanley
Ms A Harling	Cllr A Hart
Cllr L Hartshorne	Cllr I Huddlestone
Cllr D Murphy	Cllr Mrs K Potter
Cllr K Richardson	Mr S Thompson
Mr K Smith	

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

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



MINUTES

Meeting: **Planning Committee**

Date: Friday 16 June 2023 at 10.00 am

Venue: Aldern House, Baslow Road, Bakewell

Chair: Cllr P Brady

Present: Mr K Smith, Cllr M Chaplin, Cllr I Huddleston, Cllr D Murphy,
Cllr Mrs K Potter, Cllr V Priestley, Cllr K Richardson, Dr R Swetnam and
Cllr J Wharmby

Cllr A Nash and Dr R Swetnam attended to observe only.

Apologies for absence: Ms A Harling, Cllr A Hart and Cllr A McCloy.

62/23 APOLOGIES FOR ABSENCE, ROLL CALL OF MEMBERS PRESENT AND MEMBERS DECLARATIONS OF INTEREST

Dr Swetnam and Cllr Nash attended the meeting as observers.

Item 9

All Members declared an interest in this item as it related to property which is owned by the Peak District National Park Authority.

Item 10

Cllr Chaplin declared an interest in this item due to the location of the application being within his council area.

Item 14

All members declared an interest in this item due to a letter they had received from Cllr Peter O'Brien regarding the application.
Cllr Brady declared that the agent, Roger Yarwood, was known to him professionally, but they had not discussed the application.

Item 17

All members had received an email regarding this item.
Cllr Brady declared a prejudicial interest in this item due to his relationship with the applicant and confirmed that he would have to leave the room for the duration of this item.

Item 18

All members declared an interest in this item as it related to property which is owned by the Peak District National Park Authority.

Members thanked Cllr David Chapman for his service on the Authority and the Planning Committee following the recent local elections he would no longer be a Derbyshire Dales Council representative on the Authority.

Members also recorded their gratitude for Cllr Andrew McCloy, who had given his apologies, for his service to the Planning Committee as he was soon to step down from the Authority.

63/23 MINUTES OF PREVIOUS MEETING OF 12TH MAY 2023

The minutes of the last meeting of the Planning Committee held on 12th May 2023 were approved as a correct record.

64/23 URGENT BUSINESS

There was no urgent business.

65/23 PUBLIC PARTICIPATION

Eight persons were present to make representations to the Committee.

66/23 FULL APPLICATION - PROPOSED AGRICULTURAL 'L' SHAPED BUILDING TO HOUSE LIVESTOCK AND STORE FODDER AND ACCESS TRACK AT LAND SOUTH OF B5056, FENNY BENTLEY - (NP/DDD/1222/1557 GB)

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

The following spoke under the public participation at meetings scheme:

- Jo Harrison - Agent

The following concerns were raised by Members:

- The location of the scheme being low lying might exacerbate current drainage issues on the site which already cause run off and may result in erosion.
- It was unclear whether the development was the minimum necessary to serve the land.
- The impact on the landscape may exceed the agricultural benefit.
- The proposed building may not be essential as transporting fodder between sites is common agricultural practice.

Members highlighted the need for a site visit in order to better understand the setting of the proposals, which some Members considered was difficult based on the plans and photographs alone.

A motion to defer the recommendations until a site visit can occur was proposed, seconded, voted on and carried.

RESOLVED:

To DEFER the application pending a site visit to assess the landscape setting of the site .

Cllr Nash arrived as an observer at 10:27

67/23 CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2019 - INSTALLATION OF 15 METRES OF STEPS AND 45 METRES OF PATH RESURFACING TO IMPROVE PUBLIC ACCESS TO THORS CAVE AND TO REDUCE EROSION. FOLLOW UP WORK TO A FIRST PHASE OF WORK UNDER PLANNING CONSENT NP/SM/1121/1255 AT THORS CAVE, WETTON (NP/SM/0123/0048, ALN)

Item 6 was dealt with at the same time as Item 7 but the votes were taken separately. Please see full minute detail in minute 68/23 below.

The proposal was moved, seconded, voted on and carried.

RESOLVED:

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

68/23 FULL APPLICATION - INSTALLATION OF 15 METRES OF STEPS AND 45 METRES OF PATH RESURFACING TO IMPROVE PUBLIC ACCESS TO THORS CAVE AND TO REDUCE EROSION. FOLLOW UP WORK TO A FIRST PHASE OF WORK UNDER PLANNING CONSENT NP/SM/1121/1255 AT THORS CAVE, WETTON (NP/SM/0123/0048, ALN)

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

The Planning Officer advised that the path on site had been approved as part of a previous application that remains extant, so the matter under consideration was the proposed steps only.

A motion to approve the application was proposed, seconded, put to the vote and carried.

RESOLVED:

To APPROVE the application subject to the following conditions:

- 1. 3-year implementation time limit.**
- 2. Adopt submitted plans.**
- 3. Construction environmental management plan (CEMP) to be submitted and agreed.**
- 4. No mud or other deleterious material shall be deposited on the highway. Any that is shall be immediately removed.**
- 5. Works to take place outside of the bird breeding season (March to August inclusive)**

69/23 FULL APPLICATION - VARIATION OF CONDITION 2 (APPROVED PLANS) OF NP/DDD/1219/1298 AT FORMER DOVE DAIRY, STONEWELL LANE, HARTINGTON (NP/DDD/0223/0156, MN)

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

A motion to approve the application was proposed, seconded, put to the vote and carried.

RESOLVED:

To APPROVE the application subject to securing the affordable housing units by legal agreement and to the following conditions:

- 1. The development hereby permitted shall be carried out in accordance with the approved plans (numbers to be specified on any decision notice)**
- 2. No more than 26 dwellings including the two units within the retained stone barns are hereby permitted to be constructed within the application site.**
- 3. The field immediately to the east of the proposed housing site shall not be used for the storage of materials, spoil, or as a builder's compound.**
- 4. Notwithstanding the approved plans, the chimneys of plots G through M, P through W, and of plot Z shall be constructed of natural stone to match the stonework of the property to which they are attached.**

5. **Notwithstanding the approved plans, prior to the installation of any of the windows of the dwellinghouses occupying plots G or P, plans that show amended window opening details to provide for larger windows as sliding sash and that omit any top-opening lights shall be submitted to and approved in writing by the Authority. Thereafter the development shall proceed only in accordance with the approved details and shall be so maintained throughout the lifetime of the development.**
6. **The home office accommodation shown at plot J shall be for private home office use only, and shall remain ancillary to the occupation of the dwellinghouse occupying plot J.**
7. **The existing stone-built buildings occupying plots X and Y as shown on the approved plans shall not be demolished, and the conversions shall take place within the shell of the existing buildings with no rebuilding.**
8. **All material from the demolition works associated with the development – other than that re-purposed in on-site construction works – shall be removed from the site upon completion of construction of the development or within two months of the cessation of construction works on site, whichever is the sooner.**
9. **The buildings hereby permitted shall be constructed of natural stone and limedash render (where specified on the approved elevation drawings) with natural blue slate, Staffordshire blue natural plain clay tiles or red natural plain clay tiles for roofs as specified on the approved plans, and with roofing materials matching the appearance of those approved under NP/DIS/1217/1223.**
10. **Prior to the construction of the external walls of plot Z, a sample panel of no less than 1m² of gritstone shall be constructed on the site. The National Park Authority shall be informed on the completion of the sample panel which shall then be inspected and approved in writing. All subsequent walling be of the type specified on the approved elevation plans for each plot and shall match the relevant approved sample panels in terms of stone/render colour, stone size, texture, and coursing and pointing in the case of the limestone and gritstone walling, subject to whatever reasonable modifications may be specifically required in writing by the Authority. If necessary the Authority shall request the construction of further sample panels incorporating the required modifications**
11. **Prior to the construction of the external walls of plot Z, details of the proposed air source heat pump (including appearance and position) shall be submitted to and approved in writing by the Authority. Thereafter the development shall be carried out in accordance with the approved details, with the pump installed prior to the occupation of the building.**
12. **All external gritstone walls of plots J and P shall be natural gritstone to match the appearance approved under NP/DIS/0221/0207.**
13. **All external limestone walls of plots F and G shall be natural limestone to match the appearance approved under NP/DIS/0721/0836.**

14. All external limestone walls of plots H, I, Q, T, U, V, and W shall be natural limestone to match the appearance approved under NP/DIS/0322/0426.
15. The garage of plot Y shall be natural limestone to match the appearance approved under NP/DIS/0221/0207.
16. All lintels, sills, jambs, copings and quoinwork in the development hereby permitted shall be in natural gritstone and shall be provided as shown on the approved elevations drawings and retained as such thereafter.
17. All pointing in the development hereby permitted shall be bag brushed and slightly recessed and shall be retained as such thereafter.
18. All external doors and windows in the development hereby permitted shall be of timber construction and shall be retained as such thereafter.
19. All door and window frames in the development hereby permitted shall be recessed a minimum of 75mm from the external face of the wall and shall be retained as such thereafter.
20. All rainwater goods in the development hereby permitted shall be of cast metal and painted black and shall be retained as such thereafter.
21. Where coped gables are not approved in the development hereby permitted, roof verges shall be flush pointed with no barge boards or projecting timberwork and shall be retained as such thereafter.
22. The boundary treatments in the development hereby permitted shall be as shown on the approved site plan – landscaping layout. Boundary treatments that are to be a drystone wall shall be made of natural rubble limestone. The drystone walls shall be capped with half-round natural limestone coping stones and shall be between 900mm and 1000mm in height in the case of those adjacent to driveways (identified with the letter N on the approved site plan (landscaping layout)) and between 1000mm and 1200mm in all other cases (identified with the letter O on the approved site plan (landscaping layout)). Where walls identified with the letter N on the approved site plan (landscaping layout) transition in to walls identified with the letter O on the approved Landscaping Layout plan, any difference in height shall be addressed through a gradual sloped transition, not a stepped transition. The boundary treatments shall be completed before the dwelling to which it relates is first occupied, and the boundary treatments shall be retained thereafter.
23. None the dwellings hereby permitted shall be first occupied until any car parking (including garages) and vehicle manoeuvring areas relating to them have been laid out/constructed and made available in accordance with the approved plans. These car parking spaces (including garages) and vehicle manoeuvring areas shall be used solely for the benefit of the occupants of the dwelling to which it relates. The car parking (including garages) and vehicle manoeuvring areas shall be retained thereafter and kept available for their respective purposes at all times.
24. The areas annotated 'Area Returned to Greenfield' on the approved site

plan (landscaping layout), shall be restored to grassland in accordance with the details specified on that same plan. The area to the west of the built development marked for returning to greenfield on the approved plan shall be restored to grassland upon completion of construction of the development or within two months of the cessation of construction works on site, whichever is the sooner. The remaining areas marked for grassland restoration shall be restored prior to the first occupation of the open market houses hereby permitted.

25. Demolition or construction works shall not take place outside 07:30 hours to 19:00 hours Mondays to Fridays and 09:00 hours to 17:00 hours on Saturdays nor at any time on Sundays or Bank Holidays.
26. The development shall be carried out only in accordance with the Construction Method Statement approved under NP/DIS/0221/0207.
27. Development shall proceed only in complete accordance with the contamination mitigation measures approved under NP/DIS/0918/0836.
28. Trees shall be protected during demolition/construction works as approved under NP/DIS/0221/0207.
29. Development shall proceed only in complete accordance with the mitigation measures for protected species approved under NP/DIS/1217/1223.
30. The provision of residential estate roads and footways shall be carried out in full accordance with the details approved under NP/DIS/0721/0836.
31. The undergrounding of all service lines within the development hereby permitted shall be carried out in accordance with the details approved under NP/DIS/0721/0836.
32. External lighting (including any floodlighting) shall be installed in accordance with the scheme of lighting approved under NP/DIS/0721/0836 only. No additional lighting shall be installed without the prior permission of the Authority.
33. Within 6 months of the date of this decision details of proposed land restoration relating to the approved flood attenuation measures approved under NP/DIS/0221/0207 shall be submitted to and approved in writing by the Authority. Within 6 months of the land restoration details being approved, the approved flood attenuation measures and land restoration shall be fully implemented.
34. The surface water drainage measures approved under NP/DIS/0221/0207 shall be implemented as approved.
35. The hard and soft landscaping works shall be carried out in full accordance with the details approved under NP/DIS/0721/0836, which shall be implemented within the timescales detailed within the approved documents.

36. Notwithstanding the provisions of condition 35, prior to the erection of the external walls of the property occupying Plot Z full details of hard and soft landscaping within its curtilage shall be submitted to and approved in writing by the Authority. Thereafter the works shall be carried out in full prior to the first occupation of the dwelling.
37. All new metal estate fencing, shall be between 1000mm and 1200mm in height, from the adjacent ground level, and shall have a black painted finish at the time of installation.
38. The development shall be carried out only in accordance with the Landscape Management Plan approved under NP/DIS/0721/0836, and the Plan shall thereafter continue to be implemented throughout the lifetime of the development.
39. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order), no development permitted by Classes A B C D E H of Part 1 and Class A of Part 2 of Schedule 2 of the order shall be carried out other than that expressly authorised by this permission.

70/23 FULL APPLICATION - FOR THE INSTALLATION OF A SOLAR POWERED CAR PARK MACHINE AND ASSOCIATED BASE, PEDESTRIAN AREA AND SIGNAGE AT PUBLIC CONVENIENCE AND CAR PARK, ALSTONEFIELD (NP/SM/1122/1439, DH)

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

Members asked the Planning Officer if the selling or leasing of the car park to Alstonefield Parish Council or some other community group had been explored as it had been mentioned in a public representation. The officer confirmed that this was something that would have to be raised with the Authority's Property Team and highlighted that such discussion was a separate matter from the planning application, the outcome of which would not prejudice such discussion.

RESOLVED:

To APPROVE the application subject to the following conditions:

1. Statutory time limit
2. The development to be in accordance with the submitted specifications received 17/11/2022, and the amended site plan received 16/01/2023

71/23 FULL APPLICATION - FOR THE INSTALLATION OF SOLAR POWERED CAR PARK MACHINE AND ASSOCIATED BASE, PEDESTRIAN AREA AND SIGNAGE AT DERWENT OVERLOOK CAR PARK (NP/HPK/0323/0247, EJ)

This Item was brought forward on the agenda as the meeting was ahead of schedule and speakers had not arrived for other items.

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

A motion to approve the application was moved, seconded, voted on, and carried.

RESOLVED:

To APPROVE the application subject to conditions

1. **Statutory time limit**
2. **In accordance with submitted plans**

72/23 HEAD OF LAW REPORT - PLANNING APPEALS

This Item was brought forward on the agenda as the meeting was ahead of schedule and speakers had not arrived for other items.

A member highlighted that in both appeals against conditions described in this report, it was unclear as to what the numbered conditions actually said. It was requested that in future reports conditions are described in the text instead of referred to numerically.

RESOLVED

To note the report.

73/23 PLANNING APPEALS ANNUAL REPORT

This Item was brought forward in the agenda as the meeting was ahead of schedule and speakers had not arrived for other items.

The Head of Planning introduced the report which summarised the work carried out on Planning Appeals over the period 2022/2023.

Members queried if a debriefing would be taking place for the recent public enquiry regarding the appeal against the Enforcement Notice at Thornbridge Hall to see what lessons can be learned. The Head of Planning confirmed that he had met with the Vice Chair of Planning Committee and the Chair of the Authority to discuss lessons learned, and that a summary of their conclusions would be circulated to Members shortly. He also stated his intent to write to the Planning Inspectorate regarding issues raised by the decision and the special weight added to planning applications and the nesting of designations within a national park.

RESOLVED

To note the report.

74/16 The meeting adjourned for a short break at 11:00 and reconvened at 11:17
75/23 CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2019 - PROPOSED RESTORATION AND EXTENSION OF THORNSEAT LODGE AND ANCILLARY BUILDINGS TO FORM HOLIDAY ACCOMMODATION AND GUEST FACILITIES; ERECTION OF EVENTS VENUE; ALTERATIONS TO EXISTING ACCESS

**INCLUDING PARKING FACILITIES; ENHANCED SITE LANDSCAPING,
THORNSEAT LODGE, MORTIMER ROAD, SHEFFIELD (NP/S/1022/1300, JRS)**

Item 10 was dealt with at the same time as Item 11 but the votes were taken separately. Please see full minute detail in minute 76/23 below.

The proposal was moved, seconded, voted on and carried.

RESOLVED:

1. **To adopt the report as the Authority's assessment of likely significant effects on internationally important protected habitats and species under Regulation 63 of the Conservation of Habitats and Species Regulations 2019 (as amended) in relation to the current planning application at Thornseate Lodge.**

76/23 FULL APPLICATION - PROPOSED RESTORATION AND EXTENSION OF THORNSEAT LODGE AND ANCILLARY BUILDINGS TO FORM HOLIDAY ACCOMMODATION AND GUEST FACILITIES; ERECTION OF EVENTS VENUE; ALTERATIONS TO EXISTING ACCESS INCLUDING PARKING FACILITIES; ENHANCES SITE LANDSCAPING AT THORNSEAT LODGE, MORTIMER ROAD, SHEFFIELD (NP/S/0622/1300, JRS)

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

The following spoke under the public participation at meetings scheme:

- Mark Boyd, Supporter
- Rachel Woodhouse-Hague, Supporter

Members acknowledged that as with the previous application at the site, they were keen to see the site restored, however the following concerns were expressed:

- The proposed scheme would be development in the open countryside
- The viability of other options e.g. residential use of the site, had not been sufficiently explored
- Any need for haste had been caused by two decades of neglect of the site
- Impact of the proposed car park on the landscape and setting
- The justification for a large car park given a mini bus service was proposed
- The proposed scheme would be over development
- Design concerns over the rear extension, and also of its impact on views from the wider landscape

- Insufficient details provided regarding the proposed biomass boiler
- Whether the electrical infrastructure would support the proposed Electric Vehicle Charging points

Members also discussed the benefits of the proposed scheme

- It would save the building from further ruin, and in order for this to be achieved it would need to be financed by a commercial use
- The benefit to visitors to the National Park
- Concerns such as potential use of fireworks could be controlled by condition

Officers advised that if the application was approved, a conversation would have to take place with the applicant about conditions. Also, the Habitat Assessment would have to be reviewed so as to be clear that it was the Authority's own assessment as opposed to the adoption of the shadow assessment (to answer the comments of Natural England).. In order to ensure that maximum gain was secured a Section 106 Agreement should be made to remove further wedding event structures within the applicant's control around the Bradfield area but beyond the application site.

A motion to defer the application with a strong indication that Members are minded to approve, and that a report be made back no later than August's Planning Committee meeting setting out the conditions of any planning permissions, any improvements that can be achieved, and the outline of the Section 106, was proposed and seconded.

A motion to approve the application subject to further agreement of conditions was proposed.

A vote on the first motion, to defer the application was taken and carried.

Members requested that a report be obtained from the Highways Authority, who had not provided any comments.

RESOLVED:

To DEFER the application with a strong indication that Members are minded to approve, and that a report be made back no later than August's Planning Committee meeting for final determination of this matter setting out the conditions of any planning permissions, any improvements that can be achieved, and the outline of the Section 106.

77/23

CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2019 - TO REPAIR MAGDALEN ROAD (PRIVATE CARRIAGE ROAD AND BRIDLEWAY). TO REPLACE A COLLAPSED STONE CULVERT WITH PLASTIC PIPE AND REPAIR THE TRACK USING LOCALLY SOURCED SANDSTONE. THE FINAL COVERING WILL BE 20MM TO DUST. THE WHEEL MARKS MADE DURING THE WORK WILL BE FILLED SEPARATELY, LEAVING GRASS IN THE CENTRE. PUBLIC BRIDLEWAY MELTHAM/50, MAGDALEN ROAD, MELTHAM MOOR, MELTHAM (NP/K/0121/0026, JRS) - ITEM WITHDRAWN

This item was withdrawn.

78/23 FULL APPLICATION - TO REPAIR MAGDALEN ROAD (PRIVATE CARRIAGE ROAD AND BRIDLEWAY). TO REPLACE A COLLAPSED STONE CULVERT WITH PLASTIC PIPE AND REPAIR THE TRACK USING LOCALLY SOURCED SANDSTONE. THE FINAL COVERING WILL BE 20MM TO DUST. THE WHEEL MARKS MADE DURING THE WORK WILL BE FILLED SEPARATELY, LEAVING GRASS IN THE CENTRE. PUBLIC BRIDLEWAY MELTHAM/50, MAGDALEN ROAD, MELTHAM MOOR, MELTHAM (NP/K/0121/0026, JRS) - ITEM WITHDRAWN

This item was withdrawn.

79/23 FULL APPLICATION - CHANGE OF USE FROM DOMESTIC GARDEN TO CAMPING POD SITE AT TOP RILEY, RILEY LANE, EYAM (NP/DDD/1121/1299, JS)

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

The following spoke under the public participation at meetings scheme:

- Roger Yarwood, Agent

The Head of Planning clarified that the public right of way referred to in condition 2 of Item 14 referred to a route which followed the line of the highway which connects pedestrian rights of way and was down for refusal due to the likely detrimental impact on pedestrian's experiences rather than their safety.

He also stated that allowing permanent larger pods furnished with kitchen, bedroom and bathroom facilities moved the intent of policy from small, simple camping structures to something more akin to chalets which are resisted in principle by strategic policy. This would effectively undermine the strategic policy approach with potential for proliferation of larger and permanent structures in the landscape with impacts to the special qualities of the area and its reasons for designation as a National Park.. For this reason, if members were minded to approve the application he would defer it under section 1.48 of Standing Orders as a departure from policy with a report to be prepared and considered at a subsequent committee.

Members noted that the site was secluded and not prominent in the landscape, and expressed a desire to support schemes which would bring visitors to the National Park. Also, it was noted that as the applicant did not own the land where the passing place was proposed, an agreement with the Highways Authority would be necessary.

A proposal to approve the application was moved, seconded, voted on and carried.

RESOLVED:

1. That members be minded to **APPROVE** the application (subject to a s278 agreement to secure the passing places) and subject to a further report as set out below;
2. The Head of Planning having given notice of his intention under Standing Order 1.48, that final determination of the matter shall be dealt with at a subsequent meeting of the Committee in order to prepare a report which considers the implications for adopted policies and the therefore the soundness of an approval in this case
3. During the deferment, officers will also consider recommendations on any conditions should the application ultimately be approved.

80/16 A motion to continue the meeting past three hours was proposed, seconded, voted on and carried

81/23

FULL APPLICATION - PROPOSED ANNEX TO REAR OF DWELLING AND ASSOCIATED WORKS AT HEATHERLEA, CURBAR (NP/DDD/0323/0314, EJ)

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

The following spoke under the public participation at meetings scheme:

- Marsha North, Objector
- Sandra Poxton, Objector

Members queried the accuracy of the site plans with the Planning Officers as this issue had been raised by the speakers. No conclusion could be made about these queries and a proposal to defer the application was moved, seconded, voted on and carried.

RESOLVED:

To DEFER the application in order to clarify the accuracy of the submitted plans.

83/23

82/16 The meeting adjourned for a short break at 13:12 and reconvened at 13:16
FULL APPLICATION - AGRICULTURAL BUILDING AT ROSE COTTAGE, HOPE ROAD, EDALE, NP/HPK/1221/1308

Some Members had visited the site the previous day.

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

The following spoke under the public participation at meetings scheme:

- Andre Bajarria, Applicant

A motion to approve the application was moved, seconded, voted on and carried.

RESOLVED:

To APPROVE the application subject to the following conditions:

1. **Statutory time limit.**
2. **In accordance with amended plans.**
3. **Yorkshire boarding allowed to weather naturally.**
4. **Hardstanding to be surfaced with natural gritstone and permanently so maintained.**
5. **Approval subject to the submission of a landscaping scheme to be agreed in writing to the Authority before the occupation of the building.**
6. **Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 the use of the building hereby approved shall be restricted to agriculture only (as defined in section 336 of the Town and Country Planning Act 1990) and for no other purpose.**
7. **When the building hereby approved is no longer required for the purposes of agriculture it shall be dismantled, removed from the site and the site shall be restored to its original condition.**

84/23 FULL APPLICATION - REINSTATEMENT OF LOWER HOLT FARM, BARBER BOOTH, EDALE FOR A NEW DWELLING AND ASSOCIATED WORKS AT LOWER HOLT FARM, BARBER BOOTH ROAD, EDALE (NP/HPK/0722/0910, WE)

Some Members had visited the site the previous day.

Cllr Brady left the meeting due to a prejudicial interest in this item and did not return. Mr Smith, Vice Chair, took over the role of Chair.

The report was presented by the Planning Officer who clarified that the proposal was for the demolition of the current ruins and the erection of a new build agricultural workers dwelling and outlined the reasons for refusal as set out in the report.

The following spoke under the public participation at meetings scheme:

- Caroline McIntyre – Agent

Members expressed concerns about the location of the solar panels and whether they would be visible from surrounding hills. They also discussed the plans for the layout of the driveway which was being moved away from the established track to a more direct route.

A motion to approve the application was moved and seconded.

Members expressed support for the applicant's need to live on the site of his farming business and felt that the replacement of the current building ruins was desirable. They also noted that there was a history of occupation of the site although officers clarified any such residential occupation had been long abandoned.

The Planning Officer advised that if the application was approved, the package treatment plan and drainage field would have to be located within the application site area and the

solar panels would have to be relocated within the curtilage and that these would require an amended site plan. Also, a Section 106 Agreement would be necessary to tie the property to the agricultural need. This would also have the effect of making the applicant's land a single planning unit.

The Head of Planning reminded Members of the designated conservation area in the Edale Valley where this application lies.

The Planning Officer confirmed that if the application was to be approved, a S106 legal agreement and the following conditions would be necessary.

1. Commence development within 3 years.
2. Define approved plans amended to show solar panels relocated within the curtilage and the red line application site area expanded to include the packaged sewage treatment plant and drainage field together with details of proposed location of the ground source heat pump coils.
3. Removal of permitted development rights .
4. Agree sample stone walling panel
5. Agree sample roof tile
6. Agree details of timber window frames and doors.
7. Minor architectural and design details
8. Submit for approval details of the sewage treatment plant and drainage field.
9. Underground utility services
10. No external lighting other than in accordance with details agreed in writing.
11. Carry out access improvements
12. Submit detailed landscaping scheme for hard and soft landscape works approval.
13. Provide details of reinstatement of existing section of access track bypassed by new track or amend red line to omit and use existing track.
14. WSI for a programme of Historic Building Recording before demolition.
15. Agree finished floor level of new house in relation to current site levels.
16. Agree details of solar panels.
17. Carry out in accordance with mitigation, compensation and enhancement measures.
18. Footnote re license required from Natural England for destruction of bat roost.

The motion to approve the application subject to conditions and subject to the 106 agreement was voted on and carried.

RESOLVED:

To delegate approval of the application to the Head of Planning in consultation with the Vice Chair of Planning Committee, approval to be subject to the prior entry into a Section 106 agreement restricting the occupancy of the dwelling to an agricultural worker and tying the new house to all the owned land and the farm buildings and the following conditions:

1. **Commence development within 3 years.**
2. **Define approved plans amended to show solar panels relocated within the curtilage and the red line application site area expanded to include the packaged sewage treatment plant and drainage field together with details of proposed location of the ground source heat pump coils.**

-
3. Removal of permitted development rights .
 4. Agree sample stone walling panel
 5. Agree sample roof tile
 6. Agree details of timber window frames and doors.
 7. Minor architectural and design details
 8. Submit for approval details of the sewage treatment plant and drainage field.
 9. Underground utility services
 10. No external lighting other than in accordance with details agreed in writing.
 11. Carry out access improvements
 12. Submit detailed landscaping scheme for hard and soft landscape works approval.
 13. Provide details of reinstatement of existing section of access track bypassed by new track or amend red line to omit and use existing track.
 14. WSI for a programme of Historic Building Recording before demolition.
 15. Agree finished floor level of new house in relation to current site levels.
 16. Agree details of solar panels.
 17. Carry out in accordance with mitigation, compensation and enhancement measures.
 18. Footnote re license required from Natural England for destruction of bat roost.

The meeting ended at 2.10 pm

5. CONSTRUCTION TO RE-ESTABLISH AN L SHAPED BUILDING INCLUDING LANDMARK EAST ELEVATION OF FORMER MARQUIS OF GRANBY TO PROVIDE 21 OPEN MARKET APARTMENTS WITH ASSOCIATED CAR PARKING AND LANDSCAPING WITH FINANCIAL CONTRIBUTION FOR OFF-SITE AFFORDABLE HOUSING. NP/HPK/1222/1543

AND

CONSTRUCTION TO RE-ESTABLISH AN L SHAPED BUILDING INCLUDING LANDMARK EAST ELEVATION OF FORMER MARQUIS OF GRANBY OF BUILDING TO PROVIDE 21 OPEN MARKET APARTMENTS AND CONSTRUCTION OF SEPARATE TERRACE OF 3 AFFORDABLE HOUSES WITH ASSOCIATED CAR PARKING AND LANDSCAPING NP/HPK/1222/1563

APPLICANT: MARQUIS OF GRANBY (PEAK PARK) LTD

Summary

1. The site is located on Hathersage Road, approximately 1.1km south of the centre of Bamford.
2. The applications propose a major housing development comprising 21 open market apartments (15 x 2 bed apartments and 6 x 3 bed apartments) along with associated car parking and landscaping. And either a contribution of £100,000 towards off site affordable housing provision in application NP/HPK/1222/1543 or a terrace of 3 affordable dwellings (2 bed) in application NP/HPK/1222/1563. A late offer by the applicant includes an alternative of 3 plots for sale to a Registered Provider (RP) for £30,000 each.
3. The applications are brought to Planning Committee together in one report for ease of determination. The only difference between the applications is the provision of affordable housing either as a terrace of three properties or a financial contribution towards off site provision.
4. The development is major development within the National Park and therefore must deliver public interest to justify itself. The National Planning Policy Framework clearly sets out what the assessment criteria are to deliver public interest. The applications fail to demonstrate the development is in the public interest.
5. Enhancement opportunities through redevelopment and improving biodiversity are welcomed in part however, these are expected of all development proposals in the National Park.
6. The applications seek to maximise residential development on site by proposing a scale and massing comparable to the apart-hotel that was previously approved (NP/HPK/0821/0890). However, that approval, whilst of a larger footprint, was not as dominant on the road frontage, was for a different land use, and would have made a significant contribution to the local economy through employment opportunities.
7. The applicant has confirmed in correspondence that although the apart-hotel has commenced it is not viable.
8. Officers have previously tried to work with the applicant to develop a scheme that would respond to the landscape character type of this area of National Park and how the site originally developed over time from a farm to a hotel. However, the applicant seeks a scheme that is similar in scale to the development that was approved for an apart-hotel. Unfortunately, this type and design of development is not suitable for residential

development in this location. Although there is some reference to the former Marquis of Granby that is welcomed, the rest of the design does not relate to this landscape character area of the National Park and could be a scheme delivered in an urban area outside of the National Park. As such the design fails to accord with the Policy DMC3, and the the NPPF in this respect.

9. In accordance with NPPF para 65, major residential development is required to provide at least 10% of the development as affordable housing. This is a requirement of all major residential development across the country. The applicant has offered, due to site viability issues, either £100k (NP/HPK/1222/1543) or 3 shared ownership affordable dwellings where the owners can eventually buy the property outright (NP/HPK/1222/1563).
10. The Authority commissioned an independent financial viability appraisal review which concluded the development could afford a minimum of 5 turnkey social rented dwellings (3 terraced properties and 2 flats) provided on site. If the affordable housing were all shared ownership, there would be greater headroom in the profitability of the scheme to offer more affordable housing on site., however this raises further issues regarding the affordability of the homes and the over-development of the site.
11. However, the design of the scheme prohibits the provision of affordable housing as an integral part of the scheme owing to the size of the apartments (the smallest being 90sqm) and prohibitive service charges.. This prevents the development from maximising the number of affordable units on site. As a result, the development has failed to maximise the provision of affordable housing on site.
12. Officers in the Authority and High Peak Borough Council have been unable to find a suitable site to bring forward for affordable housing in the locality. As such there are significant material circumstances indicating the need to deliver affordable housing on site.
13. No evidence has been forthcoming about the transfer value of the shared ownership properties to the Registered Provider. As such the Authority is concerned the affordable dwellings would not remain affordable in perpetuity.
14. Whilst the use of natural materials is welcomed, the applicant could have proposed a mixture of design elements to help bring down the build cost and maximise affordable housing, for example smaller balconies, the use of some render on the south elevation, and alternative boundary treatments to dry stone walling, particularly on the west boundary. This would demonstrate a balance between using natural resources typical of the locality and the need to meet local affordable housing requirements. As such, the applicant has failed to maximise the provision of affordable housing on site.
15. The applications NP/HPK/122/1543 and NP/HPK/122/1563 are recommended for refusal.
16. Site and Surroundings
17. The site is located on Hathersage Road, approximately 1.1km south of St John the Baptist's church in Bamford.
18. The site was formerly occupied by the Marquis of Granby hotel. The former buildings have been demolished as part of works to commence re-development of the site to an apart-hotel.

19. Other works completed on site to date in relation to the development include the erection of a stone wall along part of the boundary to Hathersage Road and excavations in preparation for the approved apart-hotel development. There are mounds of spoil from the excavations on the east side of the site.
20. There are two access points onto the site from Hathersage Road, located on the west and east sides of the site respectively. The nearest neighbouring properties are Educational Planning Books Ltd and Sickleholme service station.
21. The site is adjacent to the River Derwent at Hathersage site of special scientific interest (SSSI). Parts of the site closest to the river are within flood zones 2 and 3.

22. Proposal

23. The erection of 21 open market residential apartments (within use class C3) along with car park, landscaping and creation of woodland / grass area on the site.
24. Planning application NP/HPK/1222/1543 includes an off-site affordable housing contribution of £100,000 to be delivered within the local area.
25. Planning application NP/HPK/1222/1563 includes the development of 3, two bedroomed shared ownership affordable houses, of 70sqm each, located to the east of the main development (see amended plan 21265-SK170 P00, 20-04-2023). The properties would be built of natural gritstone and natural slate.
26. The plans show a main development for 21 open market residential apartments, comprising of a 'L-shaped' group of four linked, three-storey buildings located in the north-west corner of the site. The development is for a mix of 15 x 2 bedroom apartments and 6 x 3 bedroom apartments, varying in size between 90-158sqm.
27. The design of the building comprises four stone built elements with a mixture of pitched and flat roofs. These elements would be linked together with sections recessed from the main elevations. The easternmost part of the building has been designed to emulate the main former Marquis building. Additional storage for each apartment would be provided within a basement level.
28. The buildings would be constructed from natural gritstone with natural slate for the pitched roofs. Windows to the stone buildings would be timber within stone surrounds windows and doors within the linking structures would be aluminium. Full height glazing and balconies would be provided to the rear (south) elevation and full height glazing and Juliette balconies would be provided to the west elevation.
29. The existing access to the east, created as part of the approved apart-hotel re-development, is proposed to serve the development. The access point to the west boundary would also be retained for use by refuse and emergency vehicles exiting the site along with pedestrian access for disabled people. A 50 space car park would be created to the north of the building with bin stores to the west and north boundary.
30. A communal garden area for the apartments is proposed to the south of the building, which would be grass with a central pond, pathways and community orchard. An area of 'species rich grass' is proposed around the garden and access drive which would be enclosed by post and rail fencing. In the area beyond to the east of the building additional tree and shrub planting is proposed along with the creation of wildflower meadow and riparian woodland.

31. The scheme proposes the provision of air source heat pumps to provide heating and hot water along with primary and secondary ventilation to minimise energy consumption. The application documents refer to the potential to accommodate solar PV panels on the roof and a ground source heat pump but these are not shown on the submitted plans.

32. RECOMMENDATION:

That applications NP/HPK/1222/01543 and NP/HPK/1222/01563 be REFUSED for the following reasons:

- 1. The development would not be in the public interest and exceptional circumstances do not exist to justify the proposed major housing development. The proposed development is contrary to Local Plan policies GSP1, GSP2, GSP3, DS1 and L1 and the National Planning Policy Framework.**
- 2. The development does not sufficiently address local need for affordable housing contrary to Local Plan policies GSP1, HC1, and DMH6, plus the National Planning Policy Framework, Planning Practice Guidance, and the National Parks and Broads: UK Government Vision and Circular (2010).**
- 3. The scale and character of the development would harm valued landscape character, as identified in the Landscape Strategy. The development is therefore contrary to policies GSP1, GSP2, GSP3, L1, DMC1, DMC3 and the National Planning Policy Framework.**

33. Key Issues

34. Major development in the National Park
35. Principle of residential development
36. The provision of affordable housing
37. Viability
38. Is the development in the public interest?
39. Fall-back position
40. Sustainable building and climate change
41. Biodiversity
42. Flood risk and drainage
43. Transport and highway safety
44. Other issues

45. Relevant Planning History

46. 2007: NP/HPK/0506/0454: Planning permission granted conditionally for redevelopment to 35 x 2 bed apartments, 9 x 1 bed apartments, 3 x single rooms with restaurant, bar, meeting room, leisure and service functions within a hotel. Creation of new vehicular and pedestrian access.

47. 2009: NP/HPK/0309/0245: Planning permission granted to vary conditions 2 and 4 to allow variation to letting room layout and revision of plan numbers.
48. 2013: NP/NMA/0113/0078: Non-material amendment to application NP/HPK/0309/0245 – alterations to entrance to site.
49. 2013: NP/NMA/0513/0341: Non-material amendment – change to roof plan to incorporate plant and escape hatch and changes to function entrance and windows to north elevation.
50. 2017: NP/NMA/0309/0245: Non-material amendment to NP/HPK/0309/0245 – conditions 2, 4 and 6. This approved reversion of layout to apartments and single rooms as originally approved by application NP/HPK/0506/0454.
51. 2018: ENQ32958: Pre-application enquiry about 30 apartments and 8 affordable houses.
52. NP/HPK/0821/0890 Re-establishing the Marquis of Granby, providing 21 open market apartments (Use Class C3) with car parking and landscaping, including circa 2.1 acres of woodland/grass area.
53. The application was refused for the following reasons:
 - The development would not be in the public interest and exceptional circumstances do not exist to justify the proposed major housing development. The proposed development is therefore contrary to policies GSP1, GSP2 and the National Planning Policy Framework.
 - The development does not address local need for affordable housing contrary to policies HC1, DMH6 and the National Planning Policy Framework.
 - The scale, design and character of the development would harm valued landscape character, as identified in the Landscape Strategy and Action Plan. The development is therefore contrary to policies L1, DMC1, DMC3 and the National Planning Policy Framework.
 - Insufficient information has been provided to assess the impact of the development upon protected species and their habitat in and around the site contrary to policies L2, DMC11 and DMC12 and the National Planning Policy Framework.

54. In refusing NP/HPK/0821/0890, Planning Committee members asked officers to work with the applicant to resolve the above issues. Officers met with the applicant and his architect on the 7th June 2022 and had a follow up meeting on the 8th August 2022. These were not formal pre-application meetings and therefore not subject to a fee and were not attended by officers from landscape, cultural heritage or policy. No formal pre-application was submitted after these meetings prior to the submission of the current planning applications. Below is a brief summary of those meetings.

55. 7th June

56. The Head of Planning met with the architect to go through various design options including both improvements to the design of the main block and to consider options to address the requirement for affordable housing as made clear by Planning committee members in their reasons for refusal. The Head of Planning expressed a preference for a grouping of affordable housing close to the main block with more of a terrace style approach leading up to the main block and largely leaving the remainder of the site as previously proposed for natural setting and ecological enhancements and avoiding landscape harm or ribbon development/sprawl down the Hope Valley road.

57. 8th August

58. The Head of Planning and the Area Planning Team Manager met with the site owner and the architect, the meeting was focussed on the above discussion of the 7th June and the need to group the development together. There was some discussion regarding the access road and scale and positioning of the main development.

59. Consultations

60. Bamford Parish Council (NP/HPK/1222/1563)

61. The Council is broadly supportive of the application.
62. There is one aspect of the proposal which remains unsatisfactory however. The area has a need for affordable housing, yet this application proposes to provide only a very small amount of affordable housing in the mix. This is a lost opportunity to provide Bamford with more affordable homes, and we urge that PDNPA seeks from the applicant a higher number of affordable homes before approving the proposal.

63. Hathersage Parish Council

64. Cllrs are concerned that the application only includes provision for 3 affordable homes which they feel is too low and insufficient to meet local need and they wish to communicate this detail to the PDNPA planning department. Hathersage Parish Council's Planning Committee unanimously agreed that the application - NP/HPK/1222/1563 - did not include sufficient provision for affordable housing as only three affordable homes will be built. The Committee agreed that given the size of the land being developed, together with local housing need and the excellent public transport links (bus and rail which reduce car usage for employment and leisure), more affordable housing should be included. In reaching this view, Cllrs were supportive of Bamford Parish Council's consultation feedback calling for more affordable housing in the area.
65. NP/HPK/1222/1543 Cllrs did not support the offer of a cash payment instead of building affordable homes and felt that the £100k being offered could be put towards the building of additional affordable homes on the site.

66. High Peak Borough Council Housing Officer

67. April 2023: The above referenced proposal is similar to application NP/HPK/821/0890 and the Borough Councils comments regarding housing need remain largely unchanged.
68. A parish housing needs survey was undertaken by Peak District Rural Housing Association in 2015. Although the survey is over 5 years old, the Council still consider the information to be relevant and this can be back up with further data from the Council housing register. There are currently 9 households who would meet the local connection criteria i.e. Currently resident in area for 10 years + or have a previous residence (10 out of the last 20 years) and have a housing need (bands A-C) an increase of 1 household since October 2021.
69. Although I note a financial viability assessment has been submitted by the applicant, to reduce the affordable housing provision on site or provide a financial off-site contribution, I would urge the Peak District National Park Authority to endeavour to secure as much on site affordable housing as possible.
70. June 2023: In addition, the information on housing need taken from Home Options which identified 9 households which would meet the 10-year local connection criteria. The recently published Housing and Economic Land Needs Assessment (HELNA)

specifically looked at levels of housing need within the PDNP area. The report concludes there is a net annual need of between 129 and 189 homes for affordable / social rent and a net annual need of between 81 and 99 affordable homes to purchase in the High Peak over the period 2021 to 2041. In the national park, the report concluded a net annual need of between 7 and 13 homes for affordable / social rent and 11 and 14 for affordable homes to purchase (intermediate housing including shared ownership).

71. We appointed consultants to prepare Developer Contributions SPD, part of this work including liaising with RP's on the amount they are able to pay developers for S106 units. The consultants concluded RPs typically paid 50% of OMV for affordable rent and 70% of OMV for shared ownership units which reflects the 'developer subsidy' element of affordable housing provision.

72. Environment Agency

73. The proposed development will only meet the National Planning Policy Framework's requirements in relation to flood risk if the following planning condition is included (see file).

74. Derbyshire County Council (Flood Risk Management)

75. NP/HPK/1222/1563 (6/02/23) Derbyshire County Council as the Lead Local Flood Authority (LLFA) has reviewed the information submitted for this application, which was received on 22/12/2022. The LLFA has no objection subject to conditions.

76. A further consultation response was received with regards to the 3 affordable houses relocated closer to the main development.

77. (23/05/23) Having reviewed the Drawing 21265-SK700 Rev P001 and the Flood Risk update by "Haigh Huddleston & Associates", Reference 4125L003, dated 28 April 2023, it was noted the applicant assured to maintain the discharge at a rate of 14l/s as previously stated in the FRA despite a small increase in the permeable area on the proposal. I noted that a response has been prepared by a former colleague Mr James Browne and sent on 07 February 2023 that recommended conditions and are yet to be discharged. We would expect the applicant to address the additional surface runoff as a result of additional impermeable area in their application for discharging conditions.

78. NP/HPK/122/1543 (06/02/23) No objections subject to conditions.

79. Derbyshire County Council (Emergency Planner)

80. The information provided in the Flood Risk Assessment states that in terms of fluvial flood risk to the site only part of the access road is at risk, but work to limit this will be carried out. It should be recommended that residents to sign up to the EA Flood Warning Service, to get advance warning of flooding and to be able to make informed decisions about the level of risk to the site and access. The risk of flooding from Reservoirs, identifies the site at being at significant risk from a breach, however the likelihood is very low, and more likely scenario, but still very low would allow sufficient time to evacuate if there was a potential risk to the dam. Any additional properties in the reservoir flood zone will be included in updates to the site specific reservoir plan for Derwent Valley, which includes details for evacuation purposes.

81. Derbyshire County Council (Highways)

82. NP/HPK/1222/1543 and NP/HPK/1222/1563

83. The vehicular access to the proposed site is from A6187 Hathersage Road, a classified road subject to the National Speed limit. The site access junction with the right turn facility on A6187 Hathersage Road has already been constructed as per Section 278 agreement (Drawing Ref: 30832/010/G) for planning approval NP/HPK/0309/0245.
84. The pedestrian and cycle access to the site is provided via gated access opposite to the signalised junction A6187/Sicklehome junction. The signalised junction has toucan crossing facilities on all the arms. The shared existing footway/cycleway facility exists at the southern side of A6187, leading up to the site's access junction. The pedestrian/cycle link needs to be 3m wide from the site in the interest of enhancing connectivity of the site for both pedestrians and cyclists.
85. The advice has been sought from the Derbyshire County Council (DCC) Road Implementation section, and it has been confirmed that the internal layout is not adoptable and must remain private. The lessee or purchaser shall not at any time, either alone or jointly with others, seek adoption of any part of the access intended to serve the development as a highway maintainable at the public expense, it being the intention that same shall at all times remain private up to the point where the same abuts upon the northern boundary of A6187 Hathersage Road.
86. The proposed site has a total of 57 car parking spaces, including 9 visitors parking which appears adequate. The site would also provide a cycle parking storage area to accommodate parking for cyclists. In terms of traffic impact, it is noted that the latest proposals support a scheme for a 21 residential units & 3 affordable homes.
87. The Highway Authority is aware that planning permission has in the past been granted to redevelop the site to provide a scheme comprising 44 apartments and three single rooms, together with a restaurant, meeting room, and other leisure-based activities. The transport statement adds that there is existing planning consent for a 126-room hotel. Clearly, therefore, previous uses for the site has been well established. Access would be by means of the existing priority-controlled junction with right turn harbourage at the eastern extent of the site as approved under a previous consent. The TS includes a comparison of traffic that likely be generated by the proposals compared against the consented hotel scheme. The conventional residential dwellings net trip generation as indicated in the TS would be considerably less than that under the 126-room consented bed hotel scheme. The TS concludes that the proposed development would generate less traffic in both the morning and evening peak hours compared against consented use, so on this basis, the proposals are not predicted to have a material impact on the operation of the local highway network.
88. However, for the level of residential units proposed, a residential travel plan will be a requirement. Subject to the proposed details being modified where necessary in accordance with the above comments, and if your Authority is minded to approve the application, the following conditions being included in any consent.
89. Conditions were included in the consultation response.

90. Natural England

91. NP/HPK/1222/1563 & NP/HPK/1222/1543 No Objection - subject to appropriate mitigation being secured.
92. River Derwent at Hathersage SSSI: The notified interest of this site thus lies within the river form itself, and not within the biology of the river. There is potential for the development to cause an adverse impact on the features of this site during construction, for example via bank erosion where heavy machinery is used close to the riverbank, or where large quantities of sediment are mobilised and discharged into the watercourse.

93. We recommend that a construction environment management plan (CEMP) is created and followed for the construction of the development, should it go ahead. The CEMP should include measures to prevent construction activities from encroaching close to the river bank. A buffer or at least 10m should be used, with appropriate signage and/or fencing used to prevent impacts. In addition, best practise measures should be used to prevent excessive sediment mobilisation during construction. The CEMP could be secured by way of a suitably worded planning condition.
94. SSSI Enhancement Footfall along the river bank is noted within the most recent condition assessment of the SSSI to be a potential threat to the SSSI condition. Positive management has occurred along some parts of the river to prevent access to within 5m of the River Bank, which has had a beneficial effect on the site. Through this development, due to the shared boundary with the SSSI, further access management measures could be put in place to benefit the SSSI.
95. We consider that without appropriate mitigation the application would:
- damage or destroy the interest features for which the River Derwent at Hathersage Site of Special Scientific Interest has been notified.
96. In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures should be secured: Construction Environment Management Plan.
97. We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

98. PDNPA Policy Officer

99. Major Development. The planning statement submitted in support of the application states at para 5.8 that 'it is considered that the scheme does not represent major development . . . due to the extant permission . . .' The NPPF sets out at paragraph 177 and footnote 60 that whether a proposal is 'major development' is a matter for the decision-maker. Taking into account the nature, scale and setting of the proposal, I consider that it is major development. Therefore, permission should be refused unless there are exceptional circumstances and development is in the public interest. In determining whether exceptional circumstances exist, national housebuilding targets are not material.
100. Government guidance (English National Parks and the Broads UK Government Vision and Circular 2010) is clear that national parks are exempt from housing targets and that new housing should be focussed on meeting local affordable housing requirements. It is important to note that the provision of affordable housing is a requirement of any major housing development in accordance with the NPPF and as such the provision of affordable housing as part of a market housing scheme is not an exceptional circumstance to justify the proposal.
101. Public Interest. Major development in a national park should only be permitted if it is in the public interest. In a national park, the public interest relates to the purposes and duty of a national park: conservation and enhancement of natural beauty, wildlife and cultural heritage, opportunities for understanding and enjoyment, and the economic and social well-being of local communities. The public interest benefits of this proposal are limited.
102. Affordable housing. The inclusion of either 3 affordable dwellings or a financial contribution of £100,000 is an acknowledgement of the Authority's position. An independent viability assessment will determine whether this is at an appropriate level. In any event however, the proposed location of the 3 affordable dwellings is unacceptable, being isolated from the main building.

103. PDNPA Transport Officer

104. Concern has been expressed by some members of the public about the loss of part of the existing on-street parking lane along the frontage of the development. The A6187 is a wide and fast road approaching the site from the east, with relatively high levels of traffic at the weekends. The road is subject to the National Speed limit (60mph) at the eastern boundary of the site, dropping to 40mph at the western extent of the site. The route through the Hope Valley is extremely popular with road cyclists and carries a mix of resident, visitor business and heavy freight traffic. Therefore, we would wish to ensure the maintenance of the integrity of the existing cycle lane, in its entirety, along the frontage of the site.

105. PDNPA Tree Officer

106. I am happy with the proposed works, they are not removing any mature trees, but replanting trees on the proposed site.

107. PDNPA Landscape Officer

108. A local landscape character area has been defined – however, its value, susceptibility & sensitivity is defined as medium. While the area does contain existing built form, some dereliction and highway, it is still a generally attractive area within a National Park setting. The values as stated are thus too low.

109. For the site – value, susceptibility & sensitivity is defined as low. Again, I believe this is a judgment I disagree with. Judgements of receptor sensitivities are therefore too low within the assessment, which invalidates all subsequent judgments on importance/significance of effect. In terms of considering effects on landscape character, there are again significant issues with the judgements.

110. For the localised landscape character area: at year 1 a sensitivity of medium combined with a magnitude of small is considered to result in a significance / effect of neutral (balanced). At year 15, a magnitude of medium is considered to result in a significance / effect of minor beneficial. The Site: at year 1, a sensitivity of low combined with a magnitude of medium is considered to result in significance / effect of neutral (balanced). At year 15, a magnitude of medium is considered to result in a significance/effect of minor beneficial.

111. While it is appreciated that the process involves professional judgement (and that two professionals may come to differing judgments), these assessments are considerable under estimates in my view, and are not justified to any degree by the assessment.

112. In terms of visual effects, I believe that similar under-estimation has taken place. For example, in PV3 sensitivity is defined as low; while the susceptibility of road users may be low, the view value is not. In my view, the supplied LVA significantly under-estimates the importance of the landscape and visual effects which would result if the scheme was granted permission.

113. In terms of the supplied masterplan, the design objectives and detail of the design are also weak. For example, in terms of scheme design, the relationship of the building frontage to the A6187 is weak and the built form is too prominent. I would prefer to see a stronger 'landscape buffer' between the building and the A6187, with parking areas on the site frontage moved.

114. I therefore believe that the submitted scheme does not comply with L1.

115. PDNPA Ecology Officer (summarized)

116. The Ecological appraisal undertaken by FPCR addresses the shortfall with respect to ecological assessments previously identified and details Water Vole, GCN and Bat surveys all undertaken in line with relevant guidance.
117. Although this [Biodiversity net gain] is not yet mandated, in terms of the application site, it is expected that the ecological surveyors would identify any potential degradation or clearance of site. The condition of the habitat appears to reflect that as described in the Ecological Appraisal by FPCR in 2021. Together with this and the PDNPA's knowledge of the site, it is considered that the submitted assessment (2022) is an acceptable representation of 'current' condition and habitats.
118. The existing ecological value of the site is calculated at 5.08 units. Both schemes will deliver significant improvements in regard to Biodiversity Net Gain, with Option 1 – 21 apartments delivering an uplift of 270% (18.79 Habitat Units) and Option 2 – 21 apartments with 3 affordable housing units delivering an uplift of 241% (17.20 Habitat Units). Both schemes would also deliver a further improvement of 611% (0.81 Habitat Units) in Hedgerow units. However, it should be noted that the projected biodiversity uplift is based on certain assumptions including that the created habitat will meet a certain condition achieved through appropriate management. Therefore, in order to achieve the stated Biodiversity uplift it is important to secure the delivery of a Landscape Management Plan and subsequent monitoring of the site. In particular, details of species mix and source for the wildflower meadow creation should be submitted and approved by the Authority, and the LMP should address long-term management of this habitat (including provision for appropriate aftergrazing following the July hay cut if possible).
119. The bat surveys recorded use of the River Derwent corridor by multiple bat species, many of which are light sensitive (such as brown long-eared bat and *Myotis* species). The retention and enhancement of the river and bankside vegetation is welcomed and should be secured by means of Landscape Management Plan. Suggestions for a wildlife-sensitive lighting scheme have been made (Section 4.45) and these need to be approved by the PDNPA. The inclusion of bat boxes is welcomed, but the incorporation of bat roosting opportunities within the building is preferred as these provide more permanent opportunities for bats.
120. As with bats, we would recommend the incorporation of nesting opportunities within any buildings, in particular for swifts and house martins. Riparian Species (Water Vole, Otter and Riparian Birds) The survey effort and justification for absence/presence is considered sufficient and adequate. If the construction of a new headwall is required, the Method Statement for Otter detailed in Appendix C of the Ecological Report by FPCR (2022) should be adhered to. The retention and enhancement of the river and bankside vegetation is welcomed and should be secured by means of a Landscape Environment Management Plan (LEMP) which will benefit all riparian species (including birds). Any removal of vegetation should be undertaken outside of bird breeding season (March – August inclusive) unless preceded by a nesting bird check conducted by an appropriately experienced ecologist. With regards to reptiles, the precautionary method of working detailed within an Ecological Construction Method Statement as detailed in Section 4.50 of the Ecological Appraisal is welcomed.
121. The drainage channels were evaluated for their suitability to support breeding Great Crested Newt (GCN) using the HSI scoring system developed by Oldham et al. The score was 'Poor'. Subsequent Environmental DNA (eDNA) sampling was undertaken of the drainage channels. The results were negative. No further recommendations were provided. If GCN are found during works, all work must stop and a suitably qualified ecologist contacted. Invasive Species The applicant has provided recommendations regarding invasive species to be included within an Ecological Construction Method Statement which is welcomed. The recommendations regarding invasive species to be

included within an Ecological Construction Method Statement as detailed in Section 4.58 of the Ecological Appraisal by FPCR. In addition, the invasive New Zealand Pygmy weed (*Crassula helmsii*) has been confirmed from the drainage channels. Due to the risk of spread during the construction phase, control measures to eradicate New Zealand Pygmy weed from the site should be undertaken by an appropriate and qualified contractor prior to any site works in the vicinity of the drainage channels.

122. Natural England responded to the consultation in respect to NP/HPK/1222/1563 and NP/HPK/1222/1543 with no objections subject to submission of a construction environment management plan (CEMP). We welcome the submission of a CEMP to include Natural England's advice- in particular to prevent construction activities within at least 10m of the river bank, with appropriate signage and/or fencing; and adoption of best practise measures to prevent excessive sediment mobilisation during construction. In addition, we concur with Natural England's advice dated 24th January 2023 regarding SSSI enhancement; specifically ensuring measures are in place to prevent access to 5 m of the River Bank. These details should be included within a LEMP.
123. We welcome the inclusion of native species within the development. The replacement of Babylon willow (*Salix babylonica*) with White willow (*S. alba*) and/or Crack willow (*S. fragilis*) would be preferred. The inclusion of a Sustainable Drainage Systems (SuDS) would likely change the BNG metric calculation. However, it is not anticipated that this would equate to a significant loss given that a SuDS system would provide opportunities to mitigate/enhance the site re. habitat and species diversity, and to offset the loss of damp habitat in the drainage channels which would be lost. However, we would advise an updated BNG metric to be submitted to reflect the provision of SuDS and to reflect approximately the same biodiversity gain that the applicant has submitted for the current scheme(s).

124. Representations

125. Objections (5)

126. I am concerned about the wording of the alterations to the white lines on the highway. Could you clarify that the existing cycle lines on the highway will stay. The Hope Valley road is used by many cyclists of all abilities and I would object if these lines are to be removed. Also, I would prefer to see 50% affordable housing in the proposed plans.
127. Reviewing the S278 Works - Proposed Highway Modifications, I see the drawing references "burn off existing cycle lane demarcation and pictograms". I see no reference to this in the transport statement. I also notice for instance for other lines there is "burn off existing southern white line, reposition and paint new southern white line....". To me this implies the cycle lane on the road is being removed! As a road cyclist and a mountain biker, I use both the road cycle lane and pavement cycle lane. I am totally against the road cycle lane being removed. I often cycle and up and down the valley. When coming from Hope on my road bike, I would never ride the pavement even if the road bike lane is removed. I would say 99% of road cyclists would do the same. This would be an issue for car drivers and probably would increase the amount of accidents at this junction. I know Hope Valley Climate Change and Hope Valley School are trying to promote cycling to school. I would advocate my children to use the cycle lane but for those coming from Hope/Brough, you have swerve onto the pavement and risk punctures from thorns from the bush that I hear other people moaning about. As for the building, I don't get involved with these decisions but I agree the valley needs more sheltered housing but is 2km from a village the right place for this?
128. As a parent of 4 children all currently wanting to stay in the area they grew up in, I am disappointed by what seems to be a disproportionate amount of affordable housing in what sounds like a brilliant new development.
129. I suggest that it be half affordable and half private. There is a genuine need in the area for more affordable housing.
130. There is a lack of affordable homes in the Valley and families are being dispersed due to this fact. My own family is now spread across the country due to the high cost of gaining a foot on any local property ladder - I am not alone with this. The open market properties will sell for a premium and will likely to be out of reach for local families. This will attract out of area wealthy investors looking for a second home or they will be used as holiday lets. Not ideal. It's a shame the site cannot be developed by a someone willing to run it as mixed social/affordable housing. 3 affordable homes I believe is more than required by local planning but is nowhere near enough. Priority needs to be given to the local needs.
131. Derwent Fly Fishing Club (summarised)
132. The nature of the design and construction of any headwall, located on my clients land and within a SSSI is not detailed anywhere in the application.
133. The applicant states 'No' to all questions under 'Biodiversity and Geological Conservation'....This understanding is incorrect. The applicant is proposing a new/varied drain and headwall located on, and discharging into, a Site of Special Scientific Interest (SSSI), something wholly omitted from the application.
134. The applicant suggests that there is an existing, historic surface water drainage system that is likely to require a new headwall. It should be highlighted that my client does not believe there to be an existing system.
135. Planting is proposed on my client's property, something they have not been consulted on or agreed to.

136. The Club are concerned about the high and steep riverbank posing a risk to persons living, working and visiting the site.

137. General (5)

138. 24 dwellings yet only 3 "affordable" houses is a disgrace. Chances are 21 dwellings will be bought as holiday lets/second homes. Born & bred Hope Valley young adults when wanting to leave their parental homes have little to no chance of purchasing affordable housing in the area(Hope Valley) they were raised. The Peak Park need to look after these local young adults first & foremost by only allowing ALL of this proposed development to consist of "affordable" housing to local people.

139. I am commenting as a recognised national expert (and Peak resident) on planning obligations including the supply of new affordable homes on new housing developments. These agreements between developers and planning authorities are now the principal means of supplying new affordable homes, with the costs of these contributions being reflected in lower land prices being paid for new developments. It should be noted that in the recent 'Parkhurst' decision the High Court decided that planning authority policy should prevail irrespective of occasions where developers may have paid too much for the land against a valuation related to adopted planning requirements. It seems to me that there is clarity in PNPA policy i.e. that there are few arguments to favour new market housing in the Peak (and as others have commented many might well become second homes not homes for local residents: that is until new promised gvt legislation prevents this use for newly built homes) Whilst I realise and sympathise with local residents' desires for the site to be redeveloped, the lack of affordable housing seems to be to be a major reason why the current proposals should be subject to further discussion/negotiation to raise the proportion of affordable housing to a much higher level given the acute shortage of affordable and key worker housing. I respectfully suggest that the viability study should look again at the levels of discounts to market value (i.e. what housing associations would pay to buy e.g. affordable rent or shared ownership homes on the site). There is good evidence available in a lot of recent monitoring studies done for DLUHC and other bodies. I trust this is helpful to my professional colleagues in PNPA.

140. In an area that has practically no affordable homes (such as could realistically be purchased by children of local families) it seems incongruous to only designate 12.5% of a significant development to affordable housing. To clarify I generally support the development of this site, but feel that the needs of local families are not being adequately addressed with this specific proposal . It seems more likely that the bulk of this development plan will attract affluent second home owners, investors and holiday rentals (ref Ladybower apartments at Yorkshire Bridge). Given that (quite rightly) so little new build is permitted in the Hope Valley, shouldn't a significant development such as this have a much more emphasis on the actual housing needs in the area? More affordable homes should be the priority.

141. I feel that the proportion (7:1) of open market to affordable housing should be changed to reflect the fact that, despite many efforts, there is very little affordable housing within the Hope Valley for the people who live and work here. I would prefer to see the ratio nearer to 50:50 and hope that the PDNPA will insist on a balance which is fairer to people who have grown up here.

142. 21 properties for sale on the open market potentially purchased by speculators/holiday lets living outside the area? Only 3 affordable properties? Apart from making the area look better how does this benefit the local area. I don't see anything that states priority will be given to local purchasers.

143. Support (1)

144. This is a very good proposal and provides much needed affordable homes for those in the valley who are limited in their options. The site has been an eyesore for too long and the redevelopment will enhance the location and general appeal of the Hope Valley.

145. No objection (1)

146. Absolutely needed for local people and families.

147. Main Policies

148. Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L1, L2, CC1, CC5, HC1, T1, T2 and T7

149. Relevant Development management policies: DMC1, DMC3, DMC11, DMC12, DMC13, DMC14, DMH1, DMH2, DMH3, DMH6, DMH11, DMT8, DMU1

150. National Park purposes and duty

151. As set out in the Environment Act, 1995.

152. Purpose 1: To conserve and enhance the natural beauty, wildlife and cultural heritage of the area.

153. Purpose 2: To promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public.

154. Duty: To seek to foster the social and economic wellbeing of the local communities within the National Park in pursuit of our purposes.

155. National Planning Policy Framework

156. The National Planning Policy Framework (NPPF), July 2021 is a material consideration and can carry particular weight where a development plan is absent, silent or relevant policies are out of date.

157. Paragraph 176 states that ‘great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads.’

158. Paragraph 177 states that planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:

159. The need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy.

160. The cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and

161. Any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

162. Paragraph 65 states that where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the total number of homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups. Exemptions to this 10% requirement should also be made where the site or proposed development:
 163. Provides solely for Build to Rent homes;
 164. Provides specialist accommodation for a group of people with specific needs (such as purpose-built accommodation for the elderly or students);
 165. Is proposed to be development by people who wish to build or commission their own homes; or
 166. Is exclusively for affordable housing, an entry-level exception site or a rural exception site.
167. Paragraph 78 states that in rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs, and consider whether allowing some market housing on these sites would help to facilitate this.
168. Paragraph 79 states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.
169. Paragraph 80 states that planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:
 170. there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;
 171. the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;
 172. the development would re-use redundant or disused buildings and enhance its immediate setting;
 173. the development would involve the subdivision of an existing residential building; or
 174. the design is of exceptional quality, in that it:
 - a. is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and
 - b. would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.
175. Paragraph 92 states that Planning policies and decisions should aim to achieve healthy, inclusive and safe places.

176. Paragraph 113 states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.
177. Paragraph 119 states that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed land (except where this would conflict with other policies in the NPPF).
178. Paragraph 120 says that planning decisions should encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside.
179. Paragraph 130 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
180. Paragraph 159 states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.
181. Paragraph 167 says that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:
 182. within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
 183. the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;
 184. it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
 185. any residual risk can be safely managed; and
 186. safe access and escape routes are included where appropriate, as part of an agreed emergency plan.
187. English National Parks and the broads: UK Government Vision and Circular (2010)
188. Planning practice guidance (PPG) points to this document for '*Information about the National Parks and Broads and the government's priorities for these protected landscapes*'. The circular states that National Parks are not suitable locations for unrestricted housing. '*The expectation is that new housing will be focused on meeting affordable housing requirements, supporting local employment opportunities and key services. The Government expects the Authorities to maintain a focus on affordable housing and to work with local authorities and other agencies to ensure that the needs of local communities in the Parks are met and that affordable housing remains so in the longer term.*'

189. National Design Guide (NDG) (2021 update)

190. The NDG forms part of the Government's collection of planning practice guidance and should be read alongside the separate planning practice guidance on design process and tools. It is to be used by LPA planning officers to assess design and by planning committees in decision making.

191. The purpose of the NDG is to support paragraph 130 of the National Planning Policy Framework which states that 'permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions'.

192. Para 21. A well-designed place is unlikely to be achieved by focusing only on the appearance, materials and detailing of buildings. It comes about through making the right choices at all levels, including: the layout (or masterplan); the form and scale of buildings; their appearance; landscape; materials; and their detailing.

193. Para 40. Well-designed places are: based on a sound understanding of the features of the site and the surrounding context, using baseline studies as a starting point for design; integrated into their surroundings so they relate well to them; influenced by and influence their context positively; and responsive to local history, culture and heritage.

194. Well-designed places respond to existing local character and identity.

195. Para 53 Well-designed new development is influenced by: an appreciation and understanding of vernacular, local or regional character, including existing built form, landscape and local architectural precedents; the characteristics of the existing built form; the elements of a place or local places that make it distinctive; and other features of the context that are particular to the area.

196. Para 111. Well-designed places have: a mix of uses including local services and facilities to support daily life; an integrated mix of housing tenures and types to suit people at all stages of life; and well-integrated housing and other facilities that are designed to be tenure neutral and socially inclusive.

197. Peak District National Park Core Strategy

198. Policy DS1 sets out the Development Strategy for the National Park. Policy DS1.E. states that 'Where there is pressure for development and the National Park Authority is uncertain about the capacity for this in a named settlement, an assessment of site alternatives will be required to demonstrate the extent of development which may be permitted. This process should involve the Parish Council or Parish Meeting and demonstrate that the proposed development complements:

- the settlement's overall pattern of development;
- the character and setting of nearby buildings and structures; and
- the character of the landscape in which the settlement sits.'

199. Policy GSP1 requires all development to be consistent with the National Park's legal purposes and duty. Where there is an irreconcilable conflict between the statutory purposes, the Sandford Principle will be applied and the conservation and enhancement of the National Park will be given priority.

200. GSP1. E says that in securing national park purposes major development should not take place other than in exceptional circumstances. Major development will only be permitted following rigorous consideration of the criteria in national policy. GSP1. F says that where a proposal for major development can demonstrate a significant net benefit to the national park, every effort to mitigate potential localised harm and compensate for any residual harm to the area's valued characteristics would be expected to be secured.

201. GSP2 says that opportunities for enhancing the national park will be identified and acted upon. Proposals must demonstrate that they offer significant overall net benefit to the natural beauty, wildlife and cultural heritage of the area. They should not undermine the achievement of other core policies.
202. Policy GSP3 sets out development management principles and states that all development must respect, conserve and enhance all valued characteristics of the site and buildings, paying particular attention to, amongst other elements, impact on the character and setting of buildings, scale of the development appropriate to the character and appearance of the National Park, design in accordance with the National Park Authority Design Guide, impact on living conditions of communities, impact on access and traffic levels and use of sustainable modes of transport.
203. L1 says that development must conserve 'and enhance valued landscape character, as identified in the Landscape Strategy and Action Plan, and other valued characteristics.
204. L2 says that development must conserve or enhance any sites, features or species of biodiversity or geodiversity importance and where appropriate their setting. Other than in exceptional circumstances development will not be permitted where it is likely to have an adverse impact on any sites, features or species of biodiversity or geodiversity importance.
205. CC1 says that in order to build in resilience to and mitigate the causes of climate change all development must: make the most efficient and sustainable use of land, buildings and natural resources; take account of the energy hierarchy; be directed away from flood risk areas and reduce overall risk from flooding; achieve the highest possible standards of carbon reductions and water efficiency.
206. CC5. C says that development which increases roof and hard surface area must include adequate measures such as Sustainable Drainage Systems to deal with the run-off of surface water. Such measures must not increase the risk of a local water course flooding.
207. HC1 says 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 can be accepted where:
208. It addresses eligible local needs:
209. For homes that remain affordable with occupation restricted to local people in perpetuity; or
210. For aged persons' assisted accommodation including residential institutions offering care, where adequate care or assistance cannot be provided within the existing housing stock. In such cases, sufficient flexibility will be allowed in determining the local residential qualification to take into account their short-term business needs whilst maintaining local residency restrictions for the long term.
211. It provides for key workers in agriculture, forestry or other rural enterprises in accordance with core policy HC2.
212. In accordance with core policies GSP1 and GSP2:
 - a. It is required in order to achieve conservation and/or enhancement of valued vernacular or listed buildings; or
 - b. It is required in order to achieve conservation or enhancement in settlements listed in core policy DS1.

- c. Any scheme proposed under C1 or CII that is able to accommodate more than one dwelling unit, must also address identified eligible local need and be affordable with occupation restricted to local people in perpetuity, unless:
 - d. It is not financially viable, although the intention will still be to maximise the proportion of affordable homes within viability constraints; or
 - e. it would provide more affordable homes than are needed in the parish and the adjacent parishes, now and in the near future: in which case (also subject to viability considerations), a financial contribution will be required towards affordable housing needed elsewhere in the National Park.
213. T1 aims to reduce the general need to travel within the National Park and encourage sustainable transport. T2. C says that modal shift to sustainable transport will be encouraged. T2. E says that impacts of traffic within environmentally sensitive locations will be minimised. T2. F says that sustainable access for the quiet enjoyment of the National Park, that does not cause harm to the valued characteristics, will be promoted.
214. T2. F says that sustainable transport patterns will be sought that complement the development strategy. Travel plans will be used to encourage behavioural change to achieve a reduction in the need to travel, and to change public attitudes toward car usage and public transport, walking and cycling. Travel plans to reduce traffic movements and safeguard transport infrastructure will be required on appropriate new developments and encouraged on existing developments.
215. T7. B says that residential parking and operational parking for service and delivery vehicles will be the minimum required for operational purposes, taking into account environmental constraints and future requirements.
216. Development Management Policies
217. DMC1. A says that in countryside beyond the edge of designated settlements any development proposal with a wide scale landscape impact must provide a landscape assessment with reference to the Landscape Strategy and Action Plan. The 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: the overall strategy for the relevant Landscape Strategy and Action Plan area, any cumulative impact and the effect of the proposal on the landscape.
218. Policy DMC3. A says where development is acceptable in principle, it will be permitted provided that its detailed treatment is of a high standard that respects, protects and where possible enhances the natural beauty, quality and visual amenity of the landscape, including the wildlife and cultural heritage that contribute to the distinctive sense of place.
219. 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.
220. Policy DMC11. A says that proposals should aim to achieve net gains to biodiversity or geodiversity as a result of development. In considering whether a proposal conserves and enhances sites, features or species of wildlife, geological or geomorphological importance all reasonable measures must be taken to avoid net loss.

221. DMC11. B says details of appropriate safeguards and enhancement measures for a site, feature or species of nature conservation importance which could be affected by the development must be provided, in line with the Biodiversity Action Plan and any action plan for geodiversity sites, including provision for the beneficial future management of the interests. Development will not be permitted if applicants fail to provide adequate or accurate detailed information to show the impact of a development proposal on a site, feature or species including:
 222. an assessment of the nature conservation importance of the site; and
 223. adequate information about the special interests of the site; and
 224. an assessment of the direct and indirect effects of the development; and
 225. details of any mitigating and/or compensatory measures and details setting out the degree to which net gain in biodiversity has been sought; and
 226. details of provisions made for the beneficial future management of the nature conservation interests of the site. Where the likely success of these measures is uncertain, development will not be permitted.
227. DMC11. C says that for all sites features and species development proposals must also consider cumulative impacts and the setting of the development in relation to other features of importance, taking into account historic, cultural and other landscape context.
228. DMC12. A says that for Internationally designated or candidate sites, or European Protected Species, the exceptional circumstances where development may be permitted are those where it can be demonstrated that the legislative provisions to protect such sites or species can be fully met.
229. DMC12. B says that for sites, features or species of national importance, exceptional circumstances are where the development is essential for the management of those sites, features or species; or for the conservation and enhancement of the National Park's valued characteristics; or where the benefits of the development at a site clearly outweigh the impacts on the features of the site that make it of special scientific interest and any broader impacts on the national network of SSSIs.
230. DMC12. C says that for all other sites, features and species, development will only be permitted where significant harm can be avoided and the conservation status of the population of the species or habitat concerned is maintained; and the need for, and the benefits of, the development in that location clearly outweigh any adverse effect.
231. Policy DMC13 says that planning applications should provide sufficient information to enable impact on trees, woodlands and other landscape features to be properly considered. Development should incorporate existing trees and hedgerows which positively contribute which should be protected during the course of the development.
232. Policy DMC14 says that development that presents a risk of pollution or disturbance including soil, air, light, water or noise pollution, or odour that could adversely affect any of the following interests will not be permitted unless adequate control measures are put in place to bring the pollution within acceptable limits.
233. Policy DMH6 states that re-development of previously developed land for housing will be permitted provided that:
 234. the development conserves and enhances the valued character of the built environment or landscape on, around or adjacent to the site; and

235. where the land is inside or on the edge of a Core Strategy policy DS1 settlement, and subject to viability, an element of the housing addresses local need for affordable housing potentially including starter home or custom or self-build housing provision.
236. Policy DMH1 supports the provision of affordable housing subject to proven need and restricts the size of affordable housing as a measure to ensure it remains affordable in perpetuity.
237. Policy DMH2 requires the first person who occupies a new affordable house to have a local connection or be a caregiver to someone in the locality with a local connection.
238. Policy DMH3 sets out the occupancy cascade for second and subsequent occupancy to ensure that those with a local connection residing in the local parish/s are considered first and then the property is made available to residents in the wider National Park who have a local connection.
239. Policy DMH11.A on affordable housing subject to S106 agreements, states that the occupancy of all affordable housing will be restricted in line with DMH1,2 and 3. And that any subsequent development will be restricted to ensure the properties remain affordable in perpetuity.
240. Policy DMT3. B says that development, which includes a new or improved access onto a public highway, will only be permitted where, having regard to the standard, function, nature and use of the road, a safe access that is achievable for all people, can be provided in a way which does not detract from the character and appearance of the locality and where possible enhances it.
241. Policy DMT8. A states that off-street car parking for residential development should be provided unless it can be demonstrated that on-street parking meets highway standards and does not negatively impact on the visual and other amenity of the local community. This should be either within the curtilage of the property or allocated elsewhere. DMT8. C says that the design and number of parking spaces associated with residential development, including any communal residential parking, must respect the valued characteristics of the area.
242. DMU1 says that new or upgraded service infrastructure for new development will be permitted subject to the requirement that full details are provided in the planning application and it: does not adversely affect the valued characteristics of the area; and any new land use does not commence prior to the appropriate delivery of the services.
243. Supplementary planning documents (SPD) and other material considerations
244. The adopted climate change and sustainable building SPD provides detailed guidance on construction methods and renewable technologies along with a framework for how development can demonstrate compliance with policy CC1.
245. The adopted design guide SPD and supporting building design guide provides detailed guidance on the local building tradition within the National Park and how this should be utilised to inform high quality new design that conserves and enhances the National Park.
246. The adopted transport design guide SPD provides detailed guidance on the design of transport infrastructure including access layouts, parking and future technology such as electric vehicle charge points and autonomous vehicles.

Assessment

247. The former hotel buildings were demolished between 2009 and 2011 following the grant of planning permission for redevelopment of the site for an hotel (see planning history). Works to implement the planning permission for the hotel have been started, including the excavations of part of the site to formation level, completion of the northern roadside boundary wall and return on the western side of the site, works to services and completion of the new layby and access.
248. The general condition of the site has remained largely unchanged over the past ten years. Nevertheless, the planning permission for redevelopment of the site for a hotel has commenced and remains extant. The site falls within the definition of previously developed land.
249. The main differences in these planning applications in comparison to planning application NP/HPK/0821/0890 are:
- 1) The applicant has offered either 3 affordable houses OR £100,000 contribution to affordable housing in the locality.
 - 2) New pitched roofs have been added to the northern elevation of the middle section to break up the massing of the building.

250. Major development in a National Park

251. It is considered the proposal is major development in the National Park for the following reasons.
252. The NPPF, footnote 55 to para. 172 says ‘major development’ is “a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.”
253. The number of dwellings is one factor in determining whether the scheme is major development but also the characteristics of the site and the impact on the local area are factors too.
254. The site is currently a cleared site, therefore any new development on the site will have impact.
255. The proposal is a three-story development of 21 apartments, that extends approximately 59 metres along the A6187 Hathersage Road. With a further 2 storey development of 3 terraced dwellings, extending approximately a further 17m along the road frontage. The main development is set down and set back from the road behind a 1.85m high wall.
256. In an area characterised by fields and one and two storey sporadic farm buildings/businesses, the scale and massing of a three-storey development for 21 units will be a significant visual impact on the local area when travelling along the A6187. In particular, the urban design and form is not characteristic of this part of the National Park. Whilst there a reference to the former Marquis of Granby building that was previously present on site, the rest of the proposed development is more urban in form and scale resulting in a much greater visual impact within the landscape, and not reflective of local character.
257. Taking into account the number of units proposed, the scale and massing of the development, and the impact on the landscape, the proposal is considered to be major development and as such the tests set out in para 177 of the NPPF apply.

258. The principle of housing development on the site

259. The member discussion at Planning Committee on the 11th February 2022 relating to planning application NP/HPK/0821/0890 is relevant.
260. Officers' previous planning judgement of the site location was that it was detached from Bamford and that the application of policy should focus upon this being major development in the open countryside
261. Nevertheless, Members considered the site to have a close relationship with Bamford, which is a policy DS1 settlement. In making that judgement they considered policy HC1 relevant and that for housing to be supported on the site, a proportion of the housing should be affordable housing to meet identified eligible local need.
262. Members also considered the need for affordable housing in the local area was a material consideration that was given significant weight in supporting the principle of residential development on this site.
263. DS1 part B states that the majority of new development (including about 80 to 90% of new homes) will be directed into Bakewell and named settlements (including Bamford and Hathersage), with the remainder occurring in other settlements and the rest of the countryside. The basic intent of DS1 is to achieve a more sustainable pattern of development which promotes social networks, close access to services and reduces the need to travel. In the process the policy directs and contains development in the settlements of the National Park thus conserving the undeveloped and natural character of the surrounding landscapes.
264. Other core policies work alongside this principle, e.g. policies HC1 and then DMH6 for housing including that on brownfield sites which similarly aim to realise provision in or on the edge of settlements.
265. Without the provision of settlement boundaries, it is necessary to exercise some judgement on the matter of development being in or on the edge of a settlement. The strategic intent remains to locate development close to settlement in order to promote sustainable development. In this case members have already considered that the site has a close relationship to Bamford, and is within walking distance of rail and bus services. It is also between 2 named settlements in our Core Strategy which have outstanding and unmet affordable housing needs. Moreover, the inability to bring forward sites without harm to the National Park is an ongoing challenge and frustration to the wider plan objective of addressing local affordable housing need.
266. Therefore, when placed against the major development tests in the NPPF, which seek a rigorous assessment of the need for development and for benefits to be in the public interest, officers believe a residential scheme on this site should design-in affordable homes which address the needs of the local communities in this location, specifically Bamford and Hathersage. Moreover, that such houses should be genuinely affordable to those on low to moderate income and should remain available in perpetuity to underpin the needs and sustainability of the area.
267. It is important to note that the principle of housing does not include the consideration of the scale of development proposed.

268. Affordable Housing

269. For all major development, the NPPF, para 65 states that 'where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the total number of homes to be available for affordable home ownership'.

270. The National Parks circular (2010), is a material consideration and referenced in the Planning Policy Guidance. It clearly states that national parks 'are not suitable locations for unrestricted housing and [the government] does not therefore provide general housing targets for them. This is reflected in policy HC1, which states that HC1 says that provision will not be made for housing solely to meet open market demand. The circular goes on to state that 'The expectation is that new housing will be focused on meeting affordable housing requirements, supporting local employment opportunities and key services'. These are material considerations for this application and as such it is an acceptable approach to expect more than 10% affordable housing.
271. A further material consideration is policy DS1.E. It states that 'Where there is pressure for development and the National Park Authority is uncertain about the capacity for this in a named settlement, an assessment of site alternatives will be required to demonstrate the extent of development which may be permitted. This process should involve the Parish Council or Parish Meeting and demonstrate that the proposed development complements:
- the settlement's overall pattern of development;
 - the character and setting of nearby buildings and structures; and
 - the character of the landscape in which the settlement sits.'
272. The Authority and a Registered Provider have carried out site searches in consultation with Bamford Parish Council and have been unable to find a suitable exception or enhancement site within or on the edge of Bamford for local needs affordable housing.
273. The Planning Committee, in determining planning application NP/HPK/0821/0890 took this position into consideration and, together with the application site's relationship to Bamford and its sustainable location, considered it a suitable location for residential development that could help meet the affordable housing needs of Bamford and the surrounding area. Both Bamford and Hathersage Parish Councils have written in support of affordable housing provision on the application site to help meet the identified eligible local need.
274. The Bamford Local Needs Housing Survey, 2015 together with Home Options data is considered to be a material consideration and this view is supported by the Local Housing Authority. It identifies a need for 9 households that would meet the local connection criteria and be in housing need (Bands A –C). In addition to this, the recently published Housing and Economic Land Needs Assessment (HELNA) for High Peak Borough Council (note the PDNPA contributed towards this assessment for the area that covers the National Park) specifically looked at levels of housing need within the PDNPA area of High Peak Borough Council. In the National Park, the report concluded a net annual need of between 7 and 13 homes for affordable / social rent and between 11 and 14 for affordable homes to purchase (intermediate housing including shared ownership) over the period 2021 to 2041.
275. The Hathersage Local Needs Housing Survey (2016), identified a need for 48 households that met the local connection and be in housing need (Bands A-C). This document remains relevant. Hathersage Parish Council having been working with the Derbyshire Dales DC Rural Housing Enabler to find appropriate sites for over 10 years. Such a high level of need would be expected to be delivered over a number of sites. So far, not one site has come forward for affordable housing.
276. Both Local Needs Housing Surveys and the High Peak Borough Council HELNA are material considerations in understanding the need for affordable housing in the area.
277. Policy GSP1 on securing national park purposes and duty states that decisions must accord with the legal purposes and duty of the National Park. Given the high level of need for affordable housing in the area and the lack of opportunities to deliver it, seeking

to maximise the provision of affordable housing on enhancement sites is within the spirit of delivering the duty of fostering the social and economic wellbeing of the local communities within the National Park in pursuit of purposes.

278. Core Strategy para 12.7 states that 'policy now aims to maximise delivery of affordable housing in all cases apart from changes of use (e.g. of a barn) to a single home where affordable housing is not normally viable'.
279. The applications propose £100,000 off-site financial contribution towards affordable housing in the locality (NP/HPK/1222/1543) or 3 affordable dwellings built on-site which equates to 13% affordable housing (NP/HPK/1222/1563). Whether this provision maximises the amount of affordable housing on site in the interests of the local community is considered in the section on viability.

280. Viability

281. The PPG states that 'The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and viability evidence underpinning the plan is up to date, and site circumstances including any changes since the plan was brought into force, and the transparency of assumptions behind evidence submitted as part of the viability assessment.'
282. It goes on further to state that 'In plan making and decision making viability helps to strike a balance between the aspirations of developers and landowners, in terms of returns against risk, and the aims of the planning system to secure maximum benefits in the public interest through the granting of planning permission.'
283. The previous planning application for housing on the site (NP/HPK/0821/0890) was refused, in part, on the failure to address local need for affordable housing. The applicant has submitted a Financial Viability Assessment (FVA) to accompany the applications. This demonstrates that the development is only just viable. However, despite this the applicant is offering 3 terraced affordable dwellings to be sold at 80% open market value to a shared housing provider or an off-site financial contribution of £100,000.
284. In accordance with the PPG, the PDNPA appointed a consultant to conduct an independent review of the FVA. The consultant is MRICS and has no conflict of interest. The PDNPA consultant met the professional requirements to carry out the independent review and has experience of carrying out similar work for constituent and nearby local planning authorities.
285. The PDNPA consultant has advised the Authority in the FVA Review that based on the information submitted in the FVA, the development is viable and could accommodate 5 affordable dwellings for social rent consisting of the 3 terraced properties and 2 apartments (which could be reconfigured to 3 apartments in total) and an off-site financial contribution of £50,500. This allows for a developer profit of between 15-20%.
286. The PDNPA consultant tested the FVA with no affordable units, which would give a headroom of £750,400 or with 3 terraced affordable units which would give a headroom of £790,000 (the headroom is higher with the 3 affordable units as the developer would make a profit on the affordable dwellings as proposed to be for shared ownership).
287. The applicant's consultant refuted this advice in their rebuttal and provided further information to support their position. It should be noted the need for transparency of assumptions behind evidence submitted should be the starting position for the applicant's FVA in accordance with the PPG.

288. The PDNPA consultant took into account the further evidence provided by the applicant's consultant. The position remained that the development would still be viable with a developer profit of between 15-20% and an affordable housing provision of 5 social rented affordable housing units and an off-site financial contribution of £50,500.

289. It should be noted that whilst the FVA review did not test how many shared ownership properties could be provided, it would be more in number than social rented housing as the transfer value to a 'profit making' RP is significantly more than a transfer value for social rented housing. As such there would be greater headroom to the development to provide more shared ownership properties, even after the developer has taken their 15-20% profit.

290. Conclusion on viability based on the findings of the FVA Review

291. Planning application NP/HPK/0122/1543 offer of £100,000 off-site contribution to affordable housing is significantly lower than the FVA Review headroom findings of £750,400. The planning application could not be made acceptable with an off-site contribution as evidence demonstrates there are no other suitable sites in the locality that are suitable and could be brought forward within a suitable timeframe.

292. Planning application NP/HPK/0122/1563 could come forward for development with an on-site affordable housing contribution of at least 5 social rented houses and a developer contribution. A greater number of shared ownership dwellings could come forward as the transfer value would be much higher.

293. Based on the findings of the FVA Review, the development does not sufficiently address local need for affordable housing contrary to Local Plan policies GSP1, the National Planning Policy Framework, Planning Practice Guidance, and the National Parks and Broads: UK Government Vision and Circular (2010).

294. Further viability considerations

295. Since the FVA Review was completed the applicant has submitted further evidence. In submitting further evidence, the applicant is seeking to demonstrate the scheme cannot viably support more affordable housing.

296. They have also offered an alternative proposal of 3 plots for £30k each for a Registered Provider to develop out themselves. No further information has been submitted regarding this and this offer can be given little weight at this stage.

297. The key issue is that the FVA Review demonstrates both planning applications are viable and whilst the constraints of the development are noted, they have been considered by the PDNPA consultant. The development proposals are still considered to be viable and could provide more affordable housing than is being offered. This position remains unchanged.

298. It is up to the decision maker to determine the amount of weight given to a viability appraisal. Even if the Authority were to give some weight to the FVA it would still demonstrate that the development put forward is not appropriate for this site within the National Park as it is not in the public interest and is not of a design that is respectful of the local landscape character. It would still fail the test of major development within a National Park as set out in the NPPF.

299. For information, areas in which there is no agreement between the consultants are set out in the PDNPA Consultant - Porter PE Technical Note. The table below summarises, where possible, the areas of dispute.

	Peter Milner Rebuttal	Porter PE
Abnormal costs	<p>£639,881</p> <p>Porter PE para 6.50 accepts the revised cost of £150,000 for the substation but fails to amend his FVA accordingly. PE attempts to validate his assumption in para 6.17 and the three examples he highlights in his Appendix F follows the requirements and protocols of BCIS for the submission of tender analysis. BCIS require a complete breakdown of submitted “winning” tenders to then re-evaluate to a consistent Base Line. This removes site specific variations such as piling or other abnormalities. Also states that there is a lack of evidence for Porter PE to concede 50% of the piling cost as are the semantics of “abnormal cost” or “extra-over”, and it should be discounted. It is also noted that the cost of the ring beams and cross beams for the apartment scheme are included in the BCIS base cost rate as they are considered equal to the cost of “standard” foundations.</p>	<p>£135,410</p> <p>The revised cost of £150,000 for the substation has been included in full in the Porter PE Viability Review Report Appendix G: Revised FVAs of the Proposed Application Scheme rows 4.3.2.1 Site abnormalities (additional costs for piling, balconies and onsite sub-station). 5. Regarding the Applicant’s Rebuttal point about piling being removed in BCIS average build costs because they are site specific variations, we have not been provided or seen any evidence about this being the case, nor could we find this evidence when looking on the BCIS website. In our Review work, we also compromised by allowing for 50% of the additional piling costs to be beyond average build costs for flatted developments between 3 and 5 storey in height.</p>
Development period	44 months	33 months
Affordable housing sales yield		
Base build Cost Open Market Dwellings	£1815psqm.	<p>Disagree with this figure as it uses future values at 3Q 2023 which is inappropriate. Current values should be used.</p> <p>For information...</p> <p><i>The test for viability is that the evidence indicates that the current cost of building out the entire site (at today’s prices) is at a level that would enable the developer to sell all the market units on the site (in today’s market) at a rate of build out evidenced by the developer, and make a competitive return to a willing developer and a willing landowner. Section 2, para 10</i></p>

		of DCLG S106 Affordable Housing Requirements.
Base build Cost Affordable Housing Dwellings	Porter PE tests a build cost of £1757 using the BCIS rate for terraced affordable housing. The three AH properties comprise two semi-detached and one inner terraced. Further he fails to add the allowance for externals.	The proposal is for three terraced houses and has been costed as three terraced houses, not a pair of semi's and a terraced house. The extra cost of building two semi-detached and one terraced unit based on the BCIS difference between a semi-detached build cost at £1,874 psm and a terraced dwelling build cost at £1,761 psm would total around £17,000. This additional cost would fall within the identified positive headroom of £50,500 after allowing for the affordable housing contribution that the Porter PE Viability Review identified
Site Preparation	Porter PE fails to acknowledge the state and condition of the site, the degree of fill required, and the raising of the finished site area to accord with the flood defence measures.	Allowances have been made for the above site works, as is reflected in the Porter PE Viability Review Report Appendix G: FVAs of the Proposed Application Scheme at rows 4.3.2.1 Site abnormalities (Foul drainage/pump) and 4.3.2.1 Site abnormalities (additional costs for piling, balconies and on-site sub-station), in addition to the costs for externals (at 14.4%). As the Applicant notes concerning these tested Externals in their previous Rebuttal Review Statement at heading 2.2 Sunk costs, Point 9: 'Preparing the land for development that is allowances for DVA All of these additional development costs are fully reflected in the submitted FVA – and the total is less than PE's own 12% allowance for external works (which will increase once the PE Gross DV is recalculated).'
Externals	Porter PE fails to acknowledge that the Milner FVA has been approached with identified cost items.	No evidence was submitted in the FVA to substantiate these costs. In such cases, our purpose is to provide a professional judgement based on standard ready reckoners for such cost assumptions to

		ascertain if we consider that the costs being identified without evidence seem reasonable. 3. We would also note that all of the Applicant's stated costs for externals, including the Applicant's costs that cover the state and condition of the site, the degree of fill required, and the raising of the finished site area to accord with the flood defence measures, have been included in the Porter PE Viability Review Report Appendix G: FVAs of the Proposed Application Scheme under Externals. The total of these costs amounts to c.£840,700, which is 14.4% of the build costs.
Site visit	The PDNPA consultant has not visited the site.	A visit to the site would be at the applicant's expense and this has not been forthcoming. Mr Porter has used mapping tools and available data to assess the site.
Value rates	The applicant has used future value rates (3Q 2023).	Disagree with using future value rates. <i>The test for viability is that the evidence indicates that the current cost of building out the entire site (at today's prices) is at a level that would enable the developer to sell all the market units on the site (in today's market) at a rate of build out evidenced by the developer, and make a competitive return to a willing developer and a willing landowner. Section 2, para 10 of DCLG S106 Affordable Housing Requirements.</i>
Balconies	The balconies are site specific variations. balconies can be incorporated into the BCIS cost tone but the scale should be re-adjusted to reflect the fact. States that the Applicant's FVA is a more pragmatic and open approach – choosing a fair baseline scale and making specific adjustments to reflect the specific scheme,	No reasoning or costs were provided as part of the FVA and was requested in the Review. This would provide transparency.

	thereby following the RICS requirement of transparency.	
Total Extra Over Build Costs	Despite Porter PE’s various contentions, the Milner FVA is £114,243 LESS than PE – a differential of -7.91%.	If the Applicant’s extra-over costs are £114,243 less than those assumed in the Porter PE assessment and appraisal, then this would imply that the Applicant will have more financial headroom in the delivery of the proposed scheme with the six affordable units that were concluded in the Porter PE Viability Review Report.
Development Profit	Funders expect to see a minimum gross margin of 20% for a development scheme before they will consider approving a loan. That margin is now increasing due to rising commercial interest rates and funders becoming nervous (well documented in the national media).	It is common for flatted developments in areas of high housing demand to be sold off plan. Given the site’s location within the Peak District, which is a hotspot desirable location for buyers seeking a home in the Peak District, either as their principal residence or as a second residence, as well as the identified shortage of homes for residents that is identified by the Council’s housing need study work, then we would expect buyers to secure reservations of these homes through off-plan incremental payments. Regarding the higher level of profit for securing investment loans, we disagree that 20% is the minimum, and would need to be shown evidence to support this.
Risks	No one has ever built out a scheme like this in the Peak Park – such schemes that have been built have all been in a village or town location. It therefore carries a risk that the expected returns cannot be achieved and margins will be squeezed as sale prices are adjusted as an “attractor”.	Following our assessment of local sales values and comparables, we have tested the same values that the Applicant uses.
Sales Fees	Milner FVA provides an elemental cost breakdown and therefore each element is relevant and allowable.	As noted in the Porter PE Review Report, we accepted the Applicant’s sales fee costs but we disagree with including a Build Contract & Warranty package since this is normally treated as being covered by Professional Fees allowances. We see no further reason to amend this review

		point just because a value specified for this fee (but no other PFs) has been provided in the Applicant's rebuttal.
Benchmark Land Value and Sunk Costs	<p>The fees relate to the securing of the existing planning consent as well as the works undertaken to date.</p> <p>They also relate to the cost of the planning application and associated fees and reporting.</p> <p>The fees also relate to dry stone walling of a value of £51,356.</p>	<p>The planning fees for securing existing planning consent should be taken as part of the BLV in terms of what the site is worth in its existing, or rather in this case, its alternative use state. The list of other fees being incurred is what is normally assumed to be a factor of the professional fees allowance, which in this case is based on the Applicant's provided fee costs, which are taken to be 5.5%.</p> <p>The cost of dry stone walling is new information, however allowances within externals cover items such as boundary walls and fences. This may be a more expensive form of walling but the Applicant's cost figure would need to be discounted to reduce allowances already assumed for boundary fences/walls in the allowance for Externals. As such, we would expect the additional costs to be able to be accommodated within the identified positive headroom of £50,500 after allowing for the affordable housing contribution that the Porter PE Viability Review identified.</p>
Timings	<p>In the case of an apartment scheme, Legal Completion of Sales cannot commence until the envelope and the majority of the externals are complete and individual units fitted out.</p>	<p>It is for the Applicant to provide evidence to support their claim for this abnormality.</p> <p>See Development Profit on selling off plan.</p> <p>Also, the affordable units can be sold before they are built under a 'golden brick' arrangement with registered providers. This too is likely to generate revenue before the site and dwellings are completed for occupation</p>
Estimating Construction Costs	<p>Quantity Surveyor will provide both for project risk and likely cost changes between preparation of the Cost Plan and acceptance of a tender/start on site date. I am not re-basing (i.e. to</p>	<p>The FVA should use current building costs and sales values.</p> <p><i>The test for viability is that the evidence indicates that the current cost of building out the entire site (at today's prices) is</i></p>

	<p>current build costs, which also match current sales values) beyond the assumed project start.</p>	<p><i>at a level that would enable the developer to sell all the market units on the site (in today's market) at a rate of build out evidenced by the developer, and make a competitive return to a willing developer and a willing landowner. Section 2, para 10 of DCLG S106 Affordable Housing Requirements.</i></p>
<p>Tenure mixing</p>	<p>Porter PE does not reflect in his various "Tests" the impact of mixing AH units into the OM scheme on the realisable value of the OM units – which would be profound.</p>	<p>This is an unacceptable and unprofessional statement to make.</p> <p>It is neither good nor standard practice to "Test" the impact of mixing AH units into the OM scheme on the realisable value of the OM units. Also, all dwellings should normally be provided tenure blind. 16. The unit size of all the apartments, which are very large compared with most standard developments. It is the total dwelling size that is valued and costed, and the size of the proposed apartments should therefore be able to meet the AH space standards sizes. 17. The Porter PE appraisal includes a much lower (c.30%) transfer value in the viability testing that identified the proposed scheme is able to afford to deliver five affordable units on site and still leave a positive headroom of £50,500.</p>

300. Design

301. The NPPF para 176 states that *'The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.'*
302. Policy DMC3 clearly 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.'*
303. It goes on to state that *'Particular attention will be paid to: (i) siting, scale, form, mass, levels, height and orientation in relation to existing buildings, settlement form and character, including impact on open spaces, landscape features and the wider landscape*

setting which contribute to the valued character and appearance of the area; and (ii) 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 such as the character of the historic landscape and varied biodiversity assets...'

304. Whilst the Design Guide refers to large buildings in para 3.10, it is rare that a development of the type, design, size and location proposed comes forward in the National Park. As such, the examples given in the guide are of mill buildings or businesses within Bakewell, both very different building and landscapes to the proposed development.
305. We can supplement the Local Plan policy DMC3 with the National Design Guide (2022) which is a material consideration. It sets out the 10 characteristics of good design. Of particular note are the points on responding to existing local character and identity and creating well integrated housing.
306. Many of the design issues raised in planning application NP/HPK/0821/0890 are still relevant and are included below.
307. The former hotel buildings have been completely demolished and the site is beginning to green over behind the stone boundary wall and hedging which runs approximately two thirds along the length of the main road. From the road and in the wider landscape the spoil piles to the east of the site and beyond the hedge are the only obvious indications that development has commenced.
308. The landscape around the application site reflects this identified character. The former Marquis hotel was developed historically from a farmhouse and this reflected established landscape character for settlement here. Historically larger settlements have formed outside the meadow away from the river. What further development there has been has been more recent, for example, the houses north of Shatton, along Saltergate Lane and at Mytham Bridge. These inter-war and post war housing developments have ultimately undermined what is now valued landscape character within the National Park and therefore these developments do not provide justification for further development, which could exacerbate this pattern and impact.
309. The proposed development includes the 'reinstatement' of the Marquis building on the site which is welcomed as are the use of local materials and traditional fenestration on the main elevations.
310. However, the reinstatement of the Marquis building is not tempered by lower storey buildings to support it as the main, dominant building. The former layout of the site was of a farm that developed over time into a hotel, with the main Marquis of Granby three storey building and a mix of single and two storey buildings, including converted barns. The site developed over time becoming more prominent on the road frontage to reflect its change in status from a farm to a hotel. There was clear variety in scale and massing with the Marquis of Granby building remaining as the dominant building tempered by one and two storey buildings. This reflected the character of the area that is of a farming landscape with dispersed farmsteads and small settlements.
311. Adjacent to the reinstated Marquis building, the proposed development continues at three storey and would present a scale and character of development would not reflect valued landscape character, settlement pattern or the historic uses of this site. Whilst officers raised concerns about the urban character and lack of local character referencing in the previous scheme, the applicant has chosen to retain the majority of the design as previously proposed but reduced the visual dominance of the central two buildings by introducing hipped roofs. It is still a substantial residential apartment block on the site and presents a continuous three storey development along the road frontage, unlike any

other type of residential development seen in the landscape. The proposed development does not seek to reflect the historical pattern of development, but instead seeks to maximise the three-storey aspect of the Marquis building and assume this is an acceptable scale of development for the rest of the site. In doing so, the proposed development fails to accord with policy DMC3.

312. As stated above, and was stated in the previous planning application, this is a farming landscape with dispersed farmsteads and small settlements, the development would be out of place within this part of the National Park because the development would be incompatible with established landscape character contrary to policies L1 and DMC1.
313. The National Design Guide provides further advice which is relevant. In particular para 53 on responding to existing local character and identity. Whilst the design has some understanding of vernacular representative of the National Park the scale and massing bears no relationship to residential development in the locality and therefore the development as a whole looks alien in this location. The scale, massing and treatment of the two central blocks are very urban in form and would not look out of place in a suburban location in a nearby city.
314. The design of the apartment block is of large open market apartments of 90sqm or more with a communal garden and service charges. The affordable dwellings are the row of terraces set apart from the development. The viability review demonstrates the scheme could provide more affordable dwellings but the design of the development makes it difficult to integrate further affordable housing and the applicant has been unwilling to negotiate on further provision.
315. The development has been designed to deliver open market apartments and the affordable housing appears as an afterthought to the side. The layout of the scheme offers no flexibility in providing more affordable housing and the applicant has refused to negotiate on delivering more. This design approach is poor as it is not tenure neutral or socially inclusive which is a requirement of para 111 of the National Design Guide.
316. The application is supported by a Landscape and Visual Impact Assessment (LVA) as required by policy DMC1. We have consulted our Landscape Officer who considers that the site has a high susceptibility to the proposed development and raises significant issues about how the LVA has been carried out, its conclusions along with providing comments on the proposed landscaping.
317. We recognise that the implementation of landscape works such as the proposed wildflower meadows and tree and hedge planting would have the potential to enhance the character of the site. However, these works would not outweigh or offset the impact of the overall development.
318. Therefore, we disagree with the conclusions of the submitted LVA and consider that the development would have a significant adverse impact upon the character and appearance of the site and upon landscape character from nearby vantage points and from a range of viewpoints in the wider landscape.
319. The design of the development does not respond to the landscape character area and undermines the achievement of other National Park policies, contrary to policies GSP1,2,3, L1, the National Planning Policy Framework and the National Design Guide.

320. Is the development in the public interest?

321. The NPPF para 177 states that permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest.

322. This approach is supported by Core Strategy policy GSP1.E and GSP1.F which state that ‘in securing national park purposes major development should not take place within the Peak District National Park other than in exceptional circumstances. Major development will only be permitted following rigorous consideration of the criteria in national policy’. And that ‘where a proposal for major development can demonstrate a significant net benefit to the National Park, every effort to mitigate potential localised harm and compensate for any residual harm to the area’s valued characteristics would be expected to be secured.’
323. The NPPF para 177 states that the consideration of major applications in a National Park should include an assessment of:
- (a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
 - (b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
 - (c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.
324. In addressing the NPPF para 177:
- (a) Is the development needed?
325. The national considerations for the National Park are set out in the purposes and duty and the National Parks Circular 2010. The site is considered to be an enhancement site and would benefit from development to enhance the site. However, the design proposed for 21 open market dwellings with 3 affordable dwellings is not of an appropriate scale and design that would enhance the site as it fails to take account of the buildings that were historically on the site and local character. Moreover, the scale of development proposed has gone beyond enhancement and would have an adverse impact on the surrounding landscape.
324. The NPPF para 177 states that major development should be in the public interest. Maximising the amount of affordable housing on site in an area that has seen persistent under delivery is in the public interest and in accordance with the National Park duty ‘to seek to foster the social and economic wellbeing of the local communities within the National Park in pursuit of our purposes’. The Core Strategy supports this approach in policy GSP1. This approach is further supported by the Government guidance (English National Parks and the Broads UK Government Vision and Circular 2010), which states that new housing should be focussed on meeting local affordable housing requirements.
325. In the last ten years there have been no development in the HPBC area of the National Park that has delivered affordable housing. This FVA Review concludes the site could accommodate more affordable housing on site than what is offered and in an area of acute need delivering as much as is viably possible is a material consideration and in the public interest.
326. We do not know what the transfer value to the RP would be for the shared ownership affordable housing(no evidence submitted). Based on this, the Authority is not satisfied that the affordable housing would be affordable in the locality and could remain affordable in perpetuity. It is in the public interest and policy DMH11 that affordable housing be affordable in perpetuity.
327. To conclude, this development, in the way that it has been presented, is not needed.
328. There would be no long-lasting impact on the economy in either permitting or refusing the development in relation to public interest to justify the development.

- (b) These are large, exclusive apartments that the majority of local people could not afford and could be delivered outside of the National Park. The delivery of 3 shared ownership affordable dwellings is not sufficient to justify the majority of the development which is for open market housing.
- (c) The site in its current state could benefit from enhancement. However, the scale and form of the development proposed is extensive and urbanising in character which is not reflective of the type and scale of development in the locality.
329. The PDNPA landscape officer has objected to the scheme on the basis that the Landscape Visual Impact Assessment in that it significantly underestimates the impact the development would have on the landscape character of the area and does not accord with policy L1. The landscape officer requested improvements to the scheme to reduce the dominance of the development on the A6187 and to introduce more planting to soften the appearance (see above consultation response). A revised LVIA which aligned with the conclusions of the landscape officer and resulted in further improvements to the proposal, could reduce the detrimental effect on the environment to an acceptable level.
330. To conclude, the assessment required by the NPPF para 177, the development would not be in the public interest and exceptional circumstances do not exist to justify the proposed major housing development. The proposed development is contrary to Local Plan policies GSP1, GSP2, DS1 and L1 and the National Planning Policy Framework.
- 331. Extant planning permission for a hotel as a fall-back position**
332. The application site benefits from an extant planning permission for a hotel. Since planning permission was granted the former hotel buildings have been demolished and the development implemented, but construction works have since stalled. The applicant has stated that the approved hotel is not viable. However, this application makes the case that there is an extant permission for and that the erection of the approved hotel development is a fall-back position available to the applicant, which is therefore a material consideration in the determination of the current application.
333. The Authority made the decision to approve planning permission for the hotel scheme on its own merits. The redevelopment and expansion of a hotel on this site was acceptable in the context of the historic use of the site and the desire to restore the buildings. It was considered that the redevelopment would provide additional visitor accommodation and employment on an important gateway site in the valley and that any additional landscape impact could be mitigated by the design. The socioeconomic duty to support local communities was a material consideration in this decision.
334. This application is for a different type of development, which raises materially different planning issues and must be considered now on its own merits. Based on the this and the fact that the owner has confirmed a hotel on this site is not viable, the fall-back position of a hotel should be given very little weight in the consideration of this application.
- 335. Sustainable building and climate change**
336. The application is supported by a sustainable construction and energy statement. This proposes a strategy to maximise carbon savings includes highly efficient building fabric, low energy lighting, air source heat pumps for heating and hot water, ground source heat pumps, mechanical ventilation, provision of roof-mounted solar photovoltaics and inclusion of electric vehicle charging.
337. These proposals are welcomed in principle and if implemented would significant reduce energy consumption in accordance with policy CC1. If permission were granted, we

would recommend planning conditions requiring the approval of details and then implementation of heat pumps, mechanical ventilation, solar photovoltaics and electric vehicle charging points in accordance with the submitted statement.

338. The application does not address the need to minimise water consumption, which is an equally important requirement of CC1. The statement rules out grey and rainwater harvesting on the basis that there is 'very limited' space to incorporate this and little in the way of fixtures or fittings that would facilitate such a system. It is unclear what the reference to fixtures or fittings means or what assessment led to the conclusion on the lack of space.
339. There would appear to be ample space on site for storage tanks and any plant required for either grey water or rainwater storage. The apartments would also appear to have use for such systems to reduce water consumption on site (for example use for flushing toilets, external cleaning or watering communal areas). Therefore, the application does not demonstrate that the development would reduce water consumption and therefore this element of policy CC1 is not met.

340. Biodiversity

341. The development has the potential to impact upon local biodiversity interest due to its proximity to the River Derwent, which runs just beyond the southern boundary of the site and the associated habitats within the river and on the riverbank. There are also a number of trees and hedges along the river and within the site likely to be of interest or provide habitat. The River Derwent at Hathersage Site of Special Scientific Interest (SSSI) also runs alongside the majority of the site.
342. The application is supported by an ecological appraisal. The site is located some 1.8km from the South Pennine Moors/Peak District Moors Special Area of Conservation (SAC) and Special Protection Area (SPA). Given the distance and scale of the proposals, we agree that the development would not be likely to have any significant impact upon the SAC or SPA.
343. Natural England raise no objection to the proposed development subject to a Construction Environment Management Plan. In addition to this a Sustainable Drainage System (SuDS) should be implemented and incorporate sediment removal. SuDS are recommended for all major development proposals in accordance with the NPPF para 169 unless there is clear evidence that they would be inappropriate. This SSSI is notified for its active fluvial geomorphology features and one of the main potential impacts on the fluvial geomorphology of watercourses are increases in fine sediment. These planning conditions would be reasonable and necessary to conserve the interest features of the River Derwent SSSI in accordance with policy L2 and DMC11.
344. The submitted ecological appraisal identifies the River Derwent as a potential constraint along with hedgerows and broadleaved woodland at the peripheries of the site. An ecological protection zone is proposed around retained trees and vegetation along the riverbank along with general measures to prevent pollution during construction. The report recommends that these be delivered through an Ecological Construction Method Statement (ECMS).
345. The development would result in the total loss of the grassland and bare ground on the remainder of the site. However, these are considered to be of limited ecological value and would be enhanced by creation of mixed scrub planting along the woodland corridor, creation of additional native hedgerows along the northern boundary, planting of trees within the site and the creation of a neutral grassland meadow in the remainder of the site as shown on the submitted landscaping scheme.

346. The existing ecological value of the site is calculated at 5.08 units. Both schemes will deliver significant improvements in regard to Biodiversity Net Gain, of between 270% (18.79 Habitat Units) and 241% (17.20 Habitat Units). Both schemes would also deliver a further improvement of 611% (0.81 Habitat Units) in Hedgerow units. However, it should be noted that the projected biodiversity uplift is based on certain assumptions including that the created habitat will meet a certain condition achieved through appropriate management. Therefore, in order to achieve the stated Biodiversity uplift it is important to secure the delivery of a Landscape Management Plan and subsequent monitoring of the site. In particular, details of species mix and source for the wildflower meadow creation should be submitted and approved by the Authority, and the LMP should address long-term management of this habitat (including provision for appropriate after grazing following the July hay cut if possible).
347. This would represent a significant net gain to biodiversity in accordance with policies DMC11 and DMC12.
348. The habitat assessment has considered the presence of bats, birds, riparian species, reptiles and amphibians. The assessment is acceptable subject to conditions, including a Landscape Management Plan, a Construction Environment Management Plan, a wildlife sensitivity lighting scheme, the incorporation of bat roosting opportunities within the building, method statement for Otter, ecological construction method statement and Sustainable Drainage Systems (SuDS).
349. An updated BNG metric should be provided to reflect the inclusion of SuDS, which seeks to maintain the approximate biodiversity uplift of the current application(s).

350. Flood risk and drainage

351. The application site falls within Flood Zones 1, 2 and 3. Zones 2 and 3 are at a higher risk of flooding related to the River Derwent. The NPPF and policy CC5 require development to be sited to avoid, where possible, flood risk to people and property and to avoid increasing flood risk elsewhere. Paragraph 167 of the NPPF requires applications to be supported by a site-specific flood risk assessment and development to be sited in areas of lowest flood risk, be designed to be flood resistant and resilient incorporating sustainable drainage systems and safe access and escape routes.
352. The Environment Agency and the Lead Local Flood Authority raise no objection to the development subject to conditions related to approval of: detailed design and associated management and maintenance plan of the surface water drainage for the site; details that the proposed destination for surface water accords with the drainage hierarchy as set out in paragraph 80 reference ID: 7-080-20150323 of the planning practice guidance, details indicating how additional surface water run-off from the site will be avoided during the construction phase; the applicant can demonstrate that the drainage system has been constructed as per the agreed scheme
353. Paragraph 159 of the NPPF states we should avoid inappropriate development in areas at risk of flooding by directing such development away from areas at highest risk. Paragraphs 161 and 162 says we should apply a sequential test to steer new development to areas with the lowest risk of flooding from any source. Development should not be permitted if there are reasonably available sites for the proposed development in areas with a lower risk of flooding.
354. This application is for a major housing development. There is no provision for market housing in the National Park unless there are exceptional circumstances. There are many sites outside of the National Park where open market housing is allocated and approved which would contribute to the national need for new housing. Therefore, unless there are exceptional circumstances to approve the development new housing on this site would not meet the sequential test.

355. However, if it were accepted that there are exceptional circumstances to justify this major development in accordance with policies then the sequential test would be met because there would be no other sites at a lower risk of flooding where development could achieve the same benefits. The submitted FRA demonstrates that the development would be safe for its lifetime and that subject to conditions to secure appropriate drainage that the development will not increase flood risk elsewhere. Therefore, in these circumstances the development would also meet the exception test set out in paragraphs 163 and 164 of the NPPF.
356. The new buildings have been sited to avoid the parts of the site at a higher risk from flooding from the river (flood zones 2 and 3). Open areas within the site (for example the proposed shared garden and wildflower meadow) do fall within flood zone 2 but there are no proposed change in levels (once the current excavations on site are restored). The application proposes to mitigate risk of overland floodwater by providing a route through the site for floodwater away from the proposed apartments. Finished floor levels have been set taking into account flood risk and flood resilient construction techniques are proposed.
357. The issue of flooding in the event of reservoir failure has been addressed through consultation with the Emergency Planning Team who advise that residents to sign up to the EA Flood Warning Service, to get advance warning of flooding and to be able to make informed decisions about the level of risk to the site and access.
358. Therefore, if the proposed major development is considered to be justified and in the public interest, we consider that the development would meet the sequential and exception tests. The development has been sited in areas of lowest flood risk on the site and subject to conditions, has been designed to be flood resistant and resilient.

359. Transport and highway safety

360. A transport statement has been submitted to support the application. The transport statement recognises that the site is in a relatively sustainable location and in walking distance of the convenience store at the nearby garage and facilities in Bamford. Nearby settlements within the Hope Valley are also potentially accessible by foot or cycle.
361. The nearest bus stops are located beside the main entrance into the site and at the bus turnaround facility approximately 250m north of the site. Three bus services and two school bus services stop here and destinations served include Sheffield, Bakewell, Castleton, Hathersage, Bradwell, Baslow and Grindleford. Bamford station is located 300m north of the site and provides regular services between Manchester and Sheffield in both directions.
362. The development would utilise the vehicular access created for the approved hotel onto Hathersage Road and seeks to retain an access point at the north-west entrance. The north-west entrance would be used by refuse vehicles, emergency vehicles and occasionally large delivery vehicles. Residents would be prevented from using the north-west entrance and would exclusively use the main entrance to the east.
363. A total of 50 car parking spaces are proposed equating to two spaces per dwelling and eight spaces for visitors. Storage would be provided within the basement for each dwelling which could be utilised for cycles and cycle hoops would be provided outside each entrance for visitors.
364. The vehicular access to the proposed site is from A6187 Hathersage Road, a classified road subject to the National Speed limit. The site access junction with the right turn facility on A6187 Hathersage Road has already been constructed as per Section 278 agreement (Drawing Ref: 30832/010/G) for planning approval NP/HPK/0309/0245. The

pedestrian and cycle access to the site is provided via gated access opposite to the signalised junction A6187/Sicklehome junction. The signalised junction has toucan crossing facilities on all the arms.

365. The shared existing footway/cycleway facility exists at the southern side of A6187, leading up to the site's access junction. The pedestrian/cycle link needs to be 3m wide from the site in the interest of enhancing connectivity of the site for both pedestrians and cyclists.
366. The Highway Authority raised no objection, subject to addressing the pedestrian/cycle link mentioned above, standard conditions and a residential travel plan.
367. The PDNPA Transport Officer also raised no objection but recommended that we ensure that cycle parking and EV charge points are provided and that a travel plan is incorporated. He also responded to representation concerns about the cycle lane set out below.
368. Concern has been expressed by some members of the public about the loss of part of the existing on-street parking lane along the frontage of the development. The A6187 is a wide and fast road approaching the site from the east, with relatively high levels of traffic at the weekends. The road is subject to the National Speed limit (60mph) at the eastern boundary of the site, dropping to 40mph at the western extent of the site. The route through the Hope Valley is extremely popular with road cyclists and carries a mix of resident, visitor business and heavy freight traffic. Therefore, we would wish to ensure the maintenance of the integrity of the existing cycle lane, in its entirety, along the frontage of the site.
369. The development would be provided with an appropriate level of parking in accordance with our local standards. The scheme does incorporate cycle parking facilities, which along with EV charge points could be secured by planning conditions. Our policies do require the provision of a travel plan to encourage use of sustainable travel modes and this could be secured by planning condition.
370. Therefore, subject to conditions we consider that the development would be located close to local facilities and residents would have a range of sustainable travel options available. Traffic generated by the development would not harm the local road network or amenity. The development would be served by safe access and adequate parking. Therefore, there is no objection to the development on the grounds of transport or highway safety.

371. Other issues

372. Given the distance of the proposed development from neighbours and the layout of the apartments there are no concerns that the development would harm the amenity, security or privacy of any neighbouring property. All occupants of the apartments would also have a sufficient level of amenity and would be provided with a communal garden within the site.
373. The issue of public safety has been raised in representations in relation to the proximity of the river. The site is adjacent to the river where there is a steep bank down. This would represent a potential danger for residents especially children. However, the edge of the communal gardens is set above the bank with fencing and planting between. The communal gardens would also be overlooked by all the apartments. It would be possible to design a secure boundary here to prevent access to the riverbank and therefore the proximity to the river does not represent reasons for refusal in terms of public safety.

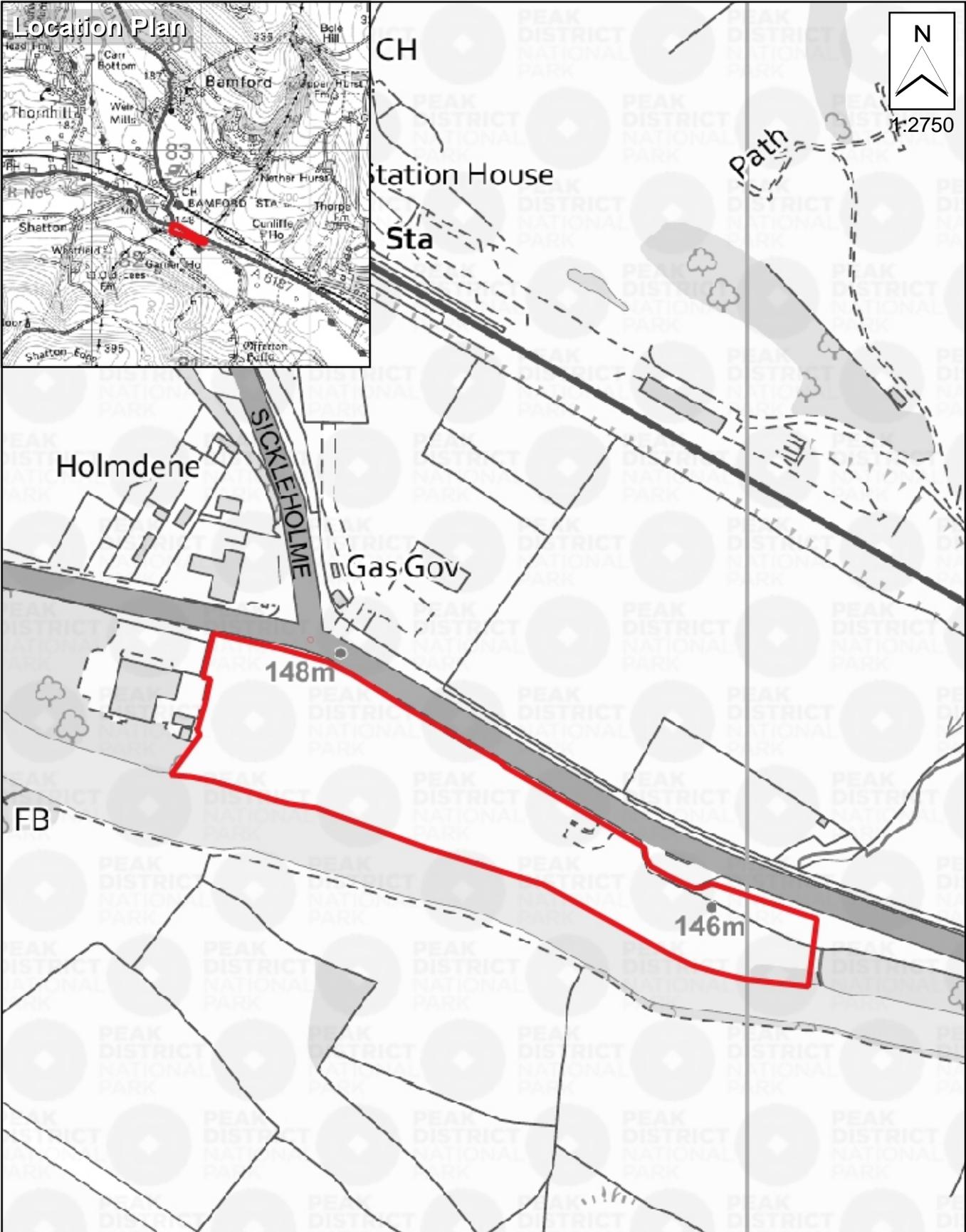
374. Overall conclusion

375. Planning applications NP/HPK/1222/1643 and NP/HPK/1222/1653 have seen an improvement in the design of the main apartment block in that the scale and massing has been reduced. However, the fact remains this is still a large three storey development of considerable presence that does not satisfactorily respond well enough to the landscape character of this part of the National Park.
376. The FVA to accompany the applications seeks to demonstrate the proposals cannot viably support the provision of affordable housing and that it is provided as a 'gift' by the applicant. This can only be given very little weight as the lack in viability does not make the applications policy compliant. They still represent major development in the National Park and are unable to satisfy the requirements of NPPF para 177. Building large scale open market housing that does not respond appropriately to the landscape character is not in the public interest and can be delivered outside of the National Park. Whilst we would like to see this enhancement site redeveloped, the applications submitted are not appropriate for this site for the reasons set out in the report and there are no exceptional circumstances or other significant material considerations that outweigh the policy requirements.

377. Human Rights

378. Any human rights issues have been considered and addressed in the preparation of this report.
379. List of Background Papers (not previously published)
380. Nil

Report author: Sarah Welsh



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Committee Date:	14/07/2023	Title: Marquis of Granby, Hathersage Road, Sickleholme, Bamford	 PEAK DISTRICT NATIONAL PARK
Item Number:	Item 5		
Application No:	NP/HPK/1222/1543 NP/HPK/1222/1563		
Grid Reference:	420854, 382220		

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6. FULL APPLICATION – PROPOSED RESTORATION AND EXTENSION OF THORNSEAT LODGE AND ANCILLARY BUILDINGS TO FORM HOLIDAY ACCOMMODATION AND GUEST FACILITIES; ERECTION OF EVENTS VENUE; ALTERATIONS TO EXISTING ACCESS INCLUDING PARKING FACILITIES; ENHANCED SITE LANDSCAPING, THORNSEAT LODGE, MORTIMER ROAD, SHEFFIELD (NP/S/1022/1300, JRS)

APPLICANT: THORNSEAT LODGE LTD

Introduction

1. This report sets out recommended conditions and the heads of terms for a section 106 agreement in the event of an approval of this application. It follows the deferral of the application at the Planning Committee meeting in June, where Members indicated that they were minded to approve the application and deferred the application so that officers could prepare a list of planning conditions and the head of terms for a section 106 agreement to secure the applicant's offer of restricting weddings and other events on land in their ownership solely to the land and buildings at Thornseat Lodge.
2. A copy of the report to the June Planning Committee meeting is attached as an appendix to this report.
3. The minutes of that meeting are set out elsewhere in these Committee papers but they are also repeated here for ease of reference:
4. ***"76/23 FULL APPLICATION - PROPOSED RESTORATION AND EXTENSION OF THORNSEAT LODGE AND ANCILLARY BUILDINGS TO FORM HOLIDAY ACCOMMODATION AND GUEST FACILITIES; ERECTION OF EVENTS VENUE; ALTERATIONS TO EXISTING ACCESS INCLUDING PARKING FACILITIES; ENHANCES SITE LANDSCAPING AT THORNSEAT LODGE, MORTIMER ROAD, SHEFFIELD (NP/S/0622/1300, JRS)***
5. *The report was presented by the Planning Officer who outlined the reasons for refusal as set out in the report.*
6. *The following spoke under the public participation at meetings scheme:*
7.
 - *Mark Boyd, Supporter*
 - *Rachel Woodhouse-Hague, Supporter*
8. *Members acknowledged that as with the previous application at the site, they were keen to see the site restored, however the following concerns were expressed:*
 - *The proposed scheme would be development in the open countryside*
 - *The viability of other options e.g. residential use of the site, had not been sufficiently explored*
 - *Any need for haste had been caused by two decades of neglect of the site*
 - *Impact of the proposed car park on the landscape and setting*
 - *The justification for a large car park given a mini bus service was proposed*
 - *The proposed scheme would be over development*

- *Design concerns over the rear extension, and also of its impact on views from the wider landscape*
 - *Insufficient details provided regarding the proposed biomass boiler*
 - *Whether the electrical infrastructure would support the proposed Electric Vehicle Charging points Members also discussed the benefits of the proposed scheme*
 - *It would save the building from further ruin, and in order for this to be achieved it would need to be financed by a commercial use*
 - *The benefit to visitors to the National Park*
 - *Concerns such as potential use of fireworks could be controlled by condition*
9. *Officers advised that if the application was approved, a conversation would have to take place with the applicant about conditions. Also, the Habitat Assessment would have to be reviewed so as to be clear that it was the Authority's own assessment as opposed to the adoption of the shadow assessment (to answer the comments of Natural England). In order to ensure that maximum gain was secured a Section 106 Agreement should be made to remove further wedding event structures within the applicant's control around the Bradfield area but beyond the application site.*
A motion to defer the application with a strong indication that Members are minded to approve, and that a report be made back no later than August's Planning Committee meeting setting out the conditions of any planning permissions, any improvements that can be achieved, and the outline of the Section 106, was proposed and seconded.
10. *A motion to approve the application subject to further agreement of conditions was proposed.*
11. *A vote on the first motion, to defer the application was taken and carried. Members requested that a report be obtained from the Highways Authority, who had not provided any comments.*
12. **RESOLVED:**

To DEFER the application with a strong indication that Members are minded to approve, and that a report be made back no later than August's Planning Committee meeting for final determination of this matter setting out the conditions of any planning permissions, any improvements that can be achieved, and the outline of the Section 106."
13. *The application proposes the conversion and extension of the Lodge to create six units of holiday accommodation and the erection of a wedding venue and bunkhouse in the former courtyard, along with alteration to the existing access, creation of internal driveways, car park and associated landscaping.*
14. *When Members considered the application at the June Planning Committee meeting, they concluded that the proposed development would result in the restoration of the original lodge, an important non-designated regional heritage asset. It was acknowledged that there would be some significant rebuilding, particularly on the rear elevation and that it would also involve the erection of a new courtyard of buildings, on the footprint of original outbuildings, to provide the wedding and events venue. However, they concluded that the applicant had addressed most of the concerns which led to the refusal of the previous application and that a carefully conditioned approval, together with a section 106 agreement to ensure that wedding and other events would not be held on any other land*

in the applicant's ownership and control, there would be no harm to the valued characteristics of the area, particularly in terms of tranquillity and quiet enjoyment. This included agreeing a revised design for the new extension on the rear elevation of Lodge to make it more sympathetic to the character of the original buildings.

15. In terms of the scale of the development, Members considered that the development would deliver the public benefits required to justify major development and it would not result in unacceptable harm to the landscape and cultural heritage of the National Park.
16. The following report sets out (in summary rather than full and final wording) the planning conditions that are recommended if Members are minded to approve the application. These are considered to be reasonable and necessary to address the issues in the report to the June meeting, to secure the recommendations in the reports commissioned by the applicants, and to follow the recommendations of statutory consultees. The application was accompanied by a Travel Plan, a Transport Statement, an Energy and Sustainability statement, a Shadow Habitats Regulations Assessment, a revised Flood Risk Assessment, a revised Landscape and Visual Appraisal, an updated Ecological Appraisal and the associated protected species reports, a Heritage Statement, a Noise Impact assessment, a Structural Report and addendum, a woodland management plan, and lighting scheme product schedule. Any approval would need to ensure compliance with the recommendations set out in these various reports.
17. It should be noted that the Natural England response to the application was that *“if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 281 (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.”*

Thornseat Lodge

18. The lodge would provide six holiday cottages. The occupancy should be restricted to short stay holiday accommodation, with a maximum stay of 28 days in a calendar year. This is a standard holiday occupancy condition to prevent permanent dwellings in appropriate locations; whilst the restoration of the lodge to a single open market dwelling would be acceptable, a higher number of units as holiday accommodation should be subject to a holiday occupancy condition. This condition should also be imposed on the other accommodation that is proposed on the site, as a new detached building forming two-storey bunkhouse accommodation would be constructed on the ruins of a former building, described in the application as a cottage. This building would provide four bedrooms with 13 sleeping spaces, bathrooms, living room and kitchen.
19. As mentioned above, any approval should be subject to a revised scheme for the external design and appearance of the rear extension. This would not reduce the amount or nature of the accommodation. As this is likely to require discussions with the applicant's architects. It is recommended that approval of the final design be delegated to the Chair and Vice Chair of Planning. The approval should also be subject to detailed design conditions covering matters such as materials, window and door detailing, precise finishes, and adherence to the submitted plans where these cover detailed design matters. These are not listed in detail below, but they would cover these matters once the revised plans have been agreed.

Wedding venue

20. The use of the site for weddings and other events should be conditioned to restrict it to this form of use, to allow the authority to retain some control over this and any future

changes. Officers have considered whether there is any justification for restricting the number of events in any specific period (weekly, monthly or annually), but given the scale and nature of the development and for it to be viable, it is considered that this is not necessary if Members consider the use to be acceptable and if conditions are imposed to address specific concerns.

21. The application documents say that events would be up to 150 people. A condition restricting the numbers to this would be possible but in practice it would be difficult to monitor and enforce so it is recommended that this is left for the applicants to implement as it is in their interests to ensure that the venue is not overcrowded or of a scale that it could not readily accommodate.
22. With these matters in mind, conditions requiring adherence to the submitted noise impact assessment recommendations, the lighting scheme, and the site management measures (for example, no fireworks or Chinese lanterns allowed) are recommended.
23. The application proposes the erection of a building to house a biomass boiler to provide a renewable energy heat source across the site.

Transport, access and parking

24. With regard to the traffic associated with the development, in the resubmitted application the Transport Statement and Travel Plan have been reviewed and a revised Transport Statement has been submitted. Whilst it is acknowledged that many people will still arrive by private transport, the Travel Plan considers other possible measures such as car sharing or the provision of a bespoke mini-bus shuttle service and at the recent meeting the applicants explained that events such as weddings lend themselves to the use of taxis and minibuses which would reduce the use of individual cars. The Authority's Transport Policy Planner is now satisfied that the Transport statement addresses some of the concerns he raised in the previous application. Any approval should therefore be subject to implementing this plan, subject to any further revisions that need to be agreed.
25. A range of access works within the grounds of the Lodge are proposed to facilitate the proposed development. These include alterations to the existing access and drive, the creation of new access drives and car park. A car park providing for car/ minibus/ cycle parking would be set within the wooded area adjacent to the events venue. The car park would provide 80 spaces for cars along with an additional overflow parking area. The car park would be surfaced with a mixture of tarmac and grass reinforcement mesh. It proposes 8 dedicated EV charging spaces and capacity for 8 more to be provided. Three disabled spaces would be provided for cars. No response has been received from the Highway Authority, Sheffield City Council, but a condition requiring precise details of any access alterations is considered to be necessary and reasonable.

Landscaping and tree management

26. A landscaping scheme and woodland management plan has also been submitted. Any approval should therefore include conditions restricting the car park to the size and layout proposed, with a detailed landscaping and management plan to be submitted for approval, based on the submitted plan. This should include any hard surfacing, new or retained boundaries. The submitted plans include some details but a comprehensive plan is required, including the long term management of the woodland and trees. The Authority's Tree Officer recommends that the work to trees should be carried out in accordance with the submitted Tree Protection Plan, the Tree Survey and Tree Constraints Plan, and the Woodland Management Plan.

Archaeology, landscape and building recording:

27. In the event of an approval, the Authority's Senior Archaeologist recommended the following condition:

“a) No development shall take place until a Written Scheme of Investigation for a programme of historic building recording, landscape survey and archaeological investigation has been submitted to and approved by the National Park Authority in writing, and until any pre-start element of the approved scheme has been completed to the written satisfaction of the National Park Authority.

The scheme shall include an assessment of significance and research questions; and

1. The programme and methodology of site investigation and recording;

2. The programme for post investigation assessment;

3. Provision to be made for analysis of the site investigation and recording;

4. Provision to be made for publication and dissemination of the analysis and records of the site investigation;

5. Provision to be made for archive deposition of the analysis and records of the site investigation;

6. Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation.

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

c) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (a) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured”.

Sustainable building, climate change and utilities

28. As noted in the report to the June meeting, Officers had some concerns that the proposals did not go far enough in respect of Policy CC1 requirements (see the appendix). However, in the event of an approval, the development should be carried out in accordance with sustainable building and climate change proposals submitted with the application and the biomass boiler shall be installed and operational before the buildings are first brought into use. As suggested in the report to the June meeting, it is recommended that the applicant be asked to consider other measures to improve the sustainability credentials of the scheme, as that these be adopted if and when they are approved.

29. Any service lines associated with development should be placed underground.

30. Surface drainage would be dealt with by a sustainable urban drainage strategy (SUDS). This would include cellular trench soakaways, oversized pipes, and storage with a restricted outfall managing runoff from surfaces and connecting downpipes to water butts. The application states that foul drainage will be to a package treatment plant discharging to a drainage field or ditch. A detailed drainage report was submitted which addressed the concerns initially expressed by the Sheffield Local Lead Flood Authority (LLFA). Any approval should require compliance with proposed measures and the submission of the package treatment plant.

Ecology and Habitats:

31. Natural England provided a detailed response to the application. They noted that the development has the potential to harm the adjacent designated area and species. In order to avoid this harm and to mitigate against potential harm, NE recommend that

appropriate measures be agreed and established in a Construction Environmental Management Plan (CEMP) and/or a Landscape and Ecology Management Plan (LEMP), and the Bird and Bat Mitigation Plan. The CEMP, LEMP and Bird and Bat Mitigation Plan should address the potential impacts of fire, noise, illumination, and visual disturbance which, if unmitigated, could lead to a likely significant effect or an adverse effect on the integrity of the designated sites. Natural England therefore advise that appropriate planning conditions should be attached to any planning permission to secure these measures.

Section 106 Legal Agreement:

32. As the report to the June meeting noted, the applicants currently operate a wedding and events business (usually weddings), which mainly operates from Foxholes Farm, just to the south of Low Bradfield, although events have been held in a marquee on land near Thornseat Lodge. The ground works associated with this was the subject of enforcement action. The use of the site at Foxholes, which is a grade II listed building on a prominent hillside site overlooking the valley, has been taking place under permitted development rights (normally 28 days per calendar year but up to 56 days in recent years in response to the Covid pandemic which led to a relaxation by the Government).
33. The applicants have offered to enter into a section 106 legal agreement/obligation to cease using the land at Foxholes, and any other land in the applicant's ownership in the area, for weddings and events. This would help to offset the potential impact of the proposed development at Thornseat Lodge, moving it from the current location in a marquee at Foxholes to a more permanent and potentially better controlled location in the proposed buildings at Thornseat. In acknowledgement of the fact that the applicants own other land and buildings in the area, any section 106 should also control the use of this for events in order to avoid a situation where the events could be held at these locations as well as Thornseat Lodge. The precise extent of this would need to be discussed with applicants, given that the land may be owned or partly owned by other parts of the family or other businesses in the family group, but as a minimum it should cover the land and buildings at Foxholes and other land in those parts of Bradfield Parish in the National Park.

RECOMMENDATION:

1. **That if Members are minded to APPROVE the application, it should be subject to a section 106 legal agreement preventing the use of other land and buildings in the applicant's ownership from being used for commercial events, including weddings, under "permitted development rights" and subject the following conditions:**
 - 1 **Statutory 3 year commencement.**
 - 2 **Compliance with submitted plans and specifications, with use of buildings to be as described in the application, subject to the following:**
 - 3 **Detailed design conditions, subject to agreeing a revised scheme for the rear extension to the Lodge. Detailed conditions to cover:**
 - **All new stonework to match existing in terms of coursing, pointing, colour and texture.**
 - **All new roofing slates to match existing.**
 - **Submit and agree details of all doors and windows on all buildings and the glazing to the courtyard roof, including materials, profiles, method of opening, external finish, recess, and any surrounds.**
 - **Agree schedule of all internal skirting boards, architraves, and doors**

and other internal features to be retained.

- 4 Submit and agree samples of materials (walling stone and roof slates) for all new and restored buildings.
- 5 Submit details of rainwater goods, and external flues and vents.
- 6 Agree details of any rooflights.
- 7 Submit and agree comprehensive landscaping and site management, including measures for tree protection, any hard surfacing and boundary treatment.

Archaeology, landscape and building recording condition.

- 9 Surface water management to be in accordance with submitted details.
- 10 Submit and agree a detailed Transport and Travel Management Plan; development to be operated in accordance with approved details.
- 11 Submit and agree a detailed noise management plan: development to be operated in accordance with approved plan. This shall include measures to address the Natural England recommendations (*see report in appendix*).
- 12 All external lighting to be in accordance with approved details.
- 13 Submit and agree details of further testing of topsoil and resultant remediation for lead; development to be implemented in accordance with approved plan.
- 14 The release of fireworks or sky lanterns, or any other such devices that cause short-term but significant noise and light disturbance, and fire risk, will not be permitted during any function held at Thornseat Lodge, at any time of the year. Guests of the holiday apartments shall also be subject to the same restriction during their stay at Thornseat Lodge.
- 15 Any service lines associated with development should be placed underground.
- 16 Submit and agree details of package sewage treatment plant.
- 17 Submit and agree a Bird and Bat Mitigation Plan; carry out development in accordance with approved plan.
- 18 Submit and agree a Construction Environmental Management Plan (CEMP) and a Landscape and Ecology Management Plan (LEMP); development to be implemented in accordance with approved plans.
- 19 Carry out in accordance with sustainable building and climate change proposals submitted with the application with the biomass boiler installed and operational before the buildings are first brought into use. Including written verification of compliance to be provided within one month of premises coming into use.
- 20 Carry out in accordance with agreed drainage plan.

- 21 Submit/carry out in accordance with any requirements arising from the Highway Authority’s response when it is received.**
- 2. That the approval of the revised plans for the design of the rear extension to the Lodge be delegated to the Head of Planning in consultation with the Chair and Vice Chair of Planning.**

Human Rights

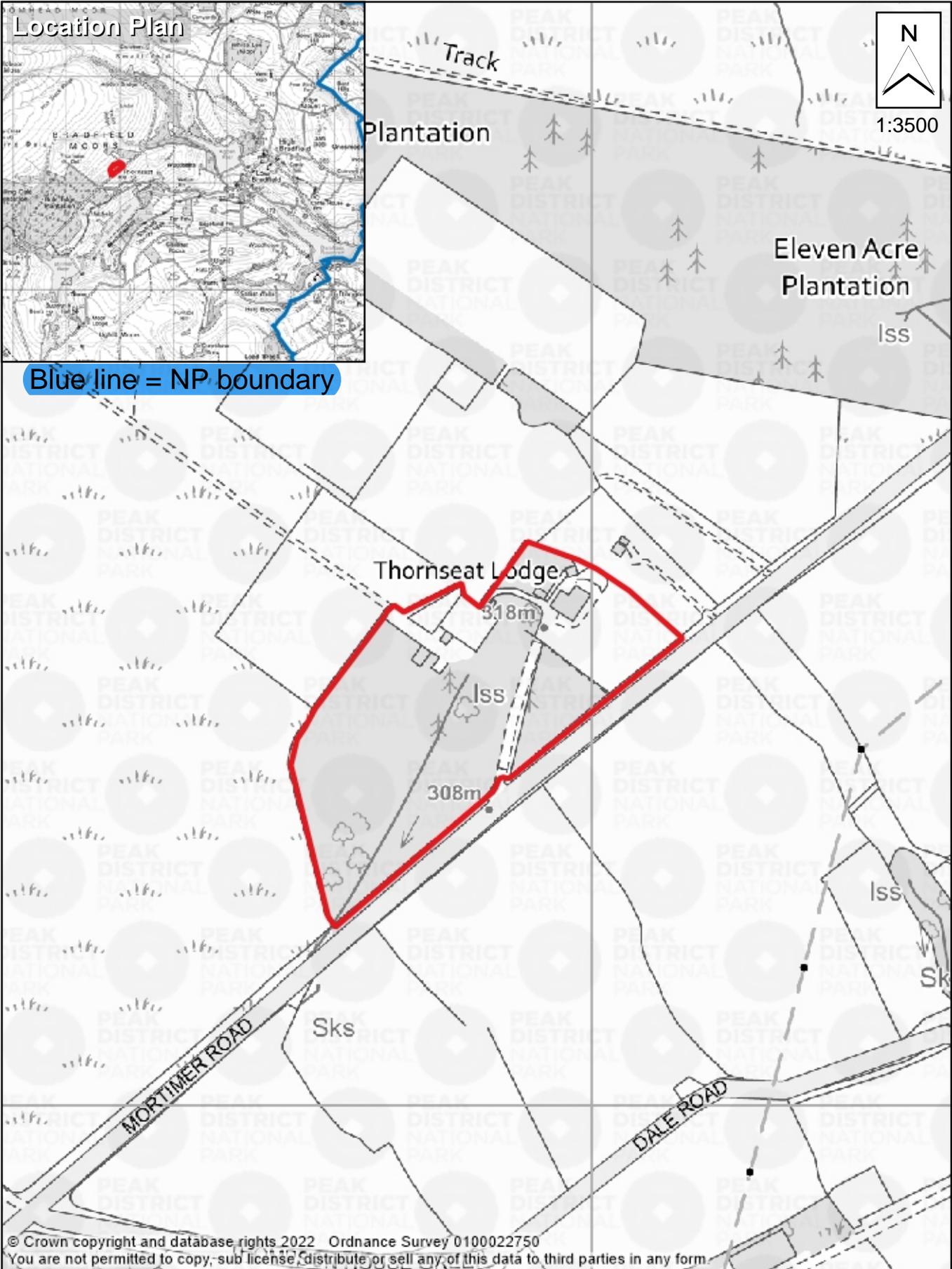
26. Any human rights issues have been considered and addressed in the preparation of this report.

List of Background Papers (not previously published)

27. Nil
28. Report Author: John Scott



Blue line = NP boundary



Committee Date:	14/07/2023
Item Number:	Item 6
Application No:	NP/S/1022/1300
Grid Reference:	423910, 392260

Title: Thornseat Lodge, Mortimer Road, Sheffield



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7. FULL APPLICATION - PROPOSED ANNEX TO REAR OF DWELLING AND ASSOCIATED WORKS AT HEATHERLEA, THE HILLOCK, CURBAR (NP/DDD/0323/0314, EJ)

APPLICANT: MR TERRY BEDFORD

Summary

1. The application was deferred from the June Committee at members request in order to obtain clarity about the accuracy of the submitted plans.
2. The proposal is for a detached annex to the rear of Heatherlea, an existing bungalow within Curbar Village and within the Curbar Conservation Area. The annex would be in place of an existing garage and would be constructed in natural gritstone under a 'Hardrow' concrete tile roof.
3. The siting has been amended since the June committee and the report expands upon the issues of accuracy and the impact upon the adjacent barn which concerned neighbouring objectors.
4. The ancillary occupation will house one of the applicant's two elderly relatives. The other would live in part of the main house and both are dependents who would receive care from the applicant and his partner.
5. It is considered the scale of the accommodation is appropriate to meet the need and that the design would conserve and enhance the valued landscape character of the area, including the main dwellinghouse and the Curbar Conservation Area.
6. There is adequate parking on site and there are no neighbouring amenity concerns.
7. The application is therefore recommended for approval subject to conditions.

Site and Surroundings

8. The site is located off The Hillock, a short Culs-de-sac within Curbar village and within the designated Conservation Area. The property is a detached bungalow named Heatherlea, with gardens to front and rear with existing parking areas and a detached garage.
9. The application site relates to the location of the detached garage to the rear which it is proposed to demolish to make way for the proposed annex development. Access is off The Hillock, a shared private access which serves Heatherlea, the dwelling opposite and grazing land immediately to the east of the site.

Proposal

10. The proposal is for the demolition of the garage and the erection in its place of a single storey ancillary residential annex and associated works. The annex would be constructed from natural stone with a tiled roof to match the bungalow and would have uPVC windows and doors.
11. The accommodation would comprise a double bedroom with en-suite bathroom, an open plan lounge and kitchen area with an overall footprint of 8.747m x 6.92m. It is intended that it be occupied by an elderly relative of the applicants. Outside there would be a flagged terrace and path to the street with two parking spaces between the annex and the street. Two further parking spaces are shown beside the bungalow.

12. Amended plans show the annex spaced off from the barn behind by approximately 1.1m and the ground level also lowered, compared to the existing garage ground level, by 1m.

RECOMMENDATION:

That the application be APPROVED subject to conditions:

1. **Standard time limit for commencement of development**
2. **Development in accordance with specified amended plans including prior submission of an amended plan showing sections to demonstrate no excavation within 1.1m of the adjacent barn and detailing the proposed retaining structures/walls to support the retained earth.**
3. **The accommodation hereby permitted shall be ancillary to the dwelling house known as Heatherlea and shall not be occupied as an independent dwelling house. It shall be maintained within the same planning unit as the dwelling house known as Heatherlea and shall not be occupied independently as holiday accommodation during the lifetime of the development.**
4. **Removal of permitted development rights for alterations and extensions and means of enclosure to the ancillary dwelling hereby approved.**
5. **Rooflights to be fitted flush with the roof slope.**
6. **Rooflights to be heritage type in accordance with details submitted to the Authority. (details being submitted in time for meeting)**
7. **The roofing material shall be Hardrow ‘Old Stone tiles’ to match the bungalow.**
8. **The walling material shall be coursed natural gritstone, laid, coursed and pointed to match the existing bungalow.**
9. **Maintain parking spaces.**
10. **Landscaping scheme which shall also include reinstatement of the garden boundary to street.**

Key Issues

- Whether the proposal conserves and enhances the significance/ setting, character, appearance and amenity of the existing building, the Conservation Area and the landscape of the PDNP.
- Impact on neighbouring amenity
- Provision of parking

Relevant Planning History

13. 2023 - NP/DDD/0123/0069 – Proposed Annex to the rear of the dwelling and associated works Application Withdrawn

Consultations

14. Highway Authority – No objections subject to the proposed annex remaining private and ancillary to the existing dwelling with no future sub-letting or selling-off.
15. Curbar Parish Council - Object on the basis that the new proposal does not sufficiently change the Council's view from the original application (NP/DDD/0123/0069), as it does not comply to the Development Management Policies of the Peak District National Park, DMH5 for ancillary developments, and it does not meet the Peak Park design guide.

Representations

16. The Authority has received three representations in objection to the application. The material planning concerns relate to:
 - Provision of parking
 - Dominant position of the proposed annex
 - Services and utilities to the proposed
 - The functional need for the annex to support dependent relatives.
 - Impact on neighbouring property's barn Green Farm, of which they state is of 400 years in age.

Main Policies

17. Relevant Core Strategy policies: GSP1, GSP2, GSP3, GSP4, DS1, HC1, L1, L3, T3, T7.
18. Relevant Local Plan policies: DMC3, DMC5, DMC8, DMH5, DMH7, DMT3 and DMT8

National Planning Policy Framework

19. The National Planning Policy Framework (NPPF) has been revised (2021). This replaces the previous document (2019) 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.
20. 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.
21. Para 189. Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

22. Para 132. Design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favorably than those that cannot.

Core Strategy Policy:

23. GSP1 – Securing national park purposes and sustainable development. This policy sets out the broad principles for making decisions about sustainable development in the national park context.
24. 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.
25. GSP3 – Development Management Principles. Sets out development management principles and states that all development must respect, conserve and enhance all valued characteristics of the site and buildings, paying particular attention to, amongst other elements, impact on the character and setting of buildings, scale of the development appropriate to the character and appearance of the National Park, design in accordance with the National Park Authority Design Guide and impact on living conditions of communities.
- A. *impact on the character and setting of buildings*
 - B. *scale of development appropriate to the character and appearance of the National Park*
 - C. *siting, landscaping and building materials*
 - D. *design in accordance with the National Park Authority Design Guide*
 - E. *form and intensity of proposed use or activity*
26. GSP4 – Planning conditions and legal agreements. This policy sets out contribution that a development can make directly and/or to its setting, including, where consistent with government guidance, using planning conditions and planning obligations.
27. DS1 – Development strategy. It names settlements following an analysis of their location, size and function, range of services and/or ease of access to services by public transport, and their capacity for new development.
28. HC1 – New Housing. This policy considers the circumstances in which new housing will be permitted whilst complying with national park purposes.
29. L1 – Landscape character and valued characteristics. This 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.

30. L3 – Cultural heritage assets of archaeological, architectural, artistic or historic significance. This policy relates to cultural heritage assets and their settings.

Both policies L1 and L3 say that development must conserve or enhance the landscape and cultural heritage of the National Park and other than in exceptional circumstances development that has a harmful impact will not be permitted.

31. T1 – Reducing the general need to travel and encouraging sustainable transport. T1 © says that sustainable access for the quiet enjoyment of the National Park, that does not cause harm to the valued characteristics, will be promoted.
32. T7 – Minimizing the adverse impact of vehicles and managing the demand for car and coach parks. T7 © refers to the management of non-residential parking.

Development Management Policy:

33. DMC3 – Siting, design, layout and landscaping. This policy states that where development is acceptable in principle, its detailed treatment will be of a high standard that respects, protects and enhances the area's natural beauty, quality and visual amenity of the landscape, including the wildlife and cultural heritage whilst contributing to the distinctive sense of place.
34. DMC5: Assessing the impact of development on designated and non-designated heritage assets and their settings. Heritage assets include both designated and non-designated heritage assets. This policy states planning applications must consider the significance of any heritage asset. Including the extent of any harm to, or loss of, the significance, character and appearance of a heritage asset.
35. DMC8 – Conservation areas. Relevant for development affecting heritage assets (and specifically conservation areas). These policies require applications to be supported by heritage assessments and for development to be of a high standard of design that conserves the significance of heritage assets and their setting. We have an adopted conservation area appraisal for the area and this is a material consideration in the determination of the application.
36. DMH5 – Ancillary dwellings in the curtilages of existing dwellings by conversion or new build. This policy sets out guidance for ancillary residential accommodation within the National Park.
37. DMH7 – Extensions and alterations. This policy sets out that in principle, an extension is acceptable so long as it meets the criteria set out within this policy. This includes that the development must not detract from the character, appearance or amenity of the original building, its setting or impact negatively on the amenity of neighbouring properties. It must also not dominate the original dwelling.
38. DMT3: Access and design criteria & DMT8: Residential off-street parking. Policies DMT3 and DMT8 require safe access and adequate off-street parking.

Supplementary guidance:

Criteria for the Consideration of Ancillary Residential Accommodation as highlighted in the Residential Annexes SPD 2021.

39. Any ancillary residential accommodation is expected to:
- Be subordinate in scale
 - Share a vehicular access with the man dwelling house

- Be in the same ownership as the main dwelling house
- Share utilities with the main dwelling house
- Be located within the residential curtilage or building group associated with the main dwelling house, as well as the main planning unit
- Be sited to as not to have a detrimental impact on:
 - Valued landscape character
 - Cultural heritage significance as defined in the landscape strategy
 - Conservation Area appraisals
 - Farmstead Heritage appraisals
 - Non-designated heritage assets as determined by the Authority in lines with Historic England guidance or buildings not currently recognised as heritage assets or neighbouring amenity;
- Have a functional connection/ degree of dependence to the main dwelling hose
- Contains a level and scale of accommodation that can be justified for its intended occupants
- Have no boundary demarcation or sub-division of the garden areas between the main dwelling house and the annex
- Conserve and enhance the heritage significance/ setting of:
 - The existing building/ building group
 - Main dwelling house
 - Conservation Area
 - Listed Building

40. And where applicable also:

- Comply with the Authority's design standards
- Maintain adequate space with the planning unit to contain the required level of car parking (as determined by the Authority's Parking Standards)
- Respect neighbouring amenity

Assessment

Principle

41. In principle Development Management Policy DMH5 – Ancillary Dwellings in Residential Curtilages (part B) allows for new ancillary residential annex provided that the dwelling is located within an existing building group and is contained within a single planning unit by condition. The policy and residential annexe SPD set out a number of criteria proposals must meet to be accepted which are considered below.

Criteria for ancillary residential occupation:

42. The proposed annex would have a simple form and would be clearly subordinate in scale to the existing bungalow. The one bedroom and overall scale of accommodation is appropriate in scale to meet the needs of the intended dependant elderly relative and is sited within the garden, close to the main dwellinghouse. No sub-division of the garden is proposed. An appropriate condition would be necessary to secure occupation to be ancillary main dwelling and for both to be maintained as a single planning unit in the event of an approval.
43. The proposed annex would share the same vehicular access point as the garage and there are no concerns about parking given the annex would have two parking spaces to the front with a further two spaces beside the bungalow. The proposal would also benefit from shared utilities with Heatherlea which can be secured by planning condition.

44. The position of the proposed annex would meet its functional need as ancillary occupation for dependent relatives and enable a degree of independence for the occupants whilst being close to relatives in the main dwelling for care.
45. The existing garage at the property is not suitable for conversion to meet the need. The PDNPA Ancillary Residential Accommodation criteria notes that a proposed development should contain a level and scale of accommodation that can be justified for its intended occupants. The dependents require both appropriate access and a required scale of living space is needed to accommodate this which the conversion of the existing garage would not accommodate.
46. The applicant has also explored options within policy DMH7 – *Extensions and alterations to existing dwellings*. As members will note through the Parish Council comments, the property Heatherlea has been part-converted to provide ancillary accommodation which the applicant explains has not yet been brought into any use. The applicant explains a need to house two elderly relatives, who cannot live together within one accommodation.
47. The application for the new annex represents living accommodation which is appropriate in size and scale for one dependent, with the other dependent relative intended to make use of the existing annex space created within the existing bungalow. This has had the advantage that the new build annex has been able to be maintained at a more modest size and scale which would be appropriate to the Curbar Conservation Area, and the overall setting of the property.
48. It is therefore concluded that the proposed annex accords with the adopted ancillary residential annexes SPD and policy DMH5 subject to the above-mentioned conditions.

Scale and Design

49. The proposal is for a modest stone-built annex within the rear curtilage of the property, with uPVC windows and doors. The application is a resubmission which follows officer advice following the withdrawal of the previous submission for a larger two-storey annex.
50. This revised one-bedroom annex is modest in scale and would have simple design and form and be built out of natural stone with roofing to match the main dwelling.
51. It is considered that the proposed scale and design would sit in harmony with the existing buildings in and around the site and this small culs-de-sac. Only the roof will be visible outside the immediate confines of the site and therefore have no detrimental impact to the valued landscape, nor would it impact or harm the existing views across to Curbar edge.
52. The annex would be visible from The Hillock and from the immediate neighbouring property – Cottage Farm Bungalow. However, given the reduced height of the proposal, in relation to the existing garage at Heatherlea, and the distance between properties, the proposal is not considered to be harmful in terms of its scale or appearance. In terms of the impact upon the Conservation Area, views are limited and mostly screened from public vantages. Therefore, the visual impact within the conservation area is limited and where seen the matching materials and modest scale of this ancillary outbuilding will ensure the Conservation Area is conserved.
53. Taken as a whole the proposed annex will not harm the character and appearance of the host dwelling, or the street scene or the Curbar Conservation Area.

Heritage Impact

54. The ancillary dwelling would replace the existing garage which is itself sited immediately next to the rear wall of the neighbours barn/outbuilding.
55. The neighbouring objection stated the age of the barn wall adjacent Heatherlea to be 400 years old and that they have strong concerns about the impact of the proposal on the structure as well as the character of the barn and its setting.
56. The planning history suggests the past significant alterations carried out at Green Farm resulted in a de-listing of the property and the associated barn. The outbuilding is therefore not listed and although a building may have stood on the site some time the current structure is understood to have been largely rebuilt which has substantially diluted any heritage value it may once have had.
57. Nevertheless, it is a traditional building which contributes to the character and appearance of the village and the Conservation Area. In comparison with the current garage, the proposed annex would be further away from the rear wall of the adjacent barn. It would also be lower in overall height and would be constructed of natural materials to an improved design. Consequently, officers conclude the development would result in a net enhancement to the setting of the adjacent traditional barn and the Conservation Area.
58. The objector also raised particular concern about the potential of the proposed works to lower the annex into the ground to undermine the foundations of their barn and the close siting preventing the maintenance of the barn wall although it is noted that the existing garage similarly limits access.
59. Since the last meeting the siting has been amended such that the annex building is now 1.1m off the rear of the barn wall to allow for maintenance. However, with a 1m reduction in ground and no section drawing the concern will remain about impact on the barn's foundations. It is therefore considered appropriate to ensure via a suitably worded condition that plans are agreed showing the ground level against the barn maintained and that the drop in ground level takes place solely at the annex with its rear wall having a retaining function to support the adjacent and existing higher ground level. With such a condition it is considered that the proposal can be accommodated without harming the integrity of the barn, its setting or the access required for routine maintenance.

Amenity Impact

60. Concerns have been raised by neighbouring properties on the basis of the height of the proposed being larger than the existing garage. Amended plans show that the proposed annex would still have a scale similar to a typical detached garage. Whilst it would have a greater height than the existing garage, being dug into the site 1m, the ridge height would be slightly lower than that of the existing garage.
61. The proposal would have a three-pane window serving the proposed bedroom looking across to Cottage Farm bungalow. However, the proposal would not appear overbearing or otherwise harm the amenity of the neighbouring property taking into account the use and the distance between the two properties.
62. There have been concerns raised over a hedge owned by a neighbouring property, however, the proposal has now been moved away from the hedge as shown on the amended plans.

63. In the interests of the amenity of the site, neighbouring properties and the character and appearance of the building and its setting, as well as the site remaining a single unit and at a scale to remain within adopted policy for annexes, we consider permitted development rights for alterations should be removed from the building.

64. We therefore conclude that subject to the above conditions there would be no harm to amenity and the proposal complies with the requirements of development plan policies DMC3, DMH7 and national planning policy.

Parking Considerations and Highways Safety

65. Whilst the proposed results in the loss of one garage space for Heatherlea amended plans show there would remain 2 parking spaces at the annex, with a further two spaces next to the bungalow serving Heatherlea. These would meet the parking needs of the site.

66. The Highway Authority have no objections to the application so long as the proposed annex remains in private ownership, and is ancillary to the existing dwelling with no future sub-letting or selling-off. This can be secured through the standard planning condition for residential annexes of this type and hence there are no concerns regarding parking or highway safety in respect of the proposed development.

Conclusion

67. The proposed annex is modest in scale, and of an appropriate high standard of design that will conserve the character, appearance and setting of the dwelling, the street scene and the Curbar Conservation Area. The relocation of the annex away from the rear wall of the adjacent barn will protect the integrity of its foundations and allow space for maintenance. There are no concerns about neighbouring amenity and the level of parking proposed is commensurate with the need and scale of development.

68. We therefore consider the proposal accords with adopted policies in the Development Plan, our annexes SPD and the NPPF.

69. The application is therefore recommended for approval subject to the above conditions.

Human Rights

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

List of Background Papers (not previously published)

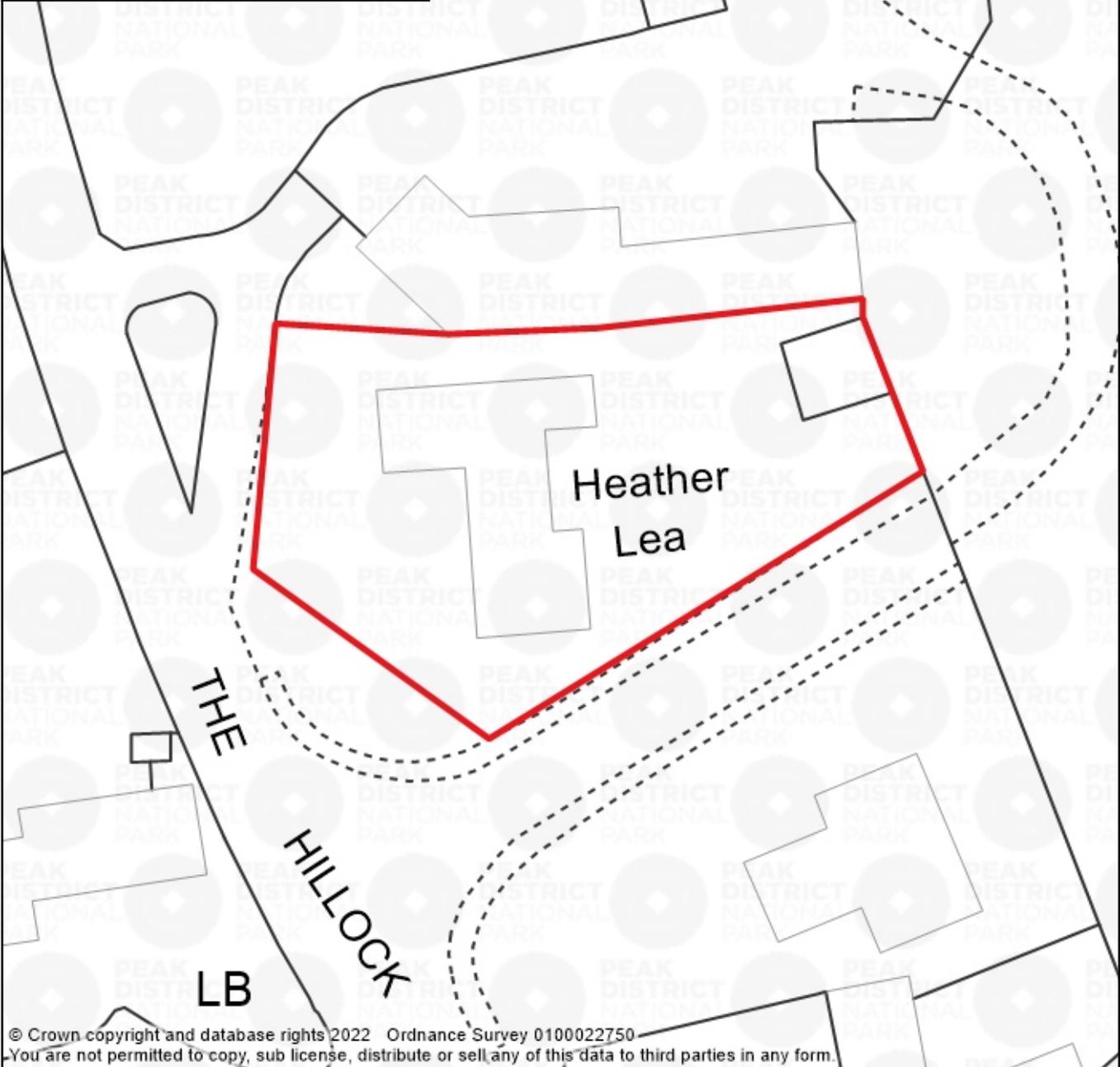
71. Nil

Report Author: Ellie Johnson, Assistant Planner

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Committee Date:	16/06/2023	Title: Heatherlea, The Hillock, Curbar	 PEAK DISTRICT NATIONAL PARK
Item Number:	Item 15		
Application No:	NP/DDD/0323/0314		
Grid Reference:	425139, 374673		

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8. FULL APPLICATION - CHANGE OF USE OF AGRICULTURAL LAND TO CARAVAN AND MOTORHOME CAMP SITE, HOLMESFIELD FARM, MILLBRIDGE, CASTLETON (NP/HPK/0422/0586, JRS)

APPLICANT: MISS J BRADLEY

Summary

1. The application seeks full planning permission for the use of part of a field to site 20 motorhomes. The proposed use of the agricultural field as a caravan site would result in harm to the landscape character of this area of the National Park. The development would also cause harm to the character and significance of the setting of Castleton Conservation Area. There are also concerns about the access to the site and that the works required to address these would cause further landscape harm. The economic benefits of the application in providing a site for visitors and providing additional visitor accommodation do not outweigh the harm that would be caused to the protected landscape and Conservation Area. The application is therefore recommended for refusal.

Site and Surroundings

2. Holmesfield Farm is located between Hollowford Road and the A6187, to the north of the village of Castleton. The house and buildings are accessed off Hollowford Road, near Millbridge, which is a small lane that leads northwards out of the centre of Castleton village. The farm bungalow and associated buildings are positioned on elevated ground above a brook that flows around the north side of Castleton and through the farm. The bungalow is about 50 years old and built from artificial stone under a roof of artificial concrete slates. To the side of the bungalow there is a collection of farm buildings and sheds. Peakshole Water runs to the south of the site, separating it from the rear of houses on How Lane. There are residential properties to the south-east and south-west of the site, beyond the river. The land surrounding the site to the north is agricultural.
3. Although the application says that this is no longer a working farm, at the time of an application for an agricultural building in 2012 it was described as being a working farm with 100 acres of owned land adjacent to the farm buildings and an additional 100 acres of rented land that is located nearby.
4. The site is not within Castleton Conservation Area, which lies mainly to the south, and there are no listed buildings on the site.

Proposal

5. The application is for the provision of 20 caravan/motorhome parking bays for self-sufficient units with their own toilet/shower accommodation. No toilet/shower blocks are to be provided.
6. The Design and Access Statement says that there will be no camping areas for tents. It says that the land is to be divided into bays for short period use by caravans and small & large motorhomes, which have their own toilet and shower facilities. The bays will be separated by grass segregation areas. The existing tree belt will be reinforced with additional tree planting and new areas around the parking bays will be planted with native trees to screen them from view from the surrounding areas. It proposes that substantial tree belts and planting areas will be provided, designed to screen the site, using native species. Access to the site will be via the existing track from the A6187 to the east, with no access allowed from Millbridge. It adds that although the use of the site by children will be discouraged, well-behaved dogs will be welcomed.

7. Following submission of the application, the applicant's commissioned a Landscape and Visual Appraisal (LVA) and have revised the site plans to respond to the Highway Authority's response. These were received in May and March 2023 respectively and on this basis an additional public consultation was carried out.

RECOMMENDATION:

That the application be REFUSED on the following grounds:

1. **The proposed development would result in a form of development that would be visually prominent and harmful to the valued landscape character and scenic beauty of the National Park. This harm would be exacerbated by the measures necessary to meet the requirements of the Highway Authority in order to make the access safe to use. The development would result in significant harm to landscape character, contrary to policies GSP1, L1, RT3, and DMR1 and the guidance within section 15 of the NPPF.**
2. **The proposed development would cause harm to the character and significance of the setting of the Castleton Conservation Area, contrary to policies L3, DMC3, DMC8 and the guidance within section 16 of the NPPF.**

Key Issues

- The principle of development
- Impact on the landscape character and special qualities of the National Park
- Economic benefits
- Amenity impacts
- Highways Impacts

History

- 1969: Full planning permission granted for a bungalow for agricultural use.
- 1971: Planning permission granted for a barn on the south side of the land to the rear of the bungalow.
- 2012: NP/HPK/0212/0210: Erection of agricultural building, Approved.
- In the last 2-3 years there has also been a history of complaints about the use of the site and this has been investigated by the Authority's Enforcement team, although no enforcement notices have been served.

Consultations

8. Highway Authority:

"The proposed site will be accessed via a private access track which emerges on Castleton Road (A6187), is a Classified Road subject to a 30mph speed limit and a bus route. The proposed site could also be accessed from Hollowford Road, as this access is also within the blueline boundary of the site. The traffic management measures to stop vehicles accessing and egressing from Hollowford Road need to be demonstrated.

The proposed access from Castleton Road also provides access to Holmsfield Farm; therefore, information regarding cumulative traffic generation, including proposed caravan vehicles and farm vehicles be provided.

The access from Castleton Road clearly appears to intensify the use of the access; therefore, Castleton Road, which is subject to a 30mph speed limit, should provide emerging visibility splays of 2.4m x 47m on the controlled land. The area in advance of the sightlines being maintained clear of any object greater than 1m in height (0.6m in the case of vegetation) relative to the adjoining nearside carriageway channel level. A revised plan be submitted demonstrating advised visibility splays for approval.

The access road to the proposed site is of single-width up to its junction with Castleton Road (A6187), without having passing places and not suitable for two-way traffic movements. The proposal appears to intensify the use of the access; therefore, this Authority would recommend that the passing places be installed along the access road in the interest of road safety. The passing places are constructed in such a manner which increases the width of the track to a minimum of 5.5m for a minimum length of 15m (to allow two vehicles to pass). Furthermore, the first 10m of the private access road from A6187 be widened to 5 metres to avoid a vehicle waiting on the main Road if another vehicle is exiting from the site in the interest of road safety. A revised plan to this effect should be submitted for approval.

The first 10m of the proposed access road from A6187 should not be surfaced with loose material and should be upgraded to tar or any other hardstanding surface. There shall be no gates or other barriers within 6m of the nearside highway boundary, and any gates shall open inwards only.

The swept path assessments of the largest vehicle expected at the site need to be demonstrated to validate the access junction design. Information about the procedure of refuse collection be provided.

There are a number of issues highlighted in my response which will need further consideration and revised information to be submitted before the highway Authority may be in a position to provide further comments on this proposal. I would be grateful if these comments could be brought to the applicant's attention so that they may be given the opportunity of addressing the identified issues; in the meantime, the application should be held in abeyance. However, if your Authority wishes to determine the application 'as submitted,' I would be grateful for the opportunity to discuss the Highway Authority's position further”.

(NB. No response has been received from the Highway Authority to the revised plans. Any response will be reported to the Committee meeting).

9. Borough Council: No response.

10. Castleton Parish Council:

Initial response: *Main concerns raised are as follows: This is a major road with heavy traffic, with vehicles entering and exiting the site on a bend, with poor visibility in both directions and affecting both the vehicles using the site and road users approaching the bend with the access. The report from Highways on the planning website, has only recently been posted but supports this concern. It is felt that there is not adequate time to read, digest and make a sound decision within the current timescale. The next Council meeting will not be held until 29th September where the matter will once again be discussed. The Council are requesting a site visit with the Planning and Highways Department and would like to draw attention to traffic survey “8223750 Traffic Calming in Castleton” taking this into consideration whilst deliberating the application.*

The Council also requested additional public consultation and more time to consider the response from the Highway Authority (the Parish Council response was submitted in August 2022; no further response has been received since, but a site notice was put in place to notify the public of the application and a number of responses were received following this – see below).

Response to additional information:

The Parish Council considers the proposed caravan and motorhome site as detrimental to the village of Castleton, and wishes to object to the planning application and its recent amendments on a number of grounds:

- *Road issues*
- *Loss of privacy for neighbouring properties, noise and disturbance*
- *Capacity of infrastructure and health fears*

- *Impact on landscape and character, with reference to the design and appearance, layout and density of the proposed caravan and motorhome site.*

The response from the Parish Council is very full and detailed, so only the key points are repeated here, but a full copy can be found on the Authority's website:

Road Issues:

The revised Design and Access Statement provides data and statements on use of the proposed caravan/motorhome site and traffic movements at its east side where it opens onto Castleton Road (Spital Bridge), to justify a history of safe use of the Castleton Road access. We question the accuracy of the information:

- The site has certainly been opened for motorhomes, but rarely for 15-20 of them at a time, whereas the document suggests this extent of use for 56 days in 2021 and then for 28 days in 2022. The site has been mainly used for the parking of cars during that time rather than motorhomes.
- The WEST end of the site at Hollowford Road/Millbridge has been the primary access for most vehicles, with much less access from Castleton Road, and only very recently (and which has more regularly been used as the exit). Most cars using the pop-up car park on the site currently use the Millbridge entrance, but the lane from the main road is narrow and common sense would dictate that it is not suitable as an access by caravans/motorhomes.
- The Castleton Road access has had very limited use by agricultural vehicles over the years, with regular access only during hay making, perhaps for a couple of weeks per year.
- Castleton Parish Council requested speed monitoring by the Highways Authority at the Spital Bridge (adjacent to the applicant's access) in 2012, because of concerns about traffic speeds exceeding 30 mph. No action was taken by the Authority because they have received no reports of major accidents causing injury or death. The average speed (over one week in November 2012) was 26mph, but with an average of nearly 15% of cars exceeding 30 mph. Average traffic flow measured during this survey during the hours of 8am to 5pm was between 300 and 400 vehicles per hour.
- Traffic often speeds into the bend from both directions, and that traffic levels, speeding and road safety at both ends of the village have worsened significantly since 2012.
- Even 30 mph is a dangerous speed for the proposed caravan site access given its visibility issues at a double bend in the main road. In addition to the limited visibility for vehicles leaving the proposed site, access is also a potential hazard to towed caravans or campervans entering the site, because of traffic approaching around the bend.

Loss of privacy for neighbouring properties, noise and disturbance

- The Design and Access Statement makes the point that the nearest neighbouring properties are sufficiently far away (50m and 100m) from the site and will be sufficiently well-screened by existing and proposed trees to prevent adverse effects by the proposed motorhome site. The proposal aims to make this an "adult-only" site and guests will be asked to respect nearby residents and the tranquil setting.
- The current partial screening of the proposed site is all deciduous trees so for at least six months of the years screening would be practically non-existent. The mixture of trees proposed for screening would take a long time to mature and the vast majority will drop leaves in winter.
- Reports of antisocial behaviour by users of the site were made by residents (noise, urinating users) in their responses to the original application. An "adult-only" demographic is no guarantee of respectful behaviour. How would this be monitored?

- Neighbouring properties are not necessarily only dwellings e.g. fields are used for the private stabling and use of horses and the gardens for the private and quiet enjoyment of their owners. These personal uses would be significantly disturbed by the proposal.
- There is no mention of lighting on the site but it is likely that the applicant would wish to install some in due course.

Capacity of infrastructure, Health fears:

- There would be no provision for toilets on site as all the users would be expected to have their own toilet facilities. How would this be monitored? Where would the toilet waste from the vehicles be disposed of, particularly those staying for longer than a couple of days? Peaks Hole Water borders the proposed site and could provide a tempting site for disposal of human waste/chemical loos.

Impact on landscape and character, with reference to the design and appearance, layout and density of the proposed caravan and motorhome site:

- This section is a detailed response to the Landscape and Visual Appraisal, so it is summarised more briefly. In summary the Parish Council says that they understand that Castleton has welcomed tourism for centuries, and continue to welcome the increasing numbers and diversity of visitors who appreciate the area, but the village is at the point of saturation and at great risk of being spoilt for everyone, both visitors and residents.
- It goes on to question the conclusions of the Appraisal and ask “*how can 15 to 20 large, high, white campervans or caravans gathered together in a block at all times of year not impact the landscape setting in short-range views (e.g. Spital Bridge) or long range elevated views, e.g. from Peveril Castle and the ridgeline?*”
- They add “*the views from Castleton Road and Squire’s Lane are not “limited” or “filtered”. The filtering by newly planted trees will only be there in the summer. Both these sites give some of the very best views of Mam Tor and Peveril Castle in the context of the surrounding landscape in the whole of Castleton.*”

11. Lead Local Flood Authority (LLFA): The LLFA has no formal comment to make.
12. PDNPA Landscape Architect: A detailed response, setting out the landscape character of the locality, with the following conclusion (a full copy can be seen on the Authority’s website):

“Likely effects: *The mobile homes (and associated vehicle movements) would form new adverse elements within the local landscape and in views.*

A landscape scheme is proposed – while this isn’t adequately detailed (species, sizes etc), it would fit in with the objectives (in terms of woodland creation) for the LCT, so the planting would be a positive landscape feature. This would offer adequate screening in some areas, but is not wide enough (one tree width) in others.

I think if this was increased in width and was adequately specified (a mix of native trees and shrubs, with some evergreens) it would offer adequate screening in short distance views once it became established (5 years+). Until that point mobile homes would be visible.

In addition, I think that the development would be visible from elevated (but distant) views to the north – it would extend development further north and would be an adverse new element in views. It would form a new detracting element in views from Peveril Castle.

LVA: *An LVA has been submitted to support the application. This considers the site to have a medium value, medium susceptibility resulting in a medium sensitivity. I would disagree with this assessment – its value is high and I think that it has a high degree of*

susceptibility to the form of development proposed – mobile homes would offer significant conflict with its pastoral character.

An assessment on the immediate landscape setting of the site (on the edge of Castleton) is not considered, which is a major omission in my view.

The assessment states that at year 1 there would be a negligible adverse effect on the site and negligible beneficial effects at year 15. This is flawed finding and my view is that adverse landscape effects would be of a higher magnitude than that stated - probably minor adverse on the site (and its setting) at year 1, falling to negligible adverse at Year 15.

In terms of visual effects, the appraisal considers the majority of effects to be negligible adverse (other than Peveril Castle and pedestrians on the A6187, which re minor adverse). While I don't fundamentally disagree, my view is that the cumulative effects of the numerous negligible/minor adverse effects results in a development which conflicts with visual amenity and the setting of a National Park.

I therefore do not support the application”.

13. PDNPA Archaeology: *“There are no statutory designations within the proposed development site. However, the site is just north of the Castleton Conservation area, approximately 50m from the west end of the proposed development site. At the east end the development site is some 75m from Spittal Buildings a former mill.*

There are no known heritage assets on the HBSMR that are located inside the proposed development site which is located just outside the core of the village of Castleton. However, the site lies at the southern end of an area of fossilised Medieval cultivation strip fields and earthworks, The earthworks can be seen on Lidar data and there are three ridges probably former ridge and furrow or lynchets running along the length of the proposed development site. Although the ridge and furrow at the southern end of the medieval cultivation strip fields is less prominent than further north the complex of medieval agricultural features is of medium, or regional, significance overall but the area of proposed development is low to medium significance.

The physical impact of the proposed works will depend on the depth of road and parking bay construction. But within the footprint of the proposed campsite this will be negative and probably low to moderate. Mitigating the impact of the loss of the field system features will not be possible. The impact of such loss will be low to moderate and negative.

The setting and visual impact of the proposed development will primarily be on the conservation area, the Spittal building and the medieval field system. The proposed camping ground will also be visible from the A6187 just before it enters Castleton. The setting and visual impact will again be negative with the impact being medium. The visual impact could be mitigated to some extent by screen planting but this would have to be undertaken in sensitive manner with trees chosen and located to provide the maximum screening option in the short term while avoiding the loss of potential views through the landscape. The valley around Castleton is generally open fields with trees along water courses such as Peakshole Water and occasional trees along field boundaries. There is a fine view across the site entrance toward Mam Tor and excessive screening could lead to the loss of this view.

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

Representations

14. We received 90 representations to the initial public consultation in 2022, with 20 objecting to the application, one raising concerns and 10 supporting it. Those objecting to the application are almost all local residents, whereas those supporting it are mainly visitors who refer to their experience of using the site.

15. The objections raise the following points:

- While the proposed caravan/motorhome site is not within the conservation area, it is very close to it and the setting of the conservation area within the wider landscape is key to the special character of the village. Because of Castleton's location surrounded on three sides by hills, any new development within the village would be visible from surrounding viewpoints, including, Peveril Castle and Mam Tor.
- Proposed access to and from the site onto A6187 is hazardous, specifically with slow vehicles due to 'blind' bend to west with poor sightlines. Vehicles typically accelerate out of village heading east. Visibility of the access for vehicles approaching the site from both directions is also poor. Even the permitted speeds of 30mph for general road traffic present a problem for caravans or motorhomes entering or leaving the site as these vehicles are slow and awkward to manoeuvre in the face of oncoming traffic.
- The footpaths on this road (Castleton Road/ How Lane) are widely used by visitors to the Caravan Club site at Losehill and by walkers between Hope and Castleton.
- Inappropriate use of land /intensification of use potential disturbance to existing residents. Applicants indicate limitations on clients but how will this be enforced, specifically "not for use of families"?
- No access will be allowed from Millbridge: presumably no vehicular access, but for pedestrian access this is the easiest, safest most likely access to village amenities from site. Potential disturbance especially returning late at night pubs /restaurants etc.
- Toilet facilities: Note that there is no intention to install toilet facilities or waste disposal facilities. Whilst most caravans and motor homes now have onboard toilets these need to be emptied on a regular basis. If there are no facilities it could lead to disposal in the surrounding area and possible fouling of the nearby river.
- Noise: Currently there is hardstanding for a small number of vehicles which is generally fine, but noise does travel and even small groups of people do make a noise, so it is a concern to see such a large increase in size to the site. Although the application states it will discourage any booking with potential for noise, what measures will be in place to ensure this, and who will deal with noise problems?
- General concern that the whole farm will become a party venue especially since the large agricultural barn was used for a family wedding with camping available for guests a few weeks ago and photos appeared on Facebook saying, 'Book this venue now.'

16. The representation of concern also refers to the access limitations and the lack of facilities for disposing of waste.

17. Those supporting the application raise the following points, which are representative of the comments:

- I fully support this application. We have driven onto this site before. We can access the site, even with our 7.5m motorhome. We thoroughly enjoy spending time in the countryside. Demand for campsites around Castleton outstrips supply. Despite being members of certain caravan clubs, we have difficulty accessing bookings at Castleton caravan sites. We always ensure we support the local economy. I believe having this site would enhance the locality.
- It has the benefit of providing convenient walking access to central Castleton which benefits other local businesses.
- We have stayed on this farm many times. It is lovely, so peaceful and very central to the village. We had no issues accessing the farm or exiting.
- This idea gets my full support and other farmers should also adopt the idea - remember we are bringing in revenue to the area - which is much needed after Covid - councils should be supporting local businesses in their new ventures.

18. In response to the recent public consultation, following receipt of revised plans relating to the access and the Land and Visual Appraisal, we received a further 17 representations all from local residents, all of which object to the application. These raise the following points, in summary:

- The Landscape and Visual Assessment acknowledges that there will be a visual impact but it is understated. The Appraisal is based on an assessment, whereas photographs provided by local residents show the actual impact. These photographs are typically of the site with 10 motorhome units, whereas the proposal is for 20 so the impact will be even greater.
- The Landscape & Visual Assessment prepared for the applicant by Weddle Landscape Design is selective of the level of visual impact for the benefit of the applicant, choosing to focus on receptors where the impact is less pronounced. It does not include the visual impact on nearby local receptors such as neighbouring residents, landowners and rights of way by choosing more distant and less prominent local receptor points as examples. It plays down any impact on villager's neighbouring properties, which of course it will do as the applicant is paying for the preparation of this document. This is not an independent unbiased assessment which in my opinion makes this a very unfair process.
- The photos in the LVA have been taken recently in late spring/early summer with leaves in trees. For around 6 months of the year during late autumn through winter until late spring the lack of leaves on the trees & bushes which will accentuate the negative visual impact of 20 predominantly white vans parked in the field whose ground is raised above some of the surrounding area such as from Castleton Road.
- Many representations refer to the poor visibility at the eastern access onto the A6187 (How Lane), with a poor alignment and double white lines. They say they have witnessed the difficulties cars and motorhomes using this access. They say that the prospect of more motor homes, camper vans and caravans all entering and exiting on How Lane makes the situation even worse. The visibility is extremely poor going either way along How Lane, and to have larger and less manoeuvrable vehicles exiting and entering a busy road is a recipe for disaster. One representation notes that vehicles exiting the site were constantly nosing out and having to drop back as they couldn't see what traffic was coming from the right, and this will still be the case for cars towing caravans.
- The additional information submitted by the applicant this year has not resolved all the issues highlighted by Highways in their response to original planning application last year. It is still not possible to achieve clear visibility for 47m on the village side of access due to the bridge parapet & the wall & hedge belonging to the adjacent property, the latter of which extends to a height of approximately 2 metres and is actually within the 47m sight line. This hedge and wall have not been identified in the Proposed Access Plan diagram
- The applicant suggests the field has been operating as a car park for over 15 years and whilst this may be true, they must have used the Hollowford Road entrance. In 2021 a sign advertising parking and subsequently camping for motorhomes only was positioned at the gate. Therefore dispute the fact it has not been an issue; it is an issue and continues to be whilst vehicles continue to leave the site without having the visibility on the blind corner.
- The proposed access /exit from the site will be dangerous compounded at peak periods by causing traffic congestion. Also considers that a Sat Nav search typically used by visitors will inevitably direct vehicles to Millbridge postal location of Holmesfield Farm. This will cause significant problems. Any attempt to use this route by in particular caravans inevitably will conflict with farm vehicles and increasing traffic now using Millbridge. Attempting to reverse a caravan (for example) up Millbridge will be difficult and for some drivers almost impossible
- Lack of toilet and disposal facilities. Whilst most modern camper vans and caravans have onboard facilities these need to be emptied on a regular basis.

Without a disposal facility, they fear that toilets would be emptied in the surrounding area, which is close to Peakshole Water

- Making the site 'adult only' does not really address the noise nuisance issue. Noisy adults will cause a disturbance during unsociable hours. Will there be anyone in charge on site to deal with this eventuality?
- Diversification for farmers as a result of the phasing out of BPS is clearly important but there are other alternatives than providing more caravan and motorhome pitches. The Sustainable Farming Incentive, which was launched last year, includes grants for a variety of activities much more appropriate to this situation.
- Caravan pitches are more than adequately provided at other sites locally, which are better screened, have better services and cause much less adverse impact on an area of natural beauty.

Main Policies

19. Relevant Core Strategy policies: GSP1, GSP2, GSP3, GSP4, DS1, CC1, HC1, L1, L2 and L3.
20. Relevant Development Management policies: DMC3, DMC5, DMC10, DMH6, DMT3, DMT8.

National Planning Policy Framework

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

Peak District National Park Core Strategy

23. Policy GSP1 sets out the broad strategy for achieving the National Park's objectives having regard to the Sandford Principle, (that is, where there are conflicting desired outcomes in achieving national park purposes, greater priority must be given to the conservation of the natural beauty, wildlife and cultural heritage of the area, even at the cost of socio-economic benefits). 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. Policy GSP2: *Enhancing the National Park* states that:

- Opportunities for enhancing the valued characteristics of the National Park will be identified and acted upon.
- Proposals intended to enhance the National Park will need to demonstrate that they offer significant overall benefit to the natural beauty, wildlife and cultural heritage of the area.
- When development is permitted, a design will be sought that respects the character of the area.
- Opportunities will be taken to enhance the National Park by the treatment or removal of undesirable features or buildings. Work must be undertaken in a manner which conserves the valued characteristics of the site and its surroundings.
- Development in settlements necessary for the treatment, removal or relocation of nonconforming uses to an acceptable site, or which would enhance the valued characteristics of the National Park will be permitted.

25. Policy GSP3 sets out development management principles and states that all development must respect, conserve and enhance all valued characteristics of the site and buildings, paying particular attention to, amongst other elements, impact on the character and setting of buildings, scale of the development appropriate to the character and appearance of the National Park, design in accordance with the National Park Authority Design Guide and impact on living conditions of communities.

26. Policy GSP4 says that to aid the achievement of its spatial outcomes, the National Park Authority will consider the contribution that a development can make directly and/or to its setting, including, where consistent with government guidance, using planning conditions and planning obligations.

27. Policy DS1 sets out the Development Strategy for the National Park. DS1.C. sets out the forms of development that are acceptable in principle in the countryside outside of the Natural Zone. There is no scope for the erection of new housing here other than as part of development needed to secure effective conservation and enhancement.

28. Policy L1 says 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.

29. Policy L3 'Cultural heritage assets of archaeological, architectural, artistic or historic significance' states that:

A. Development must conserve and where appropriate enhance or reveal the significance of archaeological, architectural, artistic or historic assets and their settings, including statutory designations and other heritage assets of international, national, regional or local importance or special interest;

B. Other than in exceptional circumstances development will not be permitted where it is likely to cause harm to the significance of any cultural heritage asset of archaeological, architectural, artistic or historic significance or its setting, including statutory designations or other heritage assets of international, national, regional or local importance or special interest;

C. Proposals for development will be expected to meet the objectives of any strategy, wholly or partly covering the National Park, that has, as an objective, the conservation and where possible the enhancement of cultural heritage assets. This includes, but is not exclusive to, the Cultural Heritage Strategy for the Peak District National Park and any successor strategy.

30. Policy RT3 of the Core Strategy states that small touring camping and caravan sites and backpack camping sites will be permitted, particularly in areas where there are few existing sites, provided that they are well screened, have appropriate access to the road network, and do not adversely affect living conditions
31. Policy CC1 states that development must make the most efficient and sustainable use of land, buildings and natural resources, taking into account the energy hierarchy and achieving the highest possible standards of carbon reductions and water efficiency.

Development Management Policies

32. The most relevant development management policies are DMC3, DMC8, DMC14, DMR1, DME2 and DMT3.
33. Policy DMC3 says where development is acceptable in principle, it will be permitted provided that its detailed treatment is of a high standard that respects, protects and where possible enhances the natural beauty, quality and visual amenity of the landscape, including the wildlife and cultural heritage that contribute to the distinctive sense of place.
34. DMC8 requires that applications for development in a Conservation Area, or for development that affects its setting or important views into, out of, across or through the area, should assess and clearly demonstrate how the character or appearance and significance of the Conservation Area will be preserved or enhanced.
35. DMC14 states that development that presents a risk of pollution or disturbance including soil, air, light, water or noise pollution, or odour that could adversely affect any of the following interests will not be permitted unless adequate control measures are put in place to bring the pollution within acceptable limits.
36. Policy DMR1 states that the development of a new touring camping or touring caravan site will not be permitted unless its scale, location, access, landscape setting and impact upon neighbouring uses are acceptable, and it does not dominate its surroundings.
37. Policy DME2 states that farm diversification development will be permitted if there is clear evidence that the new business use will remain ancillary to the agricultural operation of the farm business, meaning that the new business use is a subsidiary or secondary use or operation associated with the agricultural unit.
38. Policy DMT3 sets out that development will only be permitted where a safe access that is achievable for all people can be provided in a way that does not detract from the character and appearance of the locality.

Assessment

Principle of proposed development

39. Policy RT3 is broadly supportive in principle of small touring caravan development. Policy DMR1 sets out that the development of a new site will not be permitted unless its scale, location, access, landscape setting and impact upon neighbouring uses are acceptable, and it does not dominate its surroundings. The proposal is for 20 motorhome pitches.
40. Policy RT3 does not define “small” sites but the supporting text clarifies that sites up to 30 pitches are more likely to be acceptable, although this may be too large in many circumstances. The proposal would therefore be within what can reasonably be considered to be a “small” site. However, such development is only acceptable in principle when it would not have an adverse landscape impact or on other valued characteristics,

including heritage assets. The impact on the landscape is therefore key to the acceptability of this type of development.

Landscape and Conservation Area Impacts

41. The site lies within the Valley Farmland with Villages LCT in the Derwent Valley LCA. This is a settled pastoral landscape, often with a low lying topography associated with a network of streams and damp hollows. This is an enclosed landscape, with views filtered through scattered hedgerow and streamline trees. Stone-built villages with outlying farms and dwellings are set within small to medium fields that are often bound by hedgerows. The Castleton Conservation Area Appraisal notes the historic nature of the landscape around the village, with historic field systems and extensive views from surrounding hills, including from Peveril Castle.
42. The application site is part of the undeveloped setting of Castleton and makes an important contribution to the character and significance of the Conservation Area. The field also provides an important backdrop to the nucleated and compact form of development within Castleton, particularly when seen from the south.
43. Since the application was first submitted the applicants have commissioned and submitted a Landscape and Visual Appraisal (LVA), undertaken by specialist landscape architects. This considers the site to have a medium value, medium susceptibility resulting in a medium sensitivity. The summary of the report comes to the following conclusion:

“The proposed development could be successfully assimilated into the local landscape with important landscape features protected, introduction of new habitats, and achieving local landscape character objectives. Long-term landscape feature and character effects would be neutral or beneficial in nature, with only an adverse effect arising due to loss of grassland.

Initially the proposal would have some short-term negligible or minor visual adverse effects due to visibility of the pitches whilst the landscape framework establishes, however in the long-term visual effects would become mostly neutral with some negligible adverse and negligible beneficial visual effects.

The proposal would respond positively to landscape related policy at National and Local levels.

The slight initial harm of the proposal would need to be balanced against the benefits of the provision of a caravan and motorhome pitches”.

44. The Authority’s Landscape Architect disagrees with the conclusions of the LVA, considering that the value of the site is high and that it has a high degree of susceptibility to the form of development proposed as mobile homes would offer significant conflict with its pastoral character. He adds that an assessment on the immediate landscape setting of the site (on the edge of Castleton) is not considered, which is a major omission in his view. The assessment states that at year 1 there would be a negligible adverse effect on the site and negligible beneficial effects at year 15. He considers this to be a flawed finding and that adverse landscape effects would be of a higher magnitude than that stated, probably minor adverse on the site (and its setting) at year 1, falling to negligible adverse at Year 15. In terms of visual effects, the appraisal considers the majority of effects to be negligible adverse (other than Peveril Castle and pedestrians on the A6187, which are minor adverse). The Authority’s Landscape Architect does not fundamentally disagree with this, his view is that the cumulative effects of the numerous negligible/minor adverse effects results in a development which conflicts with visual amenity and the setting of a National Park.
45. As noted in the consultation section above, many locals consider that, based on their experience of the use of the site over the last two years, the siting of motorhomes on the

application would have an unacceptable adverse effect on the character and appearance of the area. Some have provided photographs of the motorhomes on the site, supporting this objection.

46. Taking into account these responses, it is considered that the proposal motorhome site would result in development which would be very open to view from many vantage points around the village, particularly higher ground, intruding on iconic views. Whilst the proposal does not include any permanent new buildings, the proposed use of the field for motorhome pitches is likely to mean that these relatively large vehicles would be parked on the site for considerable periods of time.
47. The application does not propose any seasonal restrictions, so the site could be visible in parts of the year when any screen planting is not effective. Whilst not they are permanent structures, the motorhomes would still result in a man-made intrusion into the protected landscape and the setting of this historic village. The site is slightly higher than some parts of the village to the south, making any development on here more prominent.
48. The site is also important in the landscape setting of the Conservation Area. Policy DMC8 requires that applications for development in a Conservation Area, or for development that affects its setting or important views into, out of, across or through the area, should assess and clearly demonstrate how the character or appearance and significance of the Conservation Area will be preserved or enhanced.
49. The development would cause unacceptable harm to the landscape character and scenic beauty of this part of the Peak District National Park and to the setting of the Castleton Conservation Area. It would therefore conflict with Core Strategy Policies RT3 and L1, DMP Policies DMR1, DMC3, DMC8 and to the relevant policy guidance in the NPPF relating to the protection of the National Park's landscape and heritage.

Farm Diversification and Economic Benefits:

50. Caravan sites can be a form of farm diversification. Whilst farm diversification can often be acceptable in principle (and supported by policy DME2), this cannot be at the expense of the special qualities of the National Park so any benefits to a farm business or the local economy would not outweigh the harm caused by the development.
51. In this case the Design and Access Statement says that the applicant lives in Holmesfield Farm, but has not farmed it. It says that she wants to diversify the use of the land, as there is a great need for camping sites in the area, she believes this is the best use of the land. As noted above, the application for an agricultural building in 2012 described the holding as a working farm, but circumstances may have changed since then. However, no case has been made that this development would assist in the viability of a working farm.
52. It should be acknowledged that the proposed development would also provide a facility that would help to promote the second National Park purpose of promoting understanding and enjoyment of the National Park. However, the first purpose of the National Park is to conserve the environment of the National Park. Where conflict arises between conservation and public enjoyment then greater weight must be given to conservation. The development would be significantly harmful to the natural beauty of the National Park and this harm clearly outweighs the small scale economic and recreation benefits. Although the proposal would provide additional visitor accommodation, it would harm understanding and enjoyment of the National Park by visitors to the village. The proposal would be contrary to National Park purposes and cause harm to the nationally designated landscape.

Highway issues

53. Vehicular access to the site is proposed to be from the A6187 at the eastern end of the field, in the Hope direction. This has been used as the access for the previous use under permitted development rights. The Highway Authority response notes some shortcomings of this access but requested additional information and suggest measures which may address these issues. The objectors have also raised concerns about the safety of the access, based on their local experience. It is proposed that there would be no access for motorhomes via Millbridge.
54. In response to the Highway Authority concerns, the applicant's agent has submitted additional details of the access road and passing places. The Design and Access Statement says that the existing access onto Castleton Road is 6.7m wide and currently has two galvanized 7-bar gates fitted. It is proposed that the access will be widened to 8m to allow easier movement into and out of the site, and to ensure any vehicle wanting to enter the site will not need to wait on the road if there is another vehicle at the access, waiting to leave the site. The applicant would agree to a condition preventing any gates to be installed within 10m of the road edge. This will allow motorhomes entering the site to pull clear of the road before opening any gates. As part of this application, no gates are proposed, and the access would have a cattle grid installed to allow vehicles to enter the site, but prevent any livestock straying onto the road.
55. In terms of vehicle movements within the site, the Design and Access Statement explains that the access track covers a distance of 150m from the access onto Castleton Road, to the cattle grid at the entrance into the motor home pitch area. At present, this access is a track formed with two wheel-tracks divided by a central grassed strip and is currently only suitable for single lane traffic. To avoid the possibility of conflict if two vehicles attempt to leave and enter the site at the same time, it is proposed that two passing places would be constructed, increasing the width of the track to 5.5m and allowing two vehicles to pass.
56. The Highway Authority has been asked to provide its recommendation based on the application as submitted; any further response will be provided at the Committee meeting. Given the alignment of the A6187 at this point, with double white lines and bends in both directions, albeit with a 30mph speed limit, it does not appear to be a safe entry and exit point for the proposed development. Moreover, it would appear that in order to meet the requirements of the Highway Authority to make the access safe to use, given that it meets the A6187 close to bends in the A road, there would have to be passing places, a bound surfaced section to the access road, and visibility splays. All these would have an adverse impact on the character of the field and the roadside walls and would add to the existing concerns about the landscape impact of the development.
57. In terms of the landscape impact of the access track and the alterations to the access point itself, it should be noted that photographs of the site taken over a number of years, including Google images, show that the track across the fields from the farm to the A6187 How Lane is relatively recent. Images from 2017 show a muddy track, whereas by 2021 this has a stone surface. Going back to 2009 there was no track, just a gate, which was narrower than the existing gate. These images show the change in character of the access; the proposed works would exacerbate this harmful change in character.

Impact on residential amenity

58. The nearest neighbouring properties are over 30m to the south-west of the motorhome bays. as they will be screened by the additional tree planting there will be no impact on these dwellings. In terms of the development itself, there would be no direct impact on the privacy and amenity of neighbouring properties.

59. As noted above, several local objectors have raised concerns about the impact of the use on their privacy and amenity, particularly through noise. The main concern with this appears to be the possibility that visitors would walk to the village via Hollowford Road and Millbridge, rather than the longer route via the vehicular access to the east. This is likely to be the case, given the relative distances involved. However, it is not considered that this would cause such a level of noise and disturbance that the application would be refused on this basis. Issues relating to the disposal of waste from the motor home units have also been raised, but this is a site management issue which is capable of being controlled, either through planning conditions or site licence requirements. The proposal therefore accords with policies GSP3 and DMC3 in these respects.

Conclusion

60. The proposed expansion of the existing caravan site would result in significant harm to the landscape character of this area of the National Park. There are also concerns that the access point would require visually harmful alterations to make it safe to use. The economic and tourism benefits of the scheme have been fully considered but do not outweigh this harm. The application is contrary to policies L1, RT3, DMR1, and DMC8 and the guidance contained within the National Planning Policy Framework on the protection of designated landscapes. The application is therefore recommended for refusal.

Human Rights

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

List of Background Papers (not previously published)

62. Nil

63. Report Author: John Scott

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9. FULL APPLICATION – S.73 APPLICATION FOR THE REMOVAL AND VARIATION OF CONDITION 2 AND 7 ON NP/DDD/1222/1562 AT NEWBY HOUSE, OVER LANE, BASLOW (NP/DDD/0623/0639, WE)

APPLICANT: ALLISON AND SIMON CHALK

Summary

1. This application seeks to vary the conditions attached to a previous permission granted on site (NP/DDD/1222/1562). This permission granted consent for a rear extension to the property, in addition to two small lean-tos off the side elevations of the property, and a new detached garage with changes to the fenestration of the property. The approved plans had been amended during the determination of the application following Officer feedback.
2. This application seeks permission to change the design of the approved scheme through the variation of conditions 2 and 7. This application proposes to change the siting of the rear extension further north on the rear extension of the property, and vary the roof form of all the proposed extensions. Application NP/DDD/1222/1562 granted consent for a hipped roof rear extension, and two lean-to extensions off the side elevations of the property. This application proposes shallow zinc hipped roofs with a central rooflight.
3. It is considered that the proposed development would harm the character and appearance of Newby House through inappropriately designed and sited extensions which do not reflect the prevailing character of the property. It is recommended for refusal on this basis.

Site and Surroundings

4. The development site is Newby House, a large detached property off Over Lane in Baslow. The property sits in a large plot, with a large front and rear garden. The property is non-traditional in form, comprising of two projecting gables joined through a hipped roof. Whilst it is non-traditional, the property is constructed from natural stone with an attractive frontage so is considered to have architectural merit.
5. The property currently has a large outbuilding which is used for additional living accommodation and garaging/storage.
6. The property is accessed off a large private track which serves two other bungalow properties. It is outside the Baslow and Bubnell conservation area.

Proposal

7. This application seeks to vary condition 2 and 7 attached to application NP/DDD/1222/1562.
8. This application proposes a rear extension which would be location further north on the rear elevation of the property. The rear extension would measure 8m x 5.3m. By virtue of its siting on the rear elevation, it would extend 2.8m beyond the northern elevation of the property.
9. The northern side extension would extend 2.75m from the northern elevation, and measure 4.85m in length. The southern side extension would extend 2.45m from the elevation and measure 6.21m in length.

10. The extensions would be heavily glazed, with the rear extension featuring bifold doors on every elevation with natural stone columns. The northern side extension would nearly be completely glazed apart from a 0.9m high stone wall base. The southern extension would be similarly glazed to the proposed northern extension with a glazed front corner; however, there would be more stone walling on the rear and side elevation of this extension.
11. The extensions would feature a zinc roof with a stepped hip leading to a central rooflight. The zinc roof would feature an overhang of approximately 0.6m from the external walling of the extensions.
12. The proposed side extensions would feature sliding aluminium fins.
13. The application proposes changes to the fenestration of the property, including the creation of a 2.5m wide two-storey glazed window on the rear elevation.
14. This application also proposes a new garage. This section of the proposal is unchanged from the previous scheme.

RECOMMENDATION:

That the application be REFUSED for the following reason:

1. **The proposed development would harm the character and appearance of Newby House through the inappropriate siting of the rear extension, contrasting roof forms to the host property, and a detailed design which does not respond to the host property. It therefore does not meet the high standard of design required by local policy. On this basis, the proposed development is contrary to policies DMC3, DMC7, and the guidance outlined within the Alterations and Extensions SPD.**

Key Issues

- Design and impact on the character and appearance of Newby House
- Amenity.

History

- 2005 - Erection of single-storey timber framed conservatory – Granted conditionally
- 2022 - Demolition of timber conservatory. Conversion of existing garage to living space. Alterations and internal reorganisation of existing house including attic conversion from hipped to gabled roof. Erection of two single-storey side extensions including new garage and connecting links. New landscape design to the front and rear – Refused
- 2023 - Demolition of timber conservatory and existing garage. Alterations and internal reorganisation of existing house including attic conversion and ground source heat pump. Erection of 2no. single-storey lean to side extensions, rear extension and new garage with living space above. Amended drive, terraced areas. Basement gym and plantroom – Granted conditionally

Consultations

15. Derbyshire County Council Highways Authority – No highway objections to the variation of conditions
16. Baslow and Bubnell Parish Council – No comments to make

17. PDNPA Archaeology – No comments to make

Representations

18. The application received 6 representations. All representations were in support of the proposal.

19. The letters of support raised the following comments:

- The property is not traditional or vernacular so the broad design rules about extending traditional buildings are largely irrelevant;
- Scale of development has been established through previous application;
- The proposed scheme is contemporary in design which is supported by design guidance;
- Sloped roof is an interpretation on hipped roof;
- Hidden from view and would not impact street-scene or Conservation Area;
- The scheme is contemporarily designed using local materials;
- It would not dominant the property;
- Scheme would result in an enhancement.

National Planning Policy Framework (NPPF)

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

21. The National Planning Policy Framework (NPPF) has been revised (2021). This replaces the previous document (2019) 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.

22. 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

23. 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.

24. 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.
25. DS1 - *Development Strategy*. Sets out that most new development will be directed into named settlements. Taddington is a named settlement.
26. 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.
27. Policy CC1 states that development must make the most efficient and sustainable use of land, buildings and natural resources.

Development Management Policies

28. 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.
29. Policy DMH7 deals with extensions and alterations to dwellings. It states that extensions and alterations to dwellings will be permitted provided that the proposal does not: (i) detract from the character, appearance or amenity of the original building, its setting or neighbouring buildings; or (ii) dominate the original dwelling particularly where it is a designated or non- designated heritage asset; or (iii) amount to the creation of a separate independent dwelling; or (iv) create an adverse effect on, or lead to undesirable changes to, the landscape or any other valued characteristic.
30. Policy DMH8 outlines that new outbuildings will be permitted provided the scale, mass, form and design of the new building conserves and enhances the immediate dwelling and curtilage.

Supplementary Planning Documents

31. The PDNPA has a Supplementary Planning Document (Detailed Design Guide) for alterations and extensions. Chapter 3 relates to extensions to dwellings and states that there are three main factors to consider, massing, materials, detailing and style. All extensions should harmonise with the parent building, respecting the dominance of the original building. The original character of the property should not be destroyed when providing additional development.

Assessment

Design and Impact on the character and appearance of Newby House

32. The property originally dates to the early 20th century and was originally a relatively modest detached dwelling constructed from natural stone and slate and set within a large garden. The property was substantially extended to the side and front in the early 21st century resulting in a more substantial dwelling with two projecting gables to the principal elevation.
33. The property is non-traditional in style with details including a hipped roof, projecting gables to the front, external chimneys and bay windows. Nevertheless, the property is

constructed from local natural materials and has a degree of architectural integrity.

34. Policy DMH7 states that alterations and extensions to properties are acceptable in principle, and policy DMC3 sets out that where a development is acceptable in principle, it will only be permitted provided 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. In particular, policy DMC3 requires attention to be paid to the siting, scale, form, mass height and orientation of the development and the degree to which the developments design, details, materials and finishes reflect or compliment the style and tradition of the locality.
35. The Detailed Design Guide for Extensions and Alterations SPD sets out the three main factors to consider for householder extensions: -
- Massing
 - Materials
 - Detailing and style
36. While Newby House is non-traditional and is not reflective of the wider Peak District building tradition, the property is considered to be of architectural merit. The property is constructed from natural stone, featuring traditional stone surrounds. The property's symmetrical front elevation presents a well-balanced and formal property set within its large curtilage. Whilst features such as the external chimney and hipped roof pull the property away from the local building tradition, its detailed design and material relate well to the locality and give the property a strong sense of character and attractive appearance.
37. The rear extension is broadly the same size as the previously approved scheme. As such, its scale is considered acceptable. Notwithstanding this, its location on the northern end of the western elevation is considered problematic. It would result in the extension going beyond the northern elevation of the property, creating a small appendage which extends beyond the existing built-form of the property. It is acknowledged that within the submitted scheme, when viewed from the principal elevation, this section of the rear extension would be concealed by the northern side extension; however, when assessing the impact on the property itself, it is considered to appear unresolved and poor in relation to the existing form of the property. The Authority are mindful of paragraph 3.8 of the Alterations and Extensions SPD which states that *extensions located on a corner of the parent building are best avoided because they only half-house the extension on the original building. The resultant massing is over-complicated and at odds with the vernacular traditional.*
38. The rear extension would feature a “stepped” roof. The Planning Statement suggests that the roof has been designed to take its inspiration from the hipped roof of the host building whilst giving it a contemporary style and design. The Alterations and Extensions outlines that contemporary detailing for an extension is a valid approach; however, it is noted that this is a contemporary style in form (as opposed to detailing). It is considered that if constructed, the extension would broadly be interpreted as flat-roofed, which the SPD outlines are “rarely appropriate” due to them being used as *the easy way of covering an unresolved plan*. There is also concern over the appearance of the flat-roof. By virtue of its steps, there are concerns that the roof would appear thick after construction. According to the plan, if viewed directly on, from the bottom of the overhanging eave to the top of the rooflight, the roof would measure 0.75m in thickness. It is considered that this would be contrary to policy DMC3 which requires detailed treatment which is of a “high standard”.
39. The concerns over the roof-structure are equally relevant to the side extensions. Whilst the provision of two side extensions would assist in conserving the symmetry of the

wider property, it is considered that the extensions would appear out of keeping with property, resulting in a confused form.

40. In addition to concerns over the form and massing of the proposed extension, there are also concerns over the materials and detailed design. Whilst parts of the extension would be constructed from natural stone to match the host dwelling; the vast majority of the extensions would be glazed with a zinc roof. On the rear elevation, there would only be minimal columns between the bifold doors which would remain stone, whilst on the side extensions, there would be a small section of walling up to 0.9m; however, the majority of them would be glazed, including the corners.
41. In addition to the heavy glazing, the extensions would also feature contemporary design features such as the aluminium fins on slides. The Alterations and Extensions SPD outlines that contemporary detailed design is acceptable, however, it is best accomplished if the remaining variables, massing and materials, are both treated in a traditional manner.
42. As discussed, neither the massing or materials of the extensions can be considered “traditional”. As such, there is little which relates the proposed extensions to the existing property. The roof form would contrast the existing property, whilst the limited stone and heavy glazing would contrast the solid character; and the detailed design would similarly contrast the broadly traditional detailing of the property.
43. It is acknowledged that there was a lot of glazing permitted under the extant permission; however, the provision of the lean-to which matched the angle of the house and the hipped roof rear extension, in addition to the more substantial masonry in the original design, pulled the scheme back to the host property in terms of character and appearance.
44. In isolation, the proposed two-storey window is appropriate the existing scheme granted consent for a similar window detail, and whilst this one would be wider than approved, the other changes to the fenestration on the rear of the property would result in a stronger solid-to-void ratio. However, it is acknowledged that the decrease in windows on this elevation is due to the off-setting of the rear extension, which is considered inappropriate.
45. The proposed development would result in the construction of 3 extensions to Newby House. The extensions do not reflect the form, detailed design, or material of the existing property. The proposed development would result in a property with a confused form featuring insensitive and inappropriate alterations which detract from its character. When viewed from the principal elevation, the lean-to would appear out of keeping with the host property by virtue of their roof form, materials and design. When viewed from the rear, the proposed rear extension would extend beyond the northern elevation of the property, which would appear unresolved and inappropriate, and result in a confused massing to the wider property.
46. On this basis, the proposed development is considered contrary to policies DMC3, and DMC7. It would result in alterations to the property which do not respond to the form, mass, or orientation of the existing building. Additionally, the materials, details and finishes would not complement the style of the host property. As such, it is considered that the proposed development would detract from the character and appearance of the property, and also dominate the property through alterations which drastically contrast the original style, form, and design.
47. The proposed garage and ancillary living accommodation are considered appropriate and complies with policy DMC8.

Amenity

48. The development site is set on a large plot with a front and rear garden. As such, the extension, garage, or alterations to the fenestration would not have an impact on the residential amenity of the neighbouring properties by way of loss of privacy or overbearing.

Other matters

49. The proposed garage would ensure that appropriate carparking spaces can be provided to the property, in line with policies DMT3 and DMT8 and Appendix 9 of the Development Management Policies Plan.
50. The proposed ground source heat pump is only shown indicatively on plans. If approved, a condition requiring full details of the system to be submitted and approved in writing by the National Park Authority shall be applied. A condition would also be applied stating that prior to completion of the extension and garage, the ground source heat pump shall be in operation.

Conclusion

51. It is considered that the proposed design alterations to the approved scheme would harm the character and appearance of Newby House. Whilst these alterations are acceptable in principle, it is considered that the proposed siting of the rear extension would result in the property having a confused form and massing. The proposed roof structure of all the extensions would contrast that of the wider property, whilst the detailed design would result in heavily glazed alterations which do not respond to the largely solid character of Newby House. As a result, the proposed plans are considered contrary to policies DMC3, DMC7, and adopted design guidance.

Human Rights

52. Any human rights issues have been considered and addressed in the preparation of this report.
53. List of Background Papers (not previously published)
54. Nil

Report author: Will Eyre, North Area Planner

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Committee Date:	14/07/2023
Item Number:	Item 9
Application No:	NP/DDD/0623/0639
Grid Reference:	425054, 372959

Title: Newby House, Over Lane, Baslow



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10. CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2019 - DEMOLITION OF FARM BUILDINGS AND THE ERECTION OF TWO NEW FARM BUILDINGS, WITH ASSOCIATED BUILDING OPERATIONS AT PUMP FARM, SCHOOL LANE, WARSLOW, (NP/SM/0123/0037) /ALN

APPLICANT: PEAK DISTRICT NATIONAL PARK AUTHORITY

Summary

1. Pump Farm is owned by the National Park Authority as part of the Warslow Moors Estate.
2. The proposals are to demolish an existing range of livestock and storage buildings and infill a slurry lagoon, to be replaced by new livestock and storage sheds.
3. The Peak District Moors Special Protection Area (SPA), South Pennine Moors Special Area of Conservation (SAC) and Leek Moors SSSI lie approximately 1.4km to the north of the application site. The nearest point of the Peak District Dales SAC lies approximately 2.4 km to the south. The development therefore falls within the Impact Risk Zone (IRZ) of the SACs and SPA.
4. It is considered that the development would not have an adverse effect on the integrity of the SPA and SAC and will in fact have a positive impact.

5. Site and Surroundings

6. Pump Farm is located on the south eastern edge of the village of Warslow. Access is gained from School Lane to the north. The property consists of a farmhouse, a range of traditional farm buildings to the east of the house and a range of modern farm buildings to the south. The property is within the Warslow Conservation Area and is considered to be within (on the edge of) the named settlement of Warslow for planning policy purposes.
7. The application site edged red encompasses the existing modern sheds and yard to the north east, together with a slurry store which sits to the south west. Part of a small outbuilding to the north west of the farmhouse is also included.
8. Pump Farm is owned by the National Park Authority as part of the Warslow Moors Estate. The traditional buildings to the north of the farmhouse were converted following planning permission in 2017 and are now used as a base for the Authority's Ranger Service.
9. The Peak District Moors Special Protection Area (SPA), South Pennine Moors Special Area of Conservation (SAC) and Leek Moors SSSI lie approximately 1.4km to the north of the application site. The nearest point of the Peak District Dales SAC lies approximately 2.4 km to the south. The Hamps and Manifold Valleys SSSI is approximately 500m to the east at its nearest point.

10. Proposals

11. The current proposals have arisen from a plan to update the farm complex and to let the farm (and farmhouse) on a 7-year farm business tenancy. Historically the farm was run as a dairy farm and then more latterly for beef and sheep. For the future the farm will be let as a livestock holding with the primary enterprise being beef (ie suckler cows and beef rearing).
12. The submitted Design and Access statement explains that the 'modern' farm buildings

comprise of a group of buildings which have been constructed organically around a timber framed building. They are now largely unfit for purpose. The slurry store has not been used for many years and is not required for the farm in the future.

13. Consequently the current proposals are for:
14. The demolition of the existing arrangement of 'modern' farm buildings and the kennel building as used for the previous dairy cattle enterprise
15. The demolition of the existing steel portal frame building (eastern three bays)
16. The filling-in of the concrete slurry store to create a yard area
17. Erection of a new 3 bay steel portal bay storage building (2 bays on the footprint of the existing building and a further bay to the western end) – measuring 18.3m x 9.8m and 4.1m to the eaves.
18. The erection of a new cattle building, measuring 27.4m x 12.2m and 4.2m to the eaves
19. Removal of a walled enclosure adjoining the traditional outbuilding to the north of the farmhouse.
20. Materials for the new buildings would be pre-coated sheeting above concrete panels on the walls and pre-coated sheeting on the roofs. The slurry store would be infilled with materials arising from the demolition of the existing buildings and finished in compacted hardcore. The yard area between the livestock buildings and the storage building would be laid with concrete.

21. RECOMMENDATION:

1. **That this report be adopted as the Authority's assessment of likely significant effects on internationally important protected habitats and species under Regulation 63 of the Conservation of Habitats and Species Regulations 2019 (as amended) in relation to the current planning application at Pump Farm.**
2. **For the Peak District Dales SAC the development would contribute less than 1% of the critical load, so an appropriate assessment is not required. For the Peak District Moors SPA and the South Pennine Moore SAC the stage 2 assessment concludes that the proposals would have a positive effect on their integrity compared to the existing situation. Therefore, the development is not contrary to the provisions of the Conservation of Habitats and Species Regulations 2017 (as amended) and the EU Habitats Directive.**

22. Key Issues

23. Under Section 63 of the Conservation of Habitats and Species Regulations 2019 (as amended) (the Habitats Regulations) any development that has the potential to result in a likely significant effect (LSE) on a European site and is not directly connected with the management of the site for nature conservation reasons, must be subject to a Habitat Regulations Assessment (HRA). Natural England has confirmed that the proposed development is not necessary for the management of the European sites.

24. Where the potential for likely significant effects cannot be excluded, a competent authority (in this case the National Park Authority) must make an appropriate

assessment of the implications of the development for that site, in view the site's conservation objectives. The competent authority may agree to the plan or project only after having ruled out adverse effects on the integrity of the habitats site.

25. Where an adverse effect on the site's integrity cannot be ruled out, and where there are no alternative solutions, the plan or project can only proceed if there are imperative reasons of over-riding public interest and if the necessary compensatory measures can be secured.
26. The Habitat Regulation Assessment (HRA) process involves several stages, which can be summarised as follows:
27. Stage 1 – Likely Significant Effect Test (HRA screening). This stage requires a risk assessment to be undertaken utilising existing data, records and specialist knowledge. This stage identifies the likely impacts of a project upon a European Site and considers whether the impacts are likely to be significant. The purpose of the test is to screen whether a full appropriate assessment is required. Where likely significant effects cannot be excluded, assessing them in more detail through an appropriate assessment is required to reach a conclusion as to whether an adverse effect on the integrity of the site can be ruled out.
28. Stage 2 - Appropriate Assessment. This stage involves consideration of the impacts on the integrity of the European Site with regard to the structure and function of the conservation site and its objectives. Where there are adverse effects an assessment of mitigation options is carried out. If the mitigation cannot avoid any adverse effect or cannot mitigate it to the extent that it is no longer significant, then development consent can only be given if an assessment of alternative solutions is successfully carried out or the Imperative Reasons of Overriding Public Interest (IROPI) test is satisfied.
29. Stage 3&4 - Assessment of Alternative Solutions and Imperative Reasons of Overriding Public Interest Test (IROPI). If a project will have a significant adverse effect and this cannot be either avoided or mitigated, the project cannot go ahead unless it passes the IROPI test. In order to pass the test, it must be objectively concluded that no alternative solutions exist. The project must be referred to the Secretary of State because there are imperative reasons of overriding public interest as to why the project must proceed. Potential compensatory measures needed to maintain the overall coherence of the site or integrity of the European Site network must also be considered.

30. Assessment

31. **Stage 1 – Likely Significant Effect Test (Habitat Regulations Assessment Screening).**
32. This first step in the HRA process is to test whether a plan or project either alone or in combination with other plans and projects is likely to have a significant effect on an international site. It does not take into consideration mitigating measures, including removal of the existing livestock building and slurry store, which are considered at Stage 2.
33. In this case the proposed development lies within the Peak District National Park, and the southernmost section of the Peak District Moors SPA and South Pennine Moors SAC lies approximately 1.1 km to the northwest. The nearest point of the Peak District Dales SAC lies approximately 2.4 km to the south.
34. The development therefore falls within the Impact Risk Zone (IRZ) of the SACs and SPA.

35. The protected sites subject to the HRA screening process are:
- Peak District Moors SPA
 - South Pennine Moors SAC
 - Peak District Dales SAC
36. The potential impact of the development on these sites arises through atmospheric ammonia emissions and nitrogen deposition arising from cattle housed in the shed. Natural England advise that an adverse effect may occur if emissions exceed 1% of the critical load for the relevant habitats for which the sites qualify.
37. An emissions assessment by Martin Environmental Solutions Ltd. was submitted to support the application. This used Simple Calculation of Atmospheric Impacts Limits outputs (SCAIL) modelling based on the proposal that the cattle shed will accommodate a maximum of 70 beef cattle over winter.
38. This indicated that the proposed development, alone (i.e. emissions from proposed new cattle shed, ignoring removal of existing facilities), would contribute over 1% of the site relevant Critical Loads/Levels for the Peak District Moors SPA and South Pennine Moors SAC. A stage 2 assessment is therefore required for these two sites. For the Peak District Dales SAC the proposed development would contribute less than 1% of the critical load, so a likely significant effect can be scoped out at stage 1.

39. Stage 2 - Appropriate Assessment

40. The proposal will involve the removal of the existing livestock units and a reduction in slurry by moving to a bedded system (straw). Whilst it is acknowledged that a bedded system may contribute to ammonia emissions, overall the emissions will be reduced compared to the amount of emissions created by the existing livestock buildings and slurry store. Furthermore, the removal of the existing livestock units will ensure that livestock capacity is not increased beyond 70 (the amount of livestock input into the SCAIL modelling), a reduction from the existing 100+ head of cattle, and therefore emissions will be further reduced and not exceed those stated within the emissions report. Additional mitigation measures detailed below will further contribute to ensuring emissions do not increase, reducing potential impact on designated sites through increased emissions.
41. In consideration that the proposal is to change the current intensive dairy to less intensive beef rearing system including the reduction in head of 30 livestock, and in consideration of the results of the SCAIL, it is considered that the proposals will not have an adverse effect on the integrity of Peak District Moors SPA & South Pennine Moors SAC site (i.e. impact on the habitats and species that are qualifying and primary reasons for selection of the designated site). In addition, further mitigation measures that will manage emission levels are detailed within the Emissions Assessment by Martin Environmental Solutions Ltd (May 2023):
- Longer grazing times will be implemented to control ammonia production (and therefore emissions)
 - Specific balanced feed to ensure protein feed is balanced
 - Floor will be designed to prevent pooling, quicker drainage with a separate urine channel reducing both the likely of and time for urea and faeces to mix, reducing ammonia emissions.
 - Regular cleaning of the shed
42. In summary, it is considered that the proposal **will not have an adverse effect** on the integrity of the South Pennine Moors SAC and Peak District Moors SPA, and will in fact have a positive impact compared to the existing situation as a result of the reduced

stock capacity and enhanced management, which will reduce ammonia emissions and nitrogen deposition.

43. Conclusion

44. For the Peak District Dales SAC the development would contribute less than 1% of the critical load, so an appropriate assessment is not required. For the Peak District Moors SPA and the South Pennine Moore SAC the stage 2 assessment concludes that the proposals would have a positive effect on their integrity compared to the existing situation. Therefore, the development is not contrary to the provisions of the Conservation of Habitats and Species Regulations 2017 (as amended) and the EU Habitats Directive.

45. Human Rights

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

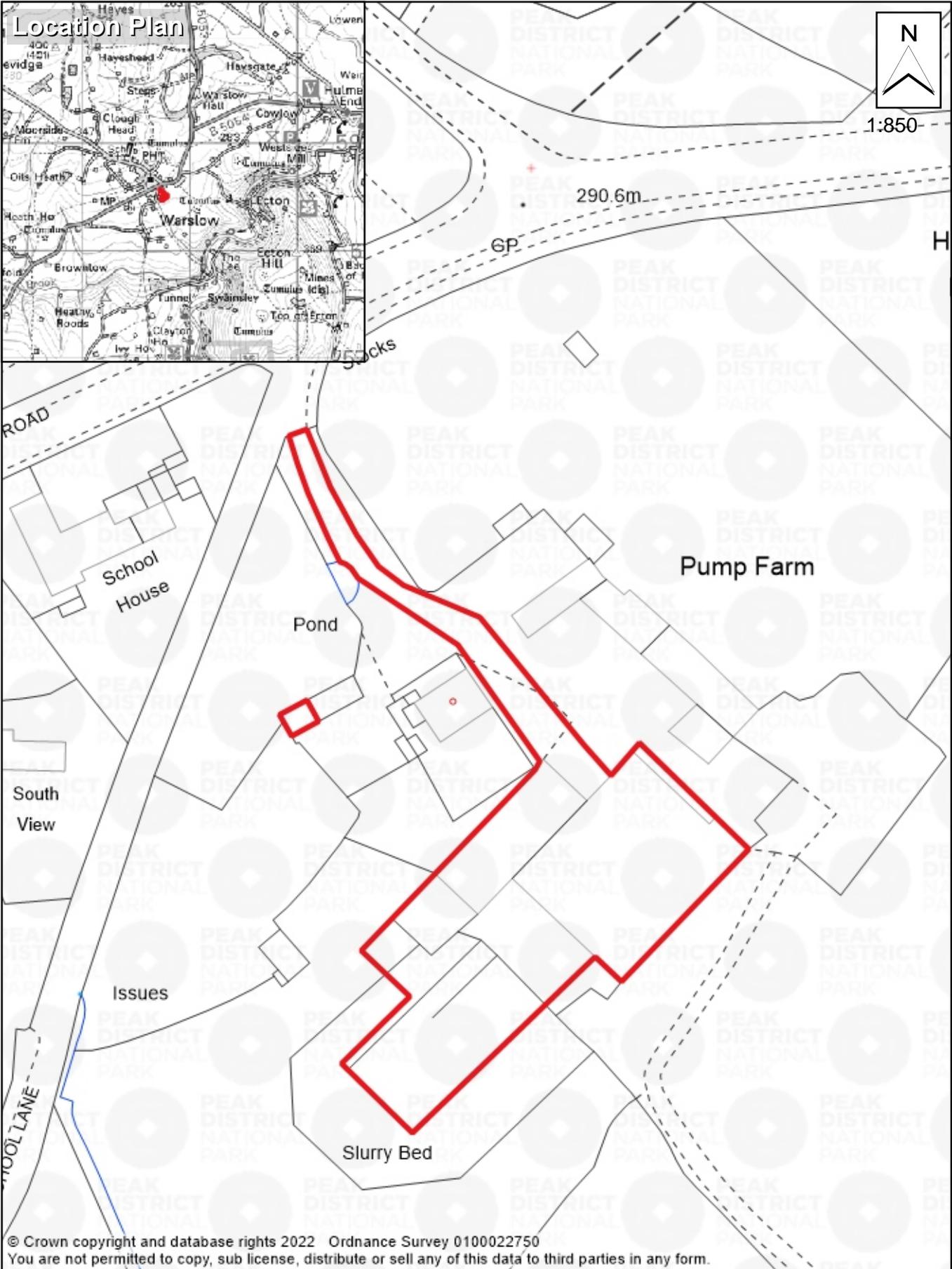
47. **List of Background Papers** (not previously published)

48. Nil

49. Report Author and Job Title

50. Andrea Needham – Senior Planner - South

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Committee Date:	14/07/2023	Title: Pump Farm, School Lane, Warslow	 PEAK DISTRICT NATIONAL PARK
Item Number:	Item 10 & 11		
Application No:	NP/SM/0123/0037		
Grid Reference:	408743, 358515		

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11. FULL APPLICATION - DEMOLITION OF FARM BUILDINGS AND THE ERECTION OF TWO NEW FARM BUILDINGS, WITH ASSOCIATED BUILDING OPERATIONS AT PUMP FARM, SCHOOL LANE, WARSLOW, (NP/SM/0123/0037) /ALN

APPLICANT: PEAK DISTRICT NATIONAL PARK AUTHORITY

1. Summary

2. Pump Farm is owned by the National Park Authority as part of the Waslow Moors Estate.
3. The proposals are to demolish an existing range of livestock and storage buildings and infill a slurry lagoon, to be replaced by new livestock and storage sheds.
4. An agricultural need has been demonstrated based on plans to change the farm from a dairy unit to a beef rearing enterprise.
5. The development would conserve and enhance the landscape and the Warslow Conservation Area and would have ecological benefits.
6. The application is recommended for conditional approval.

7. Site and Surroundings

8. Pump Farm is located on the south eastern edge of the village of Warslow. Access is gained from School Lane to the north. The property consists of a farmhouse, a range of traditional farm buildings to the east of the house and a range of modern farm buildings to the south. The property is within the Warslow Conservation Area.
9. The application site edged red encompasses the existing modern sheds and yard to the north east, together with a slurry store which sits to the south west. Part of a small outbuilding to the north west of the farmhouse is also included.
10. Pump Farm is owned by the National Park Authority as part of the Warslow Moors Estate. The traditional buildings to the north of the farmhouse were converted following planning permission in 2017 and are now used as a base for the Authority's Ranger Service.
11. The Peak District Moors Special Protection Area (SPA), South Pennine Moors Special Area of Conservation (SAC) and Leek Moors SSSI lie approximately 1.4km to the north of the application site. The nearest point of the Peak District Dales SAC lies approximately 2.4 km to the south. The Hamps and Manifold Valleys SSSI is approximately 500m to the east at its nearest point.

12. Proposals

13. The current proposals have arisen from a plan to update the farm complex and to let the farm (and farmhouse) on a 7-year farm business tenancy. Historically the farm was run as a dairy farm and then more latterly for beef and sheep. For the future the farm will be let as a livestock holding with the primary enterprise being beef (i.e. suckler cows and beef rearing).
14. The submitted Design and Access statement explains that the 'modern' farm buildings comprise of a group of buildings which have been constructed organically around a timber framed building. They are now largely unfit for purpose. The slurry store has not been used for many years and is not required for the farm in the future.

15. Consequently the current proposals are for:
16. The demolition of the existing arrangement of 'modern' farm buildings and the kennel building as used for the previous dairy cattle enterprise.
17. The demolition of the existing steel portal frame building (eastern three bays).
18. The filling-in of the concrete slurry store to create a yard area.
19. Erection of a new 3 bay steel portal bay storage building (2 bays on the footprint of the existing building and a further bay to the western end) – measuring 18.3m x 9.8m and 4.1m to the eaves.
20. The erection of a new cattle building, measuring 27.4m x 12.2m and 4.2m to the eaves. The building would be open on the north western side.
21. Removal of a walled enclosure adjoining the traditional outbuilding to the north of the farmhouse.
22. Materials for the new buildings would be pre-coated sheeting above concrete panels on the walls and pre-coated sheeting on the roofs. The slurry store would be infilled with materials arising from the demolition of the existing buildings and finished in compacted hardcore. The yard area between the livestock buildings and the storage building would be laid with concrete.

23. RECOMMENDATION:

That the application be APPROVED subject to the following conditions:

1. **3 year time limit**
2. **Adopt submitted plans**
3. **Existing buildings to be fully removed prior to the new buildings being brought into use.**
3. **Recommendations within the Arboricultural Method Statement at section 6 of the submitted Arboricultural Impact Assessment by Jon Coe Tree Consultancy Limited shall be fully adhered to. The new trees shall be an even mixture of whips, feathered trees, standard and heavy standards.**
4. **The new tree planting as specified in section 6 of the submitted Arboricultural Impacts Assessment by Jon Coe Tree Consultancy Ltd shall be carried out in the first planting season following completion of occupation of the approved development (whichever is sooner). Thereafter any trees that die, or become seriously damaged or diseased, shall be replaced within the next planting season with new tree of an equivalent size and species or in accordance with an alternative scheme to be approved by the National Park Authority.**
5. **With regard to bats, all works to be undertaken in accordance with section 4.4.2 of the submitted ecological appraisal.**
6. **Before works commence on the infilling of the slurry store, details of a new pond on near the site to be submitted and agreed. Pond to be completed before the slurry store is infilled.**

7. **Lighting strategy as detailed in section 4.4.2.3 of the ecological appraisal to be implemented**
8. **Works on trees identified as having bat roost potential should be inspected prior to removal/disturbance by a suitably qualified ecologist.**
9. **Works to take place outside of the bird breeding season unless otherwise agreed.**
10. **Ecological enhancement strategy to be submitted, agreed and implemented.**
11. **Working Method statement in respect of Great Crested Newt to be submitted, agreed and implemented.**
12. **Timber space boarding on south east elevation of livestock building to be brought down to ground level.**
13. **Buildings to be removed when no longer required for the purposes of agriculture**

24. Key Issues

25. Agricultural justification
26. Impacts on the landscape character of the area and Conservation Area
27. Ecological considerations
28. Impact on Trees
29. Residential amenity.

30. History

31. September 1990 – consent granted for erection of slurry store and timber building.
32. August 2008 – consent granted for proposed roofed building to existing agricultural feed areas.
33. December 2017 – planning permission granted for demolition of existing agricultural building and replacement with a modern storage building, and the change of use of the existing traditional building, to provide storage and office facilities for the Estate Ranger Service of the National Park. (NP/SM/1017/1043)
34. October 2021 – planning permission granted for Erection of a new storage building to provide storage facilities for the Estate Ranger Service of the National Park (following demolition of existing agricultural buildings under planning reference NP/SM/1017/1043) – NP/SM/0721/0816

35. Consultations

36. **Highway Authority** – no response
37. **District Council** – no response
38. **Parish Council** – no response

39. **Natural England** – *no objection - subject to appropriate mitigation being secured*

40. *We consider that without appropriate mitigation the application could:*

- *have an adverse effect on the integrity of Peak District Moors SPA & South Pennine Moors SAC.*
- *damage or destroy the interest features for which Hamps and Manifold Valleys SSSI &*

41. *Leek Moors SSSI have been notified.*

42. *In order to mitigate these adverse effects and make the development acceptable, the following should be secured:*

- *Confirmation of the total capacity of the proposed livestock building*
Your authority must undertake a HRA for the proposal, ruling out an adverse effect on the integrity of the Peak District Moors SPA and South Pennine Moors SAC.

43. **Authority's Ecologist** – no objections subject to conditions.

44. **Authority's Tree Officer** – no objections subject to all tree works and tree protection to be in accordance with Arboricultural Method Statement and specifications for new trees to be planted.

45. Representations

46. None received.

47. Main Policies

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

49. Relevant Local Plan policies: DMC3, DME1, DMC12, DMC13

50. National Planning Policy Framework

51. The National Planning Policy Framework (NPPF) 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 with regard to the issues that are raised.'

52. Paragraph 115 of the Framework says that great weight should be given to conserving landscape and scenic beauty in National Parks and that the conservation of wildlife and cultural heritage are important considerations and should also be given great weight.

53. Core Strategy

54. Policy DS1 sets out the Development Strategy for the National Park. Agricultural development is acceptable in principle in the open countryside outside of the natural zone.
55. Core Strategy policy GSP3 states that development must respect, conserve and enhance all valued characteristics of the site and buildings that are subject to the development proposal.
56. 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.
57. L2 states, amongst other things that development must conserve and enhance any sites, features or species of biodiversity importance and where appropriate their setting.
58. Core Strategy policy L3 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.
59. Core Strategy Policy CC1 states that development must make the most efficient use of land, buildings and natural resources and take account of the energy hierarchy.

60. Development Management Policies

61. Policy DMC3 expects a high standard of design that respects, protects and where possible enhances the natural beauty, quality and visual amenity of the landscape.
62. Policy DMC8 seeks to protect the character and appearance of Conservation Areas.
63. Development Management Policy DME1 allows for buildings and structures necessary for the purposes of agriculture provided that they are functionally required and close to the main group of buildings wherever possible and in all cases relates well to existing buildings and landscape features; are not in isolated locations requiring obtrusive access tracks, road or services; respect the design of existing buildings and building traditions; avoid adverse effects on the area's valued characteristics and avoid harm to the setting, fabric and integrity of the Natural Zone.
64. DMC12 states that with regard to protected species development will only be permitted where significant harm can be avoided and the conservation status of the species is maintained and the need for and the benefits of the development clearly outweigh any adverse effect.
65. DMC13 seeks to protect trees put at risk by development and requires that sufficient information be submitted to enable impacts to be properly considered.
66. Further advice is provided within the Authority's Adopted SPD on Agricultural Developments. Advice is also provided within the Authority's Historic Farmsteads Guidance.

67. Assessment

68. Principle of Development

69. Policy DS1 allows for agricultural development in principle. Policy DME1 is directly

relevant and requires applications to provide information to demonstrate that the proposed development is functionally required. If development is justified then DME1 B. requires buildings to be well sited, not require obtrusive tracks, respect the design, scale and mass of existing buildings and building traditions and avoid harm to the valued characteristics of the area.

70. Agricultural Justification

71. Pump Farm is owned by the National Park Authority as part of the Warslow Moors Estate. The farm was previously tenanted but was vacated in November 2019. The farm is now back in the direct control of the PDNPA, and since 2019 the land has been let-out on seasonal grazing and mowing licence arrangements to local farmers.

72. As stated above the existing buildings have developed in a piecemeal fashion and the submitted information states that they are not suitable for the future planned use of the farm as a beef rearing enterprise. We are satisfied from the information provided that there is an agricultural justification for the proposed development, in accordance with policy DME1.

73. Impact on the Landscape Character of the Area and the Conservation Area

74. The existing modern farm buildings at Pump Farm are not prominent from the main B5053 to the north because they are screened by other buildings and by intervening vegetation cover. Parts of the buildings are visible however from within the Conservation Area from School Lane to the west, and across fields from public rights of way that run to the east, west and south of the farmstead. Whilst they are modern industrial scale sheds, and they do not contribute the character of the area, they are typical features of a modern working farm and are seen against the backdrop of the built edge of the village to the north and other similar farmsteads in close proximity. The slurry pit is not visible at all because it is surrounded on three sides by trees and on the east side by the buildings.

75. Both of the new proposed buildings would be positioned further to the south west than the existing buildings that they will replace, however the new livestock building would partially overlap the footprint of the already developed area of the slurry pit and so would not result in any expansion of the operational area of the farmstead. One bay of the proposed storage building would extend to the south west beyond the footprint of the existing building, but again this is an area that is already enclosed and hard surfaced. Consequently in terms of siting, our view is that the proposed development would not cause harm over and above the existing situation by virtue of encroachment into the more open part of the Conservation Area to the south west.

76. The existing livestock sheds have a haphazard massing and arrangement of roofs and a jumbled mixture of materials and detailing. The new livestock building would be significantly smaller in footprint than the existing collection of sheds and the overall ridge height would be lower than the tallest part of the existing group. This, together with its simpler massing and design would represent an enhancement over the existing situation. It has been agreed that the timber space boarding on the south east elevation of the livestock building (that faces out over the open fields) will be brought down to ground level in order to further reduce the visual impact of the building.

77. Whilst a number of the trees around the slurry store would be removed (as discussed later), the retained trees, together with proposed new planting to the north and south of the new yard area means that that any visual impacts would be effectively mitigated.

78. With regard to demolition of the walled enclosure that abuts the small outbuilding to the north west of the farmhouse, a Heritage Impact Assessment has been submitted which

confirms that the enclosure is of 20th century origins and abuts an earlier cowhouse. It has no architectural or historic merit and negatively impacts on the traditional cowhouse and the wider setting of the barn. The demolition of the enclosure would enhance the Conservation Area.

79. The existing access would continue to be used and would remain unaltered.

80. In conclusion the development would conserve and to some extent enhance the landscape character of the area and the significance of the Warslow Conservation Area in accordance with policies L1, L3, DME1 and DMC5.

81. Ecological Considerations

82. Air Quality

83. Manure stores, slurry lagoons and livestock sheds are a major source of emissions of ammonia which is directly toxic to vegetation and especially to lower plants (mosses, liverworts and lichens). Ammonia is also a major contributor to the deposition of nitrogen, which reduces habitat biodiversity.

84. Natural England identified that the interest features of surrounding designated sites (SAC, SPA and SSSIs) may be sensitive to impacts from aerial pollutants. Screening information has now been provided by the agent and Natural England are satisfied that subject to the buildings having a capacity of no more than 70 cattle (which the applicant has confirmed will be the case), then the development would result in a reduction in ammonia concentrations and nitrogen deposition.

85. Overall the Authority's ecologist has concluded that the development will not have an adverse effect on the Peak District Moors SPA, the South Pennine Moors SAC or the Peak District Dales SAC and will in fact have a positive impact compared to the existing situation as a result of the reduced stock capacity and enhanced management.

86. Protected Species

87. An Ecological Impact Assessment has been submitted with the application. The report details habitat and protected species surveys including bat activity surveys. It is reported that bats are unlikely to be present within the buildings subject to this application. However a brown long eared bat roost was found in the traditional barn adjacent to the structure to be demolished (north west of the farmhouse). Site specific working method statements are recommended in order to avoid any impacts upon the bats. This can be required by condition.

88. Twenty six trees are proposed for removal. A sycamore tree and a horse chestnut tree are identified as having bat roost potential. A condition that requires the trees to be inspected prior to any removal/disturbance is required. Thirty five native species broadleaved trees will be planted to replace those lost.

89. Filling in the slurry pit would impact the foraging behaviour of soprano pipistrelle on the site as a result of two individuals seen foraging continuously over the disused slurry pit during the surveys. Provision of a new open water body on or near to the site would allow or this foraging habitat to be replaced. This can be required by condition.

90. With regard to great crested newt, A disused slurry pit, now filled with water, proposed to be filled in and built upon was the only body of water present on site. Whilst it was not considered likely to provide suitable breeding requirements for great crested newts, the slurry pit scored

91. Average on the Habitat Suitability Index. Therefore a condition to require a working method statement to mitigate the risk is necessary.
92. With regard to breeding birds, disused nests were identified on the site and so the Authority's ecologist has recommended that works should take place outside the bird breeding season.
93. To compensate for loss of habitat for bats, birds and Great Crested Newt and to provide net gains for biodiversity in line with the NPPF, a condition to require an Ecological Enhancement Strategy detailing features set out in Section 4.5 of the Ecology report is necessary.
94. In conclusion subject to the conditions outlined above the proposals would conserve and enhance protected species in accordance with policies L3 and DMC12.
95. Impact on Trees
96. An Arboricultural Impact Assessment report has been submitted with the application. The report confirms that the proposed development would result in the loss of 26 trees. The largest of these is in a structural condition that is not safe for retention in proximity to the adjacent building – its removal would be required regardless of development. The remainder of the trees for removal are from a dense belt of trees around the edge of the disused slurry pit. These trees were planted approximately 30 years ago. None are special and most are low quality – some are leaning, many are slender due to laterally suppressed growth, and several are in a collapsed condition.
97. The best of the surveyed trees is a mature sycamore just south of the proposed new cattle shed. The position of this shed was revised at design stage, such that the extent of rooting area incursion is now acceptable. The tree should not be harmed provided that the recommendations of the report are adhered to.
98. Thirty five new trees would be planted in clearly defined areas, to mitigate for the tree losses and to screen the new hardstanding area.
99. In conclusion it has been demonstrated that, subject to the method statement contained within the report being adhered to, the requirements of policy DMC13 are met.
100. Impact on Amenity
101. The new buildings would be around 36m to the south of the Authority's ranger base within the former traditional barns. These buildings are used as offices and meeting rooms in connection with the management of the wider Warslow Moors estate. Given the fact that both elements are within the Authority's ownership and control and the nature of the use of the existing modern farm sheds, it is not considered that the new buildings would have any adverse impact on the continued use of the ranger base, and in fact would improve the relationship to some degree as the new buildings would be slightly further away.
102. Other than Pump Farm farmhouse itself, the nearest residential dwelling in third party ownership is School House, some 70m to the north west, but due to the separation distances and the presence of an intervening public highway it is not considered that there would be a detrimental impact on the amenity of the occupants of this property. The proposals therefore accord with policies GSP3 and LC4 in these respects.
103. Climate Change Mitigation

104. A climate change statement is included with the application. It states that any steel work from the demolition will be re-cycled and re-used. The timber framed building will be relocated to another farm and so re-used. The hardcore from the demolition of the buildings will be used to fill in the slurry store. The buildings would not need to be heated and energy efficient light bulbs would be used for internal lighting.

105. The proposals would also contribute to climate change mitigation through facilitating a less intensive farming operation at the site.

106. With regard to the nature of the development, these measures proposed are considered to be compliant with policy CC1.

107. Conclusion

108. In conclusion there is a functional requirement for the proposed agricultural development, which would conserve and enhance the landscape character of the area and the Warslow Conservation Area. All other material considerations have been adequately addressed, and subject to conditions the application is recommended for approval.

109. Human Rights

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

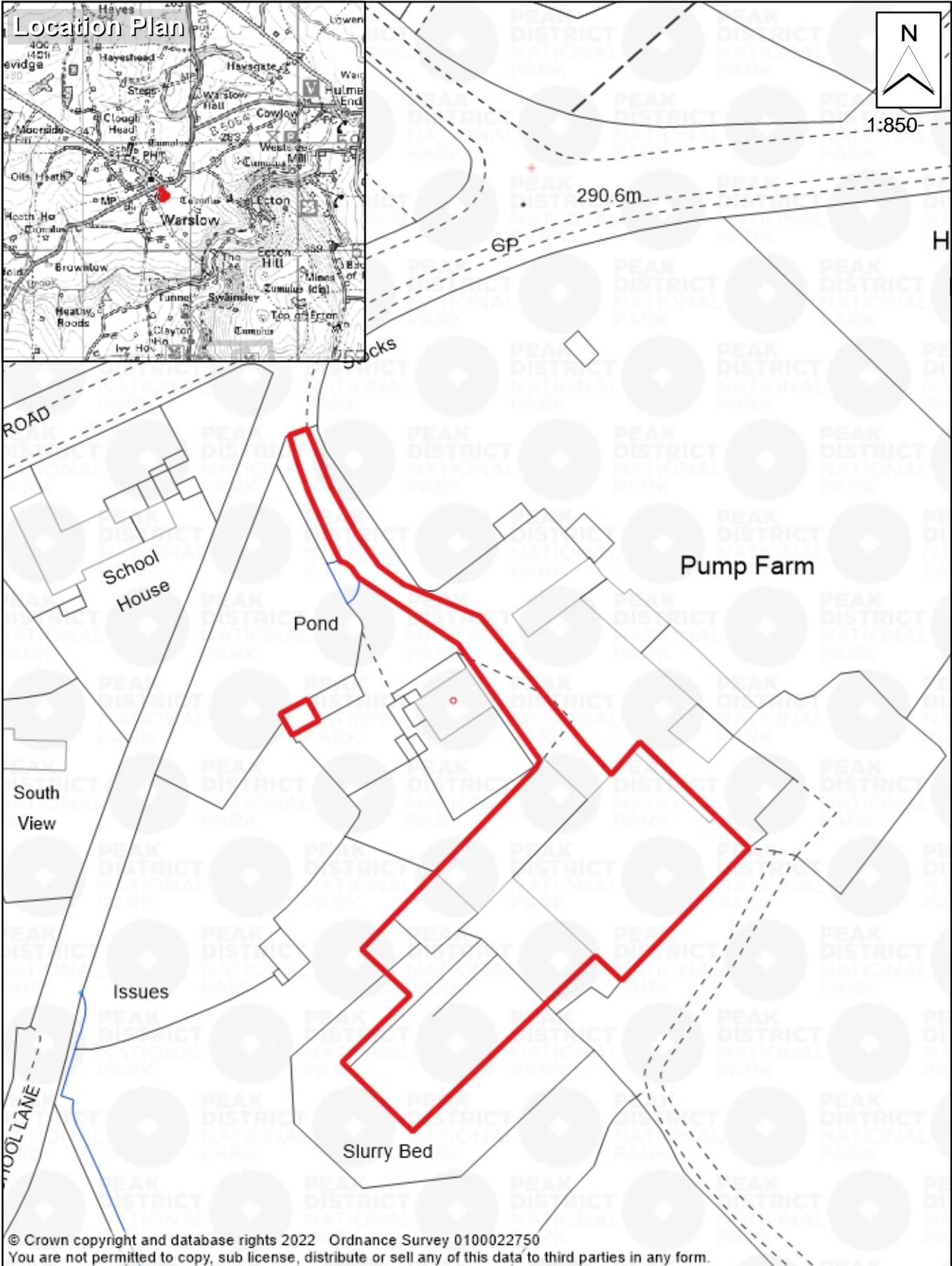
111. **List of Background Papers** (not previously published)

112. Nil

113. Report Author and Job Title

114. Andrea Needham – Senior Planner - South

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Committee Date:	14/07/2023	Title: Pump Farm, School Lane, Warslow	 PEAK DISTRICT NATIONAL PARK
Item Number:	Item 10 & 11		
Application No:	NP/SM/0123/0037		
Grid Reference:	408743, 358515		

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12. FULL APPLICATION - ADVERTISEMENT CONSENT - 1 X FACE ILLUMINATED (CFF-850) LETTERS ON RAILS 1 X HALO ILLUMINATED (CFH-850) LETTERS ON RAILS 1 X DOUBLE SIDED NON ILLUMINATED PROJECTION SIGN, AT THE CO-OPERATIVE FOOD, MARKET STREET, BAKEWELL (NP/DDD/0323/0231), P.1030)

APPLICANT: THE CO-OP FOOD

Summary

1. The application seeks consent for three new signs on the Co-operative supermarket on Market Street in Bakewell.
2. The application is for one non-illuminated letters on rails sign, one externally illuminated letters on rails sign, and one double sided non-illuminated projecting sign.
3. Following the submission of amended plans, the proposed designs comply with adopted policies and guidance on signage and shop fronts.
4. The application is recommended for approval.

Site and Surroundings

5. The application site is the Co-op retail store building, which is sited on the corner of Market Street and Granby Road within Bakewell Town Centre.
6. The building is constructed from coursed gritstone and has two accesses, one which opens out onto the market square to the north and the second which opens out onto Granby Road, to the south.
7. The building is not within the Bakewell Town Conservation Area, however the car park/market square to the north side of the building is.
8. As existing, the current building has one sign on the main entrance on the corner between Market Street and Granby Road, reading 'The co-operative food', and the same sign on the rear of the shop, which is visible from the carpark. Additionally, there is a wall mounted, non-illuminated sign advertising the Insomnia coffee company on the north side of the building and three wall hanging signs on the sides.

Proposal

9. The proposal as originally submitted was for advertisement consent for 1 x Face Illuminated (CFF-850) Letters on Rails, 1 x Halo Illuminated (CFH-850) Letters on Rails, and 1 x Double Sided non-illuminated Projection Sign.
10. Following negotiations with the applicant, the proposal is now for 1 x non-illuminated (950) Letters on Rails, 1 x Externally Illuminated (850) Letters on Rails, and 1 x Double sided non-illuminated projection sign.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions:

1. **Standard advertisement consent conditions**
2. **Illumination of sign 2 limited to opening hours only**

Key Issues

11. Advertisement consent applications can only be evaluated on grounds of amenity and public safety, as prescribed by The Town and Country Planning (Control of Advertisements) (England) Regulations 2007.
12. National and local planning policies are material considerations in the assessment of amenity and public safety, with amenity in this case extending to the impact of the proposals on the application building and the wider locality, which would include the adjacent Town Conservation Area.

Relevant Planning History

13. 2022 - NP/DDD/1122/1362 - Advertisement consent - Built up non-illuminated letter with trough light above, and 3 x Projecting non-illuminated full colour digital printed panel Signage – Granted conditionally
14. 2022 - NP/DDD/0222/0183 - Application for a Certificate of Lawful Use - Proposed use of an existing supermarket as a 'supermarket' with ancillary cafeteria' (Class E of the Town & Country Planning (Use Classes) Order 1987 (as amended)) – LDC Granted.
15. 2021 - NP/DDD/1221/1356 - Proposed alterations to building, installation of new shopfront window and entrance door – Withdrawn
16. 2001 - DDD0801356 Installation of satellite dish – Granted conditionally
17. 2000 - DDD0700267 Installation of ATM cash machine – Refused

Consultations

18. Parish Council – Objection on design and appearance grounds, expressing concern regarding 'over branding' of the building. Following the submission of amended design plans, Bakewell Town Council considered that; *The amended plans do not address the concerns raised in the Town Council's initial response to this application, namely that "taken with previously approved applications, the proliferation of signage is leading to the "over branding" of this building. This in turn is felt to be having an adverse effect on the quality of the street scene at this location."*
19. Highway Authority – No Highway objections
20. District Council – No response to date.

Representations

21. We have received no letters of representation to date.

Main Policies

22. Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, and CC1
23. Relevant Development Management policies: DMC3, DMC8, DMS4 & DMS5

National Planning Policy Framework

24. The National Planning Policy Framework (NPPF) was published on 27 March 2012 and replaced a significant proportion of central government planning policy with immediate effect. It was last revised and re-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.
25. In the National Park the development plan comprises the Authority's Core Strategy 2011 and the Development Management Policies document 2019. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and more recent Government guidance in the NPPF.
26. Paragraph 134 of the NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, considering any local design standards or style guides in plans or supplementary planning documents.
27. 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.'
28. The Authority's adopted Design Guide document is a material consideration in the decision-making process.

Peak District National Park Core Strategy

29. DS1 – *Development Strategy* sets out the Development Strategy for the National Park and supports development of small-scale retail and business premises, in Bakewell, in principle, so long as the designs comply with the National Park Core Strategies and Design Management Policies.
30. GSP1 and 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.
31. 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.
32. CC1 – *Climate change mitigation and adaption* sets out that development must make the most efficient and sustainable use of land, buildings and natural resources. Development must also achieve the highest possible standards of carbon reductions.

Development Management Policies

33. DMC3 – *Siting, Design, layout and landscaping* states that where developments are acceptable in principle, Policy requires that design is to high standards and where possible enhances the natural beauty, quality and visual amenity of the landscape. The

siting, mass, scale, height, design, building materials should all be appropriate to the context. Accessibility of the development should also be a key consideration.

34. 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, or 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.
35. DMS4 – *Shop Fronts* addresses Shop Fronts and requires attention to be given to design and appearance of alterations to shop fronts. to ensure the works conserve or enhance the character and appearance of the building and its locality.
36. DMS5 – *Outdoor advertising* states the conditions to which advertisements will be granted consent, most relevant here is that signs are of a high-quality design, materials and construction, and do not cause any adverse harm to the building, locality or public safety.

Supplementary planning documents (SPD) and other material considerations

37. The PDNPA has a Supplementary Planning Document for Shop Fronts setting out best practice and design guidance.

Assessment

Principle

38. Adopted policies advocate that advertisement consent will be granted provided that the signs do not result in a proliferation of signage, nor pose a hazard to public safety, are of high standard design and construction and are of an appropriate scale. This is because subject to meeting these criteria the signs would conserve both amenity and public safety as the Authority can consider under the relevant legislation when determining advertisement consent applications.
39. These matters are considered below in relation to the proposed development.

Design and Appearance

40. The Authority's adopted Supplementary Planning Document (SPD) for shop fronts states that shop fronts have a marked visual impact on the character of settlements, and as such high standards of design are expected. Nonetheless, this is an opportunity for owners to make the most of a building's character, recognising the strong intrinsic attractiveness of traditional towns and villages in the area. As all of the National Park is an area of Special Control for Advertisements, this means that strict controls apply to shops and other signage. The Shop Fronts SPD provides technical guidance on size, design and positioning of appropriate advertisements.
41. The application is for three individual signs on three faces of the Granby Road side entrance of the shop.
42. Sign number one was originally proposed to be a face illuminated letters on rails, reading 'coop'. These would have green acrylic faces with 60mm deep returning sides, all finished green, with internal illumination. All of the text would be fitted to aluminium bar channels.

43. Sign number two was originally proposed to be a 'halo' illuminated letters on rails, reading 'coop'. This sign would be green metal with 45mm deep returning sides, all finished green. These would be illuminated from inside/behind to give halo effect around the lettering. All of the text would be fitted to aluminium bar channels.
44. Sign number three was originally proposed to be a double sided non-illuminated projection sign. Erected in folded 1.3mm perforated aluminium panel fitted back to back and finished in green. This sign would display the word 'coop' in green, and the opening hours in daisy white.
45. According to Development Management Policy DMS5, internal illumination will not be granted consent, meaning that signs one and two were contrary to this policy.
46. Furthermore, Shop Fronts SPD states that lettering must be modest in size and always complement the scale of the building and that timber and metal can be used effectively, but plastic or Perspex should be avoided as well as stipulating that all hanging signs should avoid being bulky and generally should not exceed 650mm x 650mm.
47. The overall dimensions of proposed sign three was 830mm x 740mm contrary to SPD guidance.
48. All originally proposed signs would therefore have been in conflict with PDNPA design guidance on shop fronts.
49. Following negotiations with the agent, amended designs have been submitted to the authority.
50. Sign 1 is now proposed to be non-illuminated letters on rails, and therefore would comply with Development Management Policies DMC3, DMS4 & DMS5.
51. Sign 2 is now proposed to be externally illuminated letters on rails. In line with Policy DMS5, external illumination will not be granted consent unless it is during opening hours in a predominantly commercial area. The Co-op is located in Bakewell Town centre which is considered to be a commercial area. For this reason, the external illumination is considered acceptable, but would need to be conditioned that it may only be illuminated during opening hours.
52. Sign 3 amendments have reduced its proposed dimensions to 600mm x 550mm, in line with the Shop Fronts SPD, and therefore now complies with adopted guidance.
53. Sign 1 would replace the existing sign on the Granby Road entrance. 'The co-operative food' would be removed from the upper stonework and replaced with 'COOP' to be placed on railings between the gap above the doorway. It is considered that this sign for sign replacement would have a minimum impact on the building's appearance and on the surrounding built environment.
54. Sign 2 would replace the existing sign on the Market Square elevation. 'The co-operative food' would be removed and replaced with 'COOP' in the same location. It is considered that this sign for sign replacement would have a minimum impact on the building's appearance and on the surrounding built environment.
55. Sign 3 would be a new, additional sign. It would be located at the southwest end of the building on Granby Road. This sign would be placed 4000mm from ground level to the underside of the sign. This height is clear of effecting passing pedestrians or obstructing their views, and of traffic. As such, given its size and context in an area of retail use, it is not considered to have a negative impact on the building's appearance or on the surrounding built environment.

56. The updating of the signs on Bakewell co-op would not result in a proliferation of additional signage or appear otherwise incongruous, and would continue to be reflective of the site's use as a retail store.

Highway Safety Impacts

57. The signage would be above the head height of passing pedestrians, would not overhang the road, and the highway authority have raised no objections to their provision. They are not of such a size, position, or design to otherwise distract drivers. On this basis it would not adversely impact on highway safety.

Conclusion

58. The proposed works are of appropriate scale and design to comply with Development Management Policies DMS4 and DMS5, as well as the Shop Fronts SPD, and would not result in a significant change to the appearance of the building or its setting over and above the existing signage at the site. It would therefore conserve the amenity of the locality.

59. Further, the signs pose no danger to highway safety.

60. Accordingly, the application is recommended for approval subject to standard advertisement consent conditions and restrictions of illumination to opening hours only.

Human Rights

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

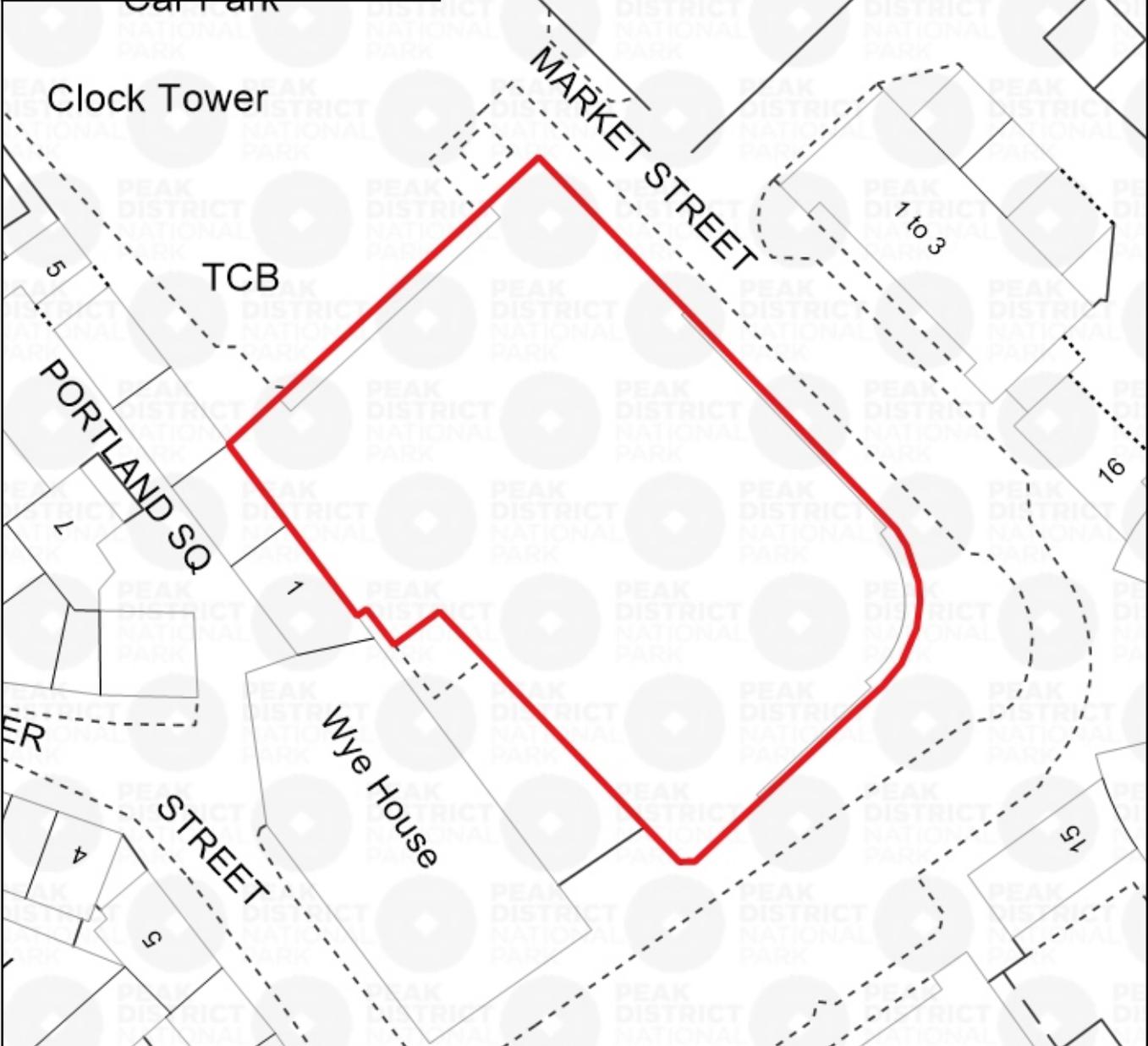
List of Background Papers (not previously published)

62. Nil

Report Author: Rachael Doyle Assistant Planner



1:500



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Committee Date:	14/07/2023	Title: The Co-operative Food, Market Street, Bakewell	 PEAK DISTRICT NATIONAL PARK
Item Number:	Item 12		
Application No:	NP/DDD/0323/0231		
Grid Reference:	421914, 368511		

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13. HOUSEHOLDER APPLICATION – INSTALLATION OF 20 SOLAR PANEL ARRAY AT REAR OF HOUSE AT THE OLD VICARAGE, UNNAMED SECTION OF ROAD BETWEEN MAIN STREET AND OLD COALPIT LANE, CHELMORTON (NP/DDD/0622/0830, PM)

APPLICANT: MR. DAVID SWINDALE

Summary

1. The application site comprises a residential property and its rear garden located within the village of Chelmorton.
2. Planning permission is sought for a ground mounted solar array within the rear garden of the property.
3. It is considered that the proposed development would result in a significant adverse visual impact upon the landscape character of the National Park.
4. The application is therefore recommended for refusal as the proposal does not conserve or enhance the special landscape character of the national park, and therefore is not in accordance with the relevant adopted policies.

Site and Surroundings

5. The application site comprises a detached property with relatively large rear garden located within the village of Chelmorton. The property is the former vicarage and is now back as one property, having been split into two properties and functioning as such for several decades until recently.
6. The site adjoins open countryside to the south, west and north, with denser built development front Main Street located approximately 50 metres to the east on the other side of a covered reservoir. Land designated as 'Natural Zone' for the purposes of the Authority's Local Plan is located approximately 100 metres north west of the application site.
7. The site is located within the Chelmorton conservation area. The only nearby listed structures are the Grade II * Chelmorton Parish Church and a Grade II listed cross within the churchyard, located approximately 125 metres to the north east of the application property.

Proposal

8. Planning permission is sought for installation of 20 ground mounted solar panels to the rear of the property.
9. The installation would comprise 2 rows of 10 horizontally configured panels. The panels would be mounted in console bins and would have a 15 degree tilt.

RECOMMENDATION:

That the application be REFUSED for the following reason –

The development, by virtue of the location, size and appearance would result in significant adverse visual impact on the valued landscape character of the National Park, specifically the landscape setting of Chelmorton and its conservation area, including the transition from village to moorland, when viewed from Church Lane. The proposal is therefore contrary to the landscape conservation objectives set out in the NPPF and the Authority's Local Plan policies GSP1, GSP3, CC2, DMC3 and DMC8.

Key Issues

10. The key issues for consideration are:
- The principle of the development.
 - The landscape impact of the development.
 - The benefits of renewable energy generation.

Relevant Planning History

11. There is no recent planning history.

Consultations

12. Parish Council – Supports the proposal.
13. Highway Authority – In principle, the Highway Authority has no objection to this proposal; however, a condition requiring a Construction Method Statement is requested to understand construction/delivery vehicles' access and parking arrangements.
14. District Council – No response to date.

Representations

15. One letter of support has been received from the occupier of South View, Chelmorton.

Main Policies

16. Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L1, L3, CC2
17. Relevant Development Management policies: DMC3, DMC5, DMC8

National Planning Policy Framework

18. The National Planning Policy Framework (NPPF) was published on 27 March 2012 and replaced a significant proportion of central government planning policy with immediate effect. It was last revised and re-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.
19. In the National Park the development plan comprises the Authority's Core Strategy 2011 and the Development Management Policies document 2019. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and more recent Government guidance in the NPPF.
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. Paragraph 158 states that when determining planning applications for renewable and low carbon development, local planning authorities should: a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and b) approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.

Peak District National Park Core Strategy

22. DS1 – *Development Strategy* sets out the Development Strategy for the National Park and supports development of small-scale retail and business premises, in Bakewell, in principle, so long as the designs comply with the National Park Core Strategies and Design Management Policies.
23. GSP1 and 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.
24. 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.
25. L1 – *Landscape Character* 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.
26. 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.
27. CC2 - *Low carbon and renewable energy development*. Proposals for low carbon and renewable energy development will be encouraged provided they can be accommodated without adversely affecting landscape, character, cultural heritage assets, other valued characteristics, or other established uses of the area. It also advises that cumulative impacts of low carbon and renewable energy development within the National Park and visible beyond its boundary must be taken into account. It also states that where proposals do not compromise the valued characteristics of the National Park the Authority will also take into account the economic, social and wider environmental benefits of renewable and low carbon development.

Development Management Policies

28. DMC3 – *Siting, Design, layout and landscaping* states that where developments are acceptable in principle, Policy requires that design is to high standards and where possible enhances the natural beauty, quality and visual amenity of the landscape. The siting, mass, scale, height, design, building materials should all be appropriate to the context. Accessibility of the development should also be a key consideration.
29. 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.

30. DMC8 – *Conservation Areas* - Applications for development within a Conservation Area, should assess and clearly demonstrate how the character or appearance and significance of the Conservation Area will be preserved or enhanced.

Supplementary planning documents (SPD) and other material considerations

31. The adopted supplementary planning document 'Climate Change and Sustainable Building' is a material consideration.

Assessment

Principle of Development

32. Policies DS1 and CC2 support the development of renewable energy infrastructure in principle.

The landscape impact of the development

33. The location of the proposed solar panels is within a rear garden and is well screened from immediate surroundings. The panels would be largely screened from the area to the front of the dwelling including the front driveway and the public right of way which leads to Shepley Farm. Additionally, the proposed panels would not be visible from the principal street within Chelmorton – Main Street, including the area in the vicinity of the listed church, the panels being screened from these areas by existing built development.
34. However, the topography is such that a clear and sustained view of the panels would be possible when approaching the village on Church Lane for a distance of approximately 250 metres. Church Lane is the principal entry point into the village from the south east.
35. The elevated view from Church Lane presents a vista of the entire northern end of the village, the oldest part of the village containing the Grade II * listed church, and also the setting of this part of the village within its wider rural landscape, including the transition from village to moorland to the north of the village.
36. The elevated position of Church Lane allows for a view over the covered reservoir and buildings of Main Street which otherwise screen the proposal from its immediate surroundings. Whilst not the most northerly development in the village, the panels from Church Lane would appear against the backdrop of Chelmorton Low and the natural zone and would appear as extending development beyond its existing extent towards the moorland of Chelmorton Low.
37. The prominence of the proposed panels within views of the village and its landscape setting from Church Lane are exacerbated by their distance from existing buildings – the proposed panels would be sited approximately 30 metres from the dwelling. Additionally, the console bins housing the panels will not be placed onto flat ground but onto a bank with an approximate 15 degree of tilt. The panels themselves will be tilted at 15 degrees with the result that the panels would be angled at 30 degrees from flat ground. Furthermore, the panels would be positioned in two rows with the result that the second row, situated behind the first row, would appear above the front row in distant views increasing the bulk of the panels in the view from Church Lane.
38. The views of the panels from Church Lane would be viewed from between 200 metres and 450 metres away depending on the location on Church Lane that the panels are

viewed from. At this distance the panels would appear sufficiently large and prominently in views of the village and its landscape setting to cause significant harm to the landscape character of the area, including the transition from village to moorland to the north of the village. The Chelmorton conservation area covers the entire northern end of the village visible from Church Lane, and immediately adjacent countryside. The setting of the conservation area is therefore also harmed by the proposal.

39. It is noted that the panels would be black with black frames. However, in this instance due to the prominence and massing of the panels when viewed from Church Lane and the sensitive relationship with the village and its landscape setting, it is considered that use of black panels in itself does not avoid significant harm to the landscape character of the area.
40. The development is therefore contrary to policies GSP1, GSP3, L1, CC2, DMC3 and DMC8 of the Local Plan and paragraph 176 of the NPPF. Furthermore, there would also be conflict with the Peak District National Park Climate Change and Sustainable Building Supplementary Planning Document.

The benefits of renewable energy generation

41. The fact that the development would reduce reliance on non-renewable energy sources is a material consideration to which weight must be given. However, any benefit arising from an array of this size would be slight relative to energy demand nationally or even locally.
42. Furthermore, contribution to renewable energy usage and carbon reduction (through solar or other renewable sources such as hydro, ground source, and air source) can be made in many locations within the locality where visual impacts would be significantly lower. This benefit is therefore given limited weight, and is significantly outweighed by the adverse landscape impacts that would arise from the development, as is detailed above.

Conclusion

43. The development, by virtue of the location, size and appearance would result in significant adverse visual impact on the valued landscape character of the National Park, specifically the landscape setting of Chelmorton and its conservation area, including the transition from village to moorland, when viewed from Church Lane. The proposal is therefore contrary to the landscape conservation objectives set out in the NPPF and the Authority's Local Plan policies GSP1, GSP3, CC2, DMC3 and DMC8.
44. Whilst the public benefits of renewable energy generation are acknowledged these do not outweigh the harm to landscape character.
45. Accordingly it is recommended that planning permission be refused.

Human Rights

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

List of Background Papers (not previously published)

47. Nil

Report Author: Peter Mansbridge – Planner (South Area).

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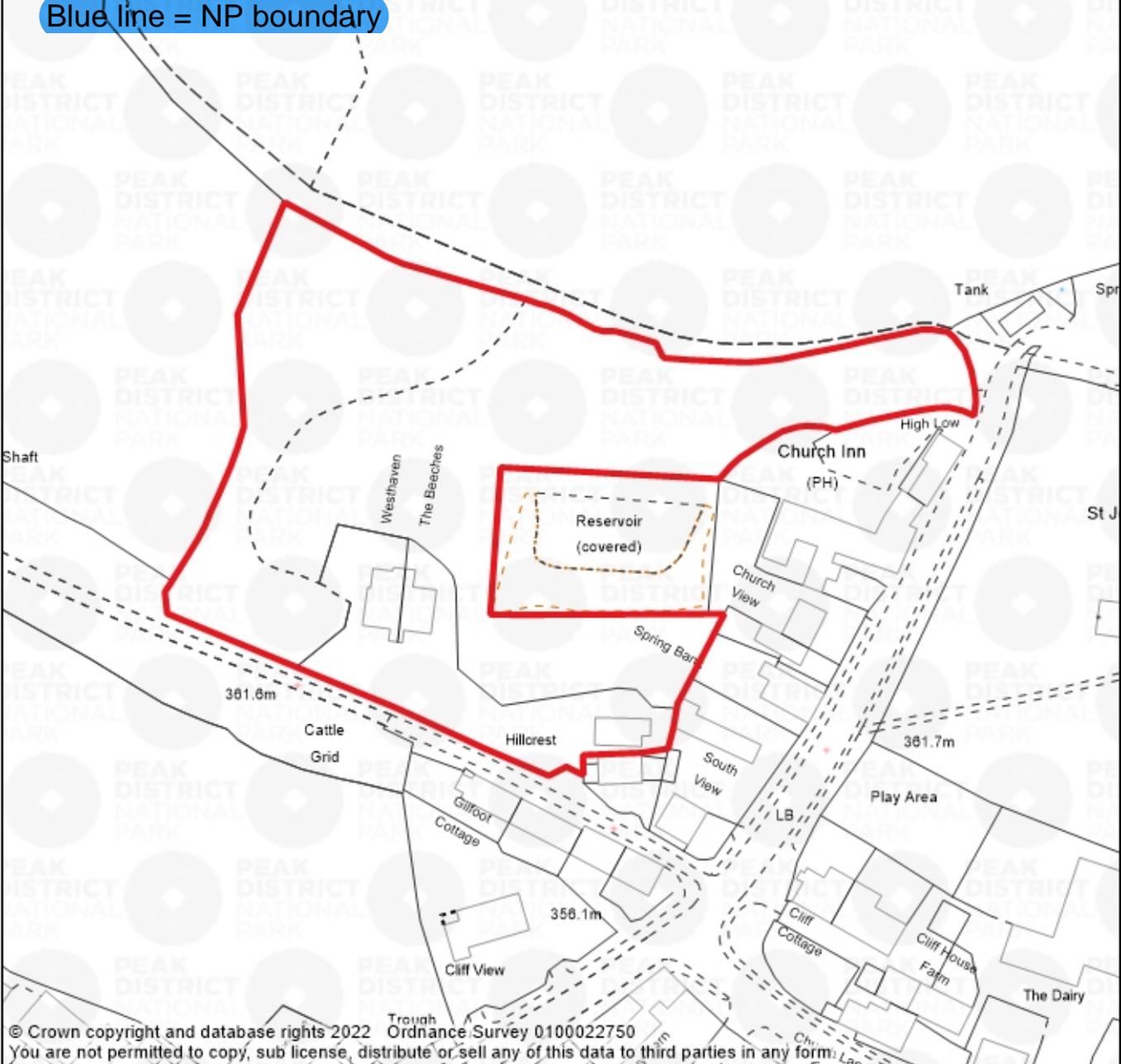


Location Plan



1:1250

Blue line = NP boundary



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Committee Date:	14/07/2023	Title: The Old Vicarage, unnamed section of road between Main Street and Old Coalpit Lane, Chelmorton	 PEAK DISTRICT NATIONAL PARK
Item Number:	Item 13		
Application No:	NP/DDD/0622/0830		
Grid Reference:	411419, 370291		

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14. HOUSEHOLDER APPLICATION – PROPOSED REAR SINGLE STOREY EXTENSION AT HOLE FARM, ELKSTONES, LONGNOR (NP/SM/0523/0493, PM)

APPLICANT: GLENN FELTON

Summary

1. Hole Farm is a residential property, a former farmstead recorded as a non designated heritage asset.
2. A single storey rear extension is proposed.
3. The design, form and massing of the proposed extension are considered to be confused and complex not in keeping with the vernacular building tradition of simplicity of form.
4. The application is therefore recommended for refusal as the proposal does not conserve or enhance the character, appearance or significance of the non designated asset, and therefore is not in accordance with the relevant adopted policies.

Site and Surroundings

5. The application site a non-working farm lying in open countryside in the upland pastures of the South West Peak, approximately 500 metres to the south of Lower Elkstone.
6. The farmhouse and a stone outbuilding on the site are constructed from gritstone under a Staffordshire blue tiled roof, with the doors and windows a mix of timber and Upvc.
7. The property is not listed, however it is considered to be a non-designated heritage asset and is on the Historic Buildings, Sites and Monuments Record (HBSMR) recorded as *“A farmstead that existed by the late 19th Century. It has a linear plan with additional detached buildings.”*
8. The nearest neighbouring properties are Ryecroft Farm 400m to the north-west, Greenside Farm, 380m to the north-east, Crow Trees 600m to the east, and Hill Farm 542m to the southeast.
9. Access is gained along a private track form the main highway. A public right of way passes through the site.

Proposal

10. Planning permission is sought for a single storey rear extension.
11. The extension would have two elements, a flat roofed part extending approximately 4.5 metres from the rear of the existing property and a pitched roof element with rear gable extending approximately 6.75 metres from the rear elevation of the existing property.
12. The proposed extension would be replacing an existing smaller single storey lean-to rear extension.

RECOMMENDATION:

That the application be REFUSED for the following reason –

The proposed extension, in its design, form and massing would not conserve or enhance the the character, appearance, setting or significance of the non designated heritage asset. As such the proposal conflicts with Development Page 153

Plan policies GSP3, DMC3, DMC5 and DMH7.

Key Issues

13. The key issues for consideration are:

- The principle of the development.
- The impact upon the appearance, character and heritage significance of the property.
- The impact upon highway safety.
- The impact upon the residential amenity of neighbouring occupiers.
- Climate change mitigation

Relevant Planning History

14. 2023 - NP/SM/1122/1352 – Proposed rear single storey extension - Planning Permission refused.
15. 2016 - NP/SM/0416/0366 - Proposed bedroom extension to rear of property – Planning Permission granted.
16. 1996 - NP/SM/1195/120 - Extension to dwelling – Planning Permission granted.
17. 1989 - NP/SM/0789/123 - Erection of double garage – Planning Permission granted.
18. 1988 - NP/SM/0888/0100 - Alterations and extension to dwelling – Planning Permission granted.

Consultations

19. Parish Council – Supports proposal.
20. Highway Authority – No response to date
21. District Council – No response to date.
22. PDNPA Archaeology – No objection.
23. PDNPA Public Rights of Way – No objection

Representations

24. We have received no letters of representation to date.

Main Policies

25. Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L3, and CC1
26. Relevant Development Management policies: DMC3, DMC5, DMH7, DMT3.

National Planning Policy Framework

27. The National Planning Policy Framework (NPPF) was published on 27 March 2012 and replaced a significant proportion of central government planning policy with immediate effect. It was last revised and re-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.

28. In the National Park the development plan comprises the Authority's Core Strategy 2011 and the Development Management Policies document 2019. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and more recent Government guidance in the NPPF.
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.'
30. Section 16 of the revised NPPF sets out guidance for conserving the historic environment.

Peak District National Park Core Strategy

31. DS1 – *Development Strategy* sets out the Development Strategy for the National Park and supports development of small-scale retail and business premises, in Bakewell, in principle, so long as the designs comply with the National Park Core Strategies and Design Management Policies.
32. GSP1 and 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.
33. 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.
34. 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.
35. CC1 – *Climate change mitigation and adaption* sets out that development must make the most efficient and sustainable use of land, buildings and natural resources. Development must also achieve the highest possible standards of carbon reductions.

Development Management Policies

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

38. DMH7 - *Extensions and alterations*. States 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.
39. DMT3 - *Access and design criteria*. States amongst other things, that a safe access should be provided in a way that does not detract from the character and appearance of the locality and where possible enhances it.

Supplementary planning documents (SPD) and other material considerations

40. The Authority's Design Guide and Detailed Design Supplementary Planning Document for Alterations and Extensions are material considerations in the determination of this application.

Assessment

Principle of Development

41. Policies DS1 and DMH7 support the principle of extensions to existing residential buildings in all settlements and in countryside outside of the Natural Zone.

The impact upon the appearance, character and heritage significance of the property.

42. The proposed extension introduces a complexity of form to the rear elevation of the existing property. The result is a rear elevation of confused and complex design. This is not reflective of the local vernacular building tradition of simplicity of form.
43. There is an existing two storey rear extension on the property with rear facing gable. The gabled element of the proposed rear extension would not relate well to the existing rear gable with an awkward difference in eaves and ridge height. The proposed extension is single storey but the eaves and ridge height are almost as high as the eaves and ridge height of the existing two storey rear extension. This element of the extension therefore is not read as a single storey element, further complicating the interpretation of the building.
44. The proposed flat roofed element of the extension does not relate well to the gabled element, each being a radically different design and with differing eaves heights.
45. As a whole the rear elevation of the property as proposed would have three rear projecting elements each with a different eaves and ridge height. There would be no coherence in design or simplicity of form.
46. Additionally, the proposed flat roofed element is not a traditional design approach and has a poor solid / void ratio with considerable amounts of glazing.
47. The proposed extension would extend project further from the property than both the existing two storey rear extension and the existing single storey extension proposed for demolition. As such the proposal undermines the established linear form of the property, and introduces a discordant and competing element.
48. Overall, the proposed extension, in its design, form, massing and scale would not conserve or enhance the the character, appearance, setting or significance of the non designated heritage asset. As such the proposal conflicts with Development Plan policies GSP3, DMC3, DMC5 and DMH7.
49. The description of the property on the HBSMR refers to the linear plan of the building. However the applicant has provided evidence in the form of a map from 1898 which

identifies the building as being L-shaped in nature at that point in time. It should be noted that the historic mapping available on the Authority's mapping portal and dating from a similar time to the 1898 map also identifies a L-shaped building or group of buildings but this differs in configuration to that shown on the 1898 map supplied by the applicant, throwing previous historic configurations in to some doubt.

50. In any case, it is accepted that historically there most likely was an L-shaped configuration of buildings at the site at some point, although it remains unclear if this was the buildings original layout. There is also no further information available regarding the massing and design of any former historic rear projecting element of the building. It is not known if the rear projecting elements were of equal scale and form to the linear part of the building or whether they were more secondary and subordinate in scale and appearance to the linear part of the building. The fact that they are not extant today gives some weight to the possibility that may have been secondary to the main linear part of the building which survives today; potentially lightweight or more temporary elements.
51. Limited weight has therefore been given any historic L-shaped arrangement of buildings because it is not known what the permanence, scale, massing and design of any former buildings projecting from the rear of the property was, and any efforts at reinstatement would therefore be largely conjectural, as well as remaining at odds with the buildings current form.

The impact upon highway safety

52. The Local Highway Authority had not responded at the time of writing the report. However, due to the siting of the proposed extension on the rear elevation of the dwelling, this would not affect the existing driveway and/or the current parking arrangements within the site. Consequently the scheme is acceptable in highway safety terms in accord with policy DMT3 in these respects.

The impact upon the residential amenity of neighbouring occupiers

53. Due to the isolated setting of the property and the intervening distances of over 380m between the application site and the nearest neighbouring properties, the proposed extension would not have any detrimental effect upon the residential amenities of neighbouring occupiers.

Climate Change Mitigation

54. The submitted application outlines proposed measures to enhance environmental performance. It is proposed to:
- construct the extension with walls, floors and roof having a better U-value rating than required by building control regulations.
 - use glazing to give both maximise natural daylight and solar gain.
 - retain, reuse and recycle material, where possible, from the existing extension proposed for demolition.
 - use a highly insulated and air tight construction, significantly improving the thermal performance of the property.
 - use timber from local sustainable sources where possible
 - supply water via an on site borehole.
55. For the scale of development proposed this is considered sufficient to accord with the requirements of policy CC1.

Conclusion

56. The proposed extension, in its design, form and massing would not conserve or enhance the the character, appearance, setting or significance of the non designated heritage asset. As such the proposal conflicts with Development Plan policies GSP3, DMC3, DMC5 and DMH7.

57. Accordingly it is recommended that planning permission be refused.

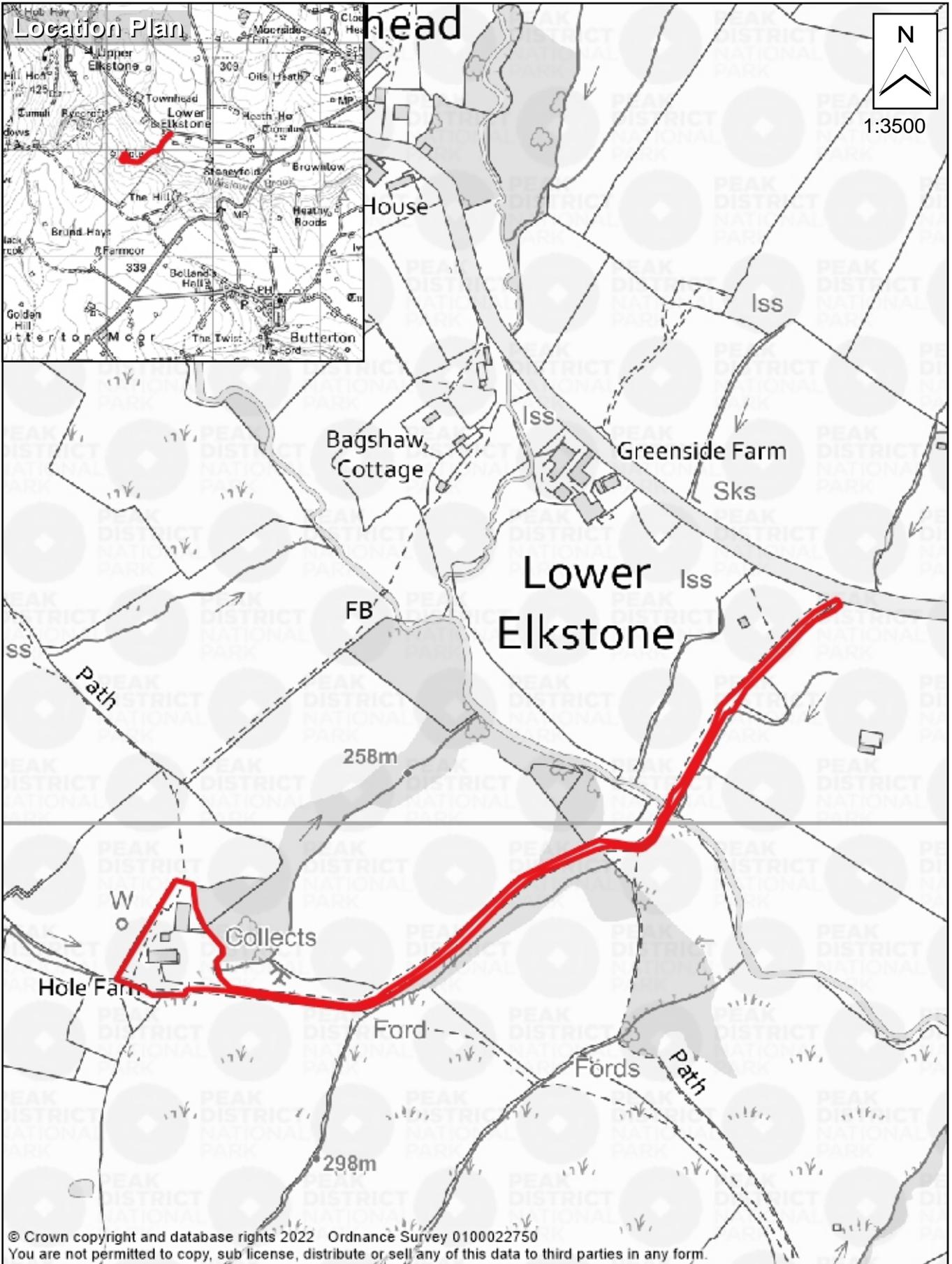
Human Rights

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: Peter Mansbridge – Planner (South Area).



Committee Date:	14/07/2023	Title: Hole Farm, Elkstones, Longnor	 PEAK DISTRICT NATIONAL PARK
Item Number:	Item 14		
Application No:	NP/SM/0523/0493		
Grid Reference:	406261, 357946		

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15. MONITORING & ENFORCEMENT QUARTERLY REVIEW – JULY 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 (April – June 2023).
2. Most breaches of planning control are resolved voluntarily or through negotiation without resorting to formal enforcement action. Where formal action is considered necessary, the Head of Planning and Head of Law have joint delegated powers to authorise such action whereas authority not to take formal action is delegated to the Head of Planning, Monitoring & Enforcement Manager and Area Planning Managers.
3. The Authority has a duty to investigate alleged breaches of planning control, but enforcement action is discretionary and must only be taken where it is 'expedient' to do so, having regard to policies in the development plan and any other material considerations. This means that the breach must be causing unacceptable harm to the appearance of the landscape, conservation interests, public amenity or highway safety, for example. When we take formal action it must be proportionate with the breach of planning control and be clear that resolving the breach would be in the public interest.
4. The National Planning Policy Framework states that Local Planning Authorities (LPAs) should consider publishing a Local Enforcement Plan to manage enforcement proactively, in a way that is appropriate to their area. In March 2014 we published our Local Enforcement Plan, which sets out what breaches of planning control are, how potential breaches can be reported to the Authority, what matters may or may not be investigated and our priorities for investigation and action. It also outlines the tools that are available to us to resolve any breaches. The Local Enforcement Plan is available on the Authority's website.

RECOMMENDATION:

That the report be noted.

Summary of Activity

5. Notices issued

22/0040 Land at Cressbrook Dale (Otherwise known as Litton Frith Farm)	Construction of hardstanding/parking area, steps and a path and erection of tipi	Enforcement Notice issued 6 April 2023 – no appeal so came into effect on 22 May 2023. Compliance due by 22 August 2023 (removal) and 22 November 2023 (reinstatement of land).
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Workload and performance

6. This section of the report summarises the team's performance over the last quarter. We have resolved 37 breaches in the quarter, which means that we are currently on course to meet our performance target of 120 in the Service Delivery Plan. This represents a significant improvement on recent quarters as during the whole of the previous year (1 April 2022 – 31 March 2023) we resolved only 70 breaches. This improved performance is despite continuing issues with vacancies in the team. A full-time senior post has remained vacant

since June 2021 and another part-time senior post has been vacant since March 2023, although since February 2023 a contractor has been engaged in that role on a 6-month contract for 3 days per week. The full-time post has recently been advertised but attracted no suitable candidates.

7. Following investigation of enquiries, we found 14 new breaches so the number of outstanding breaches at the end of the quarter has reduced from 640 to 617.
8. In the annual report it was noted that our performance on dealing with enquiries had also been impacted by the vacancies over the last year with only 41% being investigated within 30 working days against our target of 80%. That has risen to 50% in the latest quarter and we anticipate the upward trend continuing as the backlog of enquiries reduces further. The number of new enquiries received in the last three months has risen slightly from 104 to 110, compared to the previous quarter. However, the number of enquiries outstanding at the end of the quarter has reduced from 243 to 232 – at the end of December 2022 the number outstanding was 300.
9. The table below summarises the position at the end of the quarter (30 June 2023). The figures in brackets are for the previous quarter.

	Received	Investigated/Resolved	Outstanding At Year End
Enquiries	110 (104)	124 (174)	243 (232)
Breaches	14 (33)	37 (20)	617 (640)

10. Breaches resolved

21/0087 Bennett Barn Sandy Lane Chinley	Unauthorised extension to outbuilding (approved holiday unit) and installation of doors.	Extension removed and doors replaced with approved design.
09/0058 Land adjoining A515 Ashbourne Rd Tissington	Display of advertisement sign	Sign has deemed consent
21/0097 Old Post Office Main Street Birchover	Non-compliance with condition on NP/DDD/0421/0427 requiring removal of bay window and replacement with original opening.	Appeal against condition allowed with replacement condition requiring removal within 12 months.
23/0028 The Eating House Derbyshire Craft Centre Calver Bridge	Erection of six moveable structures (gazebos)	Structures removed and replaced with single structure which complies with GPDO

Calver

22/0075 Drystones Slipperlow Lane Taddington	Erection of three sheds and chicken runs and installation of floodlight on building	Retrospective planning permission granted for sheds – not expedient to take enforcement action against floodlight
21/0092 Springfield Barn Dig Street Hartington	Change of use of agricultural land to garden and erection of polytunnel	Immune from enforcement action
20/0026 Sparrowgreave Wincle	Erection of a building	Enforcement appeal allowed
21/0034 Thornbridge Hall Baslow Road Ashford In The Water	Erection of café building, construction of driveways and car park.	Planning permission granted on appeal
22/0074 Wingate Station Road Bakewell	Erection of garden shed	Not expedient to take enforcement action
11/0068 Hob Hay Farm Elkstones	Breach of condition 3 (landscaping) on NP/SM/0710/0668 – Extension to cattle shed	Immune from enforcement action
22/0047 Woodseats Farm Hollowford Road Castleton	Use of land as campsite	Owner has agreed to operate within GPDO limitations
23/0033 Rose Cottage Waterfall Lane Waterfall Waterhouses	Removal/rebuilding of boundary walls	Retrospective planning permission granted
04/0050 Holly House Stanton in Peak	LISTED BUILDING - Removal of internal window shutters, window seat and fireplace	LBC granted for reinstatement works.
06/0102 Yonderman Cafe (formerly	Display of advertisement	Advertisement removed

Katies Diner)
Wardlow Mires

11/0004 Junction of Donkey Lane and A623, Calver	Display of advertisement for Derwentwater Arms	Advertisement has deemed consent
12/0020 Hoarstones Road, Also one opposite The Plough, Bradfield	Display of advertisement for The Schoolrooms Cafe	Advertisement has deemed consent
17/0056 1 Bulls Head Cottage Macclesfield Road Kettleshulme	Trees lopped	No breach of planning control
19/0130 Swythamley Chapel Three Pools Swythamley Rushton Spencer	LISTED BUILDING - Removal of bells from bell tower	Not expedient to take enforcement action
19/0078 Land at Butterton Bank Butterton	Erection of buildings	Immune from enforcement action
10/0165 Rambler Inn Edale	Display of advertisements	Advertisements now have deemed consent
11/0050 Land adjacent A6 Taddington	Display of advertisement for Queens Arms	Advertisement now has deemed consent
10/0218 The Old School Low Bradfield	Non-compliance with NP/S/1202/040 (Conversion to shop, cafe and caretakers flat)	Development now complies with permission

19/0220 Peep O' Day Maynestone Road Chinley	Non-compliance with Conditions 1 and 2 of NP/HPK/0598/076 in that a dry stone wall has not been constructed to define the boundary	Enforcement notice issued and complied with
20/0060 Turnpike House Macclesfield Road Kettleshulme	Breach of condition 4 of CEC/1016/1008 as fence not painted	Condition complied with
20/0134 Moor Edge New Road Bamford	Erection of gate piers and flank walling	Retrospective planning permission granted
23/0040 Land west of Aston Lane Hope	Engineering operations, comprising groundworks and creation of compound	Works being carried out by Network Rail are PD – compound to be removed once works complete
23/0025 Brook Roods Back Lane Warslow	Change of use of garage to vehicle repair business and construction of hardstanding and track	Retrospective planning permission granted
14/0316 Dale Farm Middleton-By- Youlgrave Bakewell	LISTED BUILDING - satellite dish on chimney stack	Satellite dish removed
23/0020 6 Church Street Tideswell	Breach of condition on NP/DDD/0203/083 (erection of conservatory) requiring obscure glazing	Immune from enforcement action
14/0409 Wardle Cottage Butterton Leek	Breach of conditions 2 (not in accordance with the approved plans), 5 (rainwater goods plastic - should be cast metal) and 6 (doors upvc - should be vertically boarded timber) on NP/SM/0710/0765	Not expedient to take enforcement action
16/0064 Gauledge Farm Gauledge Lane Longnor	Septic tank/treatment plant not sited in accordance with approved plans on NP/SM/1112/1170	Not expedient to take enforcement action
19/0042 Former Dove Dairy Stonewell Lane Hartington	Breach of conditions on NP/DDD/1219/1298 (Erection of dwellings) – rooflights not in accordance with approved plans, stonework on plots M, L and K not approved	Rooflights removed and stonework now acceptable

09/0154 New House Farm Grindon	Breach of condition 4 on NP/SM/0508/0371 (erection of agricultural building) – external timber boarding on NW elevation not brought down to ground level. Storage of scrap.	Breach of condition immune from enforcement action. Scrap largely removed.
23/0027 Land west of B5053 Butterton Moor Butterton	Siting of former lorry body	Former lorry body removed
17/0053 The Glen Hollinsclough Rake Hollinsclough	Breach of condition 2 of NP/SM/0719/0828 (Conversion and extension of outbuilding for residential use) – cladding of building and replacement windows	Condition complied with
23/0007 Land at Elton Common Winster	Erection of two sheds	One shed removed – remaining shed is PD
23/0012 Upper Oldhams Farm Long Rake Monyash	Erection of agricultural building	Retrospective planning permission granted

11. Current High Priority Cases

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 – Natural England consent obtained for works 30 May 2023 - 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
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
22/0040 Land at Cressbrook Dale (Otherwise known as Litton Frith Farm)	Construction of hardstanding/parking area, steps and a path and erection of tipi	Enforcement notice issued – see details above
21/0060 Home Farm Main Street Sheldon	Construction of track and hardstanding, erection of building, construction of timber sheds/structures, siting of caravans and conversion of building to residential dwellings	Application for injunction made – initial hearing held on 25 May 2023 – trial date listed for 5/6 December 2023

Report Author: Andrew Cook, Monitoring and Enforcement Team Manager

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16. PLANNING APPEALS MONTHLY REPORT (A.1536)

1. APPEALS LODGED

The following appeals have been lodged during this month.

<u>Reference</u>	<u>Details</u>	<u>Method of Appeal</u>	<u>Committee/ Delegated</u>
NP/SM/1022/1315 3317032	Application for the variation of condition 2 at Old Dains Mill, Roach Road, Upper Hulme.	Written Representations	Committee
NP/HPK/0922/1194 3316512	Application for the installation of solar panel to garage roof at Chapelsteads Farm, Wormhill	Householder	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/GDO/0922/1163 3311307	Upgrade to the existing 8.0m high replica telegraph pole on root foundation with a 17.50m high EE/H3G Phase 7 Monopole complete with wraparound cabinet to be installed on root foundation and associated ancillary works on land at the Junction of The Lane and Station Road, Hathersage	Written Representations	Dismissed	Delegated

The Inspector considered that the proposal would result in significant harm to the character and appearance of the area, and it had not been demonstrated that no other more suitable sites were available. The appeal was dismissed.

4. RECOMMENDATION:

To note the report.

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