

# Public Document Pack

**Peak District National Park Authority**

**Tel: 01629 816200**

E-mail: [customer.service@peakdistrict.gov.uk](mailto:customer.service@peakdistrict.gov.uk)

Web: [www.peakdistrict.gov.uk](http://www.peakdistrict.gov.uk)

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



**Our Values: Care – Enjoy – Pioneer**

---

Our Ref: A.1142/4692

Date: 29 February 2024



## NOTICE OF MEETING

Meeting: **Planning Committee**

Date: **Friday 8 March 2024**

Time: **10.00 am**

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

PHILIP MULLIGAN  
CHIEF EXECUTIVE

---

---

---

## AGENDA

1. **Apologies for Absence**
2. **Minutes of previous meeting of 19 January 2024** *(Pages 7 - 14)*
3. **Urgent Business**
4. **Public Participation**  
To note any questions or to receive any statements, representations, deputations and petitions which relate to the published reports on Part A of the Agenda.
5. **Members Declarations of Interest**  
Members are asked to declare any disclosable pecuniary, personal or prejudicial interests they may have in relation to items on the agenda for this meeting.
6. **Full Application: Demolition of existing filter house and erection of no.3 new dwellings with associated landscaping and parking, Former Filter House, Long Causeway, Sheffield (NP/S/0923/1021, JRS)** *(Pages 15 - 38)*  
Appendix 1  
  
Site Plan
7. **Full Application - Change of Use from domestic garden to camping pod site, at Top Riley, Riley Lane, Eyam (NP/DDD/1223/1513, WE)** *(Pages 39 - 52)*  
Site Plan
8. **This item is withdrawn from the Agenda as it is dealt with under Delegated Powers - Conservation of Habitats and Species Regulations 2019 - Demolition of existing cabins and office floorspace, extension to existing industrial building, works of hard and soft landscaping and other works associated with the proposals at The Old Lime Kilns, Pittlemere Lane, Tideswell Moor, Tideswell (NPDDD/1123/1329, P.6009, HF)**
9. **Full Application - Demolition of existing cabins and office floorspace, extension to existing industrial building, works of hard and soft landscaping and other works associated with the proposals at The Old Lime Kilns, Pittlemere Lane, Tideswell Moor, Tideswell (NP/DDD/1123/1329, P 6009, HF)** *(Pages 53 - 66)*  
Site Plan
10. **Full Application - Proposed seasonal use of land for eco-camping, siting of 3no. bell tents and amenity facilities along with associated access and parking and landscaping with associated ecological enhancements and conservation at Land West of Edale Road, Barber Booth, Edale (NP/HPK/0923/1055, WE)** *(Pages 67 - 82)*  
Site Plan
11. **Full Application - Erection of 3 no. Entry level exception (affordable) homes, incorporating the landscape and ecological enhancement of the**

**balance of the land. Land North of Cock Hill, Nether End, Baslow (NP/DDD0623/0661 /JRS) (Pages 83 - 98)**  
Site Plan

- 12. Full Application - Conversion of a disused church into two residential units, including demolition of a substantial portion of the modern rear extension to create additional external space at Kettlethulme Methodist Church, Paddock Lane, Kettlethulme (NP/CEC/0821/0935 /JRS) (Pages 99 - 114)**  
Site Plan
- 13. Full Application - For the replacement of an existing agricultural building with a new dwelling, at Hope Farm, Alstonefield (NP/SM/1123/1405, DH) (Pages 115 - 122)**  
Site Plan
- 14. Full Application - Conversion of field barn into dwelling at Barkers Barn, Moor Lane, Elton (NP/DDD/0823/0974, AN) (Pages 123 - 144)**  
Site Plan
- 15. Listed Building Consent - Conversion of field barn into dwelling at Barkers Barn, Moor Lane, Elton (NP/DDD/0823/0975, AN) (Pages 145 - 162)**  
Site Plan
- 16. Full Application - Agricultural building to lamb and house sheen and store fodder and implements, Land West of Common Lane, Calton, Waterhouses (NP/SM/1223/1483, LB) (Pages 163 - 170)**  
Site Plan
- 17. Full Application - Conversion of traditional agricultural building to open market dwelling at Ridge Farm, Bottom of Moor, Longnor (NP/SM/1123/1314/PM) (Pages 171 - 182)**  
Site Plan
- 18. Householder application - Proposed rear north extension to form a kitchen. Construct a summer house on the north-east boundary line with the removal of the existing hexagonal summer house and additional grounds work required to accommodate the extension and creating a pathway to the new summerhouse. Hawthorne House, Stanton-in-the-Peak (NP/DDD/0923/1085, RD) (Pages 183 - 192)**  
Site Plan
- 19. Householder Application - For alterations and extension to dwelling and new garage, at Pathways, Youlgrave (NP/DDD/1223/1442, DH) (Pages 193 - 200)**  
Site Plan
- 20. Monthly Planning Appeals Report (A1536/KH) (Pages 201 - 202)**

### **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**

Please note that meetings of the Authority and its Committees may take place at venues other than its offices at Aldern House, Bakewell when necessary. Anyone wishing to participate at the meeting under the Authority's Public Participation Scheme is required to give notice to the Customer and Democratic Support Team 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 Customer and Democratic Support Team 01629 816352, email address: [democraticandlegalsupport@peakdistrict.gov.uk](mailto: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 Customer and Democratic 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 uses an audio sound system to make it easier to hear public speakers and discussions during the meeting and makes a live audio visual broadcast a recording of which is available after the meeting. From 3 February 2017 these recordings will be retained for three years after the date of the meeting.

### **General Information for Members of the Public Attending Meetings**

Please note meetings of the Authority and its Committees may 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](http://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

Cllr M Beer	Cllr M Buckler
Cllr M Chaplin	Cllr B Hanley
Cllr A Hart	Cllr L Hartshorne
Cllr I Huddleston	Cllr D Murphy
Cllr Mrs K Potter	Cllr K Richardson
Mr K Smith	Cllr J Wharmby

**Other invited Members:** (May speak but not vote)

Prof J Dugdale Cllr C Greaves

Constituent Authorities  
Secretary of State for the Environment  
Natural England

This page is intentionally left blank

**Peak District National Park Authority**  
**Tel: 01629 816200**  
E-mail: [customer.service@peakdistrict.gov.uk](mailto:customer.service@peakdistrict.gov.uk)  
Web: [www.peakdistrict.gov.uk](http://www.peakdistrict.gov.uk)  
Aldern House, Baslow Road, Bakewell, Derbyshire. DE45 1AE



---

## MINUTES

Meeting: **Planning Committee**

Date: Friday 19 January 2024 at 10.00 am

Venue: Aldern House, Baslow Road, Bakewell

Chair: Cllr P Brady

Present: Cllr V Priestley, Cllr M Beer, Cllr M Buckler, Cllr M Chaplin, Cllr B Hanley, Cllr D Murphy, Cllr Mrs K Potter and Mr K Smith

Apologies for absence: Cllr A Hart, Cllr L Hartshorne, Cllr I Huddleston, Cllr C O'Leary and Cllr K Richardson.

### **1/24 APOLOGIES FOR ABSENCE**

The Chair expressed his thanks and appreciation to Lydia Slack on behalf of the Planning Committee Members following her resignation from the Authority.

The Chair then welcomed Charlotte Lockwood, Senior Planning Lawyer to the meeting.

### **2/24 MINUTES OF PREVIOUS MEETING HELD ON 8 DECEMBER 2023**

The minutes of the last meeting of the Planning Committee held on 8 December 2023 were approved as a correct record.

### **3/24 URGENT BUSINESS**

There was no urgent business.

### **4/24 PUBLIC PARTICIPATION**

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

### **5/24 MEMBERS DECLARATIONS OF INTEREST**

Item 7

Cllr Brady declared a prejudicial interest in this item due to knowing the applicant and having both resided in the village and served on the Parish Council. Therefore he would leave the room when this item was discussed.

All Members had received an email from the applicant.

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.

**6/24 FULL APPLICATION - CHANGE OF USE OF DINING ROOM FOR BOTTLING ON SITE SPRING WATER ON A PERMANENT BASIS AT CRAG INN, CLOUGH ROAD, WILDBOAR CLOUGH (NP/CEC/0723/0764) TS**

The Planning Officer reminded Members that this application had been deferred from the Planning Committee on the 3rd November 2023 to allow the applicant to address the concerns raised by Members regarding the unauthorised storage associated with the water bottling use on the site.

The Planning Officer reported that those concerns had now been addressed by the applicant, and that the applicant had provided Officers evidence that the unauthorised storage had been removed. The Officer then presented the report and outlined the reasons for approval.

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

**RESOLVED:**

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

- 1. Development to be carried out in accordance with the submitted plans.**
- 2. Water bottling and associated storage to be restricted to the dining room and enclosed yard to the east of the public house only.**
- 3. Maximum of 500 crates / 5000 litres of water to be bottled and/or distributed in any day.**
- 4. The water bottling use shall cease if the Crag Inn ceases to trade as a public house.**
- 5. Use of machinery and deliveries and activity in the external yard to be limited to between 08.30am and 6.00pm only.**
- 6. No direct sales of bottled water from the site other than from the bar within the Crag Inn public house.**

**7/24 LISTED BUILDING CONSENT - 5 NO'S WINDOWS TO BE REPLACED, STONEMASONRY AROUND WINDOWS TO BE REPLACED, ALL TO THE FRONT ELEVATION AT LILAC COTTAGE, MAIN STREET, TADDINGTON (NP/DDD/0823/0935, RD)**



Cllr Brady left the meeting for this item due to a prejudicial interest. Cllr Priestley, Vice Chair took the Chair.

Some Members had visited the site the previous day.

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

The following spoke under the public participation at meetings scheme:

- Jill Skidmore, Supporter – submitted statement read out by the Customer and Democratic Service Senior Advisor.
- Trevor Ride, Applicant

Some Members considered that the design was acceptable and that it was not obvious that the property was already double glazed, so had no problem with what was being achieved by the applicant, however they were reminded by the Authority Conservation Officer, who attended the meeting to answer any detailed questions, that the double glazed windows were unauthorised with no listed building consent and that other options for glazing were available.

A motion to approve the application, was moved and seconded but not voted on.

Members asked what alternatives could be used? The Conservation Officer reported that secondary glazing was as efficient as double glazing and generally out performed single glazing.

Members requested that the item be deferred to allow for further discussions between the Officer and Applicant as there was not enough detail in the report regarding the stone mullions that also needed replacing.

The motion to approve the application was withdrawn and a motion to defer the application to allow for further discussions between the Applicant and Officers regarding alternatives and replacement of the stone mullions was moved, seconded, voted on and carried.

**RESOLVED:**

**That the application be DEFERRED to allow for further discussions with the Applicant and Officers to seek further discussions in regard to the proposed double glazing and the replacement of the mullions.**

8/24

**CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2019 - REPLACEMENT PEDESTRIAN FOOTBRIDGE OVER THE RIVER WYE AT CRESSBROOK MILL. BRIDGE TO CARRY A CONCESSIONARY FOOTPATH THAT IS AN IMPORTANT ACCESS ROUTE FOR THE SURROUNDING AREA. THE STRUCTURE WILL CONSIST OF A GRIP DECK WITH TIMBER HANDRAILS AND BE OF A SIMPLE DESIGN NOT DISSIMILAR TO THE EXISTING BRIDGE. (NP/DDD/1023/1299) P. 10951)**

Cllr Brady returned to the meeting and resumed as Chair.

This item was dealt with at the same time as Item 9, but the discussion and votes were taken separately. Please see full minute detail in Minute 9/24 below.

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

**RESOLVED:**

**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 planning application at Cressbrook Mill (NP/DDD/1023/1299).**

9/24

**FULL APPLICATION - REPLACEMENT PEDESTRIAN FOOTBRIDGE OVER THE RIVER WYE AT CRESSBROOK MILL. BRIDGE TO CARRY A CONCESSIONARY FOOTPATH THAT IS AN IMPORTANT ACCESS ROUTE FOR THE SURROUNDING AREA. THE STRUCTURE WILL CONSIST OF A GRIP DECK WITH TIMBER HANDRAILS AND BE OF A SIMPLE DESIGN NOT DISSIMILAR TO THE EXISTING BRIDGE. (NP/DDD/1023/1299) P. 10951)**

The report was introduced by the Planning Officer who laid out the reasons for approval as set out in the report, which was to replace the existing footbridge over the River Wye which has been closed since 2019 due to safety concerns.

The Officer reported an amendment to Condition 18 of the report in that the colour of the bridge deck would be grey and not green as grey would be more acceptable in this location. The Officer also reported that the Environment Agency had not commented on the proposal yet, so if Members were minded to approve the application, then the decision could be delegated to the Head of Planning, in conjunction with the Chair and Vice Chair of Planning.

Members asked why resin was being used for the base of the bridge. The Officer reported that it would be more cost effective, and that using steel would be more expensive and would mean the footpath being closed for even longer, also using timber in that location could become a safety issue as it could become slippery when wet.

A motion to approve the application in principle and to grant Officer delegation in consultation with the Chair and Vice Chair of Planning, and to amend Condition 18 was proposed and seconded, put to the vote and carried.

**RESOLVED:**

**That the application be APPROVED in principle with the final decision delegated to the Head of Planning in consultation with the Chair and Vice Chair of Planning Committee and subject to the following conditions:-**

1. **Standard time limit**
2. **Carry out in accordance with specified approved plans and documents**
3. **Following removal of existing bridge and assessment of structural integrity of western abutment, full details of bridge design and foundations to be submitted to the National Park Authority for approval prior to new bridge installation.**

4. **No stonework to bridge abutments to be carried out other than in complete accordance with a sample panel of stonework to be constructed for inspection and approval by National Park Authority.**
5. **Section 211 application to be submitted for the removal of trees affecting the bridge area.**
6. **Pre-commencement condition requiring details of tree protective fencing**
7. **Details of replacement tree planting to be submitted prior to first use of bridge and planted in first landscaping season thereafter.**
8. **Pre-commencement condition requiring a Construction Management Plan**
9. **Pre-commencement condition requiring Construction Ecological Management Plan**
10. **Works to be undertaken in full accordance with Ecology Report and Reasonable Avoidance Measures (RAMs) Method Statement with report to be submitted on completion of works.**
11. **No development or construction works beyond the weir**
12. **Pre-work checks prior to removal of stone wall and any work around the river**
13. **Works to cease upon discovery of any protected species and an ecologist from the National Park Authority contacted.**
14. **Avoid works during nesting bird season or undertake checks no more than 48 hours prior to works including vegetation clearance.**
15. **Installation of 2x bat boxes**
16. **Re-instatement of stone wall prior to first use of footbridge**
17. **Bridge deck to be finished in grey colour**

**10/24 FULL APPLICATION - PROPOSED BARN CONVERSION TO CREATE A SINGLE DWELLING INCLUDING THE UPGRADE OF AN EXISTING SINGLE STOREY SIDE EXTENSION TOGETHER WITH ALTERATIONS TO ADJACENT FARM HANDS COTTAGE TO CREATE RESIDENTIAL CURTILAGE WITH DEDICATED AMENITY SPACE FOR THE COTTAGE AT HALL FARM HOUSE BED AND BREAKFAST, HALL LANE, LITTON (NP/DDD/0621/0657, JK)**

Some Members had visited the site the previous day.

The Planning Officer presented the report and outlined the reasons for refusal as set out in the report.

The following spoke under the public participation at meetings scheme:

- Fraser Scott – Applicant

Members were minded to approve the application as they felt it would be a great enhancement and would improve the viability of the property, but accepted that an ecological survey needed to be carried out to see how bats were using the site, but this could only be done from May onwards.

A motion to approve the application in principle and to grant Officer delegation in consultation with the Chair and Vice Chair of Planning and subject to an ecological survey being carried out, was proposed and seconded, put to the vote and carried.

**RESOLVED:**

**That the Committee were minded to approve the application in principle and subject to conditions with the final decision delegated to the Head of Planning in consultation with the Chair and Vice Chair of Planning Committee.**

**11/24 FULL APPLICATION - CHANGE OF USE OF CLASS B8 STORAGE UNIT TO CLASS E USE AT BURNSIDE GARAGE, LAMB HILL, LOW BRADFIELD (NP/S/1223/1430) P. 8547**

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

The Officer reported that since the report was published a further response had been received in support of the application. It was also reported that Bradfield Parish Council had amended their concerns regarding parking and the impact on the Conservation Area, and that the Authority Ecology Team had found no evidence of bats on the site.

*Cllr Beer left the meeting during discussion of this item at 11:35 and returned to the meeting at 11:39*

The following spoke under the public participation at meetings scheme:

- Brett Simpson-Lyons, Agent – Statement submitted and read out by the Customer & Democratic Services Senior Advisor.

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

**RESOLVED:**

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

1. **Standard time limit**
2. **Carry out in accordance with specified approved plans and documents**
3. **Condition to restrict preparation of food on site**
4. **Restriction on opening hours of the premises**
5. **Finish of external timber shutter door to be painted dark blue to match adjacent timber door**

6. **Pre-occupation condition requiring details of deliveries to the unit**
7. **Details of the materials and finish of the internal shopfront door and windows to be submitted for approval prior to installation**
8. **Works to be avoided during nesting bird season or otherwise subject to checks by an ecologist no more than 48 hours prior to works commencing**
9. **Pre-occupation condition requiring details of the specification and siting of 2 bat boxes**

## **12/24 MAKING OF WHALEY BRIDGE NEIGHBOURHOOD PLAN**

The Communities Policy Planner introduced the report and reminded Members that at the October Planning Committee, Members voted to approve the Whaley Bridge Neighbourhood Plan and to proceed to a public referendum which was held on the 7<sup>th</sup> December 2023, where 92% of the people voted in favour with 8% voting against the High Peak Borough Council and Peak District National Park using the Whaley Bridge Neighbourhood Plan to determine planning applications in their area.

The Officer reported that the majority of the Neighbourhood Plan area was within High Peak Borough Council, however, there were policies within the plan that were relevant to the National Park and It was considered that all of the Whaley Bridge Neighbourhood Plan policies were in general conformity with the Peak District National Park's planning policies (as required by legislation), and that these policies enhance important local aspects as identified by the Neighbourhood Plan process. These include policies on the natural environment, Local Green Space, heritage and local character, landscape character and National Park setting.

A neighbourhood plan comes into force as part of the relevant local planning authority's statutory development plan once it has been approved at referendum through section 38(a) of the Planning and Compulsory Purchase Act. As per national guidance the neighbourhood plan must then be made by the local planning authority within 8 weeks of the referendum, and that High Peak Borough Council were due to formally 'make' the Plan w/c 22nd January.

The Policy and Communities team therefore asked that the Committee make the Whaley Bridge Neighbourhood Plan part of the Authority's statutory development plan for the Whaley Bridge Neighbourhood Area

A motion to approve the recommendation was proposed, seconded, voted on and carried.

### **RESOLVED:**

**That the Committee makes the Whaley Bridge Neighbourhood Plan part of the statutory development plan for the Whaley Bridge Neighbourhood Area.**

## **13/24 MONITORING & ENFORCEMENT QUARTERLY REVIEW - JANUARY 2024 (A.1533/AJC)**

The report was introduced by the Principal Enforcement Planner who reported that good progress had been made on the recruitment of staff, but there were currently 2 posts that still needed to be filled and the posts were being re-advertised as the initial recruitment process was unsuccessful. The Officer also reported that the performance over the last quarter indicated that we would not meet our annual targets although it had improved since last year. The Officer also reported that the backlog of enforcement cases had been further reduced to around 550 and that this process would continue. A further report on this and the outstanding cases will be brought to Planning Committee in April.

The Officer then gave an update to Members on case 22/0040 at Cressbrook Dale, where the compliance periods on the Enforcement Notice had expired so “works in default” were carried out by the Authority on the 13/14 December 2023 to remove the hardstanding/parking area and tipi and restore the land, which will green over in time. The Officer then showed before and after photographs of the site.

The Officer also gave an update on case 21/0060 for Home Farm, Sheldon in that an application had been made for an injunction at Birmingham High Court and granted. In summary, this requires (1) no further development to take place, and (2) various developments to be removed. However, the second part of the injunction was suspended to allow the submission of a planning application and any subsequent appeal. The landowner had submitted an application which was likely to be validated imminently.

The Officer reported that an Enforcement Notice had been issued at Rocking Stone Farm, Birchover and was due to come into effect on the 30<sup>th</sup> January, but that an appeal had now been submitted so the Enforcement Notice was temporarily suspended until the appeal had been heard.

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

- John Butler, Chair of Cressbrook Community Group

The Chair and Members of the Planning Committee thanked the Cressbrook Community for their kind words and to Officers for pursuing this case.

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

**RESOLVED:**

**To note the report.**

#### **14/24 PLANNING APPEALS- MONTHLY REPORT (A.1536/KH)**

The committee considered the monthly report on planning appeals lodged, withdrawn and decided.

**RESOLVED:**

**To note the report.**

The meeting ended at 12.01 pm

---

**6. FULL APPLICATION - DEMOLITION OF EXISTING FILTER HOUSE AND ERECTION OF NO.3 NEW DWELLINGS WITH ASSOCIATED LANDSCAPING AND PARKING, FORMER FILTER HOUSE, LONG CAUSEWAY, SHEFFIELD (NP/S/0923/1021, JRS)**

**APPLICANT: MR HOLMES**

**Summary**

1. This was considered by the Planning Committee in December 2023 and was deferred so that officers could discuss a revised scheme with the applicants and their architect. The discussions have resulted in the submission of amended plans for a revised layout and design.
2. The application is for the demolition of the former water treatment works and the erection of three new dwellings.
3. The existing building is a post-war brick building which has been heavily vandalised and is in a poor condition. It is not considered to be of sufficient merit to warrant conservation through conversion. The site is considered to be a brownfield site where an appropriate development would be in accordance with national and local policies.
4. The proposed scheme is now considered to be acceptable in terms of its scale, layout and design, subject to some amendments. The application is therefore recommended for approval.

**Introduction**

5. The former Redmires Filter House is located west of Sheffield, located approximately half a mile inside the Peak District National Park boundary. The building is sat within mature woodland just north of the Redmires Lower Reservoir, within a site of approximately 1.1 acres. The site is accessed from Redmires Road, via a single lane tarmac road which also serves three houses which were once part of the reservoir operation. This road also serves the Redmires Water Works, an additional treatment plant constructed in 1988 to assist the original filter house with processing water.
6. A copy of the report to the December Planning Committee meeting is attached as an appendix to this report, so the details set out in that report are not repeated here, other than where the plans have changed. The minutes of that meeting are repeated here for ease of reference:

*“It was noted that officers had given advice on this site on a number of occasions and a planning application for 9 holidays units had previously been refused. This proposed development is on a brownfield site beyond any other settlement and is not a traditional building in terms of the PDNPA planning policies.*

*Members discussed the development and on the site visit had noted a keystone above the door which needs to be retained in some way. The buildings do have heritage interest despite not being traditional. There is evidence of significant deterioration and it is not viable to conserve the existing building which is in a perilous condition. It was agreed that some elements of the design could be improved upon e.g. windows and doors and there was a discussion about the Dark Skies initiative. It was felt important that the buildings which are being demolished are documented (known as “preservation by record”).*

*Although Members were minded to accept in principle the demolition of the existing buildings and to accept in principle their replacement by housing, it was agreed that the application should be deferred back to a future committee to allow for further consultation*

*between the officers and applicant to ensure the best possible outcome for the site, to allow for full documentation of the existing site and to include the climate change initiative.*

*A motion to defer the application so that further discussions could take place and that it be brought back to committee was proposed, seconded, put to the vote and carried.*

**RESOLVED:**

*That the application be DEFERRED to allow for further discussion between the Officers and Applicant”.*

**RECOMMENDATION:**

**That subject to no contrary views being received before the expiry of the public consultation date, that the decision be delegated to the Head of Planning to issue and that the application be APPROVED subject to the following conditions:**

- 1. Standard 3-year time limit for commencement.**
- 2. Adopt amended plans subject to detailed design conditions relating to materials, windows, doors, rainwater goods, etc including prior approval of sample materials and sample stone and brick panel.**
- 3. Adopt measures in the revised climate change mitigation statement and implement as part of the development and prior to first occupation.**
- 4. Withdraw permitted development rights for alterations, extensions and ancillary buildings together with boundary walls and fences.**
- 5. Carry out landscaping scheme, including replacement tree-planting, woodland enhancement and management, walling and hard surfacing.**
- 6. Site drainage conditions recommend by LLFA and the Environment Agency, including provision of a SUDs scheme.**
- 7. Implement recommendations from preliminary ecological assessment.**
- 8. Retain garages for garaging and storage.**
- 9. Agree means of waste disposal.**
- 10. Carry out and submit full record of existing building prior to demolition and submit details of an interpretation board, setting out the history of the site, to be erected in a location at the entrance to the site.**
- 11. Provide details of a scheme to incorporate the existing date stone into the development.**

**Consultations**

7. All consultees have been reconsulted and a new site notice erected. The re-consultation period expires in the week following the March Planning Committee so the recommendation above is subject to there being no significant adverse responses by that date. There were no objections to the original scheme and it is understood that the applicants have discussed the revised plans with neighbouring properties.



## **Assessment**

### **Principle of proposed development**

8. When considering the application at the December Planning Committee Members concluded that the principle of a residential redevelopment of the site was acceptable in principle. The application site is located in open countryside where our housing policies would not normally support the erection of new build open-market housing, other than in exceptional circumstances, as set out in policy HC1 of the Core Strategy and policy DMH6 of the development management Plan.
9. Members also considered whether the existing building is a non-designated heritage asset that should be conserved through an alternative use but concluded that whilst it had some local historic interest, it did not warrant conservation through. Consequently, it was considered that the principle of replacing the existing building is acceptable under policies GSP2, HC1 and DMH6, given the scale, design and condition of the building.
10. Having reached this conclusion on the principle of redevelopment, Members then considered that the design and layout of the scheme could be improved, as noted in the minutes above. Officers have therefore had a number of meetings and discussions with the applicants and their architects to produce a scheme which is more reflective of modern design whilst respecting the history of the site and its location in the National Park.

### **The Revised Design**

11. The proposal is still for three detached dwellings, but in a less rigid layout than previously proposed. The houses are in similar positions as the original scheme, as dictated by site constraints such as the need to retain access to the substation at the rear of the site and by trees. However, all three houses now have an articulated form and present a more modern arrangement rather than trying to reflect a traditional farm, with a farmhouse and “converted” barns forming a “farm group” design approach. Conversely, the layout also manages to avoid feeling like a suburban cul-de-sac, which was the concern of officers at the pre-application stage. The layout creates a sense of enclosure without being too cramped and it would give each house some private space, not overlooked by the other houses.
12. In terms of the detailed design, each house has a similar design approach, but is different from the others. Each has a two storey element, reflecting a traditional massing, but with a single storey element with a flat roof. The flat roof sections would have green roofs. The elevations would include more modern treatment to the door and window openings, rather than trying to be a pastiche of a farmhouse or converted barn. Consequently, there are some large openings with modern detailing, but these are in elevations which are at the rear of the dwelling, so a relatively solid appearance is achieved on the front elevations.
13. In terms of materials, the main walls would be coursed gritstone with recessed pointing, natural blue slate roofs on the two storey buildings, light buff brick on the single storey walls, weathered timber cladding in some locations, standing seam cladding to dormers to match the roof, aluminium windows and aluminium glazed doors, and aluminium rain water goods. The main walls would be built to give a drystone appearance, which has been successful in modern design elsewhere in the National Park. The applicants had considered reusing some of the buff brick from the existing building, in order to reflect and retain some of the history of the site, but they found that this was poor quality and would not perform well after being salvaged and cleaned. They have, however, proposed to use a similar buff brick on some of the single storey elevations to reflect the original brick

14. Overall, Officers consider that the approach now being taken will produce buildings which are more “of their time” whilst respecting the history of the site. The new dwellings would be of a more contemporary appearance, with some window detailing and dormers that may not be appropriate in other locations in the National Park, but are considered to be acceptable here, given the discreet nature of the site, its setting and its history.

#### Sustainable building and climate change

15. Policy CC1 and the NPPF require development to make the most efficient and sustainable use of land, buildings and natural resources, take account of the energy hierarchy and achieve the highest possible standards of carbon reductions and water efficiency. The application provides a Climate Change Statement. The statement sets out how the proposed dwellings would meet the requirements of policy CC1 and our adopted Supplementary Planning Guidance ‘Climate Change and Sustainable Building’.
16. In the discussions that followed deferral of the application in December, Officers have emphasised the need for the development to incorporate climate changes measures as an integral part of the development, rather than being “add-ons”. The architect has responded to this by incorporating additional measures, such as green roofs, into the design. A more detailed climate change mitigation statement has now been submitted. This is a relatively detailed statement, but the key part explains that the proposal will incorporate a fabric first approach to achieve excellent thermal performance with heat loss mitigated through high levels of airtightness. Passive solar gain will support the fabric first approach to ensure a low space heating/cooling demand, whilst the surrounding trees and topography will reduce the risk of overheating in summer months. The dwellings’ low space heating/cooling demand will be met through a wet under floor heating system primarily run from a combination of an air source heat pump (ASHP) and solar thermal panels positioned on the south facing roof of each building. Rainwater harvesting will be provided through domestic water butts provided in each unit’s private amenity space. In addition to this, each dwelling will have an electric car charging point.
17. The proposal is therefore considered to meet the requirements of policy CC1 in these respects.

#### Conclusion

18. The application proposes the erection of three new dwelling on the site of a former water treatment works. There is a presumption against development in this location unless there are exceptional circumstances which justify approval. Whilst the building is of some significance in terms of the water gathering and treatment history of the area, it is of a utilitarian design and appearance and is in a poor physical condition. As such it is considered to be a brownfield site, the redevelopment of which would be in accordance with local and national policies.
19. In response to Members’ request for a more contemporary approach that also reflects the history of the site, the applicants have worked with officers and have submitted a revised layout and design which meets these expectations.
20. The recommendation above also includes a requirement to record the building before demolition and to provide the authority with a copy of that record. The applicants have also agreed that an interpretation board should be erected near the entrance to the site (a public footpath passes the entrance) so that the public can understand the history of the site and its recent development. They have also agreed that the original date stone should be reused on the site.

21. For the reasons set out above, it is considered that the proposal is in accordance with Core Strategy policies GSP1, GSP2, DS1, HC1, L1, LC3 and DMP policy DMH6.

**Human Rights**

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

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

23. Nil

24. Report Author: John Scott, Consultant Planner

This page is intentionally left blank

---

**14. FULL APPLICATION: DEMOLITION OF EXISTING FILTER HOUSE AND ERECTION OF NO.3 NEW DWELLINGS WITH ASSOCIATED LANDSCAPING AND PARKING, FORMER FILTER HOUSE, LONG CAUSEWAY, SHEFFIELD (NP/S/0923/1021, JRS)**

**APPLICANT: MR HOLMES**

**Summary**

1. The application is for the demolition of the former water treatment works and the erection of three new dwellings around a central courtyard.
2. The existing building is a post-war brick building which has been heavily vandalised and is in a poor condition. It is not considered to be of sufficient merit to warrant conservation through conversion.
3. The site is considered to be a brownfield site where an appropriate development would be in accordance with national and local policies.
4. The proposed scheme is generally considered to be acceptable in terms of its scale, layout and design, subject to some amendments. The application is therefore recommended for approval.

**Site and Surroundings**

5. The former Redmires Filter House is located west of Sheffield, located approximately half a mile inside the Peak District National Park boundary. The building is sat within mature woodland just north of the Redmires Lower Reservoir, within a site of approximately 1.1 acres. The site is accessed from Redmires Road, via a single lane tarmac road which also serves three houses which were once part of the reservoir operation. This road also serves the Redmires Water Works, an additional treatment plant constructed in 1988 to assist the original filter house with processing water.
6. There is a public footpath that runs to the west of the site boundary and a concession footpath which runs to the south. Yorkshire Water (YW) have a right of vehicular access across the site, to the sub-station that sits just outside the eastern site boundary. The building is not located within a Conservation Area, and none of the buildings are listed.
7. Since the building was sold by YW in 2013, it has fallen into a state of disrepair, with a number of issues noted in the Design and Access Statement:
  - Metal rainwater goods have been stolen causing increased damp and water ingress issues.
  - Graffiti and vandalism to both the exterior and interior of the building (the previously installed metal security hoardings have also been stolen).
  - Evidence of people sleeping rough and anti-social behaviour, such that neighbouring properties have installed CCTV to provide security protection.
  - Fly tipping across the site.
  - Cracking is present across each building elevation, typically spreading across window heads and up towards the copings. The defects to the masonry are likely a combination of shrinkage cracks and failure of lintels due to corrosion.
  - The east corner showed the most extensive cracking with masonry above the crack having shifted as much as 8mm.
8. In terms of the site's history, construction started on the Filter House in 1948, and it was officially opened in 1950. It is large single-storey building which was designed in a post-war utilitarian style and is of solid masonry construction with a light brown brick external leaf. A stone capped parapet conceals the flat, solid concrete roof, which supports a

series of large rooflights. Openings in the elevations are emphasised with stone surrounds; windows are single glazed metal framed and doors are timber panelled construction. The building provided water to south-west Sheffield and operated until its closure in 1997. In 2013, the then-owners, Yorkshire Water (YW), stripped out of the mechanical apparatus, before selling the building to a private owner.

## **Proposal**

9. The proposal is to demolish the existing building and to erect three dwellings on the site.
10. The application is accompanied by a Design and Access Statement, a preliminary ecological assessment, a flood risk assessment, an arboricultural impact assessment and a climate change statement.
11. The Design and Access Statement says the following about the proposed development (selected extracts; the whole statement can be seen on the website):

*Aim: The applicant wishes to replace the existing unsympathetic filter house with three new family homes. The aim is for high-quality architecture that is complimentary to the location and creates an attractive settlement for the new owners.*

*Farmstead: The dwellings are arranged around a central courtyard, reflecting a traditional farmstead typology. The plots are divided between one traditional farmhouse (left in image) and two barns with cart-sheds. The courtyard in the centre of the scheme mirrors traditional farmstead arrangements, providing access to each of the plots and a shared communal space, whilst also allowing a route for access to the Yorkshire Water sub-station at the back of the site.*

*Design: The design aims to reflect the vernacular style of the Peak District to ensure harmony with the context. The aim is to create a pleasing visual relationship between the historic buildings in the area and the new development. As outlined in this document the site strategy proposes a traditional farmstead arrangement with main farmhouse (Plot 01), and ancillary barns (Plot 02/3). As such, the form, materials and detailing of Plots 1 and Plots 2/3 differ to reflect that hierarchy. The buildings are all designed to appear strong, solid and well proportioned. Their forms have a horizontal emphasis which readily harmonises with the landscape. The buildings all have a narrow gable, however the barns appear subservient to the main house with lower eaves compared to the main house. The elevations have been developed to balance the proportions of the overall shape and their openings, ensuring a high solid-to-void relationship with a simple arrangement of openings.*

*Volume: The proposed buildings are considerably smaller than the footprint and volume of the existing building and will reduce the impact of the site on the surrounding area. The calculations are as follows:*

- Existing Volume 3471m<sup>3</sup> Proposed Volume 2687m<sup>3</sup>
- Existing Footprint 667m<sup>2</sup> Proposed Footprint 545m<sup>2</sup>

## **RECOMMENDATION:**

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

1. **Standard 3-year time limit for commencement.**
2. **Adopt amended plans subject to detailed design conditions relating to materials, windows, doors, rainwater goods, etc including prior approval of sample materials and sample stone panel.**

3. **Withdraw permitted development rights for alterations, extensions and ancillary buildings together with boundary walls and fences.**
4. **Carry out landscaping scheme, including replacement tree-planting, woodland enhancement and management, walling and hard surfacing.**
5. **Site drainage conditions recommend by LLFA and the Environment Agency, including provision of a SUDs scheme.**
6. **Implement recommendations from preliminary ecological assessment.**
7. **Retain garages for garaging and storage**
8. **Agree means of waste disposal**

### **Key Issues**

- Whether the development is acceptable in principle.
- Whether the existing building is a non-designated heritage asset that should be conserved through an alternative use
- Whether the proposed redevelopment would achieve an enhancement of the site.
- Design and layout

### **History**

12. 1986 - NP/S/0786/017: Planning permission granted for new water treatment works on a site to the west of the access road.
13. 2019 - Pre-application Enquiry 29779: This related to accommodation for 32 guests in bunk house type accommodation, the running of courses and two workshops for lease. Advised this was unlikely to be acceptable as it was contrary to policies and generally not in a sustainable location also that we have previously advised that the building is not worthy of conversion. A second part to the enquiry was submitted and ideas for the site scaled back to self-catering accommodation for walkers/ cyclists, the scale was not clear but officers envisaged approximately 6 units. Officers advised again that this would be contrary to RT2 but also advised that there have been conversions permitted where some industrial structures have been proven to be worthy of conversion and therefore it may be worth undertaking a heritage appraisal of the building to support any forthcoming application. Advised that Flood risk assessment would be needed as the site access passes through zone 2 and 3.
14. June 2023 - Informal advice given that the redevelopment of the site for three houses in an agricultural farmyard layout was likely to be acceptable in principle as it was considered that this is an undesirable building to retain and convert as it is of no architectural or historic merit (there was no pre-application advice service available at that time, but informal, without prejudice advice was given). The Officer advice was that the site is not really a sustainable location for social housing and there will be a cost to removal of the building and remediating the site. An element of market housing could therefore be accepted and would be supported in principle but only sufficient to achieve the removal of the building/remediation of the site and would need to be supported by a clear viability appraisal. The advice also suggested a tighter layout than what was proposed in submitted sketches.

15. November 2022 - NP/S/0122/0088: An application to convert the building into nine self-contained holiday units was refused for the following reasons (quoted in full given the comments of consultees):

*“1. The proposed change of use to 9 self-catering holiday accommodation units is unacceptable in principle as it includes conversion of a building which is not a traditional building of historic or vernacular merit. The proposal is therefore contrary to Core Strategy policy RT2.*

*2. The design is poor on the whole because it does not achieve a significant enhancement of the site as required by GSP2 and because it would add longevity to a building which is not worthy of conversion, and which detracts from the character and appearance of the area. In that respect the proposal is contrary to Core Strategy policies GSP2, GSP3 and Development Management Policies DMC3 and the SPD 'Design Guide' as it misses an opportunity to enhance the site by removing the building and redeveloping the site in accordance with the policies of the development plan.*

*3. The proposal does not include a tree survey in accordance with BS 5837:2012 Trees in relation to design, demolition and construction. Therefore, there is not sufficient information submitted in the application to be able to properly consider the impact on trees. The proposal is therefore contrary to Development Management Policy DMC13.*

*4. There are watercourses and ponds within close proximity of the site and the impact of the proposal on the ecology of these features has not been considered. For example, there may be the potential for Great Crested Newts and Water Voles to be affected. Therefore, the application is deficient on this matter and therefore contrary to the policies of the development plan Core Strategy Policy L2, Development Management Policies DMC11 and DMC12 and the NPPF insofar as they deal with protected species.*

*5. The proposal includes use of a package treatment plant without justifying why it is not connecting to the mains. The proposal is therefore contrary to the national Planning Practice Guidance in this respect”.*

## **Consultations**

16. Highway Authority: No response to date.
17. City Council (Planning): No response to date.
18. Lead Local Flood Authority: No objection.

*“Sheffield CC LLFA do not object to this application. Recommend that full details of the proposed surface water management for the site are secured by appropriate conditions. Outstanding information at application stage.*

*Outstanding Information:*

- 1. The application does not appear to include any SUDs provisions is contrary to NPPF clause 167 c). The LLFA/LDA consider this site appropriate for SUDs.*
- 2. The application form indicates surface water will be disposed of to an existing watercourse using SUDs however details of the existing or proposed systems have not been provided as part of the application. Applicant to provide details of existing surface water disposal routes.*
- 3. Climate change allowances stated in the Flood Risk Assessment are correct for river flows but incorrect for rainfall intensities and drainage design parameters”.*



19. Natural England: No objection.

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on protected landscapes and has no objection.

20. Environment Agency: No objection subject to conditions.

*“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.*

*The development shall be carried out in accordance with the submitted flood risk assessment (ref 101166.590346 / September 2023 / Delta SImons) and the following mitigation measures it details: • Finished floor levels shall be set no lower than 150 mm above ground levels These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme’s timing/ phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development”.*

21. PDNPA Policy: Object as follows:

*“The applicant needs to assess the significance of the building for us to determine whether or not it is a non-designated heritage asset. It is my opinion that the building has a level of significance that makes it worthy of retention and is a good example of mid-century utilitarian architecture that is part of the history of this area in relation to the reservoirs. The applicant needs to assess the current building against the criteria in DMP policy DMC5. The local plan policy is clear in DMP 3.83 Demolition is only desirable where the building or structure involved does not make a positive contribution to the area. The existing building on site looks convertible and given its strong connection to the reservoirs and attractive design, makes a positive contribution to the area. As such retention of the building should be explored first. I have sent a consultation request to the Built Environment Team and Archaeology for their comments on this matter.*

*If the existing building is not convertible (I would like to understand why), then the applicant should reference what was there previously in any new development. In light of the lack of PDNPA design guidance for this type of development, the applicant should look to the National Design Guide and follow the 10 principles of good design and Historic England advice.*

*The proposal to knock down and build a faux courtyard of converted agricultural buildings is not appropriate in this location. The site is surrounded by woodland and has a strong attachment to the adjacent reservoirs. Any development should reference this character and the character of the building that is on site.*

*Policy HC1 is relevant. The Local Plan is clear that open market housing proposed under HC1.C must either be to achieve conservation or the enhancement of valued vernacular OR achieve conservation or enhancement in a DS1 settlement. It is my opinion the proposal does neither of these. In addition to this, as the proposal is for more than 1 unit, I would expect to see some affordable housing provided as part of a scheme in accordance with HC1C.*

*Policy DMH6 refers to the redevelopment of previously developed land for housing. However, the proposal neither conserves or enhances the valued character of the built environment or surrounding landscape and is not in or on the edge of an existing DS1 settlement.*

---

*As submitted, it is my opinion the proposed development would not conserve or enhance the site and is therefore unacceptable. In addition to this, the development does not maximise the provision of affordable housing on site and no viability appraisal has been submitted to justify why this would not be viable”.*

22. PDNPA Building Conservation Officer: Object.

*“I’ve been asked to comment on the application to demolish the filter house at Redmires Reservoir and replace it with housing. I am aware that previously the authority has refused an application for conversion on the basis that the building is of no vernacular merit, although the Cultural Heritage Team was not previously consulted.*

*Overall the building can be described as a non-designated heritage asset due to its moderate aesthetic interest and moderate historic interest gained from its association with the landscape.*

*The landscape around the filter house at Redmires is complicated, including a mix of enclosed improved pasture, open grouse moor, quarries, plantations and, of course, the reservoirs.*

*Over the last 200 years the most significant force shaping the landscape around Redmires has been the need to provide clean drinking water to the people of Sheffield. The Cholera epidemic of 1832 claimed the lives of 402 people in the town highlighting the need for clean drinking water. The first reservoir at Redmires was constructed in 1836, with the second and third built in 1849 and 1854 respectively. The plantation, within which the filter house sits, was likely planted around the same time, appearing on an 1839 Ordnance Survey map.*

*Although it is not of traditional design, the low massing and position within the plantation results in a building that blends in with its landscape. Conversely the construction of a faux farmstead in a plantation would be an odd choice.*

*The design of the building has been described as utilitarian, but it unquestionably has architectural pretensions and is a good early example of post-war modernist architecture. The blocky form of the building gives the appearance of strength and monumentality befitting of a utilities building. The imposing fenestration and ornate datestone clearly display a sense of confidence on the part of the water company.*

*I would recommend that the building is retained, and an alternative use for the building is found. Any conversion should respect the character of the building, this includes the external appearance and the sense of openness within the interior tank and filter rooms.”*

23. PDNPA Archaeology: No archaeological concerns.

24. PDNPA Tree Officer: No objection subject to conditions.

25. Carry out all conditions as per Arboricultural Impact Assessment and Arboricultural Method Statement August 2023 to include mitigation. The removal of the low quality trees T28, T29, T30, T42 and T43 can be mitigated through the planting of a minimum of 5no. Standard replacement trees and through a scheme of long term woodland management

**Representations**

26. We have received no representations.

---

## **Main Policies**

27. Relevant Core Strategy policies: GSP1, GSP2, GSP3, GSP4, L1, L2, L3, DS1, HC1, CC1, T3, T7.
28. Relevant Development Management policies: DMC1, DMC2, DMC3, DMC11, DMC12, DMC13, DMH6 and DMT3.

## **National Planning Policy Framework**

29. The National Planning Policy Framework (NPPF) was published on 27 March 2012. It was last updated in September 2023. The Government's intention is that the document should be considered as a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. In the National Park the development plan comprises the Authority's Core Strategy 2011 and those in the Development Management DPD adopted in May 2019. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and more recent Government guidance in the NPPF.
30. Paragraph 176 states that "great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads."
31. Paragraph 120 of the NPPF states that "*Planning policies and decisions should:*
  - (a) *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;*
  - (b) *recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;*
  - (c) *give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;*
  - (....)(d) and (e) omitted, not relevant).
32. Paragraph 78 says 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. 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.
33. The National Planning Policy Framework encourages innovative modern design, in paragraph 80, which states:

*"80. Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:*

- (a) 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;*
- (b) 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;*
- (c) the development would re-use redundant or disused buildings and enhance its immediate setting;*
- (d) the development would involve the subdivision of an existing residential building; or*
- (e) the design is of exceptional quality, in that it:*
  - is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and*
  - would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area”*

34. Paragraph 134 of the Framework says that in determining applications significant weight should be given to:

*“(a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents which use visual tools such as design guides and codes; and/or*

*(b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings”.*

35. With regard to Habitats and Diversity, paragraph 180 of the NPPF is relevant to this application:

*180. “When determining planning applications, local planning authorities should apply the following principles: a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused; b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest; c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity”.*

#### Peak District National Park Core Strategy

36. 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.

37. 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.
38. Policy GSP3 sets out development management principles and states that all development must respect, conserve and enhance all valued characteristics of the site and buildings, paying particular attention to, amongst other elements, impact on the character and setting of buildings, scale of the development appropriate to the character and appearance of the National Park, design in accordance with the National Park Authority Design Guide and impact on living conditions of communities.
39. 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.
40. Policy DS1 sets out the Development Strategy for the National Park.
41. Policy HC1C says:  
*“In accordance with core policies GSP1 and GSP2:*  
*I. it is required in order to achieve conservation and/or enhancement of valued vernacular or listed buildings; or*  
*II. it is required in order to achieve conservation or enhancement in settlements listed in core policy DS1.*  
*Any scheme proposed under CI 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...”*
42. Policy L1 *Landscape character and valued characteristics* states 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.
43. Policy L2 states that development must conserve and enhance any sites or features of geodiversity importance, and any sites, features or species of biodiversity importance and where appropriate their settings. For international and national sites the relevant legislation and protection will apply in addition to the requirements of policy. As set out in Core Strategy policy L2, the granting of planning permission is restricted for development likely to significantly affect a European (International) site, requiring that an appropriate assessment is first carried out of the implications of the development for the site’s conservation objectives. Primary legislation restricts the cases in which exceptional circumstances may justify development, particularly development having a significant effect on the ecological objectives or integrity of a Special Protection Area (classified under the Birds Directive) or Special Area of Conservation (designated pursuant to the Habitats Directive).

- 
44. 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
45. Policy CC1 states that development must make the most efficient and sustainable use of land, buildings and natural resources, taking into account the energy hierarchy and achieving the highest possible standards of carbon reductions and water efficiency.
46. 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.

#### Development Management Policies

47. The most relevant development management policies are DMC1, DMC2, DMC3, DMC11, DMC12, DMC13, DMT3.
48. Policy DMC3A says where development is acceptable in principle, it will be permitted provided that its detailed treatment is of a high standard that respects, protects and where possible enhances the natural beauty, quality and visual amenity of the landscape, including the wildlife and cultural heritage that contribute to the distinctive sense of place.
49. Policy DMC3B sets out various aspects that particular attention will be paid to including: siting, scale, form, mass, levels, height and orientation, settlement form and character, landscape, details, materials and finishes landscaping, access, utilities and parking, amenity, accessibility and the principles embedded in the design related SPD and the technical guide.
50. Policy DMC5 says that applications for development affecting a heritage asset, including its setting must clearly demonstrate its significance including how any identified features of value will be conserved and where possible enhanced and why the proposed development is desirable or necessary. The supporting evidence must be proportionate to the significance of the asset and proposals likely to affect archaeological and potential archaeological interest should be supported by appropriate information.
51. Policy DMC10 says that conversion of a heritage asset will be permitted provided that: it can accommodate the new use without changes that adversely affect its character (such changes include enlargement, subdivision, other alterations, and major rebuilding); and the building is capable of conversion; the changes brought about by the new use and any associated infrastructure conserves or enhances significance and landscape character; and the new use will not be visually intrusive in its landscape or have an

adverse impact on tranquillity, dark skies or other valued characteristics.

52. DMH6 allows for the re-development of previously development land for housing if it conserves and enhances the valued character of the built environment or landscape on, or adjacent to the site. Paragraph 6.97 of the supporting text to DMH6 says that outside of designated settlements and away from other forms of built development, applications for housing will be assessed against policies DS1 and GSP2.
53. Policies DMC11 and DMC12 require applications to include sufficient information to enable an assessment of impact upon designated sites and protected species. Development must conserve and enhance protected sites and species unless there are exceptional circumstances.
54. Policy DMC13 says that planning applications should provide sufficient information to enable impact on trees, woodlands and other landscape features to be properly considered. Development should incorporate existing trees and hedgerows which positively contribute which should be protected during the course of the development.
55. Policy DMT3 emphasises the importance of safe access to developments.

56. Design Guide

At paragraph 2.15 the Design Guide acknowledges that it is not easy to introduce modern architecture successfully into an area of traditional styles, and advises on use of local materials and good quality workmanship. In paragraph 2.18 it goes on to say that *'it is preferable to find a design solution which reflects or reinterprets the local tradition and is also a product of our time....New modern buildings often fail in design terms when their designers are more intent on current architectural fashion than respecting the context they are working within'*.

The Design Guide states that *"...there are still some basic principles that need to be respected if the new is to harmonise successfully with the old. These relate to the three main characteristics of traditional elevations:*

- *A balance of proportions between the overall shape of the walls and the openings they contain.*
- *A high solid to void ratio in which the wall dominates.*
- *A simple arrangement of openings, usually formal (often symmetrical) in the case of houses, and informal in the case of outbuildings".*

**Assessment**

Principle of proposed development

57. The application site is located in open countryside where our housing policies would not normally support the erection of new build open-market housing, other than in exceptional circumstances, as set out in policy HC1 of the Core Strategy.
58. HC1C says that development which is required in order to achieve conservation and/or enhancement of valued vernacular or listed buildings or is required in order to achieve conservation or enhancement in settlements listed in core policy DS1 may be acceptable in principle.
59. DM policy DMH6 does not restrict such development to within settlements, permitting the redevelopment of previously development land for housing if it conserves and enhances the valued character of the built environment or landscape on, or adjacent to the site. Paragraph 6.97 of the supporting text to DMH6 says that outside of designated

settlements and away from other forms of built development, applications for housing will be assessed against policies DS1 and GSP2.

Whether the existing building is a non-designated heritage asset that should be conserved through an alternative use

60. The planning history is a key material consideration in dealing with the current application. The report on the previous application in 2022 to convert the building into nine units of self-contained accommodation is an important starting point as it has led the applicants and their architect to develop a scheme which is for demolition of the existing building and the erection of new-build dwellings. What the report said on that application in respect of the existing building is important:

*“Our Development Management Policies at para 3.30 provide the definition of a traditional building for the purposes of the development plan. It explains these pre-date 1919 and in the National Park, traditional buildings usually have pitched roofs covered in slate or another natural roofing material, typically stone.*

*The Filter House building is of poor character and appearance and doesn't meet our definition of a traditional building in terms character, design or detail and it also significantly post dates 1919. Therefore, we do not consider the building to be worthy of conversion, as it's not a traditional building of historic or vernacular merit as required by Core Strategy Policy RT2. It is an unattractive functional building which in general detracts from its setting.*

*Whilst we appreciate that a heritage statement has been submitted to explain its origins and significance, we also do not consider that this overcomes the conflict with policy; being that this is not a traditional building and therefore RT2 has no provision for the conversion as proposed.*

*The building is essentially not a traditional building and not worthy of conversion as envisaged by our Design Guide SPD”.*

61. Whilst informal Planning Officer advice is given on a “without prejudice” basis, previous applications are important considerations for applicants, planning officers and the Planning Committee. It should be noted (see above) that both the Authority's Planning Policy Officer and the Building Conservation Officer have advised that the existing building could be considered to be a non-designated heritage asset.
62. Both recognise that the building is not a typical Peak District vernacular building, being a large flat-roofed structure faced with brick and with a concrete roof. However, it does represent a particular phase in the water-gathering history of this part of the National Park and clearly has some value in those terms. It has strong functional and utilitarian character, but with some detailing that is representative of this post-war period. The fact that it is post 1919 does not, in itself, mean that it is of no architectural or historic merit.
63. Water gathering and treatment is an important part of the National Park's history, particularly in the valleys to the north-west and north-east of the National Park. There are other former water treatment works in the National Park but they are largely pre-war and they use materials which are more typical of the National Park, for example the former works at Low Bradfield, Ladybower reservoir and Kinder reservoir. The recently converted works at Glossop, on the other hand, are post-war.
64. Drawing these considerations together, it is accepted that the former treatment works can be considered as non-designated heritage assets representative of the water gathering history of this part of the National Park. This is a starting point for assessing any applications to either convert the building or to demolish then and redevelop the site, but it does not in itself determine the outcome.



65. There is also a need to consider other matters such as enhancement, the physical condition of the building, and the nature of the proposals for new buildings. This is a balanced decision, but one which must take account of the 2022 decision for conversion of the existing building. Consequently, it is considered that the principle of replacing the existing building is acceptable, given the scale, design and condition of the building
66. Given the scale and condition of the existing building, the site is considered to be previously developed land as defined by the National Planning Policy Framework. Development Management Policy DMH6 states that re-development of previously developed land for housing is acceptable in principle provided that it conserves and enhances the valued character of the built environment or landscape.
67. The supporting text to policy DMH6 states that applications for housing on previously developed land in the open countryside will also be assessed against policies DS1 and GSP2. Policy DS1 is our development strategy and directs the majority of new housing to Bakewell and the named settlements. For sites in the countryside DS1C allows for the conversion or change of use for housing or other development and alternative uses needed to secure effective conservation and enhancement. GSP2 sets detailed criteria to consider enhancement proposals against, including the need for development to offer “significant overall benefit to the natural beauty, wildlife and cultural heritage of the area”.
68. Paragraph 120 of the NPPF states, amongst other things, that planning policies and decisions should “*give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land*”.
69. The key issue therefore is the impact of the proposed development and whether it would achieve significant overall benefit to the valued characteristics of the National Park to justify the erection of three new market dwellings in this location.
70. In these circumstances the existing building is considered to be a structure which is becoming increasingly derelict and vandalised and that this is something which could be addressed through planning permission for redevelopment. Consequently it is considered that new dwellings on the site could be justified under policies GSP2, HC1 or DMH6 as it falls within the definition of brownfield or previously developed land.

#### Whether the proposed redevelopment would achieve an enhancement of the site

71. As noted above, the site sits between Redmires Road and Redmires Lower Reservoir, within a well-wooded area. The former treatment works is not visible from outside the site, other than from the footpath and concession path which runs past the access point at the western end. The existence of a large derelict and increasingly vandalised building is evident from these vantage points.
72. The site is also open to unauthorised access and has been vandalised since it became redundant; it is potentially dangerous to any intruders, whatever their motivation for entering the site. Consequently, whilst the building does not have a detrimental impact on the wider landscape, it is accepted that significant enhancement could be achieved through redevelopment. The building is of a scale where a “do nothing” approach is not considered to be acceptable or consistent with the NPPF.
73. As noted in the proposal section, the overall footprint and volume of buildings would be reduced by the scheme. There is a requirement to retain an access through the site for Yorkshire Water to access the substation at the eastern end, and there are also constraints on the layout because of the location of a pipeline and electricity cables

through the site.

74. The scheme proposes three open market dwellings with no affordable local needs dwellings. The application has not been supported by a financial viability report, but there are clearly some significant costs that will be incurred in removing the existing building and associated infrastructure so it is reasonable to assume that the scheme would not justify a contribution to affordable local needs housing. In the pre-application discussions the Planning Officer acknowledged that this is not an appropriate location for affordable local needs housing.
75. The applicant has provided a more detailed breakdown of the costs for the proposed development and the anticipated sale values of the houses. Whilst this is not a full financial viability assessment, it does provide enough information to support the conclusion that the development is unlikely to support the provision of affordable houses, either on site or through a commuted sum and that this scale of redevelopment is the minimum number required to achieve the necessary enhancement. The figures show an acquisition and build cost of just over £2.4 million, including site acquisition, legal and professional costs, and demolition of the existing building and erection of the new dwellings. The gross development value of the proposed scheme is estimated to be £2.87 million, giving an estimated profit of around £432,000, a profit margin of 17.7%. This is within the accepted margin of 20%.

#### Design Considerations

76. The proposal is for new three dwellings, following a “farm group” design approach, with a farmhouse and two “converted barns”. Whilst the proposed design does not completely copy the local building tradition for farmhouses and barns, it is generally of a scale, massing, layout and design that would be acceptable on this site if the principle of new development is acceptable. The scheme follows informal advice given by the Planning Officer following refusal of the previous application.
77. Since submission of the application revisions to the design have been agreed with the architect and applicant to provide a less suburban development. The key changes are the addition of a single storey lean-to on the barn-like building closet to the entrance to provide a tighter layout and some variation between the two “barn conversions”, a small lean-to on the gable of the farmhouse dwelling, the replacement of the flat-roof on the rear extension on the farmhouse with a more traditional pitched roof, linking the two “barn conversions” with a single roof to avoid the appearance of two identical detached dwellings, plus a number of amendments to door and window openings and the detached garage. These revisions are considered to improve the scheme and would avoid it having the appearance of a suburban cul-de-sac.
78. During the course of this application, possible alternative design approaches have been considered, such as one which seeks to reflect the water infrastructure history of the site or one which is a more contemporary appearance. However, the informal pre-application advice encouraged an approach which reflects a farm grouping and the applicant and his architect has opted to retain this approach.

#### Impact upon biodiversity

79. A Preliminary Ecological Appraisal and Tree Survey have been submitted with the application. Natural England have no objection to the application and the Authority’s Tree Officer has no objection to the removal of five low quality trees subject to the planting of a minimum of five Standard replacement trees and through a scheme of long term woodland management. It is therefore considered that, subject to conditions, the impact of the proposed development on biodiversity and trees can be addressed through

conditions.

### Sustainable building and climate change

80. Policy CC1 and the NPPF require development to make the most efficient and sustainable use of land, buildings and natural resources, take account of the energy hierarchy and achieve the highest possible standards of carbon reductions and water efficiency. The application provides a Climate Change Statement. The statement sets out how the proposed dwellings would meet the requirements of policy CC1 and our adopted Supplementary Planning Guidance 'Climate Change and Sustainable Building'.
81. The Statement explains that the proposals incorporate a "fabric first" approach aiming for a high thermal performance and airtightness. The scheme will meet the latest thermal performance regulations. The statement also says that solar thermal panels would be mounted to the south facing roofs of each unit to use heat water for storage in a cylinder and low energy LED light fittings would be used throughout. Electric car charging facilities will be installed. The statement also sets out other details which would help to make the new buildings sustainable in terms of energy use. The proposal is considered to meet the requirements of policy CC1 in these respects.

### Impact on amenity

82. Given the relative separation of the site from other dwellings, the proposal does not give rise to any residential amenity issues in terms of overlooking, overshadowing or loss of privacy. The site shares its access with the nearby dwellings, but given the previous use of the site as a water treatment works, the replacement of the existing building with three dwellings is not considered to give rise to any concerns about the scale of vehicular use of the access.
83. The fact that the site has been heavily vandalised and has been subject to anti-social behaviour is a consideration, as its removal would be beneficial to the privacy and amenity of the nearby dwellings. The proposal therefore accords with policies GSP3 and DMC3 in these respects.

### Highway issues

84. The access to the site from Redmires Road is via an access which served the water treatment works and the associated houses, which are now in private ownership. The access point is also a public right of way, which then continues beyond the site, following a public footpath and a concession path granted by Yorkshire Water.
85. The Highway Authority has not responded at the time of writing this report, but given the previous use of the site it is unlikely that the replacement of the existing building with three dwellings would raise any highway safety concerns.

### Flood Risk

86. The site itself is located within the Environment Agency's (EA) Flood Zone 1 which means that the likelihood of river flooding is low, although the main site access, away from the development, crosses Flood Zones 2 and 3. A Flood Risk Assessment has been submitted with the application and the Lead Local Flood Authority (LLFA) and the Environment Agency do not object to the application, subject to conditions.

### Conclusion

87. The application proposes the erection of three new dwelling on the site of a former water

---

treatment works. There is a presumption against development in this location unless there are exceptional circumstances which justify approval. Whilst the building is of some significance in terms of the water gathering and treatment history of the area, it is of a utilitarian design and appearance and is in a poor physical condition. As such it is considered to be a brownfield site, the development of which would be in accordance with local and national policies. For the reasons set out above, it is considered that the proposal is in accordance with Core Strategy policies GSP1, GSP2, DS1, HC1, L1 and DMP policy DMH6.

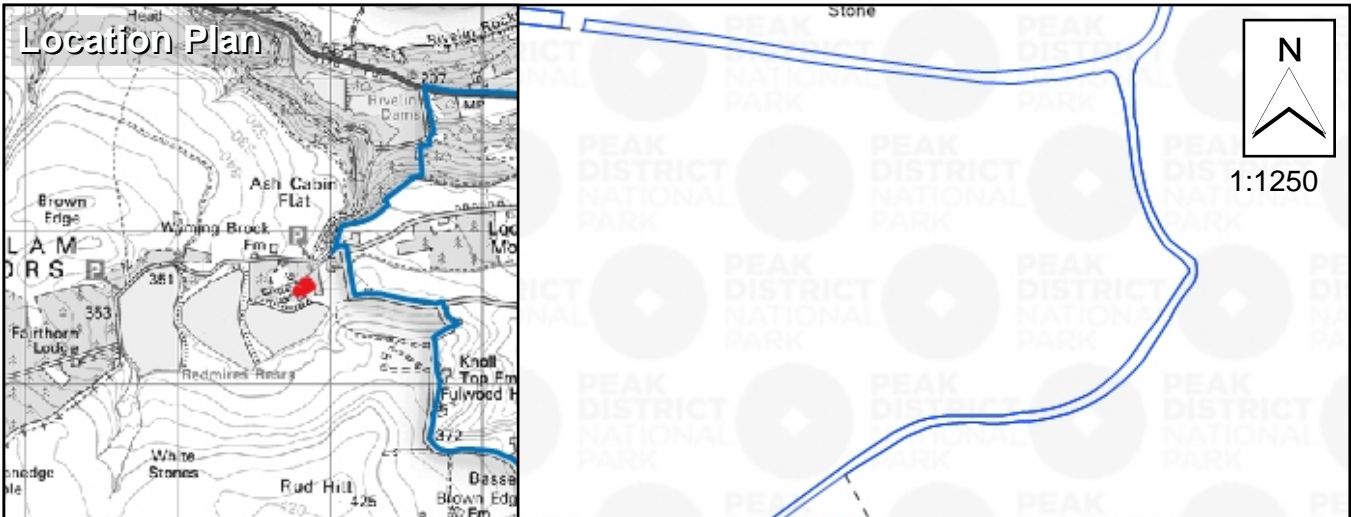
### **Human Rights**

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

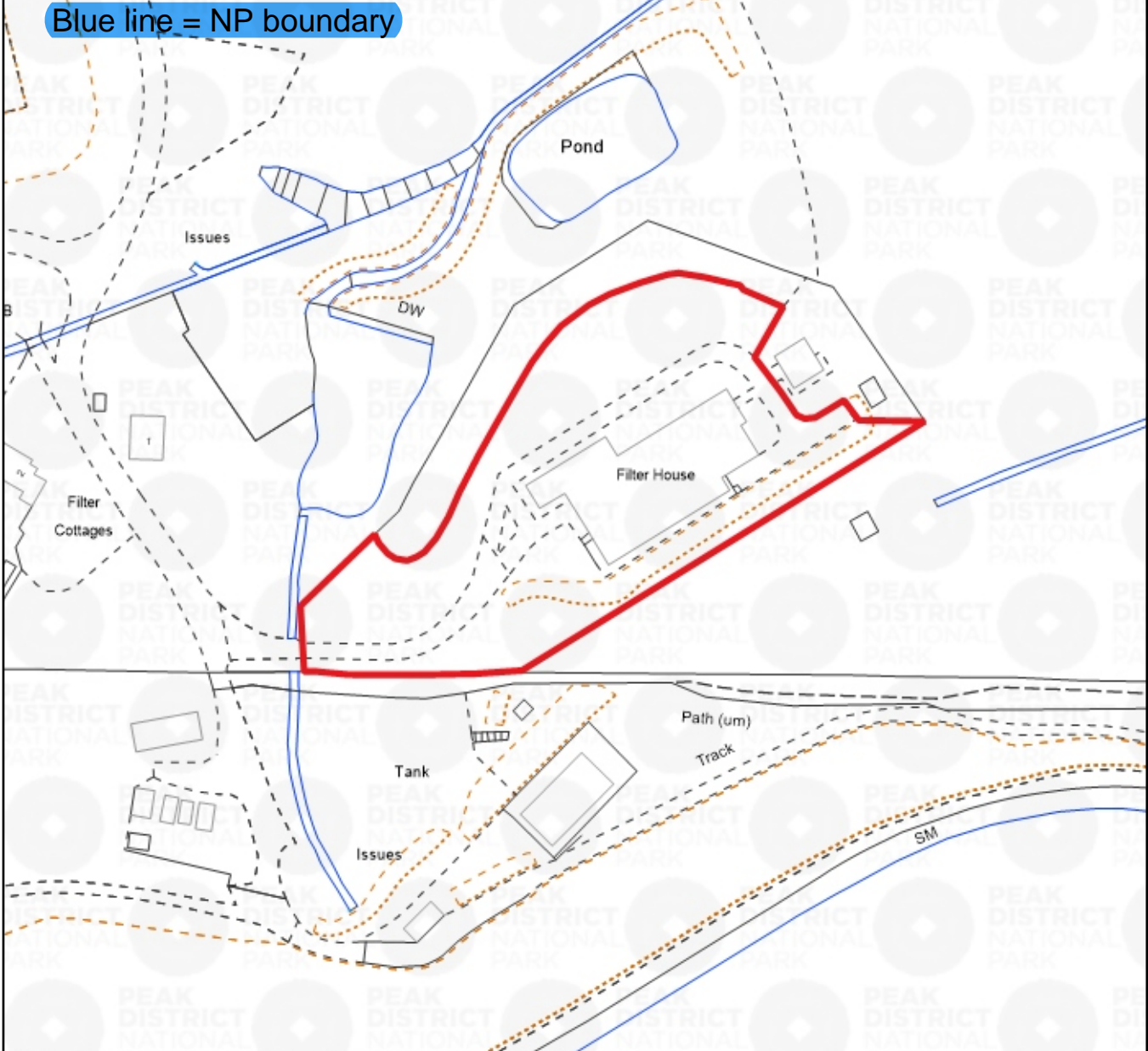
### **List of Background Papers** (not previously published)

89. Nil


90. Report Author: John Scott, Consultant Planner



Blue line = NP boundary



© Crown copyright and database rights 2022 Ordnance Survey 0100022750  
 You are not permitted to copy, sub license, distribute or sell any of this data to third parties in any form.

Committee Date:	08/03/2024	<b>Title:</b> Former Filter House, Long Causeway, Sheffield	 <b>PEAK DISTRICT NATIONAL PARK</b>
Item Number:	Item 6		
Application No:	NP/S/0923/1021		
Grid Reference:	426821, 385628		

This page is intentionally left blank

---

## **7. FULL APPLICATION - CHANGE OF USE FROM DOMESTIC GARDEN TO CAMPING POD SITE, AT TOP RILEY, RILEY LANE, EYAM (NP/DDD/1223/1513, WE)**

### **APPLICANT: MR M BELIVANIS**

#### **Summary**

1. The application seeks full planning permission for the siting of eight glamping pods. It is a resubmission of a previous planning application (NP/DDD/1121/1299) which was refused by Planning Committee in September 2023. The pods are considered large in scale, measuring 2.6m in height, 5.5m in length, and 2.8m in width. The pods would feature a double bed, sink/food preparation area, small table, and 'cycle store' at the rear of the pod which can be accessed internally and externally. The proposed pods have been decreased in scale slightly and have removed the bathroom/shower room; however, it is considered that the scale of pods, in addition to the facilities proposed within them, would be contrary to the 'small, simple wooden pod' structures allowed through policy DMR1.B. As such, the proposed development should be determined against policy RT3.B, which advises that the provision of static caravan, chalet and lodges will not be permitted. On this basis, it is considered that the proposed development is contrary to policies RT3 and DMR1.
2. In addition to this, the development would result in a significant increase in the vehicular use of Riley Lane, which is an important part of the local public rights of way network and, as such, would cause harm to the quiet enjoyment of that network by existing users.
3. The application is therefore recommended for refusal.

#### **Site and Surroundings**

4. Top Riley is located at the eastern end of Riley Lane, to the east of Eyam. It sits in a relatively elevated location at the junction of the valley above Eyam/Stoney Middleton and the main Derwent valley, above Grindleford and Stoke. The areas below the site are relatively well-wooded, whilst the areas above and to the west are more open. The application site is to the east of the house, at lower level, in a small field bordered by mature trees and drystone walls.
5. In addition to the main house, the applicant's ownership includes three holiday cottages (granted by virtue of a lawful development certificate, see planning history below), a camping barn, laundry/office/store and areas of grassland and woodland (19 acres in total). Riley Lane is part of the wider footpath and bridleway network, and gives access to the Riley Graves and to two other properties. The Eyam walk is a well-used visitor trail which also passes along Riley Lane and through the woodland below the site.
6. The site is outside Eyam Conservation Area and none of the buildings are listed. Pretty Wood, which lies to the south is protected by Tree Preservation Order (TPO).

#### **Proposal**

7. The application is for the siting of eight glamping pods around the perimeter of the field, in two lines of four. The application proposes a footpath surfaced in gravel to access the individual pods from the carpark which would be located to the west of the camping field. The pods would measure 5.5m in length, 2.8m in width, and have an overall height of 2.6m. The pods would be constructed from timber and feature a UPVC front door and timber rear door. The design and access statement advises that the roof would feature solar panels to provide energy to the pods; however, there are no details of the scale or appearance of them. Internally there would be a double bed, room for a single day bed, and 'basic' facilities. It is worth noting that the Design and Access Statement advises that the kitchenette has been omitted from the scheme; however, drawings still show a sink and room for a small cooking area.

8. The application does not provide any details relating to the WC or shower facilities for guests staying in the pods. The agent has suggested that an existing building in the Top Riley complex could provide shared facilities for guests, or potentially a structure be erected near the carpark to provide these, but these have not been submitted formally as part of the proposal and the latter suggestion would require planning permission.
9. The application is accompanied by a plan and report showing the proposed passing places along Riley Lane after concerns were raised by the Parish Council and Highway Authority during the previous application. It is also supported by a tree planting schedule which shows that the built-form would be located away from the adjacent tree's root protection zone.
10. Whilst only summarised within the supporting Design and Access Statement, the Planning Statement submitted with the previous applications explains the rationale behind the development, stating *"the applicants are seeking to diversify in line with the guidance in the National Park Authority's publication "Farming in Protected Landscapes" (FiPL) to secure additional income to maintain the land they own and occupy. The holding includes 6 acres of woodland (Pretty Wood) which has not been managed over recent decades. The applicants have sought the advice of the NPA's arboriculture officer who has advised on steps to introduce light to the woodland floor to encourage new growth and encourage ecological diversity. However, this takes resources and funding. This aligns with the guidance in the FiPL relating to "Climate Outcomes", "Nature Outcomes" and "Place Outcomes" directives. The Eyam Walk which passes through the wood generates significant visitor numbers and so it makes sense to provide accommodation on this historic route and allow people to visit this part of the National Park, providing the funds to manage and increase wildlife habitat in the woodland, and grasslands (flower meadows etc) whilst increasing a greater area of species-rich habitat. This will provide an additional opportunity for people to explore, enjoy and understand the landscape whilst enabling the applicants to establish a small holding, potentially becoming a sustainable farmland business that supports the local economy"*.

### **RECOMMENDATION:**

#### **11. That the application be REFUSED for the following reasons:**

1. **The proposal is considered to be unacceptable by virtue of the number, scale and nature of the pods. As such the proposal is in conflict with Core Strategy policy RT3 and DM policy DMR1.**
2. **The proposal would be contrary to Core Strategy policy T6 and DM policy DMT5 *Development affecting a public right of way* as it would increase vehicular traffic on the public right of way network serving the site, to the detriment of the quiet enjoyment of the route by walkers and riders.**

### **Key Issues**

12. The principle of development.
13. Impact on the landscape character and special qualities of the National Park.
14. Highways Impacts, including impact on existing users of the public rights of way.

### **History**

15. The following applications relate to Top Riley:
16. NP/DDD/1121/1299: Full planning application for change of use from domestic garden to camping pod site. Refused planning permission following referral under S1.48 of PDNPA



Standing Orders after planning committee originally resolved to support the scheme. Following the presentation of report on the implication to strategic planning policy if the scheme were to be approved, members resolved to refuse the application in September 2023.

17. NP/DDD/0519/0543: Certificate of Lawfulness for existing development granted, confirming that the existing three holiday cottages were not constructed in accordance with the 2004 appeal decision and that the use of the barn for three holiday accommodation units, the associated external works, external seating areas, use of the adjacent building for laundry/store/office, water tank and associated car park were lawful.
18. 2004: Appeal allowed for conversion of barn to two holiday cottages.
19. June 2003: Revised scheme for conversion of barn to two holiday cottages – refused
20. April 2003: Conversion of barn to two holiday cottages – refused

### **Consultations**

21. Highway Authority (key points extracted as follows): *On 5 January 2024, the County Council provided the following (extract) regarding the above planning application:*

*....'However, reason 2 of refused Decision Notice NP/DDD/1121/1299 states: 'The proposal would be contrary to Core Strategy policy T6 and DM policy DMT5 Development affecting a public right of way as it would increase vehicular traffic on the public right of way network serving the site, to the detriment of the quiet enjoyment of the route by walkers and riders.' The County Council response to NP/DDD/1121/1299 did not raise any concerns over the increased vehicular traffic on the public right of way, I had an internal discussion with my colleagues in the County Council Public Right of Way (PRoW) section and they are of the same opinion and have no objections. As the applicant has submitted the same passing place drawing (R.B.22.01) for both applications and which was previously assessed by the County Council and recommended it as a Condition for application NP/DDD/1121/1299, before the County Council can provide a formal response, can you let me know how the increase of vehicular traffic on the public right of way conclusion was reached.'*

22. *I have now been provided an answer for reason 2 of refused Decision Notice NP/DDD/1121/1299 which clarifies that it was a concern over amenity and the “character” of the track, as opposed to concerns over pedestrian safety or conflict between users.*

23. *Therefore, as drawing number R.B.22.01 was submitted previously and recommended as a Condition for NP/DDD/1121/1299 and has been resubmitted for application NP/DDD/1223/1513, I offer no highway objections, but it is recommended that the following Conditions/Informative Notes are appended to any consent granted:*

- *The proposed site, the subject of the application, shall not be occupied until the proposed passing places on Riley Lane as demonstrated on Drawing No R.B.22.01 have been constructed in accordance with the detailed design which conforms to this Authority's Guidance Delivering Streets and Places which can be accessed at [http://www.derbyshire.gov.uk/transport\\_roads/roads\\_traffic/development\\_control](http://www.derbyshire.gov.uk/transport_roads/roads_traffic/development_control) and as per scheme agreed in writing with the Local Planning Authority in consultation with the County Highway Authority. The detailed design of the proposed passing places must include information such as dimensioned plan, intervisibility splays between proposed passing places and construction details all in accordance with current guidance in a manner be agreed in writing with the Local Planning Authority in consultation with the County Highway Authority.*
- *Prior to commencement of the development hereby permitted details of a construction management plan shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the*

demolition/construction period. The plan/statement shall include but not be restricted to:

- *Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);*
- *Any temporary access to the site;*
- *Locations for loading/unloading and storage of plant, waste and construction materials; Method of preventing mud and dust being carried onto the highway;*
- *Arrangements for turning vehicles;*
- *Arrangements to receive abnormal loads or unusually large vehicles;*
- *Highway Condition survey;*
- *Throughout the period of the development vehicle wheel cleaning facilities shall be provided and retained within the site. All construction vehicles shall have their wheels cleaned before leaving the site in order to prevent the deposition of mud or other extraneous material on the public highway.*
- *The site, the subject of the application, shall not be occupied until space has been provided within the application site in accordance with the application drawing 'Drawing No R.B.22.01' for the parking (of 8 vehicles) and manoeuvring of visitors, service and delivery vehicles, laid out, surfaced and maintained throughout the life of the development free from any impediment to its designated use.*
- *Before the commencement of any operations on site, a scheme for the disposal of highway surface water via a positive gravity-fed system, discharging to an outfall on public sewer, highway drain or watercourse, shall be submitted to and approved by the Local Planning Authority.*

24. District Council: No response.

25. Eyam Parish Council: No response to date.

26. PDNPA Tree Officer: No comments to make.

## **Representations**

27. We have received 50 representations, with 34 supporting the application and 15 objections. There was one general comment received.

28. Those supporting the application raise the following points:

- The proposed development is modest in scale and would be successfully concealed within the wider landscape, with no detrimental impact.
- The proposed development offers a different kind of accommodation for the local area, and is eco-friendly and sustainable. The scheme would enable people to visit and enjoy the National Park.
- The scheme would present economic benefits to the local area, including providing additional custom to local businesses. Many representations sited the 'fragile' nature of Eyam, with several services closing in the past due to lack of visitors.
- Benefit to local employment.
- The development would not result in a substantial increase in vehicle movements on Riley Lane.

29. Those objecting to the development raised the following concerns:

- Significant concern over the increase in traffic along Riley Lane. In particular, concern over walkers, horse riders, and cyclists with the increased movements associated with 8-vehicles.
- Noted that Riley Lane is culturally significant to the area due to it providing access to the Riley Graves. They noted that the area is popular with school-groups, in particular primary school children, and had concern over potential conflict with vehicles.
- Concern over the impact on the quiet character of the lane.
- Impact on increased traffic on the ecological value of woodland on the western side of Riley Lane.
- Questioned the design and impact on the traditional farmstead at Riley Top.
- Questioned overall need for additional short-stay holiday accommodation.

30. One general comment also raised concern over the impact on the increased traffic on Riley Lane.

### **Main Policies**

31. Relevant Core Strategy policies: GSP1, GSP2, GSP3, GSP4, DS1, L1, RT3, T6, & CC1.

32. Relevant Development Management policies: DMC3, DMR4, DMT3, DMT8.

### **National Planning Policy Framework**

33. 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.

34. Paragraph 182 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**

35. 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.

36. 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. 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.
37. 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.
38. 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.
39. 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.
40. 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.
41. Policy RT3 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
42. Policy T6 sets the strategic principles for the safeguarding of routes for walking, cycling and horse riding, ensuring that the Rights of Way network is protected from development.
43. Policy CC1 states that development must make the most efficient and sustainable use of land, buildings and natural resources, taking into account the energy hierarchy and achieving the highest possible standards of carbon reductions and water efficiency.

#### Development Management Policies

44. The most relevant development management policies are DMC3, DMR1, DMT3 and DMT5.
45. 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.
46. Policy DMR1 *Touring camping and caravan sites* states:
47. *The development of a new touring camping or touring caravan site, or small extension to an existing 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.*

48. *Shopping, catering or sport and leisure facilities at camping and caravan sites will be permitted provided that they accord with the requirements of Part A and there is no significant adverse effect on the vitality and viability of existing facilities in surrounding communities.*
49. *Exceptionally, the development of structures may be permitted where these are small, simple, wooden pod structures in woodland locations with minimal landscape impact, or a single shepherd's hut where this can be located close to the facilities of a farmstead without harm to the natural or historic landscape*
50. 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.
51. DMT5 *Development affecting a public right of way*, Part C says:
52. *“C. Development that would increase vehicular traffic on footpaths, bridleways or byways open to all traffic to the detriment of their enjoyment by walkers and riders will not be permitted unless there are overriding social, economic or environmental conservation benefits arising from the proposal.”*

## **Assessment**

### Principle of proposed development

53. The proposed camping pods would be permanent timber structures which would be placed on the ground within an open area to the south-east of the building group at Top Riley. The pods would measure 5.5 metres by 2.8 metres, 2.6 metres high, with timber walls and roof, with a UPVC front door, timber rear two. Internally there would be a double bed, room for a single day bed, a sink/food preparation area, and a small table. Notably, the pods 5.5m length includes a cycle store at the rear of the pod which can be accessed both internally and externally. The bike store section of the pod would measure approximately 1.15m in length. If the bike store and small canopy are removed from the dimensions, internally the structure would measure approximately 3.5m by 2.8m.
54. Policy RT3(B) specifically states that static caravans, chalets or lodges will not be permitted. The supporting text says that, exceptionally, static caravans, chalets or lodges may be acceptable in locations where they are not intrusive in the landscape. RT3 therefore makes a general presumption against this type of development unless it is proposed in locations where it would not be intrusive in the landscape. Policy DMR1 provides further criteria, permitting small, simple, wooden pod structures in principle where they are located in woodland settings and have acceptable landscape impacts.
55. The supporting text to DMR1 is important so it is quoted in full below:
56. *“5.20 Core Strategy policy RT3 is clear that static caravans, chalets and lodges are not acceptable features in the National Park. The open character of large parts of landscape particularly in the White Peak and Dark Peak mean that the non-traditional and permanent presence of such forms of accommodation is incompatible with the conservation purpose of the National Park. There is however a growing range of alternative forms of accommodation such as camping pods, yurts, shepherd's huts etc. which have come onto the market in response to a demand for greater quality and comfort. For clarity, the National Park Authority considers all such forms of accommodation to have the same potential for adverse landscape impact and therefore they will be determined against Core Strategy policy RT3B.*

57. *5.21 There may be exceptional circumstances where some structures may be acceptable. For example, experience has highlighted that wooden pod structures with no associated development can provide a sensitive, low key form of accommodation particularly in woodland settings where the scope for landscape harm is negligible. Such solutions can help to support the local economy by extending the tourism season. Similarly, the traditionally styled shepherd's hut accommodation can also provide an alternative form of provision with very minimal landscape impact but can only be justified as exceptional if only one hut is installed on any one agricultural holding. Such development should be used to support farm diversification and as such should also be assessed against the requirements of policy DME2. Policy DMR1 then requires that such development is located close to an existing farmstead where existing access, parking arrangements and facilities can be utilised”.*
58. In an appeal against the refusal of an application for similar pods on a site in Bakewell, the Inspector dealt with this point as follows:
59. *“It is clear to me that Policy RT3 favours the location of such camping sites to farmsteads, particularly where this assists in farm diversification and where existing buildings can provide access to facilities needed for the campsite. The text that supports the policy mentions that small and simple structures with communal facilities be provided. I appreciate that the pods have a low arched form, and would not be as large as a chalet or static caravan. However, the proposal does feature many of the elements of such structures in that the pods would have a separate living and bedroom, bathroom and kitchenette as well as a decking, and a requirement to have adequate drainage. As a result, the proposal is situated in an inappropriate location and are not simple structures which would be contrary to Policy RT3 of the CS” (Core Strategy).*
60. In response to the refusal of application NP/DDD/1121/1299, the applicant and agent has reduced the scale and facilities of the pods. In the original application, the pods measured 7m x 3m x 2.5m and featured an internal kitchenette and shower and WC. The area previously reserved for the shower room/WC still features on the plans, but they are now described as a “bike store”. The DAS advises that kitchenette has been removed; however, it still appears that there would be a sink and food preparation area.
61. The Authority are mindful of the limited control over the use of the internal space. Whilst it is appreciated that the rear section of the pod could be used for storage, it could very easily be incorporated into the main section of the pod. Similarly, there is sufficient room internally to provide the kitchenette, and the Authority would have no control over the installation of additional internal services to the pod. It is anticipated that the structures permitted under DMR1.A are ‘small’ and ‘simple’, and the internal size of the pods would typically restrict the ability for additional facilities and services to be installed within them. In contrast, the scale and details on the submitted drawings indicate that the pods could feature facilities which do not comply with the anticipated “simple” character.
62. For reference, the standard approved pods at North Lees camping site measure 2.56m x 3.94m, while the accessible pods measure 2.83m x 4.76m, and the family pods measure 3.5m x 5.4m. Internally, the pods at North Lees are completely empty with the principle of them acting as a replacement for a tent, as opposed to providing any additional facilities or services.
63. The Authority acknowledge that the pods have been decreased in scale from the original submission, and have also removed the shower and WC. The pertinent consideration is whether these now constitute the ‘small’ and ‘simple’ as policy DMR1.C intends. It is considered that the overall scale of the pods, which measures slightly less than the ‘family pods’ at North Lees are too large for the number of anticipated guests in each pod. Similarly, the provision of the amenities, such as the sink and food preparation area, are considered to extend beyond the ‘simple’ requirement of the policy. It is considered that if the Authority tried to implement conditions which restrict the internal facilities within the pods, or restricted

the use of the rear store as storage space, these would not meet the 6-tests of planning conditions due to them being difficult to enforce. In contrast, the small size of the pods at North Lees inherently restrict the prospect of internal additions which may take it beyond the prescribed 'simple' character.

64. On this basis, it is considered that the proposed pods do not constitute 'small' or 'simple' and are more akin to a chalet or lodge. As such, they should be determined against policies RT3 and DMR1 which state that 'static caravan, chalets and lodges' will not be permitted.
65. Officers are also mindful of the fact that no details for WC provision has been provided with the application. The agent advised that facilities could be provided within the existing buildings at Top Riley, or perhaps a timber block measuring 2m x 3m could be installed on site. It is considered that should services be provided on-site; the size of the pods could be decreased accordingly. Notwithstanding this, officers are mindful of paragraph 5.21 within the Development Management Plan which advises that wooden pod structures with *no associated infrastructure* can provide a sensitive, low key form of accommodation. The provision of additional structures on site would constitute associated infrastructure. In any case, this does not form part of this application.
66. The Planning Officer has also raised concerns about the description of the development, which describes the application site as domestic garden, but it is more likely that it is outside the curtilage of the property as it still has an agricultural character, albeit with a more "managed" appearance as it may have been used by the adjacent holiday accommodation. If the applicant considers this to be residential curtilage, they should submit a planning application for change of use or provide evidence that it has been used as residential curtilage for a period in excess of 10 years. However, this is not considered to be a significant issue in the determination of this application because the development is contrary to policy whether the site is agricultural land, residential curtilage or some other hybrid use.

#### Landscape Impacts

67. The application site is in a relatively elevated position on a hillside above the Eyam-Grindleford road (now closed) and above the Calver-Grindleford road. However, it is enclosed by woodlands on the downslope sides and there is rising land, up to the building group at Top Riley above the site, to the west. As a result, the site is well screened from public views in the wider landscape. There are well-used public rights of way close to the site, to the south and east, but these are at a lower level so there is little likelihood of the pods being visible – any views would be in winter, through the trees, and relatively restricted. One of the adjacent woodlands, Pretty Wood, is protected by a TPO. Consequently, there are no landscape objections to the proposal.

#### Highway Issues:

68. Access to the proposed development would be via Riley Lane, which leaves the public highway at the eastern end of Eyam, close to where the road to Grindleford has been closed for many years due to subsidence. The lane, which is tarmacked for most of its length also serves two other properties and is a well-used bridleway and footpath, with the Riley Graves roughly half way up the lane to Top Riley. This is on the Eyam Walk, a history trail around the parish of Eyam. The Planning Statement says that visitor parking for 8 cars will be provided at the entrance to Top Riley and that traffic movements will be minimal as monitoring of the movements of visitor using the existing holiday accommodation over recent years has shown that they are unlikely to use their vehicles other than on arrival and at departure. It states that most visitors walk from their door and abandon the use of their vehicle for the duration of their stay. From the parking area, a no-vehicle track will give pedestrian access only to the pods. This track will be lightly surfaced with compacted stone around the perimeter adjacent to the wall.

69. The Highway Authority initially raised concerns about the use of the Lane to serve the development. However, the applicant provided details of passing places at 10 points along Riley Lane and this has addressed the Highway Authority's concerns. These are not additional passing places, but existing locations along the lane where the applicant has shown that two vehicles can pass each other. A series of photographs have been submitted showing two vehicles passing at each of these points. Although some appear to be tight and could encroach onto the verge, they have satisfied the Highway Authority's concerns. The Highway Authority now has no objections subject to conditions, although if Members are minded to approve the application, some of these would require amendment because, as worded, they are not appropriate to this development.

Impact on Bridleway and footpath users:

70. Although the Highway Authority now has no objection on highway safety grounds, based on the availability of passing places along Riley Lane, officers have strong concerns about the increase in the level of traffic using the lane and the impact this could have on the public's enjoyment of that lane, which is a popular bridleway and footpath. This concern has been expressed through several representations.

71. The addition of eight camping pods to the existing visitor accommodation at Top Riley would result in a significant increase in the vehicular use of the lane. There are currently three holiday cottages, a camping barn, and the existing house, so the proposed pods would create a significant holiday complex for a relatively remote location such as this. Although the Planning Statement suggest that visitors do not use their cars once they arrive, this is not guaranteed and the level of use would inevitably be much greater than it is at present.

72. Given the popularity of the existing lane, as a bridleway and footpath and the main route to the Riley graves, which are one of the best-known sites related to the Eyam Plague and is a popular attraction for school groups. The increased vehicular movements arising from the development would result in conflict with existing users, harming their quiet enjoyment of this part of the National Park, contrary to Development Plan policy T6 and to the requirement of the Framework to protect tranquillity in an area which is valued for its recreational and amenity value.

Impact on residential amenity

73. The nearest neighbouring properties are lower down Riley Lane, several hundred metres from the application site, which is on a slope below Top Riley, facing away from Eyam. As a result, there would be no overlooking or disturbance to neighbours directly associated with the occupation of the pods, although the use of the Lane itself would cause the issues set out in the previous paragraphs, affecting the neighbours in that respect. However, in terms of more direct impacts, the proposal accords with policies GSP3 and DMC3.

Climate Change and Carbon Reduction Measures:

74. No measures are specifically proposed in the application, but the Planning Statement says that low energy lighting (LED) will be used, which would be powered by solar panels on the roof of the structures.

**Conclusion**

75. The proposed site is considered to be unacceptable on the grounds that the proposed development does not constitute small and simple structures, and that they are more akin to chalets or static caravans. It is acknowledged that the applicant has decreased the scale of the structures and simplified them; however, it is not to the degree which Officers can support. As noted above, if the principle of camping pods in this location is considered to be acceptable, there would have to be a smaller number of pods and the pods themselves



would need to be smaller, with no internal facilities, similar to tents, rather than caravans in this respect.

76. However, the current application is considered to be unacceptable by virtue of the scale and nature of the development and its impact on the quiet enjoyment of the area, particularly when taken together with the existing holiday accommodation. As such the proposal is in conflict with policies RT3, DMR1, T6 and DMT8.

**Human Rights**

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

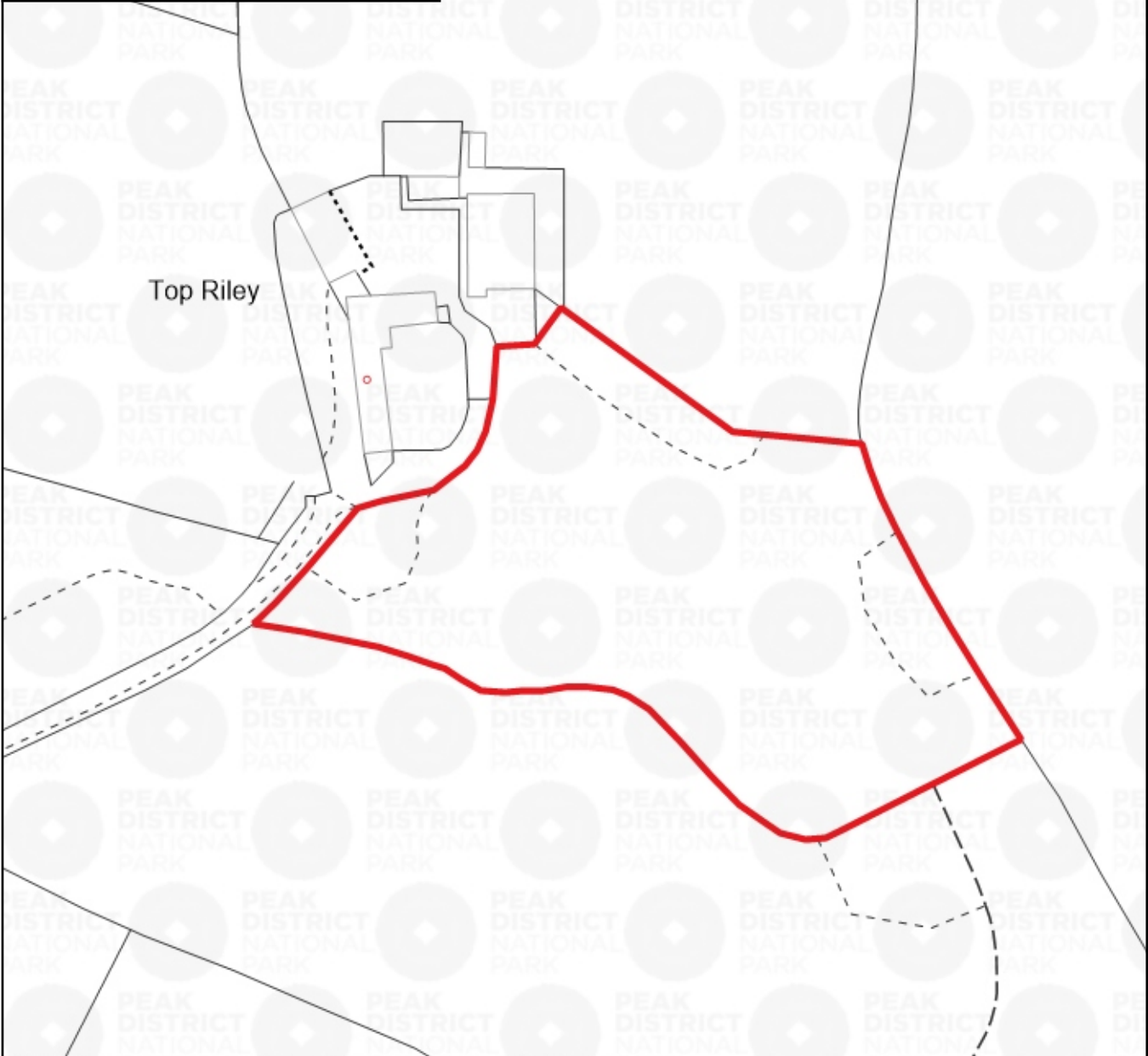
List of Background Papers (not previously published)

78. Nil
79. Report Author: Will Eyre – North Area Senior Planner


This page is intentionally left blank



1:1000



© Crown copyright and database rights 2022 Ordnance Survey 0100022750  
 You are not permitted to copy, sub license, distribute or sell any of this data to third parties in any form.

Committee Date:	08/03/2024	<b>Title:</b> Top Riley, Riley Lane, Eyam	 <b>PEAK DISTRICT NATIONAL PARK</b>
Item Number:	Item 7		
Application No:	NP/DDD/1223/1513		
Grid Reference:	423152, 376414		

This page is intentionally left blank

---

**9. FULL APPLICATION – DEMOLITION OF EXISTING CABINS AND OFFICE FLOORSPEACE, EXTENSION TO EXISTING INDUSTRIAL BUILDING, WORKS OF HARD AND SOFT LANDSCAPING AND OTHER WORKS ASSOCIATED WITH THE PROPOSALS (NP/DDD/1123/1329) P. 6009**

**APPLICANT: TIDESWELL WELDING SERVICES LTD**

**Summary**

1. The application proposes construction of a single storey extension to the south and larger extension to the north of the existing Tideswell Welding Services building, with the latter exceeding the ridge height of the existing building by 1m. The site is located in open countryside for the purposes of the development plan.
2. The proposal would result in a substantial expansion which is not modest in scale compared to the existing use and building. It therefore conflicts with relevant policies for employment expansion in the countryside and would harm the character and appearance of the site and landscape character of the National Park.
3. The application is therefore recommended for refusal.
4. The accompanying Appropriate Assessment report concludes there will not be any unacceptable impacts on the integrity of the designated interests.

**Site and Surroundings**

5. The application site lies in a relatively remote location to the north of Pittlemere Lane on Tideswell Moor, around 2.3km north of Tideswell. The site is clearly outside of any designated settlement (Policy DS1) and is in open countryside.
6. The application site comprises 1.6 ha of land. The boundary takes in the existing portal frame industrial building occupied by the applicant which is in use as a steel fabrication workshop and was granted planning permission in 2016 subject to conditions.
7. The site boundary also includes an additional strip of land south east of the building and rising land and woodland to the north which were not included in the 2016 permission.
8. Since planning permission was granted a number of structures have been erected on the site to the side, front and rear of the workshop, including a reception and office area at the south corner of the site. The structures have not been granted planning permission and therefore appear to be unauthorised, although it is unclear when they were first constructed.
9. It also appears that areas of woodland to the north of the building and along the south east edge have been cleared, although new planting looks to have been implemented further south of the latter location. A thin strip of planting is present along the west boundary although this appears more limited than the approved landscaping scheme for the 2016 permission.
10. Other parts of the site appear to be in use for outdoor storage. Access is via a track from Pittlemere Lane. The nearest neighbouring property is Bushey Heath Farm which is located approximately 230m to the east.
11. The site lies within the catchment of Unit 70 and 71 of The Wye Valley SSSI, a component site of the Peak District Dales Special Area of Conservation (SAC).

## **Proposal**

12. The application proposes demolition of the existing extension to the south of the workshop and replacement with a wider single storey extension. A larger extension is proposed to the north of the building.
13. The Location Plan also shows a larger area of land within the red line boundary compared with the 2016 permission and consequently proposes the change of use of this additional land to general industrial use (Class B2).
14. The application form lists the existing floorspace of the building as 483m<sup>2</sup> and proposes demolition of 68.4m<sup>2</sup> of the building and a net additional floorspace of 346m<sup>2</sup>. The forms state this would provide a gross new internal floorspace of 829m<sup>2</sup>.
15. However, the workshop approved in 2016 had a gross internal floor space of 361m<sup>2</sup>. The calculation on the forms therefore includes the unauthorised extension south of the building and other structures on site.
16. Considering the total gross proposed floorspace (829m<sup>2</sup>), this therefore represents an increase of more than 100% that of the original building.
17. The extension to the north would be a portal steel framed building to be used as a workshop. Whilst set back from the existing principal elevation, the ridge of the building would be 1m higher than the host building. The extension's construction would require a considerable cut of 1,035m<sup>3</sup> into the landform and erection of a retaining wall. Fill would be deposited further north and along the western site edge.
18. The extension to the south corner of the building would accommodate a reception, offices, toilets and a store. The application also seeks retention of an external storage area to the north east of the existing building, which is unauthorised.
19. The application states the extension is required to support the operation of the business in taking on larger contracts, installing enhanced technology and machinery, providing adequate on-site facilities and to implement new health and safety measures.
20. Externally the extension roof and walls would be clad in corrugated metal sheeting (juniper green) to match the existing, with lower walls formed of natural limestone on the south west elevation and concrete blocks on the remaining walls. Photovoltaic panels are proposed on the south plane of the existing building.
21. A revised landscaping scheme has been submitted showing native tree and shrub planting along the western site boundary and planting of species rich grassland.

## **RECOMMENDATION:**

22. **That the application be REFUSED for the following reasons:**
  1. **The proposed extensions are of a substantial scale in a remote location in the countryside and would result in a harmful visual and landscape impact. The development would not conserve or enhance the site or secure the future management of the valued characteristics of the site and adjoining land contrary to policies GSP1, GSP3, L1, CC1, E2, DMC1, DMC3 and DME7 and the National Planning Policy Framework.**

## **Key Issues**

23. Whether the proposed development is acceptable in principle.
24. The impact of the development upon the local area and the landscape, trees and biodiversity of the National Park.

## **History**

25. NP/DDD/1121/1200: Proposed extension to existing industrial building – Refused 23<sup>rd</sup> March 2022.
26. NP/NMA/0417/0368: Non-material amendment to NP/DDD/0915/0888 - walls constructed of masonry blockwork where concealed by ground level in lieu of rubble limestone – Accepted 2<sup>nd</sup> May 2017.
27. NP/NMA/1116/1182: Non-Material amendment on NP/DDD/0915/0888 - Move planed amenities block from the interior of the building to the exterior, back right-hand corner – Accepted 5<sup>th</sup> January 2017.
28. NP/DIS/0516/0464: Discharge of conditions 3, 4, 5 and 7 from planning consent NP/DDD/0915/0888 (Landscape planting, foul drainage, noise attenuation and access widening.) – Conditions partly discharged 30<sup>th</sup> June 2016.
29. NP/DDD/0915/0888: Erection of steel fabrication workshop on previously developed land – Approved 18<sup>th</sup> February 2016.

## **Consultations**

30. Peak District National Park Authority Archaeology: Response confirmed no comments to make on the application.
31. Peak District National Park Authority Landscape: Initial response raised queries around the volume and treatment of materials being removed and tipped, removal of scrub, detail within the LVA including assessment of visual effects and proposed landscaping.

Further landscape comments raised an objection due to the prominence of the existing site within the landscape, with the proposal being significantly more prominent. The response also raises concerns regarding the existing landscaping present on site.

Final comments awaited on the updated landscaping scheme and assessment.

Note - These and other responses below from internal consultees are expected in time for officers to update members at the Committee.

32. Derbyshire County Council Highways: No highway safety objections.
33. Derbyshire County Council Flood Team: No response received to date.
34. Tideswell Parish Council: Support the application and the improvements it will make to a local business. No concerns raised with the application.
35. Natural England: No objection. It is not considered the development would have significant adverse impacts on statutorily protected nature conservation sites or other designated sites.
36. Peak District National Park Forestry: Unable to comment on the application due to

absence of an arboricultural report, impact assessment, tree protection measures and method statement. Final comments awaited on submitted tree information.

37. Peak District National Park Ecology: No objection subject to mitigation secured by conditions. Final comment awaited on updated plans.

38. Derbyshire Dales District Council: No response received to date.

### **Representations**

39. A total of 14 representation have been received in support of the application. A summary of the relevant material considerations raised by the responses is set out below:

- The business needs additional space to support its productivity and to comply with health and safety laws.
- The business provides important jobs, apprentices and skills for local people, including younger people. It should be allowed to thrive in such a location.
- The workforce and business support the local economy through using other local services and proximity to other businesses which are used, or served, by Tideswell Welding Services.
- Activities taking place outside the building will be able to be carried out internally.
- The amenity of nearby properties will not be impacted as the area is so isolated.
- The site owner has developed and enhanced the existing, which does not negatively impact the surrounding area, though planting and other works.
- Visual impacts would be limited, particularly from wider views and compared with other developments nearby.
- The applicant has a focus on ecology and sustainability. The scheme will limit ecological impacts and deliver environmental benefits through planting.
- The proposal would reduce the carbon footprint of the business.
- The location prevents the need for vehicles, including larger vehicles, to travel across the Peak Park due to proximity to other businesses which the site serves.
- The business continuation will support innovation to combat climate change.

### **Main Policies**

40. Relevant Core Strategy policies: GSP1, GSP2, DS1, L1, L2, CC1, E2

41. Relevant Development Management policies: DM1, DMC1, DMC3, DMC11, DMC12, DMC13, DMC14, DME7, DME8, DMT6

#### **National Planning Policy Framework (NPPF)**

42. The NPPF was revised in December 2023 and is a material consideration which carries particular weight where a development plan is absent, silent or relevant policies are out of date.

43. The development plan for the National Park comprises the Core Strategy 2011 and Development Management Policies 2019. Policies in the development plan provide a clear starting point consistent with the National Park's statutory purposes for determining this application. In this case there is not considered to be a significant conflict between prevailing policies in the development plan and the NPPF guidance.



44. Paragraph 182 states 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 matters. The conservation and enhancement of wildlife and heritage are also important considerations and should be given great weight.

Peak District National Park Core Strategy

45. GSP1, GSP2 – These policies set out the broad strategy for achieving the National Park’s objectives, and jointly seek to secure national park legal purposes and duties through the conversion and enhancement of the National Park’s landscape and its wildlife and heritage.
46. GSP3 – 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 and design in accordance with the National Park Authority Design Guide and impact on living conditions of communities.
47. DS1 – Sets out what types of development are acceptable in principle spatially in the National Park. Countryside extensions to existing buildings are acceptable principle.
48. L1, L2 – Development must conserve or enhance the landscape character and biodiversity of the National Park and other than, in exceptional circumstances development that has a harmful impact will not be permitted.
49. CC1 – Development must make efficient and sustainable use of land, buildings and resources, consider the energy hierarchy, be directed away from flood risk areas and achieve the highest possible standards of carbon reductions and water efficiency.
50. E2 – Proposals for business development in the countryside, must take account of the following principles:
- a. Businesses should be located in existing traditional buildings of historic or vernacular merit in smaller settlements, on farmsteads, and in groups of buildings in sustainable locations. However, where no suitable traditional building exists, the reuse of modern buildings may be acceptable provided that there is no scope for further enhancement through a more appropriate replacement building.
  - b. On farmsteads, or groups of estate buildings, small scale business development will be permitted provided that it supports an existing agricultural or other primary business responsible for estate or land management. The primary business must retain ownership and control of the site and building, to ensure that income will be returned to appropriate management of the landscape.
  - c. Business use in an isolated existing or new building in the open countryside will not be permitted.
  - d. Proposals to accommodate growth and intensification of existing businesses will be considered carefully in terms of their impact on the appearance and character of landscapes.
  - e. Ancillary retail operations must be small scale and principally offering for sale goods which are produced at the premises (see also policy HC5).

### Peak District Development Management Policies

51. DM1 – Sets out a presumption in favour of sustainable development in the context of National Park Purposes.
52. DMC1.A – In the countryside, any development with a wide scale landscape impact must provide a landscape assessment. 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.
53. DMC3 – Where developments are acceptable in principle, design is required to be of a high standard which where possible enhances the natural beauty, quality and visual amenity of the landscape, including the wildlife and cultural heritage that contribute to the distinctive sense of place. Particular attention will be paid to siting, scale, form, mass, levels, height and orientation in relation to existing buildings and character and the degree to which buildings and their design reflect or complement the style and traditions of the locality as well as other valued characteristics of the area.
54. DMC11 – In considering if 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. B) states 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.
55. DMC12 – 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.
56. DMC12.C – For 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.
57. DMC13.A – Planning applications should provide sufficient information to enable their impact on trees, woodlands and other landscape features to be properly considered in accordance with 'BS 5837: 2012 Trees in relation to design, demolition and construction – Recommendations' or equivalent.
58. DMC13.B – Trees and hedgerows, including ancient woodland and ancient and veteran trees, which positively contribute, either as individual specimens or as part of a wider group, to the visual amenity or biodiversity of the location will be protected. Other than in exceptional circumstances development involving loss of these features will not be permitted.
59. DMC13.C – Development should incorporate existing trees, hedgerows or other landscape features. Where this cannot be achieved the onus is on the applicant to justify the loss of trees and/or other features as part of the development proposal.
60. DMC13.D – Trees, woodlands and other landscape features should be protected during the course of the development.

61. DMC14 – Development presenting a risk of pollution or disturbance including soil, air, light, water or noise pollution, or odour that could adversely affect residential amenity or the amenity, tranquillity, biodiversity or other valued characteristics of the area will not be permitted unless adequate control measures are put in place to bring the pollution within acceptable limits.
62. DME7 – The policy deals with expansion of existing industrial developments which in the countryside, will only be permitted where:
- a. It is of a modest scale in relation to the existing activity and/or buildings; and
  - b. The scale and type of development can be accommodated without adversely affecting the residential amenity and valued characteristics of the area or traffic safety and circulation;
  - c. It does not adversely affect, and wherever possible, secures the enhancement of the site as well as the future management of the valued characteristics of the site and adjoining land; and
  - d. Consideration is given to the possibilities of conserving and enhancing landscape character by using, modifying or extending existing buildings.
63. Part C states that in all cases, impacts on residential amenity and valued characteristics from operating hours, lighting and noise will be considered.
64. DME8 – Where employment development is acceptable in principle, it will only be permitted where every practicable means is used to minimise any adverse effects on the valued characteristics and amenity of the surrounding area. Particular attention will be paid to visibility from vantage points, site access, site layout and use of space around buildings, storage of vehicles and other equipment, landscaping and other screening and whether in the landscape proposed it is an appropriate method to mitigate adverse landscape impacts, and noise and proposed times of operation. Where necessary, planning conditions will restrict future growth and intensity.
65. DMT6 – For business parking, additional parking provision should be of a limited nature whilst being appropriate to the size of the development proposed and accounting for the location and visual impact of parking.

## **Assessment**

### **Principle & Landscape Impact**

66. Policy DS1(c) allows for extensions to existing buildings in the countryside. Policy E2(d) states proposals to accommodate growth and intensification of existing businesses will be considered carefully in terms of their impact on landscapes.
67. Whilst the extension to an existing building is therefore accepted in principle under DS1(c), Development Management Policy DME7.B states that in the countryside, expansion of existing industrial development will only be permitted where (i) it is of a modest scale in relation to the existing activity and/or buildings and (ii) the scale can be accommodated without adversely affecting the valued characteristics of the area.
68. The existing building was granted planning permission as an exception to policy in 2016 with a floorspace of 361m<sup>2</sup>. A small toilet block (approx.14m<sup>2</sup> gross internal area) was later approved as an amendment.
69. However, there is now an extension to the south of the building and further structures to the side and rear, with the application stating the site now has a floorspace of 483m<sup>2</sup>. Considering the net increase from the building approved, the unauthorised floorspace should not be taken into account in considering the cumulative increase of floorspace

proposed.

70. Combined, the proposed extensions would see an increase in gross internal floorspace to 839m<sup>2</sup> which is more than double that approved for the original building in 2016.
71. It is recognised the applicant has reduced the scale of the proposed extension and total cumulative floorspace of the site from the 2021 refusal from 990m<sup>2</sup> to 829m<sup>2</sup> and set back the north extension 4.8m from the front elevation of the existing building.
72. However, the north extension remains only 1m shorter in width than the host building whilst to ridge it is 1m taller. The main views of the building and principal elevation from the west would therefore see an extension which is similar in width and greater in height than, and therefore dominates, the original building.
73. The extension to the south also has a considerable width and extends across part of the frontage of the existing building. This further challenges the dominance of the building and contributes towards the intensification of industrial development on site.
74. The site is in a remote countryside location. Whilst building extensions in the countryside are acceptable in principle under DS1, the extension would not comply with DME7.B(i) which is clear the scale of such extensions must be modest in relation to the existing building.
75. Turning to DME7.B(ii) it is also considered the scale and type of development would adversely affect the valued characteristics of the area and consequently would also conflict with E2(d) which requires that landscape impacts of business growth are considered carefully.
76. A Landscape & Visual Assessment (LVA) confirms the site lies within National Character Area 52: White Peak and local 'White Peak' Landscape Character Area and the 'Limestone Hills and Slopes' Landscape Character Type (LCT), with the 'Limestone Plateau Pastures' LCT in close proximity to the south west and west.
77. Due to rising levels and the woodland to the north, visibility of the site is largely from the west, south and east. The LVA assesses that impacts on visual receptors closest to the site along Pittlemere Lane, footpath Tideswell FP 23 / 24 (approx. 550m west of the site) and New Farm residents (350m south west) in Year 1 of the development would be 'minor adverse' and all other impacts as 'negligible adverse' or 'neutral'.
78. At Year 15 with proposed landscaping, the LVA assesses impacts on Pittlemere Lane (western and far eastern approaches) and footpath Tideswell FP 23 / 24 as 'minor beneficial' and elsewhere negligible beneficial-neutral.
79. The PDNPA Landscape Officer has queried the LVA and in particular its assessment of impact on visual receptors SCP2 (Pittlemere Lane) and SCP4 (footpath Tideswell FP 23 / 24) which are considered to be more significant, particularly at Year 1.
80. In this respect, it is recognised some representations have been received in respect of the existing and proposed impact of the development and planting on site undertaken by the site owner. However, whilst the 2016 approval included a landscape scheme which was agreed by condition, the existing landscaping on site appears to be less than and therefore does not reflect what was approved.
81. It is considered the existing screening and baseline condition of the site would have been improved should planting have been carried out in accordance with the 2016 approval, which required planting or seeding to be carried out within the first planting seasons following completion or occupation of development. The condition reason stated that due to the countryside location of development, the condition went to the

- heart of the permission as it was required to mitigate the impact of development.
82. Further trees appear to have been cleared to the south east of the building, with newer tree planting established December 2020 – January 2021 south of that area.
  83. As it is, the existing building is prominent in the landscape, particularly from western viewpoints along Pittlemere Lane, footpaths Tideswell FP 23 / 24 and the A623 and views from the east on Pittlemere Lane through the remaining trees to the south east.
  84. Following discussions with the agent and the response received from the landscape officer, an updated LVA has been submitted alongside an updated Landscape Masterplan.
  85. The Masterplan (Rev E) proposes an increase in tree and shrub planting on the site compared with the details that were originally submitted, including native tree and shrub planting on the south east and western boundaries.
  86. There would be some fill along the western edge to create a planted embankment which would add further height to the landscaping. This seeks to reflect the approach of the previous landscaping scheme approved under NP/DIS/0516/0464, where an existing area of raised land was retained, although the area currently appears to be more level.
  87. Final comments on the amended landscape scheme and LVA are awaited from the landscape officer and a verbal update will be provided at planning committee.
  88. Notwithstanding this and whilst the submitted landscape scheme shows native tree planting on the west boundary and planting of further trees to the south east, this would take a significant time to mature leaving long-term prominent views particularly from the south and west.
  89. It is considered the extensions would represent an intensification of industrial development on the site, with the northern extension in particular appearing more dominant than the existing building leading to a development with a greater visual impact which would be prominent within the landscape.
  90. The intensification of industrial development would lead to an adverse impact on the valued characteristics of the landscape character described by the LVA as a remote, sparsely populated landscape formed of gently undulating limestone plateau.
  91. It is acknowledged the existing business offers many benefits in terms of skilled local jobs and supporting other local businesses and supply chains and that a number of representations have been received to that effect, including from Tideswell Parish Council. It is also recognised as outlined by the application submission and representations that the business has an operational need for expansion to comply with health and safety regulations and to complete and take on larger work requests.
  92. Notwithstanding those benefits and the representations received in support of the application from third parties and the Parish Council, Policy GSP1 is clear that all development shall be consistent with the National Park's legal purposes and where there is irreconcilable conflict between those purposes, the Sandford Principle will be applied and the conservation and enhancement of the National Park will be given priority.
  93. As outlined above, the proposed extension to the existing business clearly conflicts with DME7 of the Development Management Policies Plan as it does not represent a modest scale of development with regard to the existing building.

94. Consequently, it is considered the development would lead to adverse impacts towards the valued characteristics of the landscape of the National Park and would conflict with Policies GSP1, GSP2, GSP3, L1, E2 and DME7.

### Trees

95. An area of young trees planted December 2020 – January 2021 lies to the south of existing young – semi-mature tree planting on the south east site edge, with the latter appearing to have been reduced considerably since the 2016 approval.
96. The existing single storey extension to the south is a steel cabin which appears to be raised slightly from the ground level but sits over the roots of and very close to the trees to the south.
97. Additional information was requested from the applicant in respect of the development and impact on trees, as the plans suggested the extensions to the south and north, where there would be cut into the landform, would lead to the removal of some trees.
98. The applicant has now provided a tree survey and tree protection plan detailing the impact of the development on trees, which includes the loss of around 20 young trees on the southern boundary and further trees to the north due to the northern extension and excavation to accommodate a retaining wall.
99. Following receipt of the tree survey, tree constraints plan and tree protection plan, final comments are awaited from the PDNPA tree officer. A verbal update will be provided following receipt of final comments.

### Ecology

100. An Ecological Impact Assessment (EclA) is submitted which confirms the site has been surveyed in March and June 2023.
101. The development would result in the loss of some existing other calcareous grassland and loss of woodland with the EclA advising that in order to ensure no net loss, the loss of the grassland associated with a grass verge to the north of the existing building will need to be replaced. The report also suggests replacement trees would be required.
102. The PDNPA Ecologist response confirmed that provided sufficient mitigation is provided the development could be accepted from an ecology perspective. This would include a detailed management plan for implementation of the landscape masterplan, avoidance of tree clearance during nesting bird season and sensitive lighting.
103. An updated ecology report and BNG calculations have now been submitted, which confirm replacement planting shown by the Landscape Masterplan Rev E would provide a net increase in habitat units of 13.94% and 70.03% hedgerow units.
104. A restriction of use of the quarry for storage would be required due to the potential for bat roosts being present in the quarry rockface. The latest cut and fill plan (Rev B) shows the fill of 738m<sup>3</sup> material would be deposited close to the quarry rockface and restored as calcareous grassland habitat. Final comments are awaited from the ecologist in relation to this and the updated ecology details.

### Heritage

105. Bushy Heath farmhouse and its barn are approximately 230m south east of the site and are Grade II Listed. There are some limited views of the south east elevation of the existing building from Bushy Heath Farm through existing trees although views of the development from the farm and its setting would remain similar to these existing

glimpsed views. The proposal would therefore not lead to unacceptable impacts towards the setting of Bushy Heathy farmhouse and its barn.

#### Noise & Amenity

106. Concern was raised under the 2016 application about potential noise pollution associated with the site activities which had the potential to harm the tranquillity of the National Park and residential amenity, with the nearest residential property being Bushy Heath Farm. Noise mitigation measures were secured by condition.
107. It is understood there have been no noise complaints in relation to the site activities. Whilst there would inevitably be noise associated with steel manufacturing associated with the new workshop, this is likely to be similar to that already generated by the existing buildings.
108. Subject to appropriate noise mitigation measures being implemented as part of the development it is not considered the development would result in additional noise or activity that would harm residential amenity.
109. However, it is unclear if the expansion would lead to additional movements of large vehicles associated with transportation of larger items off site and there are concerns the associated activity could harm the tranquillity of the site and surrounding countryside.

#### Flood Risk & Drainage

110. The site lies in Flood Zone 1 and is at low risk of flooding. Whilst the application site exceeds 1ha (in which case a Flood Risk Assessment is usually required) it is recognised the extent of physical works excludes much of that area and subject to appropriate drainage the development is acceptable in terms of flood risk.
111. The application forms reference an existing septic tank which would be replaced by a package treatment plant. Its replacement is therefore supported as there are concerns over the installation of the existing septic tank, with National Planning Guidance stating in the interest of the water environment a septic tank should only be approved where a mains connection or package treatment plan is not practical or viable.
112. However, it must be noted that the septic tank appears to be unauthorised and does not reflect the package treatment plant previously approved as part of the 2016 consent.

#### Sustainability

113. Policy CC1 requires the efficient and sustainable use of land alongside the highest standards of carbon reductions and water efficiency. Whilst the sustainable benefits of proposal associated with measures such as photovoltaic panels, fabrication of the steel building frame on-site and other measures in the Sustainability Statement are recognised, the proposal would be a substantial extension in a relatively remote location within the National Park. The development would increase activity at the site and likely vehicle movements in relation to deliveries and exports.

#### Conclusion

114. This application proposes extensions to the existing welding facility at the Old Lime Kilns, Pittlemere Lane. Whilst the social and economic benefits that the proposal would achieve in terms of supporting a local business, local skilled jobs and wider benefits to the local economy are recognised, the existing site lies in a remote and unsustainable countryside location.

115. The extensions are neither modest or subservient and represent a significant extension to the scale of the business which would harm the character and appearance of the site and wider landscape character of the National Park.

116. The development is therefore contrary to the development plan and having taken account of all material considerations, the application is recommended for refusal.

### **Human Rights**

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

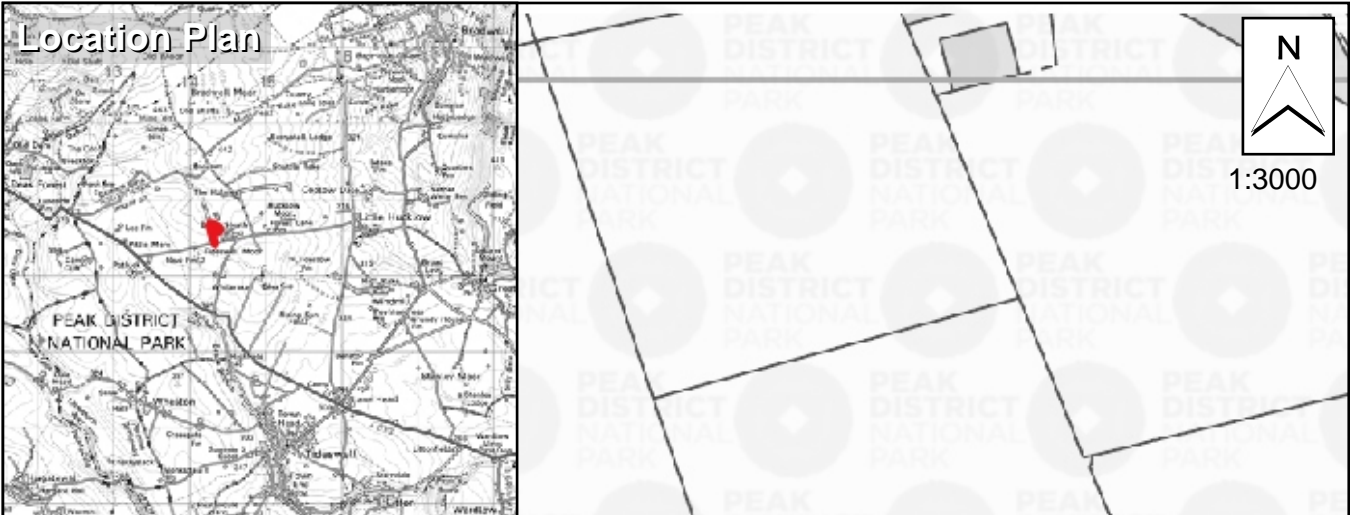
### **List of Background Papers** (not previously published)

Nil

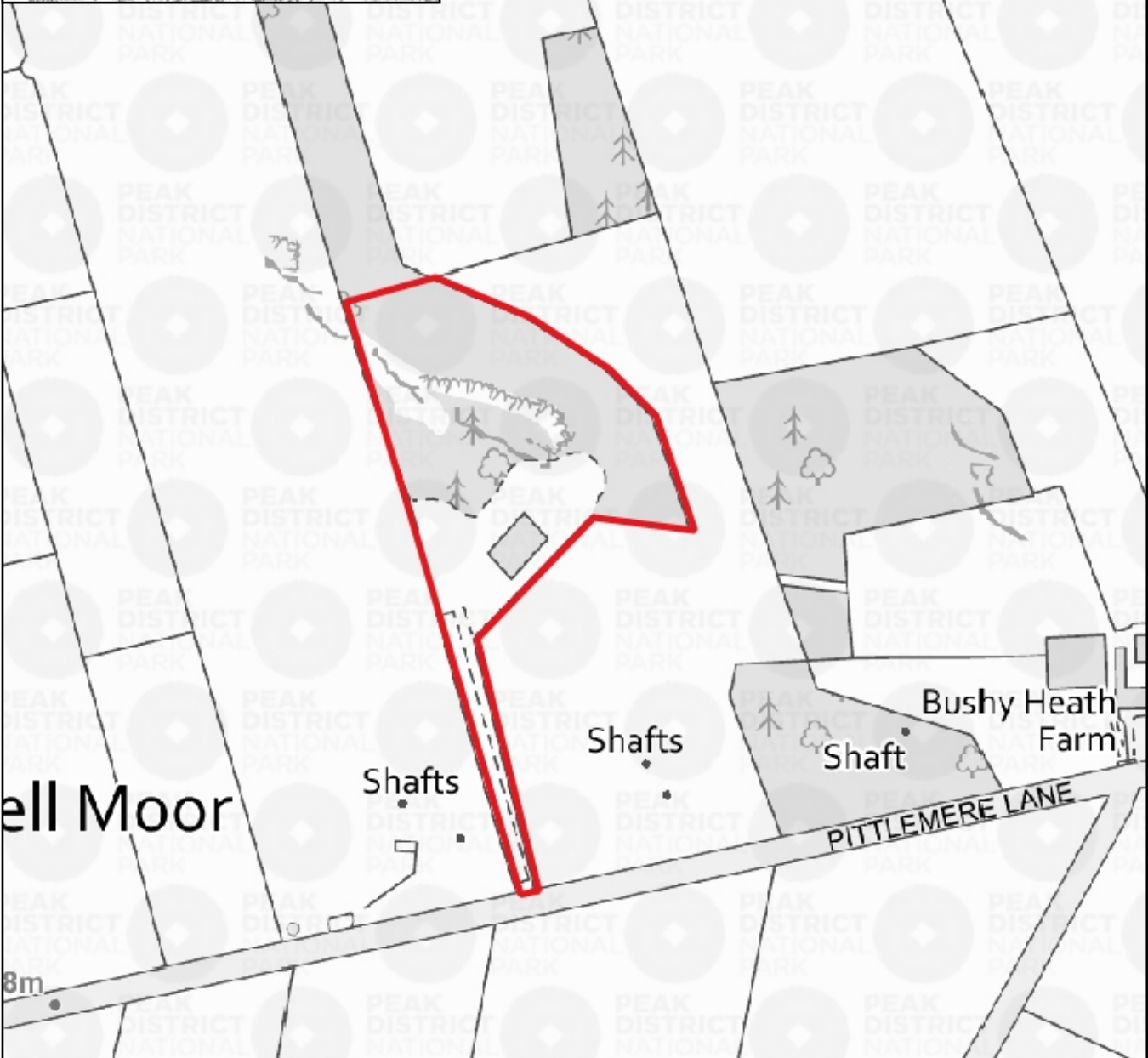
### **Report Author**

Hannah Freer – Planner – North Area






1:3000



© Crown copyright and database rights 2022 Ordnance Survey 0100022750  
 You are not permitted to copy, sub license, distribute or sell any of this data to third parties in any form.

Committee Date:	08/03/2024	<b>Title:</b> The Old Lime Kilns, Pittlemere Lane, Tideswell Moor, Tideswell	 <b>PEAK DISTRICT NATIONAL PARK</b>
Item Number:	Item 8 & 9		
Application No:	NP/DDD/1123/1329		
Grid Reference:	414318, 378609		

This page is intentionally left blank

**10. FULL APPLICATION – PROPOSED SEASONAL USE OF LAND FOR ECO-CAMPING, SITING OF 3NO. BELL TENTS AND AMENITY FACILITIES ALONG WITH ASSOCIATED ACCESS AND PARKING AND LANDSCAPING WITH ASSOCIATED ECOLOGICAL ENHANCEMENTS AND CONSERVATION AT LAND WEST OF EDALE ROAD, BARBER BOOTH, EDALE (NP/HPK/0923/1055, WE)**

**APPLICANT: MR GEORGE GALBRAITH**

**Summary**

1. This application seeks consent for the change of use of 0.5ha of agricultural land to a campsite. The campsite would feature 3 bell-tents, shower and toilet facilities, and hot tubs. The campsite would be seasonal in nature, operating between 1<sup>st</sup> April to 31<sup>st</sup> October. The proposed development is contrary to policy as the bell-tents would be considered against policy RT3 which states that static caravans, chalets, and lodges will not be permitted.
2. This application also seeks consent for alterations to the existing field access onto the development site, in addition to the laying of grasscrete to create parking spaces for a maximum of 4-vehicles. It also seeks consent for the installation of a package treatment plant to dispose of waste-water from the toilet blocks. This application proposes substantial planting across the red line application site, including the infilling of hedgerows and mixed native tree planting.
3. This application also proposes a scheme of ecological enhancements across the wider (blue) area of the site. This has been undertaken in collaboration with Derbyshire Wildlife Trust, who will prepare a management plan and advise on a scheme of improvements to the site.
4. The siting of the proposed bell tents and associated infrastructure is not in accordance with policy RT3. However, in this case the application has demonstrated that visual and landscape impacts would be limited and could be mitigated further by appropriate planting and colour finishes for the tents and infrastructure. The development would also result in other benefits, which although finely balanced weigh in favour of the development. These include benefit to the local economy, employment, and increased opportunity for visitors to understand and enjoy the special qualities of the National Park. Significantly, this application proposes a scheme of ecological enhancements across both the redline and blue area of the site, which will enhance biodiversity in excess of policy requirements.

**Site and Surroundings**

5. The development site is the northern section of a large field-parcel located off Edale Road in Barber Booth. The site is agricultural in nature, featuring rough grassland. This northern section features mature tree planting and hedgerows on the north, east, and western boundaries. There is no current southern boundary separating the application site from the wider, larger field parcel. The field parcel has a varied topography; however, it predominantly slopes upwards from the south from the valley bottom near the river Noe, up towards the Great Ridge/Lords Seat. There are no public footpaths on the development site; however, Chapel Gate public byway forms the southern boundary of the wider field parcel.
6. The development site is situated close to the hamlet of Barber Booth, with the northern boundary of the site approximately 50m away from the closest residential property, Littlewood. There are additional properties to the north situated around the historic centre

of the hamlet surrounding the Methodist Chapel. To the south-west there is a property approximately 300m away (Manor House), whilst to the south-east there is a property approximately 215m away (Rowlands Farm).

7. The wider land in ownership to the south of the application site features a varied topography, including gullies and streams, in addition to 3 ponds. The applicant created a new pond in 2022 without planning permission. An enforcement enquiry is open, and it is anticipated that the landowner will be submitting a planning application for this imminently.
8. The site has been intensively grazed by Exmoor ponies for the several years.

### **Proposal**

9. This application seeks consent for the change of use of land from agricultural to camping, with the proposed use being seasonal between 1<sup>st</sup> April to 31<sup>st</sup> October. When in use as a campsite, there would be 3 “army green” bell tents situated around the northern perimeter of the site. The tents would be accompanied by 3 pieces of ancillary equipment, a shower block, toilet, and hot-tub. These would be located to the rear (or south) of the bell-tents and would be coloured juniper green.
10. In addition to this, the access would be modified to allow for safe entry and exit onto Edale Road by clearing roadside vegetation to achieve visibility spays coupled with the entrance being hard surfaced with tarmac to the gate. The first section of the access would be tarmacked, whilst the access track and parking bays would be grasscrete to allow provision for 4 cars.
11. A footpath link from the north-east corner down the 8m embankment to the road would give pedestrian access to Barber Booth.
12. A package treatment plant would be installed to process waste from the toilet blocks with the outfall discharging via a spillway into the watercourse off the north west side of the site. All other waste, including hot-tub water which would be pumped to a storage tank under the turning area, would be removed from site through a licensed company.
13. In addition to extensive planting across the development site, this application also proposes ecological enhancements to the wider site in collaboration with Derbyshire Wildlife Trust.

### **RECOMMENDATION:**

**That the application be REFUSED for the following reasons;**

1. **The proposed development seeks consent for the installation of 3 bell-tents. These structures are considered to be akin to camping pods, yurts, and shepherd huts which the accompanying text to policy DMR1 advises will be determined against policy RT3.B which sets out that proposals for static caravans, chalet and lodges will not be permitted. Acceptance of this proposal would cause harm by undermining the clear intent of adopted recreation and conservation policies and set a clear precedent for others to follow further undermining policy. The proposed development is therefore contrary to policies RT3 and DMR1.**

## **Key Issues**

- Principle of development;
- Impact on the valued characteristics of the landscape and setting of Edale Conservation Area;
- Amenity;
- Ecology.

## **History**

14. 12<sup>th</sup> November 2021 – Pre-application enquiry (PE\2021\ENQ\43857) over the use of land for eco-glamping. Officer's responded outlining that the proposal would be acceptable in principle (subject to compliance with policy RT3 and DMR1) and advised that the applicant should submit a Landscape Assessment which primarily looked at the viewpoints from the south. Advised consideration on "clutter" of site, in addition to parking provision and impact on amenity.
15. 6<sup>th</sup> April 2022 - Proposed seasonal use of land for eco-camping, siting of 3no. bell tents and amenity facilities along with associated access, parking and landscaping. Applicant and agent worked with Officer's to address the landscape impact. Applicant was withdrawn with intention of re-submission with revised information.
16. The site has been subject to many enforcement enquiries, including use of the site as camping and the creation of a pond. The applicant is engaging with the Monitoring and Enforcement Team to address these issues and submit planning applications to try and regularise the retrospective works.

## **Consultations**

17. Derbyshire County Council Highways – No objection subject to 2 conditions and an informative note being added to the decision notice.
18. Edale Parish Council – Support
19. High Peak Borough Council Environmental Health Officer – Raised no concern over noise impact of the development on amenity, nor the proposed water supply (subject to complying with relevant legislation). The Officer did raise some concern over the proposed foul water disposal method; however, additional information was submitted to the Officer and they resolved to make no objection subject to no hot-tub waste water being disposed of through the package treatment plant.
20. Natural England – No objection
21. Derbyshire County Council Lead Local Flood Authority – No comments to make
22. PDNPA Landscape Officer – No objections. After a process of positive engagement with the applicant after their last submission, I am satisfied that my landscape and visual concerns have been taken on board and addressed in the submitted plans.
23. PDNPA Tree Officer – Agree with the recommendations of the Arboricultural Report. No objection subject to compliance with his document.
24. PDNPA Ecology – No objection subject to conditions. Advised that the 'rewilding' area is a separate consideration to the merits of the development itself. The 'rewilding area' is presented in the planning application as a landscape strategy that the applicant has provided to demonstrate additional voluntary biodiversity benefits. There may be wildlife benefits associated with this strategy, however, there is no supporting information that

we have been asked to consider for this area. In particular, in the absence of an adequate wader survey it is difficult to determine whether this landscape strategy would provide a net benefit to wildlife or whether there may be a negative impact on priority species

### **Representations**

25. 29 people made representations on the application. 18 of these representations objected to the scheme, while 10 support the scheme. One representation was a “general comment”.
26. The representations which objected to the application did so on the following grounds:
- Impact on landscape and setting of the conservation area;
  - Impact on residential amenity;
  - Impact on ecology, in particular the red-list species and other protected birds;
  - Concern over the overall need for another campsite in Edale;
  - Impact on hedgerows and trees;
  - Considered the site to be inappropriate for campsite due to no mains sewage, mains electricity or water;
  - Impact on river Noe;
  - Inappropriate access and conflict with other road users;
  - Urbanising influence on the landscape;
  - Concern over future expansion of the site;
  - Questioned how water can be disposed of site with no electricity. Worried about a generator being on site;
  - Concern over ‘greenwashing’;
  - Worried that the site cannot be managed appropriately;
  - Health and safety concerns, including whether the fire service could reach the site;
  - Cumulative impact of campsites across the Edale valley, and a disproportionate number of campsites in Edale compared to other villages;
  - Impact on the character of the area.
27. The letters of support provided the following comments:
- Good sustainable option for people visiting the valley;
  - Increased tourist choice;
  - Good for local businesses;
  - Local employment;
  - Good siting and design.
28. One “general comment” was received by the Peak Forest Angling Club, who own the River Noe. Members of the Club visited the applicant’s existing site and this proposed site to determine the likely impacts on the River Noe. They determined that subject to the infrastructure being installed correctly by a professional and maintained in accordance with the submitted details, there would be no adverse impact on the River Noe.

### **National Planning Policy Framework (NPPF)**

29. National Park designation is the highest level of landscape designation in the UK. The Environment Act 1995 sets out two statutory purposes for national parks in England and Wales: 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.

30. The National Planning Policy Framework (NPPF) has been revised (2023). 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 182 states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, which have the highest status of protection in relation to these issues.
31. 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.

### **Relevant Development Plan Policies**

#### **Core Strategy**

32. 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.
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. DS1 - *Development Strategy*. Sets out that most new development will be directed into named settlements. Taddington is a named settlement.
35. 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.
36. L3 – Cultural heritage assets. Seeks to ensure all development conserves and where appropriate enhances the significance of any heritage assets. In this case the Bradwell Conservation area is the relevant heritage asset.
37. Policy CC1 states that development must make the most efficient and sustainable use of land, buildings and natural resources.
38. Policy RT3 – Proposals for caravan and camping sites must conform to the following principles:
- a) 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.
  - b) Static caravans, chalets or lodges will not be permitted.

#### **Development Management Policies**

39. Policy DMC1 – Conservation and enhancement of nationally significance landscapes. In countryside beyond the edge of settlements listed in DS1, any development with a wide scale landscape impact must provide a landscape assessment with reference to the Landscape Strategy and Action Plan.

40. DMC3 – *Design*. 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.
41. Policy DMC5 – *Development affecting a heritage asset*. Planning applications for development affecting a heritage asset, including its setting must clearly demonstrate: (i) its significance including how any identified features of value will be conserved and where possible enhanced; and (ii) why the proposed development and related works are desirable or necessary. Policy DMC8 states 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.
42. Policy DMC8 – *Development in a conservation area*. Policy DMC8 requires development in a Conservation Area to assess and clearly demonstrate how the character or appearance and significance of a Conservation Area will be preserved or enhanced.
43. Policy DMC11 – *Safeguarding, recording and enhancing nature conservation interest*. Proposals should aim to achieve net gains to biodiversity or geodiversity as a result of development. In considering whether a proposal conserves and enhances sites, features or species of wildlife, geological or geomorphological importance all reasonable measures must be taken to avoid net loss by demonstrating that in the below order of priority the following matters have been taken into consideration:
- i) enhancement proportionate to the development;
  - ii) adverse effects have been avoided;
  - iii) the ‘do nothing’ option and alternative sites that cause less harm;
  - iv) appropriate mitigation; and
  - v) in rare cases, as a last resort, compensation measures to offset loss.
44. Policy DMC12 - Sites, features or species of wildlife, geological or geomorphological importance:
- A) 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.
  - B) For sites, features or species of national importance, exceptional circumstances are those where development is essential:
    - i) for the management of those sites, features or species; or
    - ii) for the conservation and enhancement of the National Park’s valued characteristics; or
    - iii) 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.
45. Policy DMR1 – *Touring and caravan sites*. The development of a new touring camping or touring caravan site, or small extension to an existing site, will not be permitted unless its scale, location, access, landscape setting and impact on neighboring uses are acceptable, and it does not dominate its surroundings. Exceptionally, the development of structures may be permitted where these are small, simple, wooden pod structures in woodland locations with minimal landscape impact, or a single shepherd’s hut where this can be located close to the facilities of a farmstead without harm to the natural or historic landscape.



## **Assessment**

### **Principle of Development**

46. This application proposes the change of use of the site to allow the temporary siting of 3no. bell-tents, 3 shower-units, 3-toilet units, 3-water tanks and 3 small hot-tubs on site. As these tents would be erected and maintained by the site operator throughout the open period, the proposal is not for a touring campsite for which there is provision in principle in accordance with policy RT3. A.
47. There is no policy which explicitly examines the suitability of bell-tents, however, RT3. B states explicitly that static caravans, chalets or lodges will not be permitted. The supporting text for policy DMR1 expands on this further by stating that structures such as camping pods, yurts, shepherd's huts etc will be determined against policy RT3.B. The proposed bell-tents are akin to yurts and therefore there is a policy presumption against this type of camping development in the National Park.
48. Policy DMR1. C makes exceptions to this approach in two circumstances. Small simple, wooden pod structures in woodland locations with minimal landscape impact, or a single shepherd's hut where this close to the facilities of a farmstead. The proposal for 3 bell-tents and associated showers, toilets, water tanks and hot-tubs does not fall within either of these two exceptions.
49. It is however noted that the bell-tents and associated infrastructure would only be sited on the land from the start of April to the end of October. Therefore, while the tents would clearly have a degree of permanence and the associated infrastructure, activity and parked vehicles would only be visible on site between these months. In this respect the proposal could be considered to fall between touring tents and permanent structures envisaged by policies RT3 and DMR1.
50. However, the proposed development is not for a touring camping site nor an exception to policy envisaged by policy DMR1. The proposal is therefore in conflict with policies RT3 and DMR1 in principle. The application should therefore be refused unless there are other material planning considerations which indicate it should otherwise be granted.

### **Impact on the valued characteristics of the landscape and setting of Edale Conservation Area;**

51. Policy L1 outlines that development should conserve or enhance the valued characteristics of the landscape. Policy DMC1 outlines that in countryside beyond the edge of settlements, any development with a wide landscape impact must provide a landscape assessment.
52. This application has been submitted with a Landscape and Visual Impact Assessment (LVIA). The LVIA assesses the impact of the proposed campsite from 6 local receptors – 2 from Chapel Gate byway to the south of the site, Mam Tor, Lord's Seat, Edale Road and footpath FP4.
53. The LVIA identified 3 viewpoints where the development site would be visible; the two from Chapel Gate, and the viewpoint from Lord's Seat on the Great Ridge. These were the viewpoints which the Authority originally raised concern with on the basis that the proposed tents would be visible from the elevated ground to the south of the site, and would have a harmful impact on the valued characteristics of the landscape through the siting of non-traditional structures on the pastoral landscape of the Edale Valley.

54. In response to these concerns, the Planning Officer and Landscape Officer attended a site visit with the applicant and planning agent. As part of this site visit, the applicant erected all three bell-tents (and associated infrastructure) on site to enable Officers to see the impact of the development when all the structures are in situ. The bell-tents erected on site were coloured army green, after Officers originally raised concern over the contrast between the grazing farmland and wooded setting with the white fabric of the tents.
55. In addition to the tents being installed on site, the applicant also brought on potted sample specimens to give Officers an idea of how the proposed planting and screening strategy would be seen from the identified key receptors. These specimens may not necessary be the species planted if the development is approved, rather they were placed on site to give a general idea.
56. During this site visit, it was determined that while the tents were still visible from Chapel Gate and Lord's Seat, the proposed planting strategy substantially mitigated the impact of the structures on site and allowed them to be more easily assimilated into the local landscape. It also gave the opportunity for the applicant and agent to alter the proposed planting strategy as required to further refine and screen the development from these receptors.
57. Of biggest concern was the impact of the development from Lord's Seat on the Great Ridge, which afforded expansive and panoramic views across the Edale Valley, with the distinct Booths in clear view. During the April site visit, it was demonstrated that the bell-tents would be small, largely concealed elements within the wider landscape. The use of potted specimens did not screen the tents, rather they further allowed the structures to be assimilated into the woodland to the northern boundary of the site.
58. The visit also successfully demonstrated that the proposed site for car-parking on the eastern boundary of the site would be completely concealed from the viewpoints to the north. It is considered that this is an important factor in enabling the character of the field parcel to not be significantly changed.
59. In addition to this, it is also acknowledged that the applicant has undertaken further planting on the southern boundary of the site close to Chapel Gate in collaboration with the Authority's Farming in Protected Landscape team. These were in place during a site visit in December. While these are only samplings at this stage, it is acknowledged that they will grow. Whilst not planted with the explicit intention to screen the site from this footpath, it is acknowledged that they would screen views onto the bottom of the site whilst still enabling longer distance views across the valley.
60. As a result of the site visit and positive engagement with the applicant, the PDNPA Landscape Officer landscape concerns have been resolved.
61. It is acknowledged that the degree of landscape impact is heavily contingent on the proposed landscape and planting strategy. Whilst the Authority has received a plan showing the location of the proposed planting, it is considered that had the recommendation been for approval, a condition would be required to secure a full planting schedule with species breakdown and management plan. The applicant has also stated that they are willing to incorporate heavy or extra heavy standard trees as required to provide instant screening to the site.
62. Once planted, it is considered that the proposed planting across the site would tie well into the existing boundary and belt planting which is common place across the Edale Valley. As such, the planting itself would not appear overly cultivated or domestic.

63. As shown on the proposed plans, all associated infrastructure with the tents would be sited immediately behind each of them. They would be coloured a dark ‘juniper’ green. As a result, they would be largely screened from identified receptors, whilst the colouring of them would assist in them assimilating into the backdrop of the woodland setting on the northern boundary.
64. Officers visited the site in early April before many of the trees had leaves on them. This proposal seeks operation from 1<sup>st</sup> April; however, it is noted that the leaf coverage in early April would likely be a worst-case scenario. Throughout much of the summer months, the leaf on trees would further assist in screening and mitigating the impact of the proposed development.
65. It is considered that subject to the development being installed in accordance with the proposed plans, and in compliance with a detailed planting scheduled based upon the proposed landscape plan, that the proposed development would not harm the valued characteristics of the landscape. While they still may be partially visible at glimpsed locations from the south, they would constitute small elements within a wider landscape and be successfully assimilated into the northern section of the field parcel.
66. Subject to the above, it is considered that the proposed development would not have a detrimental impact on the valued characteristics of the landscape. The scheme only proposes 3-tents, so the maximum capacity of the site would be 6 persons which is considered to be low intensity. The scheme’s seasonal nature, in addition to the proposed landscaping plan, would successfully mitigate any harmful visual impacts of the development. While it may still be visible in glimpsed views, it would constitute a relatively small section of land which would be well related to Barber Booth when viewed from the south. On this basis, it is considered that the proposed development is compliant with policies DMC1 and L1.
67. In addition to considering its impact on the landscape, it is also necessary to consider the impact of the development on the setting of the Edale Conservation Area, as required through policies L3, DMC5, and DMC8.
68. Edale Conservation Area is unusual in that it covers much of the wider valley, as opposed to the historic core of settlements. This is due to the historic relationship between the booths of the valley, in addition to their relationship with the surrounding “enclosed” landscape.
69. Policy DMC8 outlines that consideration should be given to views and vistas into and out of conservation area. The site is entirely screened from within the historic core of Barber Booth by virtue of existing tree coverage. As explored above, the proposed development would not be intrusive or highly visible on the local landscape when viewed from Chapel Gate (which sits within the conservation area), nor Lord’s Seat (which is outside of the designation).
70. The form, design, and external appearance of the tents would contrast the local building tradition as expressed through the architecture of Barber Booth to the north. Notwithstanding this, the structures would be largely screened, thereby minimising any negative impact on the conservation area. It is considered that subject to being installed in compliance with the proposed layout, and an appropriate planting schedule, there would be a neutral impact on the significance of the Conservation Area. In addition to this, it is considered that the relatively low intensity of the site would ensure that the character of the conservation area is conserved as a result of development.
71. On this basis, it is considered that the proposed development is compliant with policies DMC5, DMC8 and L3.

### Amenity

72. This application has been supported by a Noise Assessment which assessed the noise impact of the proposed development on nearby properties, including Littlewood (50m to the north), Rowlands Farm (200m to the south-east), and Manor House (300m to the southwest). The modelling utilised a baseline of 3 people (1 per tent) speaking loudly. It found that the noise level at Littlewood would be 21dB, 6dB at Rowlands Farm, and 4dB at Manor House. All of these predicted noise levels fall below the background noise levels for residential rural locations, which vary between 31.5-39.5dBA across the day and night. This means that raised voices from within the campsite would likely be masked by other sources of noise and not be discernible. In particular, it is noted that thick tree coverage, a road, and the River Noe would provide ambient noises to Littlewood to the north, whilst the separation distance between Rowlands Farm and Manor House would mean that conversations on site are not picked up from these locations.
73. Several representations have raised concern with amplified music and light. If this application had been recommended for approval then officers would have suggested a condition requiring a management plan/code of conduct for guests staying at the property, which could also have included restrictions on music and control over external lighting (and indeed other factors including dogs, fires, use of hot-tubs etc). This condition could also have required details of how the code of conduct was used and enforced following the experience gained from completion of the first camping season but before the second.
74. Other representations raised concern over highway safety and conflict of users on Edale Road. These are acknowledged; however, it is considered that due to the size of the proposed development, there would not be a substantial increase in vehicle movements, nor visitors of the site walking from the site to nearby walking trails. In any case, this section of Edale Road is heavily used by ramblers and visitors to the area, so a small increase would be negligible.
75. It is considered that the development can be operated in a way which does not harm the amenity of nearby properties or the tranquillity of the National Park.

### Ecology

76. The impact of the development on ecology can be separated into two sections, the development site itself, in addition to the blueline area.
77. With regard to the development site itself, this application has been supported by a Preliminary Ecology Assessment (PEA) as well as a Biodiversity Assessment. The PEA concluded that the site does not feature any habitats of significant value to nature conservation. Similarly, the assessment, in addition to the site walkover, did not find any evidence of amphibians, reptiles, nesting birds, and water voles. It concluded that the development site is not suitable for these species. With respect to bats, it was found that the trees surrounding the site had low potential for roosting bats, and moderate potential for foraging/commuting bats. Subject to effective light control of the site, it is considered there would be no impact on foraging bats.
78. The Biodiversity Assessment examines the extent of habitat loss, modification and enhancement across the development site. The document includes a scheme of proposed habitats weighed against existing habitats on site. The assessment concluded that subject to the enhancements being carried out in accordance with the recommendations, there would be a measurable gain in habitat (area) biodiversity units of 1.4 (+29.40%), and a gain in habitat (linear) biodiversity units of 1.48 (+617.79%). This

significantly exceeds the 10% net-gain as (soon to be) required by the Environment Act 2021.

79. Representations outlined concern over the impact of the development on wading/ground nesting birds, such as lapwing and curlew. In the original application, and in correspondence during this application, the applicant was advised that a wading and breeding bird survey was necessary to determine the potential impacts on these species. Following a site visit, the PDNPA Ecologist advised that given the extent of the site, and the fact that the bell-tents would be located in the northern extent of the site, it is considered that there would be no direct impact on wading birds from the development itself. This would be subject to the installation of a post-and-wire fence which restricts access from visitors (and in particular dogs) onto the southern portion of the site.
80. Subject to the scheme being carried out in accordance with the recommendations outlined with the PEA and Biodiversity Assessment, in addition to suggested comments, it is considered that there would be no harmful impact on biodiversity, and there would be a positive contribution.
81. In addition to the biodiversity net-gain achieved within the redline application site, the submitted details outline that there would be a scheme of “rewilding” undertaken across the wider blue-line area of the site (other land in ownership comprising the remainder of the field). Information submitted in support of this element is limited due to it falling outside of the application site.
82. In the Landscape Strategy, it outlines that there would be additional trees planted across the site, including on the western boundary, in addition to the gapping up and reinstatement of hedges. It also states that existing grassland would be allowed to grow and maintained in a conservation-led way. The PDNPA Ecologist advised that whilst it may contribute to ecology enhancements, in absence of supporting information on this section of the site (including the aforementioned breeding and wading bird surveys), it is difficult to ascertain whether this would contribute to enhancements or lead to a detrimental impact on priority species, such as curlew and lapwing, through increased predator presence in connection with trees and hedgerows.
83. The submitted information outlines that the Derbyshire Wildlife Trust has been formally instructed to undertake the ‘rewilding’ of the northern part of the site, and will produce a Land Management Plan for the ongoing conservation works. The Planning Statement advises that the rewilding and Land Management Plan could be secured through a legal agreement if the application is granted permission. However, this document has not been formally submitted with the application, so it has not been available to those commenting on the applications. Therefore, as a result, no weight has been attached to it in reaching the overall planning balance.

#### Other matters

84. The Highway Authority have confirmed that the proposed access is acceptable and suggested two conditions and an informative. Confirmation on the surfacing proposed for the access between the road and the gate could be reserved by condition. Additionally, it is considered that the proposed grasscrete track and parking area would allow safe access onto the site, whilst minimising the development’s impact on the landscape by allowing it to “green over”.
85. Waste from the toilets, showers and wash basins would be disposed of through a packaged sewage treatment plant (PSTP) into the watercourse in the block of trees on the western boundary of the site. The Environmental Health Officer (EHO) originally raised concern with the fall of the package treatment plant; however, this was resolved

through a slight revision to the Foul Water Drainage Feasibility Study. As the toilet and shower blocks would be removed from site during the off-season, clarification would be required on how this would be achieved when connected to the PSTP.

86. The EHO has explicitly outlined that disposal of the hot-tub water through the PSTP would be unacceptable. The Foul Water Drainage Feasibility Study outlines that the hot-tubs would need to be emptied and cleaned on a quarterly basis. This would be done through a gravity fed system to a storage tank in the north of the site, before being pumped to an underground storage site under the carpark. Whilst this is considered a practical solution, the details of how the water will be pumped from the pump chamber to the holding tank could have been reserved by condition.
87. It is acknowledged that several trees on the northern boundary of the site are ash trees, which are suffering from ash dieback. While there are other trees which provide screening in this location, had the application been supported by officers a condition would have been suggested to secure a management plan to outlines the long-term management of those trees, in addition to any replacement planting as necessary.

## **Conclusion**

88. This application seeks planning permission for the change of use of land from agriculture to campsite. On site there would be three bell-tents, each with a shower, toilet and hot-tub. The structures would be on site between 1<sup>st</sup> April to 31<sup>st</sup> October, and removed entirely from site or stored in the existing buildings when not in use.
89. The proposed bell-tents are contrary in principle to policies RT3B and DMR1. The application should therefore be refused planning permission as they do not meet the requirements of the exceptions set out in DMR1C and there are no other material planning considerations that indicate permission should otherwise be granted.
90. The application has however demonstrated that the tents could be accommodated in this sensitive landscape without harm to landscape character or the significance of the Conservation Area. However, these are not exceptional public benefits as they would be required in any case in accordance with relevant development plan policies. It is must however be recognised that the primary concern of policies RT3 and DMR1 is to secure appropriate recreational development which conserves the valued characteristics of the National Park.
91. The development would result in significant enhancement to biodiversity on the application site and in the rest of the land in the ownership of the applicant. This enhancement goes significantly beyond current and future requirements. This, therefore, is a public benefit in favour of the development which carries weight. The development would also result in benefits to the local economy and provide opportunities for members of the public to experience and enjoy the special qualities of the National Park. This would also be a public benefit but of limited weight as such benefits would be commensurate with any recreation or tourism development in the National Park.
92. Notwithstanding the landscape impact and local public benefit, great weight is placed on the policies RT3 and DMR1. In some instances, material planning considerations may outweigh relevant planning policies; however, this should be in exceptional circumstances where the public benefits clearly outweigh the harm to policy. In this instance, it is considered that the public benefits associated with the benefits to the local economy and additional opportunities for the enjoyment to the National Park are not unique to this application. Indeed, the vast majority of recreation and tourist development would achieve this, and policy RT3 and DMR1 explicitly outline that development of this

kind is not acceptable in the Peak District despite the marginal benefits to the local economy and public enjoyment.

93. As such, it is necessary to consider whether the identified biodiversity net-gain is a significant enough material consideration to outweigh the conflict with policy. Policy DMC11 outlines that all development should aim to achieve net-gains to biodiversity. As such, there is already the presumption that all development should achieve some net-gains to biodiversity. It is acknowledged that this application would result in biodiversity net-gains far in excess of what the Authority would typically expect for a development of this scale; however, it is considered that the improvements to this very small site would not present a significant enhancement to the biodiversity in the wider locality to outweigh the harm to policy. Whilst the figures demonstrate a high percentage of net-gain, the accompanying details show that what is actually proposed on site is not substantially different to a typical landscaping plan beyond it being secured for a minimum of 30-years.

94. On this basis, it is considered that there are no material considerations which indicate that a decision should be made contrary to policies RT3 and DMR1. Weight is placed on the proposed biodiversity net-gain, but it is considered that this does not outweigh the significant conflict with policy which outlines that this development is not acceptable in principle, by introducing permanent structures into the open landscape of the Edale valley.

95. The proposed development is recommended for refusal on this basis.

### **Human Rights**

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

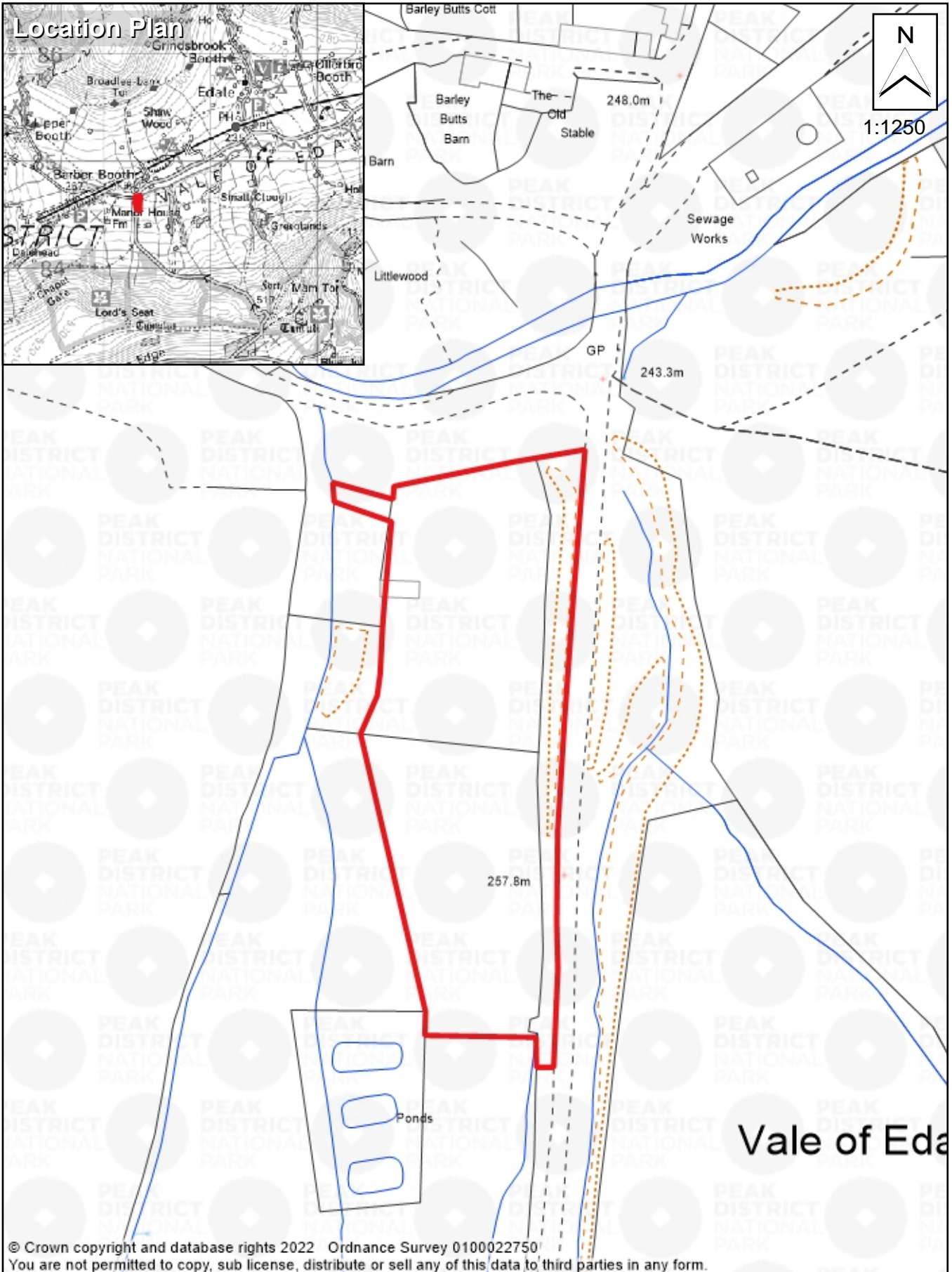
### **List of Background Papers** (not previously published)

97. Nil


Report author: Will Eyre, North Area Senior Planner

This page is intentionally left blank





© Crown copyright and database rights 2022 Ordnance Survey 0100022750  
 You are not permitted to copy, sub license, distribute or sell any of this data to third parties in any form.

Committee Date:	08/03/2024	<b>Title:</b> Land west of Edale Road, Barber Booth, Edale	
Item Number:	Item 10		
Application No:	NP/HPK/0923/1055		
Grid Reference:	411306, 384611		

This page is intentionally left blank

---

**11. FULL APPLICATION – ERECTION OF 3 NO. ENTRY LEVEL EXCEPTION (AFFORDABLE) HOMES, INCORPORATING THE LANDSCAPE AND ECOLOGICAL ENHANCEMENT OF THE BALANCE OF THE LAND. LAND NORTH OF COCK HILL, NETHER END, BASLOW (NP/DDD/0623/0661 /JRS)**

**APPLICANT: MR OTTO MARPLES**

**Summary**

1. The proposal is to erect three single storey dwellings to meet an identified local need. The dwellings would be developed by the applicant and will be discounted and offered to local people either for rent or sale.
2. The development would retain the majority of the site as open space and would provide public access to it. It would be landscaped to improve its appearance whilst increasing its biodiversity interest.
3. The siting and design of the dwellings would conserve the character of the area and the setting of the Baslow Conservation Area.
4. There would be no adverse impacts on residential amenity and all other considerations could be dealt with by means of appropriately worded conditions. The occupancy and affordability of the dwellings and the use of the rest of the site as public open space can be secured through a Section 106 legal agreement.

**Site and Surroundings**

5. The application site is an undeveloped area in the village of Baslow, in the part of the village known as Nether End. It is approximately 0.258 hectares in area. The site sits immediately to the north of the A.619, the main road through Baslow. Eaton Hill runs to the west of the site, with the development known as Eaton Hill on higher ground to the north. To the east there is a more traditional property and the Wheatsheaf public house. On the southern side of the A619 there is a public open space known as Goose Green, with the public car park to the south of this and the Devonshire Arms to the east.
6. The site lies within Baslow Conservation Area. It is currently overgrown, having been unused and largely neglected since the adjacent development was undertaken in the early 1990s.
7. The southern part of the site is within a Flood Zone area.

**Proposal**

8. Planning permission is being sought for the erection of three single storey, one bedroom dwellings to meet a local need for affordable housing. The supporting statement explains the houses would be either made available for rent or sold by the developer. The houses would be largely single aspect, with a small sunken rear yard. They would have green, flat roofs. The units would have an entrance hallway, an open plan kitchen/living/dining space, a bathroom and a double bedroom. Each unit would have its own private outdoor amenity space.
9. The site would be accessed by the existing vehicular access onto Eaton Place and three parking spaces would be provided within the site.
10. The remainder of the site would be retained as public open space, with new landscaping and planting and a footpath through the site from the A619 to Eaton Hill.

11. The application is supported by visuals of the proposed development, a design statement, an aboricultural assessment, a preliminary ecological assessment and biodiversity net gain assessment, an illustrative landscape plan, plans of the dwellings and a covering letter.
12. The covering letter sets out the approach behind the application as follows:  
*“In this connection, Swain Architects were commissioned alongside landscape architects, Influence Landscape Planning and Design Ltd, and ecologists (Sherwood Ecology & Sustainability Ltd) to all work together to devise a scheme that could deliver the development alongside significant landscape, ecology and biodiversity enhancements to the benefit of the National Park, the character and appearance of the Conservation Area, the Parish Council, local residents - and all those who regularly pass the site. The key objective was to ensure that the development was not overly prominent on the site (so as to preserve the over-riding contribution the site made, alongside Goose Green on the opposite side of the A619, as part of the wider open space).*

*To achieve this, the development has been restricted in number to just 3 single-storey dwellings – and set into the land at its northern extent, served via the existing vehicular access off Eaton Hill. The dwellings are modest in scale and nature (so as to be fit for purpose as entry-level exceptions homes ) and contemporary in design – enabling the incorporation of wildflower roofs which contribute to overall biodiversity gain, whilst ensuring their impact from views from those dwellings along Eaton Place looking south across the site, and views from the A619 looking north across the site, are minimised”.*

#### **RECOMMENDATION:**

**That subject to prior entry into a Section 106 Agreement to secure occupancy in accordance with the Authority’s policies on affordable local needs housing and to retain public access and management of the open space in perpetuity, that the application be APPROVED subject to the following conditions:**

- 1. Commence development within 3 years.**
- 2. Submit detailed landscaping scheme, in accordance with the illustrative landscape scheme. Implement and maintain thereafter.**
- 3. Implement biodiversity net gain scheme and maintain thereafter.**
- 4. Detailed design conditions.**
- 5. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 (or any order revoking or re-enacting that Order) no alterations to the external appearance of the dwelling shall be carried out and no extensions, porches, ancillary buildings, solar/photo voltaic panels, gates, fences, walls or other means of boundary enclosure shall be erected on the site without the National Park Authority's prior written consent.**
- 6. Submit details of any external lighting on the site.**
- 7. Highway conditions.**
- 8. Submit and agree precise details of climate change mitigation measures including consideration of air source heat pumps to meet policy CC1 with post completion verification provided.**
- 9. Submit and agree management plan for the public open space.**

## **Key Issues**

- Whether there is an identified need for three affordable local needs dwellings.
- Whether the dwellings are of a size and type that would remain affordable in perpetuity and whether the proposed restrictions would ensure this.
- Landscape impact and impact on the Conservation Area.
- Design of the dwellings.
- Impact on biodiversity
- Climate change mitigation
- Impact on residential amenity

## **History**

13. 1989: NP/WED/0789/414 Erection of 24 dwellings on land at Eaton Hill (outline). This scheme retained to area above the A619 as an open space; this included the current application site.
14. 1990: NP/WED/0590/250 Approval of reserved matters for the erection of 12 starter homes and 4 flats on land at Eaton Hill. This is the housing which now sits above the application site.
15. 1995: NP/WED/0195/001 Planning permission refused for “Residential development of 2 houses and 8 flats for rent and 4 retail units and children’s play area”. A subsequent appeal was dismissed in July 1996 following a Hearing. This application covered the undeveloped area which includes the current application site.
16. 2007: NP/DDD/1004/1063 Planning permission approved for “Residential low-cost housing development of 6 units”. This was on the site to the north of the access road to the Eaton Hill development and was carried out by a Housing Association.

## **Consultations**

### **17. Highway Authority:**

No highway objections to the proposal from the highway point of view, subject to the following conditions being included in any consent granted in the interests of highway safety:

1. At the commencement of operations on site (excluding demolition/ site clearance), space shall be provided within the site curtilage for storage of plant and materials, site accommodation, loading and unloading of goods vehicles, parking and manoeuvring of site operatives and visitors vehicles, laid out and constructed in accordance with detailed designs to be submitted in advance to the Local Planning Authority for written approval and maintained throughout the contract period in accordance with the approved designs free from any impediment to its designated use.
2. The existing vehicular access off Eaton Place shall be provided with maximum visibility sightlines, as measured from a point located centrally and 2.4m back into the access, to the nearside carriageway edge in both directions. The area within the sightlines shall thereafter be kept clear of any object greater than 1m in height (0.6m in the case of vegetation) above the nearside carriageway channel level.
3. The premises, the subjects of the application, shall not be occupied until space has been provided within the site curtilage for the parking of resident’s vehicles (each space measuring a minimum of 2.4m x 4.8m), laid out and constructed all as agreed in writing with the Local Planning Authority and maintained throughout the life of the development free from any impediment to its designated use.

4. There shall be no gates or other barriers within 5m of the nearside highway boundary and any gates shall open inwards only.
18. Derbyshire County Council as the Lead Local Flood Authority (LLFA): As this is a minor application the Lead Local Flood Authority (LLFA) has no formal comment to make.
19. District Council Rural Housing Enabler: The RHE has provided a statement of housing need (referred to in the assessment section below), with the following summary statement in the covering email:  
*“Our interrogation of Home Options Data in December 2023 shows that there are currently 5 applicants in housing need who live in and have a local connection to Baslow. There are also 3 applicants in housing need who have lived in immediately adjoining parishes for 10+ years and so also meet the local connection criteria to Baslow. Overall therefore, there are 8 applicants in housing need who have a local connection to Baslow. The predominant need is for 1 bed accommodation, comprising 6 of the 8 households in need. Affordable housing for rent (rather than an ownership / shared ownership tenure) would be most suitable for these households. Existing affordable housing is of insufficient supply to meet this need.”*
20. Baslow Parish Council: *“The Parish Council would like to support the improvement of this area and welcomes a new communal space. The design of the properties appears to be in keeping with the conservation area and affordable housing would be an asset to the Parish”.*
21. Planning Policy PDNPA: Initially raised concerns that the application was not supported by a Housing needs survey and that the type of housing and method of delivery proposed did not meet the Authority’s policies or advice in the NPPF. Consequently, the District Council’s Rural Housing Enabler was consulted (see above). In response to this, the latest response from the Planning Policy team is as follows:

*“The information provided by Jeremy Mason (DDDC) confirms the applicant is building the correct sized properties (one bedroom dwellings) for people in housing need (I can’t see an internal size m2, so can you check they meet with the standards as set out in the DMH1 interim policy note?).*

*However, the applicant has not demonstrated that the properties will be affordable for the people in housing need and more evidence is required. While acknowledging Brian’s recommendation that we should not ‘do the maths’, nevertheless I would be mindful of recommending approval for a scheme that proposes affordable rented properties, unless people in the locality can afford them. If the homes are not affordable the proposal would not meet the requirements of NPPF para 82 or the National Parks’ circular on providing affordable housing to meet local needs.*

*Jeremy Mason has provided information on household income for those in need and advised that they can afford to spend 30% of their income on rent. We need more evidence from the applicant that the rental prices are affordable for the people in housing need if we are to accept their argument for affordable rented properties in this location. I understand that rentals will be 30% below market rentals but what does this actually mean and how does it relate to what people on the housing register can afford?*

*A significant amount of weight should be given to the evidence given by DDDC and the NPPF in determining the type of affordable housing provided.*

*The NPPF para 64 states that ‘Where a need for affordable housing is identified, planning policies should specify the type of affordable housing required...’ Whilst the Local Plan does not specify a type of affordable housing required, it is clear from the*

evidence provided from DDDC to support any development here (which is being used as a material consideration) that the need is primarily for social rented housing, unless the applicant can demonstrate otherwise.

The NPPF goes on to state in para 82 'In rural areas, planning policies and decisions (my highlighting) 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...'

Until we are satisfied that affordable rented properties meet the need in this location, my preference would be for social rented properties as this type of affordable housing would meet the need set out in the DDDC report.

I understand there is support for the scheme by the Parish Council and locally. Are they fully aware of the type of affordable housing proposed, or is their understanding that it is 'affordable'?"

22. Landscape Architect PDNPA:

"I note PDNPA Policy objection – and any comments I make from a landscape perspective should be considered against wider policy objectives / issues. I am generally supportive of the landscape proposals – but this needs to be weighed against development of an important open space and longer term management of the site. It is not clear from the application how the open space would be managed going forward, how long for etc? Who would manage this, who would carry insurance if the space is used by school groups etc? Is a management plan for the site in place? This issue would need to be confirmed".

**Representations**

23. Five letters of support have been received, raising the following points:

- Support the application as it will improve an area of the village that has been neglected for some time.
- Gives access to the land to the residents. It has minimal impact being only 3 properties all sustainable. This is and should be strongly supported.
- This scheme is a good proposal for adding affordable homes and village amenities for the community. It replaces an eyesore in the centre of the village.
- The design is well thought out and seems to align with PDNP planning policy and guidelines.
- The three planned starter homes are much needed in Baslow.
- I support the application. I do have reservations about the proposed public access from the main road. This is a busy through route with much heavy traffic, often travelling at significant speed. As it is there is too easy an access direct from Goose Green - straight across this road. I suggest the entrance would be better placed at the bottom of Eaton Hill, close to the traffic lights.

24. There is also a letter making a general comment, the key point of which is as follows:

"Overall, we support this application. We are grateful that the Arboricultural Assessment and other documents give due consideration to our mature copper beech tree (T3 in the reports), and require it not to be disturbed during the works. However, there is one significant error in the Landscape Design Document, the Arboricultural Assessment and elsewhere, where it seems to be presumed that the hedge along the eastern side of the site is part of the site. It is not. We own it, and indeed we planted the larger beech element ourselves on our side of the barbed wire fence delimiting the boundary, after we bought 'The Croft' in 1989". They also make a number of comments on a fence on the site and

on the history of the site following the 1989 planning permission for the adjacent development.

### **Main Policies**

25. Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, HC1, L1, L3, CC1
26. Relevant Development Management Plan policies: DMC3, DMC5, DMC8, DMH1, DMH2, DMT3, DMT8.

### **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. The latest revised NPPF was published in December 2023. The Government's intention is that the document should be considered as a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. In the National Park the development plan comprises the Authority's Core Strategy 2011 and Development Management Policies (adopted May 2019) in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and more recent Government guidance in the NPPF.
28. Paragraph 182 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.
29. With regard to housing, the NPPF says in paragraph 64: "Where a need for affordable housing is identified, planning policies should specify the type of affordable housing required, and expect it to be met on-site".
30. With regard to rural housing, the NPPF says:

"82. In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs, including proposals for community-led development for housing. 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.

83. 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."
31. The NPPF's Glossary includes the following definition of affordable housing for rent:

"Affordable housing  
Housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following definitions:



*(a) Affordable housing for rent: meets all of the following conditions: (a) the rent is set in accordance with the Government’s rent policy for Social Rent or Affordable Rent, or is at least 20% below local market rents (including service charges where applicable); (b) the landlord is a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider); and (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision. For Build to Rent schemes affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent).”*

### Core Strategy

32. Core Strategy policy GSP1 sets out the broad strategy for achieving the National Park’s objectives having regard to the Sandford Principle, (that is, where there are conflicting desired outcomes in achieving national park purposes, greater priority must be given to the conservation of the natural beauty, wildlife and cultural heritage of the area, even at the cost of socio-economic benefits). GSP1 also sets out the need for sustainable development and to avoid major development unless it is essential, and the need to mitigate localised harm where essential major development is allowed.
33. Core Strategy policy GSP2 states, amongst other things, that when development is permitted, a design will be sought that respects the character of the area.
34. Core Strategy policy GSP3 sets out development management principles and states that all development must respect, conserve and enhance all valued characteristics of the site and buildings, paying particular attention to, amongst other elements, impact on the character and setting of buildings, scale of the development appropriate to the character and appearance of the National Park, design in accordance with the National Park Authority Design Guide and impact on living conditions of communities.
35. Core Strategy policy L1 addresses 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.
36. Core Strategy policy L3 requires that development must conserve and where appropriate enhance or reveal significance of archaeological, artistic or historic assets and their setting, including statutory designation and other heritage assets of international, national, regional or local importance or special interest.
37. Policy HC1 says that exceptionally, new housing can be accepted where the proposals would address eligible local needs and would be for homes that remain affordable with occupation restricted to local people in perpetuity. The provisions of HC1 are supported by policy DMH1, DMH2 and DMH3 of the Development Management Policies, which gives more detailed criteria to assess applications for affordable housing to meet local needs.
38. Core Strategy policy CC1 states that development must make the most efficient and sustainable use of land, buildings and natural resources.

### Development Management Policies

39. DMH1 states that affordable housing will be permitted in or on the edge of named settlement, either by new build or by conversion provided that there is a proven need for the dwelling; and they are within set size thresholds as follows:

<b>Number of bed spaces</b>	<b>Maximum Gross Internal Floor Area (m2)</b>
One person	39
Two persons	58
Three persons	70
Four persons	84
Five persons	97

40. DMH2 sets criteria for the first occupation of new affordable housing.
41. Development Management Practice Note policy DMH1: New Affordable Housing (February 2022). The practice note clarifies a number of points on the implementation of the Authority's housing policies.
42. Development Management Policy DMC3 requires development to be of a high standard that respects, protects, and where possible enhances the natural beauty, quality and visual amenity of the landscape, including the wildlife and cultural heritage that contribute to the distinctive sense of place. It also provides further detailed criteria to assess design and landscaping, as well as requiring development to conserve the amenity of other properties.
43. Policy DMC3B sets out various aspects that particular attention will be paid to 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.
44. Policy DMC4A says that planning applications should provide sufficient information to allow proper consideration of the relationship between a proposed development and the settlement's historic pattern of development including the relationship of the settlement to local landscape character. The siting of the development should complement and not harm the character of these settlements.
45. Development Management Policy DMC8 sets out the policy on development in Conservation Areas. It states that applications should assess and clearly demonstrate how the character and appearance and significance of the Conservation Area will be preserved or enhanced and should be determined in accordance with Policy DMC5. Development will not be permitted if applicants fail to provide adequate or accurate detailed information to show the effect of their proposals on the character, appearance and significance of the component parts of the Conservation Area and its setting.
46. DMC11 Safeguarding, recording and enhancing nature conservation interests 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.

47. In February 2024 the Authority published an Interim Note on Mandatory Biodiversity Net gain (BNG). Under the Environment Act 2021, certain developments in England must deliver at least 10% Biodiversity Net Gain, otherwise planning permission cannot be granted. This will be mandatory from 12 February 2024 for major development sites, and from 2 April 2024 for small scale sites. Biodiversity Net Gain will be measured using a biodiversity metric and habitats will need to be secured for at least 30 years. A planning application should indicate generally how the Biodiversity Net Gain will be met with a pre-commencement condition attached to planning permissions requiring full details. This means that before development can take place, details of how a 10% net gain will be achieved must be submitted to and agreed by the National Park Authority.
48. For those developments that fall outside the scope of mandatory BNG the Authority encourages proportionate biodiversity net gain as per policy L2 of the Core Strategy and policy DMC11.
49. DMC13 *Protecting trees, woodland or other landscape features put at risk by development* says that planning applications should provide sufficient information to enable their impact on trees, woodlands and other landscape features to be properly considered in accordance with 'BS 5837: 2012 Trees in relation to design, demolition and construction - Recommendations'. Development should incorporate existing trees, hedgerows or other landscape features within the site layout. Where this cannot be achieved the onus is on the applicant to justify the loss of trees and/or other features as part of the development proposal.
50. Policy DMT3 states that development which includes a new or improved access will only be permitted where safe access can be provided.

## **Assessment**

### **Principle of Affordable Housing**

51. Adopted policies do not allow new build housing in the National Park unless there are exceptional circumstances. One circumstance where housing can be permitted is under policy HC1 A, where development would meet eligible local need for affordable housing (in or on the edge of named settlements).
52. As a settlement named by policy DS1, in principle Baslow is an acceptable location for new affordable housing. The site is clearly within the settlement, albeit on a site that has been considered as an important open space within the village; this issue is considered below.

### **Whether the development would meet a local need for affordable housing**

53. In terms of determining whether there is a local need, paragraph 6.24 of the Authority's Development Plan sets out that it will require the same information as the local housing authority's Home Options scheme in order to establish whether there is a genuine housing need.
54. In this case, the initial application did not include any evidence that there was a local need in the parish for affordable housing. The Authority's Planning Policy Team objected on this basis and advised that a Housing Need Survey should be carried out to establish whether there was a need and if so, what the scale and nature of this was along with evidence to demonstrate that the housing would be affordable. The applicant was reluctant to commission a housing needs survey for this purpose, so officers contacted Derbyshire Dales District Council's Rural Housing Enabler (RHE). In correspondence with the RHE he has explained that he had studied the information available to the

Council and he has provided a Housing Needs Statement for Baslow, dated December 2023.

55. This is a thorough report, based on Housing Register and Home Options data. It concludes “*There are currently 5 applicants in housing need who live in and have a local connection to Baslow. There are also 3 applicants living in adjoining parishes who have lived there for 10+ years and so also meet the local connection criteria to Baslow. Overall therefore, there are 8 applicants in housing need who have a local connection to Baslow*”.
56. It goes on to say that “*households in Baslow require 6 x 1 bed, 1 x 3 bed and 1 x 5 bed accommodation. Households in need present at a range of ages and are all currently living in unsuitable accommodation for the different reasons listed above. When comparing the affordability graph... with household annual incomes, there are no households that can afford to purchase in Baslow*”.
57. In terms of existing social housing it says that there are 30 social housing properties in Baslow, all of which are currently occupied. It concludes: “*The housing register data demonstrates that there is unmet housing need in Baslow. Turnover rates in existing affordable housing stock are insufficient to meet that need in full.*
- The largest source of housing need derives from single people needing 1 bedroomed accommodation. Income and affordability figures suggest that households in need cannot afford to buy on the open market or access the private rented market*”.
58. In terms of size, the three dwellings would have an internal floor area of approximately 59 square metres, very close to the limit for two person dwellings set out in policy DMH1 (58 sq.metres). The architect has explained that the scheme has been designed to provide space for mobility standards, so the layout is relatively spacious.
59. Given the advice from the District Council’s Rural Housing Enabler, it is considered that there is a local need for affordable housing of the size proposed (i.e. single bedroom units) as required by policies DMH1 and DMH2.
60. In terms of the delivery of the dwellings and securing their occupation by local people in perpetuity, whilst the applicant has verbally stated he is proposing to build them and make them available for rent, with occupancy and rents being controlled through the Authority’s standard section 106 legal agreement the application documents refer to sale or rent so there would be no guarantee that the dwellings would be rented. Whilst it is usually preferable for affordable local needs housing to be delivered by Registered Social Landlords (RSLs), Government policy and the Development Plan policies do not prohibit delivery by developers, although there have been cases in the National Park where this has resulted in some difficulties in ensuring affordability and future sales to local people in housing need. Those same concerns arise here where unless the dwellings are offered at an affordable rent they would not be affordable by those local persons in most need of housing identified by the District Rural Housing Enabler. It should also be noted that the Authority’s policies are “tenure neutral”, not favouring either ownership or rental.
61. In this case the initial application referred to the NPPF, and said that entry-level exceptions homes comprise a form of affordable housing, where they are provided for first-time buyers, and where they are discounted at 30% below open market value in perpetuity. The NPPF actually states that affordable rents should be at least 20% below market rates, but the application proposes a 30% discount.
62. The Rural Housing Enabler’s report states that the median monthly rent in Chatsworth Ward is £900, but it is not clear what the median rent is for 1 bedroom properties; clarification is being sought on this.

63. The approach set out in the application would comply with the Authority's policies if the occupancy and value of the properties are restricted by a section 106 agreement. This would give the Authority the ability to ensure that any letting of the properties or indeed their sale would be at a rent or price below market level, as recommended in the NPPF and as proposed in the application. Any approval must be subject to this. However, it is important to acknowledge the concerns of the Planning Policy team that even with this restriction, the houses are likely to be less affordable than if delivered through a Registered Social Landlord, but they would be more affordable than unrestricted private rental properties. It is also important to note that without the involvement of an RSL any housing provided could also be sold. Although any sales would still deliver more affordable housing and meet wider local needs it would nevertheless be even less affordable to local persons identified in the parish need survey as only being able to afford rental property.

#### Impact on Conservation Area and Open Space

64. The appeal decision in 1995 set out the following conclusion by the Inspector, which has essentially been the Authority's position since the late 1980s, when the adjacent housing development was approved, leaving the application site undeveloped:

*“From vantage points up Eaton Hill, in my view it is the appeal site which holds together the parts of this whole central feature. Goose Green itself is a key element, but it would be poorly served by the proposed development; hemmed in by buildings it seems to me that it would become no more than an isolated grass triangle, happily endowed with specimen trees but with a very much reduced setting.....I consider that, in principle, the development of the appeal site would spoil the prevailing sense of place. It would cause unacceptable harm to the character and appearance of the area, which is a matter of particular importance in the National Park”.*

65. The site is within Baslow and Bubnell Conservation Area. The CA Appraisal and the associated plan shows that the site lies within Area G (Nether End) Sub-Area. The plan identifies the stone boundary walls and adjacent hedgerow and area of trees comprising features of significance, together with the steep slope towards the north of the site. The site is identified as being part of a wider important open space, alongside adjoining land to the north-west (which has since been developed). The Conservation Area Appraisal confirms The Green is the focal point of the area, crossed by footpaths and “well sprinkled with trees”.
66. The Development Management Plan, adopted in 2019, includes inset maps of all the main settlements in the National Park. The map for Baslow and Bubnell also identifies the application site as “Open Space in a Conservation Area”, with policies L3 and DMC8 applying.
67. As noted above, when planning permission was granted in 1989 for housing development on the open land to the north (24 houses in total, with 6 more in 2006), the application site was intended to be public open space, but it is understood that the Parish Council was unwilling to take it on. Consequently, whilst the site has remained undeveloped, it has been largely unmanaged and overgrown. This has retained it as an open space, but its appearance does not conserve or enhance this part of the village. It can be argued that it does not require development to achieve this enhancement as a relatively simple regime of land management with some seasonal grass cutting could achieve this.
68. The application responds to this by producing a scheme which retains more than half the site as public open space, managed to improve its appearance whilst retaining biodiversity interest. It is proposed that this land will to be transferred to the Parish Council to enable the site to be opened up to, and enjoyed by, the general public. The

supporting letter explains that the project landscape architects carried out an initial landscape and visual assessment of the site and its local context to better understand the significance and contribution the site makes as an open space within the Conservation Area. A Preliminary Ecological Assessment was also carried out to establish the presence of any flora or fauna of significance and to identify opportunities to maximise landscape, ecological and biodiversity enhancement as one of the key objectives behind the proposal. An Arboricultural Assessment was also undertaken to establish the root protection areas of those trees on the site, or adjoining the site, proposed to be retained. The letter says that these investigatory surveys and assessments fed into the architect's brief to ensure a coordinated approach.

69. The covering statement explains that the landscape design works with the habitat of the existing site and incorporates pathways through meadow grassland, over wetland areas and through more shaded treed areas, linking the site with the surrounding area and resulting in a mosaic of habitats within the site. It concludes that this will lead to a 25.35% increase in habitat units within the site and a 522.09% increase in hedgerow units within the site, both well in excess of the 10% target for biodiversity net gain. It explains that as the southern part of the site is subject to flooding, there would be a proposed area of native wildflower wet grassland, aquatic grasses and marginal mix to suit the wetter ground conditions, creating further landscape and habitat diversity. A timber boardwalk would provide public access to this part of the site in damp conditions. The perimeter stone wall would be maintained, with existing gateways utilised for public access. New native trees would be located to the east of the site to maintain visual openness across the south-west of the site and help visually screen the existing substation. It also says that there is opportunity for interpretation and a degree of relevant informal, natural play items such as timber stepping logs, that follow the pathways around the site and complement the natural landscape setting. If the application is approved, the precise details of the landscape design should be conditioned for approval.
70. Taking all these points into consideration, the site has been in its current state for over 30 years and whilst it is not so unsightly that it would justify an open market housing scheme or a scheme that resulted in the loss of its key role as an open space, the current proposal is well thought-out as it would retain a larger part of the scheme and is designed to reduce the impact of the proposed dwellings on the sense of openness (detailed design is considered in the next section). The proposals to landscape the site to provide public access and to improve biodiversity are positive considerations which lend support to the application. This would allow the site to have a positive role in the centre of the village, rather than its current relatively neutral role as an undeveloped area.
71. In summary the dwelling would conserve the character of the area and the setting of the Baslow Conservation Area in accordance with policies GSP3, L3, and DMC8.

#### Design of the proposed dwellings

72. The proposed dwellings are of a contemporary design that seeks to minimise their visual impact, whilst following sustainable design principles. They would be single storey, with flat, green roofs, and half sunken into the ground, using the existing fall in topography on the site. There would be a landscaped bund in front of the dwellings so they would be largely screened from the adjacent public open space and the A.619. The retaining walls to the north of the development that form the rear courtyards would be constructed from gabions, with the spine walls that form the sides of each unit constructed from timber frame and clad in local gritstone with timber frame between them to form the flat, green roofs. To the front of each dwelling will be fins/louvres to provide shading to the main living room windows which are south facing. Climbing plants will be planted at the base of the fins to provide additional shading in the summer months. The north and south facing walls of the dwellings would be clad in timber on the areas surrounding and

adjacent to the windows. The window and door frames will be constructed from thin profile black aluminium

73. This approach is considered to be well thought out and appropriate in this particular location, given the need to retain the primary character of the site as open space. The development would be of a contemporary design but one that would be appropriate and sympathetic in this location.

74. In summary the scale, form and design of the dwellings would conserve the character of the area and its setting in the Baslow Conservation Area in accordance with policies DMC3, DMC5 and DMC8.

#### Impact on Residential Amenity

75. The nearest neighbouring properties are immediately to the rear (north) of the proposed dwellings, with The Croft to the east. The scale and single storey nature of the dwellings, with a largely single aspect, would ensure that the development would not cause harm to residential amenity through overlooking or overshadowing. It is therefore in accordance with policy GSP3.

#### Ecological considerations

76. As noted above, the application is accompanied by a Preliminary Ecological Assessment was carried out to establish the presence of any flora or fauna of significance and to identify opportunities to maximise landscape, ecological and biodiversity enhancement as one of the key objectives behind the proposal. The Biodiversity Net Gain Assessment submitted with the scheme says that it will provide an opportunity to better manage the existing habitats on site and enhance local biodiversity. In its current condition, with scrub, the site has some benefit to wildlife. However, as noted above, it concludes that the proposals for the landscaping and management of the site will lead to a 25.35% increase in habitat units within the site and a 522.09% increase in hedgerow units within the site, both well in excess of the 10% target for biodiversity net gain. This is another positive factor in the balance which lends support to the proposal.

77. An Arboricultural Assessment was also undertaken to establish the root protection areas of those trees on the site, or adjoining the site, proposed to be retained. The Arboricultural Assessment assessed all trees within and adjacent the site and confirms that the young, scattered trees within the site are of low value. The scheme will result in the loss of only 3 of the existing trees, which the assessment confirms will not be harmful, and will be outweighed by the planting of 20 new native trees.

78. The proposal is therefore considered to be in accordance with policies DMC11 and DMC13.

#### Highways and Parking

79. The Highway Authority has no objection, subject to conditions.

#### Climate Change Mitigation

80. A Design Statement has been submitted with the application. The statement lists a number of measures that would be introduced to mitigate against climate change. The proposed dwellings would be covered by a biodiverse green roofing system. The structure of the units will be mostly built from timber frame, allowing for larger amounts of insulation to be included within the roof, walls and floor. The stone used in the construction of the spine walls will be locally sourced gritstone. The planted roof will retain water in periods of heavy rainfall and then discharge it slowly into the drainage system.

The landscaping of the rest of the site is designed to accommodate flooding when necessary; this part of Baslow has suffered from severe flooding in recent years.

81. No information is included about how the dwellings would be heated, however officers consider there is a clear opportunity to include air source heat pumps for example and therefore a condition is suggested to submit and agree a detailed package of measures the developer can commit to in order to ensure the proposal accords with policies CC1 and CC5.

### **Conclusion**

82. The proposal would meet an identified need for single bedroom affordable local needs dwellings in Baslow. The proposed delivery would be by the applicant rather than a Registered Social Landlord, but he has offered to provide them at a discounted rate, which can be secured through the Authority's Section 106 agreement. The dwellings would therefore be more affordable than unrestricted private rentals or equivalent market properties for sale and would help to meet the need for such dwellings although not necessarily to all those identified by the Rural Housing Enabler who potentially could only afford social rents through RSL involvement.
83. In other respects the application addresses the concerns that have led to the previous refusal on the site. The proposal is a well-designed scheme which retains the majority of the site as open space and includes measures to allow public access and increase biodiversity. The design of the dwellings is innovative and sensitive to the importance of the site as an open space in the heart of the village and Conservation Area. Accordingly, the application is recommended for approval, subject to prior entry into a section 106 legal agreement and to conditions.

### **Human Rights**

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

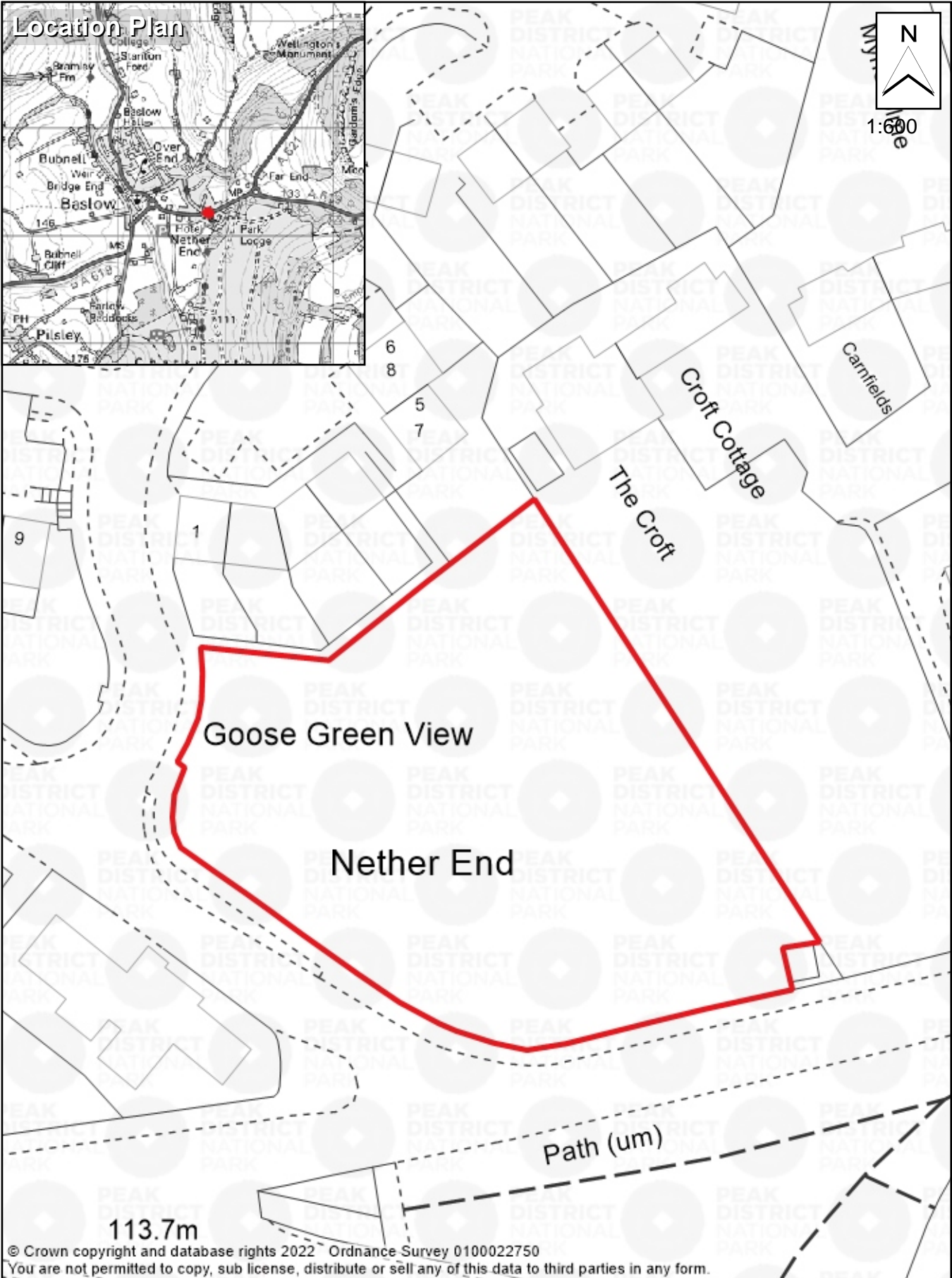
### **List of Background Papers** (not previously published)


Nil

### **Report Author and Job Title**

John Scott – Consultant Planner





Committee Date:	08/03/2024	<b>Title:</b> Land North of Cock Hill, Nether End, Baslow	 <b>PEAK DISTRICT NATIONAL PARK</b>
Item Number:	Item 11		
Application No:	NP/DDD/0623/0661		
Grid Reference:	425824, 372208		

This page is intentionally left blank

**12. FULL APPLICATION – CONVERSION OF A DISUSED CHURCH INTO TWO RESIDENTIAL UNITS, INCLUDING DEMOLITION OF A SUBSTANTIAL PORTION OF THE MODERN REAR EXTENSION TO CREATE ADDITIONAL EXTERNAL SPACE, KETTLESHULME METHODIST CHURCH, PADDOCK LANE, KETTLESHULME (NP/CEC/0821/0935 /JRS)**

**APPLICANTS: MR PHILIP GOOD**

**Summary**

1. The proposal is for the conversion of a former church to two dwellings (reduced from three). The building is now redundant and in need of a beneficial use. The revised scheme would conserve the character of the building and its setting in the Kettleshulme Conservation Area and any harm to the building as a non-designated heritage asset would be outweighed by the public benefits of providing a beneficial use for the redundant building.
2. The new dwellings would have no on-site car parking but there is existing roadside parking and any alternative use of the building would require such parking, as did the original use.
3. There would be no adverse impacts on residential amenity and all other considerations, including ecology, can be dealt with by means of appropriately worded conditions.

**Site and Surroundings**

4. The site is located on the northern side of Paddock Lane in the village of Kettleshulme, in a part of the village known as Brookbottom. Paddock Lane runs north from B.5470, Macclesfield Road, and loops around to meet Kishfield Lane to the north-east. The lane runs to the north of the recreation ground, which occupies the central part of the village. Paddock Lane has a mixture of traditional buildings, mainly around the church, and more recent, post-war houses to the west and south.
5. The site is a disused Methodist church which was originally constructed as a chapel in 1815 but rebuilt in the gothic style around 1901 (there is a date stone on the front elevation). The lower parts of the walls survive from the first chapel. There is a more recent flat-roofed extension on the rear of the building containing a kitchen and WC. The church is attached to a cottage to the north, which is part of a short terrace of traditional gritstone buildings. To the south there is a narrow passageway to the rear, with this passageway separating the church from the cottage to the south.
6. The roof is clad with natural blue slate and has a clay tile ridge, the property is of a timber frame construction with natural stone walls. There is a timber door to the front with three timber frame single pane windows to the front elevation. The existing rainwater goods are cast aluminium.
7. The site lies within Kettleshulme Conservation Area. The building is not statutorily listed but it is considered to be a non-designated heritage asset given its age and character.
8. There is no parking on the site, but there is roadside parking on the opposite side of the road, to the south. This appears to serve properties along Paddock Lane and the recreation ground.

**Proposal**

9. Planning permission is being sought for the conversion of a disused church into two residential units, including the demolition of a substantial portion of the modern rear

extension to create additional external space. The remaining extension would be given a pitched slate roof to accommodate a “bat lodge” in the loft space created.

10. The initial application was for conversion to three dwellings, but this was reduced to two following discussions with officers.
11. Internally the space would be divided by new floors to create three floor levels for each of the two new dwellings.
12. The only significant external change is to the rear of the building where it is proposed that the single storey extension, a later addition to the building, is reduced in size to provide ground level amenity space and improved access to the rear of the building. The external wall of the extension will be partially retained to maintain privacy to the gated access of the adjacent property. As noted above, a pitched roof would be added to the rear projection to provide a bat lodge.
13. Two new openings are proposed to the rear of the building at ground floor level. These would be full height openings, designed to reflect the size and proportion of existing openings and are aligned to the windows above. Dressed stone surrounds are proposed to provide a finish consistent with the existing building.
14. The roof of the church is currently covered with natural blue slate with ornate terracotta ridge tiles; this would be retained. New aluminium framed ‘conservation’ rooflights are proposed for the roof slopes (four on one side and six on the other), coloured black, within a recess formed in traditionally detailed standing seam lead flashing. The existing windows would be replaced with aluminium framed, triple glazed, windows, with a powder coated finish, colour dark grey.
15. The site has no on-site parking so vehicles associated with the development would have to park on the existing roadside parking area on Paddock Lane.
16. There is a small yard at the rear of the building where bins are stored.
17. The application is supported by a Design and Access Statement, a Heritage Statement, a Development Appraisal, setting out the financial viability case for the development, a Climate Change Mitigation statement, and an ecological assessment relating to bats. These have been revised to reflect the amended scheme.

### **RECOMMENDATION:**

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

- 1. Adopt amended plans subject to detailed design conditions, including submission of window details prior to commencement.**
- 2. Submit details of obscure glazing of rear windows.**
- 3. Submit and agree details of rooflights.**
- 4. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 (or any order revoking or re-enacting that Order) no alterations to the external appearance of the dwellings shall be carried out and no extensions, porches, ancillary buildings, solar/photo voltaic panels, gates, fences, walls or other means of boundary enclosure shall be erected on the site without the National Park Authority's prior written consent.**

5. Ecology conditions.
6. Minor architectural details e.g. repointing, rainwater goods to be cast iron, no external svs, agree vent types/locations.
7. Extension to be roofed in welsh blue slates
8. Sample stonework for extension to match existing walling.
9. Submit for written agreement precise measures to be included in the climate change mitigation and adaptation statement with implementation confirmation thereafter.
10. No external lighting other than in accordance with scheme to be submitted and agreed in writing.
11. Historic Building Recording to HE level 2 before work commences.

### **Key Issues**

The main issues in this case are considered to be:

- Whether the proposed conversion of the buildings to the proposed uses is acceptable in principle in this location.
- Whether the loss of the building as a community facility is acceptable
- The impact of the conversion on the character and appearance of the building and its setting.
- The potential impact on the privacy and amenity of neighbouring properties.
- Highway impacts

### **History**

18. NP/M/195/004, granted in April 1995, for the demolition and reconstruction of sanitary accommodation at the rear of the building.

### **Consultations (in response to revised proposal for two dwellings)**

#### 19. Highway Authority:

*“To accord with CEC car parking standards two off-street car parking spaces per dwelling, within the curtilage of the site, are required. However, none are proposed as there is insufficient space within the boundary of the church.*

*Reference is made to a small area of public car parking located nearby which could be used by future residents; however, the highway authority does not normally support this, which is why the car parking standards exist. Having said that:*

1. *It is unclear who owns this land and whether or not it is a public car park;*
2. *It is unclear whether or not the parking area is oversubscribed overnight; and*
3. *I note that a number of nearby property owners have converted their front gardens into driveways and that there are a number of nearby dwellings with no off-street car parking provision.*

*Point three indicates that there is likely to be a problem with on-street car parking congestion and that this proposal could make this situation worst for existing residents.*

*The above points need to be addressed, for me to be able to support the planning application”.*

In response to this, officers have advised the Highway Officer that there is roadside parking nearby and the building has a lawful use which could generate traffic and parking and will have done so in the past, so he has been asked to comment on this by the date of the Committee meeting.

20. Cheshire East Rights of Way: The property is adjacent to public footpath Kettleshulme No. 26 as recorded on the Definitive Map. It appears unlikely that the proposal would affect the public right of way, although the PROW Unit would expect the planning department to add an advice note to any planning consent to ensure that developers are aware of their obligations.
21. Kettleshulme Parish Council: *“The Parish Council believe that the issues raised from the initial application have not been addressed within the new application. There remains no on site parking for the building and even with the amendment from 3 dwellings to 2 3-bed dwellings, this would still create a possibility of 4 + additional vehicles with a need to park on an already busy and in places narrow Paddock Lane. There also remains a probability of loss of privacy for residents of Brookbottom Cottages, which the Methodist Church overlooks. The current state of the road surface on Paddock Lane is also a matter of concern and an increase in vehicular traffic would further deteriorate the condition of the road”*
- a. Conservation Officer PDNPA: Comments on revised scheme as follows:
- a. *“Internal subdivision  
The revised drawings are a significant improvement on the original proposal. The proposals will inevitably lead to a loss of significance associated with the open space, but the scheme is now much less intensive and the use of floor to ceiling voids will preserve the sense of openness from the ground floor and keep the windows clear of inserted floors.*
  - b. *Rooflights  
The proposed rooflights are an improvement on the original scheme, although they will still have a negative visual impact on the conservation area and the building. Another unfortunate side effect would be the loss of the original roof vents, some of which contain attractive gothic trefoil heads.*
  - c. *Windows  
The scheme proposes the replacement of all the windows with triple glazed aluminium frames. The initial conservation officer comments queried the history and significance of the windows, and it is unfortunate that this has not been covered by the heritage statement.*
  - d. *The windows appear to have slim timber glazing bars and match the pattern of the windows in the historic photo shown in the heritage statement. On balance, the windows are probably original or good copies of the originals. They contribute to the significance of the building and the conservation area. They should be retained maintained. The windows can be upgraded with secondary glazing if necessary.*
  - e. *Two of the windows are shown with obscured glazing. This has the potential to impact on the character of the building and the conservation area. How is this to be carried out and why is it necessary?*
  - f. *The rear windows feature stained glass, which contributes to the communal and aesthetic value of the building, as well as its character as a place of worship. Their loss would negatively impact the significance of the building.*
  - g. *Rear extension  
The replacement of the modern rear extension would be an enhancement, provided the extension is detailed to a high standard.*

*h. Insulation*

*The climate change statement refers to insulation but there are no further details in the application. How is the building to be insulated? The method of insulation can have a major impact on historic buildings and the application should not be fully assessed without this information.*

*This should include details of existing and proposed roof walls and floor build-up, and an assessment of the impact this would have on the hygrothermal performance of the building.*

*i. Alteration to the roof trusses:*

*The proposals show significant alterations to the roof trusses, but it is not clear on whether all the trusses are affected, or the justification for the changes. Can the conversion be done without such fundamental changes?*

*j. Rainwater goods*

*The proposals include uPVC rainwater goods. This would not be appropriate for a historic building in a conservation area and should be of cast iron.*

*k. Wall lighting*

*This would be an inappropriate addition to a rural church building and should either be omitted from the scheme or redesigned to provide the minimum level of lighting necessary for the function of the building.*

*l. Overall the proposals are an improvement on the original application, however there are still outstanding issues and missing information that need addressing before the application can be supported ”.*

(N.B. There have been further revisions to the scheme since these comments were made, responding to some of these concerns)

**22. Ecologist PDNPA:**

- No work should be carried out on the building without the applicant first obtaining a Bat Mitigation Class Licence from Natural England .
- All of the proposed mitigation measures for bats outlined in Kettlethulme Methodist Church Bat Survey by Dunelm Ecology should be carried out in full as part of a mitigation plan carried out under the Natural England Bat Licence.

**Representations**

**23. Four representations have been received (three of which have also responded to the re-consultation) raising the following points:**

- There would be an issue with parking, i.e. we struggle for spaces at present, with some residents having to park on the Lane now. Even that is limited due to the narrow width in places and some properties opposite the parking area making gateways and private parking for themselves. The potential for more vehicles could not be supported.
- We object to any plan which will possibly increase the amount of vehicles which will park on Paddock Lane, with so many residences this increase could be considerable. The present parking spaces are often overwhelmed at night time and vehicles double park on the narrow lane obstructing passage for emergency vehicles.
- We do not feel the parking issue has been addressed at all and the downgrading from 3 to 2 properties could still see a possible 4-6 cars. As stated in our initial letter, there simply is nowhere to park these vehicles.

- We do also have concerns about how the works are going to impact on our home, privacy and logistical details such a placement of skips, demolition of existing buildings, accessibility etc. Being victims to major flooding in 2019, how does the proprietor aim to mitigate any issues that may arise from this building when the draining system and culvert are already fragile? We feel that 2 properties is simply excessive and will greatly impact a small rural lane such as ours.
- Please can you consider maintaining the privacy of the back garden at Brooklands, specifically ensuring the view from the proposed upper back windows of the chapel does not look directly down onto the immediate first half of my garden where my terrace and utility room are.

### **Main Policies**

24. Relevant Core Strategy policies: GSP1, GSP2, GSP3, GSP4, DS1, HC1, HC4, L1, L2, L3, CC1.
25. Relevant Development Management Plan policies: DMC3, DMC5, DMC8, DMC10, DMC12, DMS2, DMT3.

### **National Planning Policy Framework**

26. The National Planning Policy Framework (NPPF) was published on 27 March 2012 and replaced a significant proportion of central government planning policy with immediate effect. The latest revised NPPF was published in December 2023. The Government's intention is that the document should be considered as a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. In the National Park the development plan comprises the Authority's Core Strategy 2011 and Development Management Policies (adopted May 2019) in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and more recent Government guidance in the NPPF.
27. Paragraph 182 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. Paragraph 203 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.



## Core Strategy

29. Core Strategy policy GSP1 sets out the broad strategy for achieving the National Park’s objectives having regard to the Sandford Principle, (that is, where there are conflicting desired outcomes in achieving national park purposes, greater priority must be given to the conservation of the natural beauty, wildlife and cultural heritage of the area, even at the cost of socio-economic benefits). GSP1 also sets out the need for sustainable development and to avoid major development unless it is essential, and the need to mitigate localised harm where essential major development is allowed.
30. Core Strategy policy GSP2 states, amongst other things, that when development is permitted, a design will be sought that respects the character of the area.
31. Core Strategy policy GSP3 sets out development management principles and states that all development must respect, conserve and enhance all valued characteristics of the site and buildings, paying particular attention to, amongst other elements, impact on the character and setting of buildings, scale of the development appropriate to the character and appearance of the National Park, design in accordance with the National Park Authority Design Guide and impact on living conditions of communities.
32. Policy DS1 *Development Strategy* sets out the principles to promote a sustainable distribution and level of growth and support the effective conservation and enhancement of the National Park. This includes the conversion or change of use for housing, community facilities and business uses including visitor accommodation, preferably by re-use of traditional buildings.
33. Policy HC1 says that provision will not be made for housing solely to meet open market demand. New housing can be accepted where it would meet eligible local need for affordable housing, provides for key rural workers or is required to achieve conservation and or enhancement of valued vernacular or listed buildings.
34. Policy HC4 *Provision and retention of community services and facilities* states: *“Proposals to change the use of buildings or sites which provide community services and facilities including shops and financial and professional services to non-community uses must demonstrate that the service or facility is: I. no longer needed; or II. available elsewhere in the settlement; or III. can no longer be viable. Wherever possible, the new use must either meet another community need or offer alternative community benefit such as social housing. Evidence of reasonable attempts to secure such a use must be provided before any other use is permitted.”*
35. Core Strategy policy L1 addresses 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.
36. Core Strategy policy L3 requires that development must conserve and where appropriate enhance or reveal significance of archaeological, artistic or historic assets and their setting, including statutory designation and other heritage assets of international, national, regional or local importance or special interest.
37. Core Strategy policy CC1 states that development must make the most efficient and sustainable use of land, buildings and natural resources.

## Development Management Policies

38. Development Management Policy DMC3 requires development to be of a high standard that respects, protects, and where possible enhances the natural beauty, quality and visual amenity of the landscape, including the wildlife and cultural heritage that contribute to the distinctive sense of place. It also provides further detailed criteria to assess design and landscaping, as well as requiring development to conserve the amenity of other properties.
39. Policy DMC3. B sets out various aspects that particular attention will be paid to siting, scale, form, mass, levels, height and orientation, settlement form and character, landscape, details, materials and finishes landscaping, access, utilities and parking, amenity, accessibility and the principles embedded in the design related SPD and the technical guide.
40. Policy DMC5 provides detailed advice relating to proposals affecting heritage assets and their settings, requiring new development to demonstrate how valued features will be conserved, as well as detailing the types and levels of information required to support such proposals. It also requires development to avoid harm to the significance, character, and appearance of heritage assets and details the exceptional circumstances in which development resulting in such harm may be supported.
41. Development Management Policy DMC8 sets out the policy on development in Conservation Areas. It states that applications should assess and clearly demonstrate how the character and appearance and significance of the Conservation Area will be preserved or enhanced and should be determined in accordance with Policy DMC5. Development will not be permitted if applicants fail to provide adequate or accurate detailed information to show the effect of their proposals on the character, appearance and significance of the component parts of the Conservation Area and its setting.
42. Policy DMC10 A. says that the conversion of a heritage asset will be permitted provided that:
  - i. it can accommodate the new use without changes that adversely affect its character (such changes include enlargement, subdivision or other alterations to form and mass, inappropriate new window openings or doorways and major rebuilding); and
  - ii. the building is capable of conversion, the extent of which would not compromise the significance and character of the building; and
  - iii. the changes brought about by the new use, and any associated infrastructure (such as access and services), conserves or enhances the heritage significance of the asset, its setting (in accordance with policy DMC5), any valued landscape character, and any valued built environment; and
  - iv. the new use of the building or any curtilage created would not be visually intrusive in its landscape or have an adverse impact on tranquillity, dark skies or other valued characteristics.
43. Policy DMC10 B. says proposals under Core Strategy policy HC1 C1 will only be permitted where:
  - i. the building is a designated heritage asset; or
  - ii. based on the evidence, the National Park Authority has identified the building as a non-designated heritage asset; and
  - iii. it can be demonstrated that conversion to a market dwelling is required in order to achieve the conservation and, where appropriate, the enhancement of the significance of the heritage asset and the contribution of its setting.

44. DMC11 *Safeguarding, recording and enhancing nature conservation interests* 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.
45. Policy DMS2 *Change of use of shops, community services and facilities* states that where an applicant is seeking change of use from a shop or a community service/facility to a non-community use, evidence of reasonable attempts to sell or let the shop or community service/facility as a going concern must be provided including:
- (i) evidence of a thorough viability assessment and a marketing exercise with a commercial property agent, sustained over at least 12 months, to sell or let the building for alternative community uses or facilities including local needs affordable housing; and
  - (ii) evidence of marketing of the property through the Economic Development Team of the appropriate local authority for at least 12 months; and
  - (iii) details of contact made with the Town Council, Parish Council or Meeting and other adjacent Parishes to establish the needs existing in the local area and an assessment of the local affordable housing needs in the Parish or adjoining Parishes with reference to an up to date Housing Needs Survey.
46. Policy DMT3 states that development which includes a new or improved access will only be permitted where a safe access can be provided.

#### Design Guide

47. The Design Guide states that *'the guiding principle behind the design of any conversion should be that the character of the original building and its setting should be respected and retained'*.

#### Conversion of Historic Buildings Supplementary Planning Document (SPD):

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

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

#### Principle of the Development

49. The proposal is for the conversion of the former church to create two open market dwellings. The site is located in a small group of traditional buildings on the northern side of Paddock Lane, north of the centre of Kettleshulme, which is a named settlement in Core Strategy policy DS1. The policies set out above, notably policies HC1 and DMC10, support the principle of the conversion of non-designated heritage assets such as this to alternative uses within policy DS1, provided that the development is required to secure the conservation or enhancement of the buildings and the impact of the conversion on the buildings and their setting is acceptable.
50. The church is not a listed building and is therefore not a designated heritage asset. However, given its age and historical and architectural significance, it is considered to be

a non-designated heritage asset. It is also within a Conservation Area. A Heritage Statement has been submitted with the application to assess the significance of the site and buildings as required by policy DMC5; the initial one was relatively short and lacking in some detail, but a more detailed one was submitted at the Officer's request.

51. Therefore, the key issue is the impact of the development and whether the conversion is required to achieve the conservation or enhancement of the building and the impact on the surrounding area, including the Conservation Area.
52. The Supporting Statement and the Heritage Statement assess the significance of the building and its setting. These assessments are detailed, acknowledging the architectural and historic interest of the building. Even though it is relatively simple building, it is considered to be a non-designated heritage asset. It is also important in the setting of this part of the Kettleshulme Conservation Area. Given that the church has been largely unused for several years, the principle of conversion of the building to a beneficial use is considered to be in accordance with Core Strategy policies DS1 and L3 and DM policies DMC5 and DMC10, provided the scheme does not result in harm to the character and appearance of the building and its setting. The Heritage Statement which accompanies the application concludes that the building has sufficient historic and vernacular merit to warrant conversion to an alternative use. Officers agree with this assessment, so the proposal is in accordance with the key policies on this issue. The principle of the change of use of the site to two dwellings is acceptable and accords with Policy HC1.

#### Loss of a Community Facility

53. Core Strategy policy HC4 and DM policy DS2 set out the Authority's policies on the retention of community facilities and the circumstances in which their change of use to another use may be permitted. The change the use of buildings which provide community services and facilities (such as churches) to non-community uses must demonstrate that the service or facility is:
- I. no longer needed; or
  - II. available elsewhere in the settlement; or
  - III. can no longer be viable.

Wherever possible, the new use must either meet another community need or offer alternative community benefit such as social housing. Evidence of reasonable attempts to secure such a use must be provided before any other use is permitted. Policy DS2 gives more detail on the steps required to demonstrate this evidence.

54. The Supporting Statement explains that the building was the church was last used for its original religious purpose in early 2019 and has stood vacant since then, after being closed by the church due to falling attendance. The building was deconsecrated and sold by the Methodist Church in May 2020. The Parish Council has not objected to the loss of the church as a community facility, although it has raised issues about car parking.
55. In terms of alternative uses that might meet a community need, the application included a Development Appraisal, which was updated following the reduction from three to two dwellings. This sets out the likely cost of the development and its resulting value and concludes that the scheme would not generate sufficient profit to support the provision of affordable local needs housing, either in the conversion or elsewhere in the village. The key conclusion is: *“Overall this scheme results in gross development loss of 0.73% for an affordable scheme and a profit of 12.35% for a market scheme. These returns are less than the initial assessment which calculated figures of 2.01% and 14.69% respectively. To be deemed viable, profit margins should be in the order of 15 to 20%”.*

56. With regard to other community uses, there is a village hall on Macclesfield Road which meets the community's need for meeting spaces. The submitted Planning Statement explains that the applicant has spoken to the Parish Council and there is no demand for another community building. The statement also says that the applicant's consultants held conversations with local housing associations to determine whether this development would be appropriate for their needs (i.e. as an affordable scheme) but they confirmed that they would not be interested in a development scheme of this size.
57. The statement also says that the applicant had a number of conversations with local property experts and the local community regarding possible uses for the building. Given its rural location, a local commercial property agent did not see the chapel as especially feasible as commercial space and was very cautious in seeing rental or resale opportunities that would make conversion financially viable. In addition, discussions with a local parish Councillor suggested that they did not see demand for commercial space in the village. They pointed out that the village store closed a few years ago and that Whaley Bridge is very close, so provides all services.
58. In conclusion, it is considered that the proposal meets the requirements of policies HC4 and DMS2.

#### Impact of the proposed conversion on the building

59. Development Management policy DMC5 requires an assessment of significance to be with an application which relates to a heritage asset and reflects paragraph 189 of the National Planning Policy Framework. A Heritage Statement and Design and Access Statement have been submitted in support of the application, together with a Supporting Statement.
60. The additional Heritage Assessment that was submitted following the initial submission provides sufficient detail to meet the requirements of policy DMC5. The assessment argues that the proposals would be sympathetic to the existing building and that there would be no harmful changes to the appearance of the building.
61. Amendments have been made to the proposals during the course of the application at the request of Officers, particularly the reduction of the scheme from three to two dwellings so that it is a less intensive and intrusive conversion. The proposal will inevitably change the character and appearance of the building so some extent, particularly internally where the open space of the chapel will be subdivided, but this is likely to be the case with most alternative uses. Whilst the building is an important non-designated heritage asset, it is not a listed building, so the potential harm of the scheme needs to be balanced against the benefits of giving the building a beneficial use.
62. Externally the scheme uses the building's existing openings for windows and doors. The existing windows are thought to be replacements of the originals and are in a poor condition. The application proposes their replacement with triple-glazed aluminium framed units. Whilst the replacement of the existing windows is acceptable, the use of triple glazed units, which would have a much thicker profile, may be inappropriate. It is recommended that this be conditioned so that the applicant can provide more detail to demonstrate how such units would fit into the existing stonework and reveals, some of which are decorative.
63. In addition to this, a more recent stained-glass window on the rear elevation would be replaced with new glazed units, with the stained glass being reused elsewhere in the building, as requested by officers.
64. Discussions with the applicant have resulted in a number of changes to the design to make it more sympathetic to the character and appearance of the building. Subject to

further details being controlled and agreed through conditions, we now consider that the proposal is acceptable, retaining and re-using the building's existing features, principally its form and external appearance.

#### Impact on the Conservation Area

65. The site is within Kettlethulme Conservation Area, within a small group of traditional buildings in the Brookbottom area. The Conservation area was designated in 1995, but there is no Conservation Area Appraisal.
66. The development would retain an important building and provide it with a beneficial use. The external changes would not have a significant impact as they are largely internal or use existing openings. The most significant external changes will be the addition of rooflights on both roof pitches. As the church sits gable onto the road, the side roof pitches can be seen from along Paddock Lane, but are partly hidden by the adjacent buildings, so they would not be visually intrusive.
67. In summary the proposed conversion would conserve the character of the area and the setting of the Kettlethulme Conservation Area in accordance with policies GSP3, L3, and DMC8.

#### Impact on Residential Amenity

68. The nearest neighbouring properties are immediately adjacent to the church, with the one to the east being physically attached to the church (Brooklands) and the one to the west being separated by a narrow passage between the buildings. Other than adding a pitched roof above part of the flat roof on the rear elevation, there are no extensions proposed. In terms of the potential for overlooking, most of the windows would not directly overlook any neighbours and those that would have a view would be at an angle, other than the one in the north-facing gable, which could overlook the rear garden of Brooklands. It is therefore recommended that the lower panels of this be obscure glazed to retain the neighbour's privacy. The applicant also proposes to reuse glass from an existing stained glass window in existing window openings to provide some additional privacy. It is therefore considered that, subject to this, the development would not cause harm to residential amenity through overlooking or overshadowing. It is therefore in accordance with policy GSP3.

#### Ecological considerations

69. As noted above, a bat survey was submitted in response to the initial consultation response from the Authority's ecologist. This confirmed the presence of bats and made recommendations to avoid and mitigate any impact on protected species. The proposal now includes a dedicated bat loft that will be created over the single storey extension at the northern end of the building to provide void roosting habitat for brown long eared bats. Access will be via a louvered air vent on the north gable end just below the apex. An additional void will be retained at the southern end of the church, with access via the existing southern gable louvered vent
70. The ecologist's bat report concludes that *"the proposals would result in the loss of brown long-eared and common pipistrelle roosts considered to be of relatively low conservation status. Overall, the impacts are likely to be of low significance, and they would be very unlikely to affect the conservation status of the local bat population, particularly following implementation of the mitigation measures"*. The proposal is therefore considered to be in accordance with policies L2 and DMC11.

### Highways and Parking

71. The Highway Authority has raised questions about the availability of parking for the proposed dwellings. It notes that there is no on-site car parking and that it is proposed use nearby roadside parking; there is roadside parking on the opposite side of Paddock Lane, to the west of the site. This appears to be unrestricted and is used by local residents and visitors and was presumably used by the congregation of the church when it was in use. Some of the houses on Paddock Lane have off road parking, whereas the more traditional cottages do not.
72. Given that the church is an existing building with a lawful use that would have generated traffic and parked cars, and there is no possibility of on-site parking, the proposal is unlikely to generate a level of traffic that would cause highway problems, particularly when compared to traffic and parking the lawful use or other alternative uses could generate.

### Climate Change Mitigation

73. A supporting Climate Change Mitigation Statement has been submitted with the application and updated to reflect the amendments to the scheme. This refers to the requirements of policy CC1 Climate Change mitigation and says that in making a sensitive use of an existing building, the proposal makes efficient use of land and buildings as well as natural resources and reduces waste. The statement says that the approach is inspired by Passivhaus principles, but that *“a pragmatic approach will be adopted to prioritise the most feasible and cost effective elements that deliver the majority of the environmental benefits in a way which is sensitive to conservation of the building. The main features will be extensive insulation of the building envelope, with highly insulated floor, walls and roof. In addition, high performance windows with triple glazing, minimised thermal bridging, high air tightness with consideration of mechanical ventilation with heat recovery.”*
74. As noted above the use of triple-glazed windows may cause some concern about the impact on the historic character of the building. The amended plans show two air source heat pumps located within the rear yard, although no further details are submitted. Subject to a condition to agree the precise details within the statement along with a verification notification following completion, overall, the proposal accords with policy CC1.

### Conclusion

75. It is concluded that, as revised and reduced from three dwellings, the amended proposal would conserve the significance of a building which is a non-designated heritage asset by virtue of its architectural and historic character and its importance in its setting in Kettleshulme Conservation Area. The proposal would conserve the character of the locality and its biodiversity and would not harm highway safety or the amenity of neighbouring properties.
76. The proposals are therefore considered to be acceptable, subject to the imposition of planning conditions. In the absence of any further material considerations, it is considered that the proposal is in accordance with the development plan and is recommended for approval.

### Human Rights

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

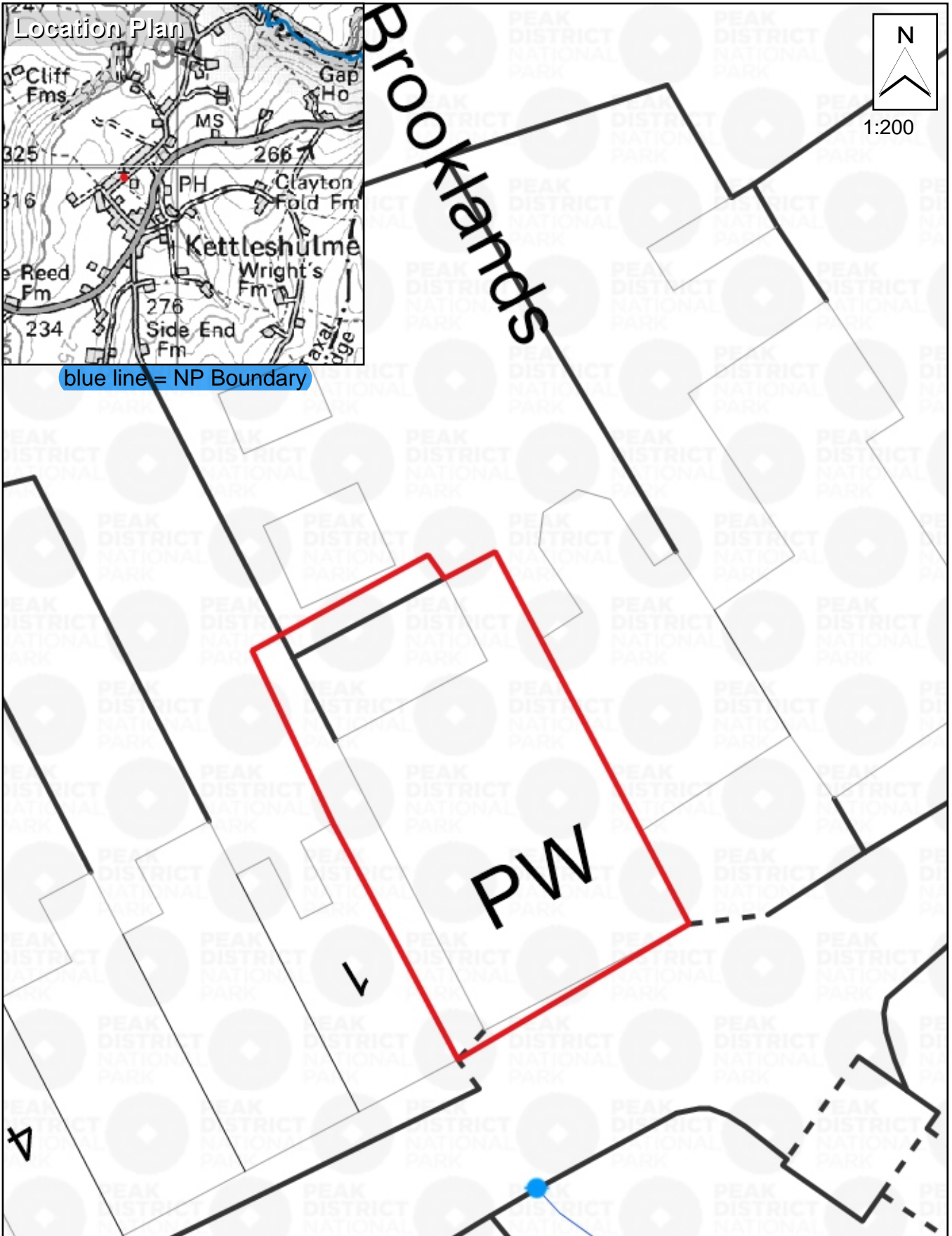
**List of Background Papers** (not previously published)

Nil

**Report Author and Job Title**

John Scott – Consultant Planner





blue line = NP Boundary

© Crown copyright and database rights 2022 Ordnance Survey 0100022750  
 You are not permitted to copy, sub license, distribute or sell any of this data to third parties in any form.

Committee Date: 08/03/2024  
 Item Number: Item 12  
 Application No: NP/CEC/0821/0935  
 Grid Reference: 398746, 379947

**Title:** Kettlethulme Methodist Church, Paddock Lane, Kettlethulme



This page is intentionally left blank

---

**13. FULL APPLICATION - FOR THE REPLACEMENT OF AN EXISTING AGRICULTURAL BUILDING WITH A NEW DWELLING, AT HOPE FARM, ALSTONEFIELD (NP/SM/1123/1405, DH)**

**APPLICANT: MR & MRS HAMBLING**

**Summary**

1. The application is for the replacement of an existing agricultural building with a new build open market dwelling.
2. The application follows a refusal in November 2023 of a conversion of a non-traditional redundant agricultural building to a dwelling.
3. The applicants have not demonstrated an eligible local need for new housing within the National Park. Nor do they demonstrate a functional need for a dwelling in this location.
4. The application is recommended for refusal.

**Site and Surroundings**

5. Hope Farm stands in open countryside off the south side of Hopedale Road, opposite the junction of Furlong Lane, approximately 680m to the south-west of Alstonefield, which is the nearest named settlement in policy DS1.
6. There are no listed buildings in the vicinity. Neither does the site lie within a designated conservation area, the nearest point of the Alstonefield Conservation Area is 266m to the north-east.
7. The site comprises two distinct yard areas, largely separated by a drystone wall. In the yard to the north, by the road, there is a holiday cottage, which is a conversion of a small traditional stone building, the farmhouse itself, and small stone outbuilding. In the yard area to the south there is a small range of more modern agricultural buildings, two profile sheeted buildings, small timber buildings, plus the building which it is proposed to replace. A pole barn and a lean-to off the larger of the portal frame buildings stand in the field to the west, to the rear of the yards. A further two fields extend the entire holding, including the yard areas, to a total of approximately 1.58 hectares (3.91 acres).
8. The building the application proposes to replace is a long, narrow single storey former cattle building and dairy which spans both yards, though mainly being in the southern yard. The building is of no historic or vernacular merit.
9. The nearest neighbouring property is Hope Farm House, approximately 40m to the west of the building which is the subject of the application.

**Proposal**

10. The proposal is to replace the single storey linear building, formerly an agricultural building, with a new build open market dwelling. Furthermore, the agent has stated by email dated 5 December 2023, that the applicants would like the new dwelling to be legally separate from the farm, i.e. they seek to create a new planning unit.

## **RECOMMENDATION:**

### **11. That the application be REFUSED for the following reasons:**

- **The applicant does not have an eligible local need for new housing within the National Park and the current application is therefore contrary to policy HC1(A) of the Core Strategy.**
- **In this instance, there are no exceptional circumstances or any other material planning consideration that would justify a departure from the Authority's adopted housing policies.**

## **Key Issues**

### 12. The key issues are:

- Whether an exception to policy HC1 is justified; and
- Whether the proposal would have a detrimental effect on the character and appearance of the site and its setting, or the wider landscape setting within which it sits; and
- Whether the proposal would harm the amenities of nearby neighbouring properties.

## **History**

13. 1990 - The restoration of a disused farmhouse to a dwelling was granted subject to conditions by NP/SM/0590/075 – Condition 14 imposed an agricultural occupancy condition.
14. 2002 - The conversion of a small stone traditional building in the yard to a holiday cottage was granted subject to conditions under NP/SM/0702/041.
15. 2018 - Extensions to the farmhouse were refused under NP/SM/0818/0742, an appeal was dismissed, and a resubmission was made, NP/SM/1018/0968, for a reduced scheme, which was granted.
16. 2023 – The conversion of a redundant agricultural buildings to a new dwelling was refused under NP/SM/0823/0928
17. 2023 – A Section 73 application, NP/SM/1023/1281, for the removal of condition 14 (the agricultural occupancy restriction) on NP/SM/0590/075 was granted.

## **Consultations**

18. Staffordshire County Council (Highway Authority) – No highway objections subject to a condition requiring the site access to have a bound surface for a minimum of 5m.
19. Staffordshire Moorlands District Council – No response to date.
20. Alstonefield Parish Council – No objections.
21. Natural England - No response to date.
22. PDNPA Ecology - No response to date.

## **Representations**

23. During the publicity period, the Authority received 8 representations, all of which are supportive of the proposed development, though some are duplicates, and some refer to the previous conversion scheme as opposed to the current proposal for a new build. The following reasons are given in the relevant representations:
- *It is an unobtrusive development in keeping with other buildings in the locality.*
  - *The existing building is a redundant eyesore which detracts from its surroundings.*
  - *Much more in keeping with the local area than the brick barn it would replace.*
  - *It is important to have residents in the village to support the community and economy further.*
  - *The applicants would be an asset to the village, and with their financial expertise, are willing to take on important roles in the community.*
  - *Support adding to our permanent local community rather than short term rental, transient visitors.*

## **Main Policies**

24. Relevant Core Strategy policies: GSP1, GSP2, GSP3, CC1, CC2, DS1, HC1 & L1
25. Relevant Local Plan policies: DMC3 & DMC4
26. National Planning Policy Framework

## **Wider Policy Context**

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

## **National Planning Policy Framework**

28. The National Planning Policy Framework (NPPF) replaced a significant proportion of central government planning policy with immediate effect. A revised NPPF was published in December 2023. The Government's intention is that the document should be considered as a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. In the National Park the development plan comprises the Authority's Core Strategy 2011 and policies in the Peak District National Park Development Management Policies document 2019. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and more recent Government guidance in the NPPF.
29. Paragraph 182 of the NPPF states that *'great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are*

*also important considerations in all these areas, and should be given great weight in National Parks and the Broads.'*

30. Paragraph 82 of the NPPF states that in rural areas, planning policies and decisions should support housing developments that reflect local needs. It goes on to say that consideration can be given to market housing on sites that will provide affordable housing to meet identified local needs, if allowing some open market housing would help to facilitate this.
31. Paragraph 84 clearly states that planning policies and decisions should avoid new isolated homes in the countryside unless there are special circumstances such as:
  - (a) meeting an essential need;
  - (b) ensuring the longevity of a heritage asset by allowing a viable use;
  - (c) the development would re-use redundant buildings and enhance its setting;
  - (d) the development would involve the subdivision of an existing residential building; or
  - (e) the design is of exceptional quality.

#### Peak District National Park Core Strategy

32. GSP1 & GSP2 - *Securing National Park Purposes and sustainable development & Enhancing the National Park*. These policies set out the broad strategy for achieving the National Park's objectives, and jointly seek to secure national park legal purposes and duties through the conversion and enhancement of the National Park's landscape and its natural and heritage
33. GSP3 - *Development Management Principles*. GSP3 states that all development must respect, conserve and enhance all valued characteristics of the site and buildings, paying particular attention to, amongst other elements, impact on the character and setting of buildings, scale of the development appropriate to the character and appearance of the National Park, design in accordance with the National Park Authority Design Guide and impact on living conditions of communities.
34. CC1 – *Climate change mitigation and adaptation*. CC1 requires all development to make the most efficient and sustainable use of land, buildings and natural resources to achieve the highest possible standards of carbon reductions.
35. CC2 – *Low carbon and renewable energy development*. CC2 states that proposals for low carbon and renewable energy development will be encouraged provided they can be accommodated without adversely affecting the landscape character, cultural heritage assets, other valued characteristics, or other established uses of the area.
36. DS1 - *Development Strategy*. This sets out what forms of development are acceptable in principle within the National Park.
37. L1 - *Landscape character and valued characteristics*. L1 states that all development must conserve and enhance valued landscape character and valued characteristics, and other than in exceptional circumstances, proposals in the Natural Zone will not be permitted.
38. HC1 – *New housing*. Policy HC1 states that provision will not be made for housing solely to meet an open market demand, and sets out the exceptional circumstances where new housing can be accepted in open countryside.

### Local Plan Development Management Policies

39. DMC3 - *Siting, design, layout and landscaping*. DMC3 states that where development is acceptable in principle, it will be permitted provided that its detailed treatment is of a high standard that respects, protects and where possible enhances the natural beauty, quality and visual amenity of the landscape, including the wildlife and cultural heritage that contribute to the distinctive sense of place.
40. DMC4 – *Settlement limits*. DMC4 (B) states that development that is separated from existing settlements will not be permitted as it is likely to result in pressure to infill intervening gaps.

### Assessment

#### Principle of the development

41. Policy HC1 states that provision will not be made for housing solely to meet an open market demand, and sets out the exceptional circumstances where new housing can be accepted in open countryside.
42. The proposal does not meet any of the exceptional circumstances set out in HC1 and is therefore not acceptable in principle.

#### Discussion

43. The application follows the refusal of a previous application, NP/SM/0823/0928, for the conversion of a redundant agricultural building to a dwelling. There was reference in that application to the dwelling being intended for the parents of the owner of the farm. The application was therefore considered on two grounds, whether the existing building was considered to be of sufficient architectural merit to justify its conversion to provide a viable use, and also, whether the scheme could be considered acceptable under DMH5 as an ancillary dwelling. The conclusion was that it was not acceptable in either regard.
44. At the Planning Committee meeting in November 2023, to determine the previous application, the possibility of a new build ancillary dwelling in place of the redundant building was raised. Clear advice regarding the acceptable scale of ancillary dwellings had been provided during the course of the previous application, and was reiterated to after the Committee meeting.
45. The development description is for, “Replacement of an existing agricultural building with a new dwelling”
46. It has been made clear, in an email dated 5 December 2023, that the applicants would like the new dwelling to be legally separate from the farm, i.e. they seek to create a new planning unit, therefore the proposal is not for an ancillary dwelling.
47. For clarity, the proposed dwelling would not be an affordable dwelling as may be acceptable under DMH1. Nor is it an essential workers dwelling, as may be acceptable under DMH4. Neither does it constitute re-development of previously developed land to dwelling use (policy DMH6) as paragraph 6/91 of the Local Plan states that for the avoidance of doubt previously developed land is not land that has been occupied by agricultural buildings.

48. The dwelling would be for the parents of the owner of the farm who currently live in the south of England. The information provided indicates that the applicants want to retire and move closer to their daughter and her family. It can therefore be concluded that the proposed dwelling would not address eligible local needs, nor is it for aged persons' assisted accommodation, as required by HC1 (A). Neither would the dwelling be a provision for key workers in agriculture, forestry or other rural enterprises, as set out in HC1 (B).
49. The farmstead is in open countryside over half a kilometre to the south-west of Alstonefield. Therefore, it does not lie within the settlement boundary, and, as a new build would not conserve or enhance a valued vernacular building. It therefore fails to meet the exceptional circumstances of HC1 (C).
50. Therefore, it is concluded that the proposal is contrary to Core Strategy policy HC1.

#### **Sustainability**

51. A statement was provided with the application, and the proposals include the provision of solar panels. Had the conversion been acceptable in principle, it is considered that it would comply with the requirements of CC1.

#### **Conclusion**

52. The applicants have not demonstrated any eligible local need or functional need for housing in this location.
53. As such, it is concluded that the proposal is contrary to the Core Strategy Policy HC1 and national planning policy.

#### **Human Rights**

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

#### **List of Background Papers** (not previously published)

Nil

#### **Report Author and Job Title**

Denise Hunt – Planner – South Area






1:700



© Crown copyright and database rights 2022 Ordnance Survey 0100022750  
 You are not permitted to copy, sub license, distribute or sell any of this data to third parties in any form.

Committee Date:	08/03/2024	<b>Title:</b> Hope Farm, Alstonefield	 <b>PEAK DISTRICT NATIONAL PARK</b>
Item Number:	Item 13		
Application No:	NP/DDD/1123/1405		
Grid Reference:	412536, 355153		

This page is intentionally left blank

---

**14. FULL PLANNING PERMISSION – CONVERSION OF FIELD BARN TO DWELLING AT BARKER BARN, MOOR LANE, ELTON (NP/DDD/0823/0974, AM)**

**APPLICANT: MRS PAULINE MORRIS**

**Summary**

1. The application site comprises a Grade II listed barn located south of Elton.
2. Planning permission is sought for the conversion of the barn to a market dwelling along with associated landscaping and drainage.
3. The proposed development would result in less than substantial harm to the significance of the listed building, its setting and would harm valued landscape character. Public benefits arising from the development would not outweigh the harm to the listed building.
4. The application is recommended for refusal for the reasons set out in the report.

**Site and Surroundings**

5. Barker Barn is a Grade II listed building located in open countryside on Moor Lane, approximately 1km south of Elton. The building is on the Authority's 'at risk' register.
6. The building is a two-storey field barn fronting directly onto the highway verge and to the fields behind with an overgrown access and small walled curtilage to the south west. The building is constructed from rubble limestone and gritstone. The roof of the building is partially collapsed.
7. The barn sits within the Limestone plateau and is visible in wider views in the landscape from surrounding highways, access land and footpaths. The nearest neighbouring property is Leadmines farm some 750m to the north east.

**Proposal**

8. Planning permission is sought for the conversion of the barn to a single market dwelling.
9. The amended plans show that the whole building would be converted to a two-bedroom dwelling, with kitchen, living room and study at ground floor with a new stair providing access to two bedrooms and a bathroom at first floor.
10. Externally, the collapsed roofs and walling sections would be repaired. The main roof of the building would be clad with Welsh slate, the lean-to to the rear would be clad with reused stone slate. The existing window and door openings would be retained with an alteration to reduce the height of the opening to the north east elevation (W15). New timber window and door frames would be installed in the openings along with recessed glazing to the slot vents. Two roof lights would be installed to the rear elevation and a roof tile vent to the front elevation.
11. Internally, works are proposed to lift and relay the stone paving floor while levelling it. A new first floor and stair would be installed along with internal walls to sub-divide the space at ground and first floor level. The majority of internal walls would be lime rendered. The repairs to the roof structure include the installation of a steel ridge beam.
12. The plans also show that the dwelling would be provided with a domestic curtilage, utilising the existing access adjacent to the building to a hardstanding with space for two cars to park and turn and a patio area to the rear of the barn. The curtilage would

be bound by a new drystone boundary wall. A package treatment plant would be installed within the curtilage to serve the development along with bin store, shed and air source heat pump to the rear of the barn. The dwelling would be provided with an underground electricity supply.

### **RECOMMENDATION:**

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

- 1. The development would harm the significance of this Grade II listed barn and its setting contrary to Core Strategy policies GSP3 and L3 and Development Management policies DMC3, DMC5, DMC7 and DMC10. The harm would be less than substantial but would not be outweighed by public benefits, including securing the optimal viable use of the building. The application is therefore contrary to the National Planning Policy Framework.**
- 2. The development would harm valued landscape character contrary to Core Strategy policy L1 and Development Management policy DMC1 and the National Planning Policy Framework.**

### **Key Issues**

13. Whether the proposed development is acceptable in principle.
14. The impact of the development upon the significance of the listed building and its setting.
15. The impact of the development upon the landscape.
16. The impact of the development upon highway safety.
17. Whether the development is acceptable in all other respects.

### **Relevant Planning History**

18. 2020 – ENQ/38435 – Pre-application enquiry for conversion to house. Officer advice given that conversion would not be acceptable due to the impact of the development upon a very isolated building in an open landscape setting.
19. 2016 – ENQ/28302 – Pre-application enquiry for change of use of barn to either residential or holiday let.

*“In the light of the planning history on the site, it is unlikely that the Authority would support a residential use for the property unless it could be demonstrated that:*

- 1. The development would represent the optimal viable use of the heritage asset; and*
- 2. Alterations would not harm the significance (architectural and historic interest) of the listed building; and*
- 3. The setting of the listed building (the rural open landscape) would not be compromised by domestication.*

*An agricultural use (the original use) is the preferred use for the barn. In line with my letter sent to the property owner, on 1st November 2007, a low-key leisure / recreation use, e.g. camping barn or low-key business use e.g. workshop or office might be supported but this would have to be in accordance with points 1-3 above.*

*My view is that holiday use is another possibility as this would have less impact upon the setting of the building than a permanent residential dwelling.”*

20. 2015 – ENQ/24539 – Pre-application enquiry for change of use to a dwelling and also to incorporate camping/caravanning on neighbouring land.
21. 1994 – Appeal against applications WED0393091 and 3092 dismissed.

In determining the appeal, the Inspector stated that “any form of domestication would have a significant visual impact upon the character of the barn and upon that of its surroundings”. The Inspector stated, “the open character of the peak National Park countryside would, by implementation of the proposal, be unacceptably harmed”.

The Inspector was satisfied that the scheme considered at appeal would preserve the exterior of the barn, however, the Inspector was concerned about the proposed insertion of a first floor to the whole of the northern wing. The inspector stated, “this part of the barn is currently a high vaulted space which is an important and historic feature. By the insertion of the floor and the horizontal subdivision of this space, this internal feature of architectural and historic interest would be destroyed.”

22. 1993 Planning permission and listed building consent for conversion of the barn to dwelling (WED0393091 and 3092) refused on design and landscape impact grounds.
23. 1991 Planning permission and listed building consent for conversion of the barn to a dwelling refused (WED0391132 and WED0991435) refused in principle and on design and landscape impact grounds.

### **Consultations**

24. Parish Council – Strongly support the application.
25. Highway Authority – Requests speed survey is carried out before positive determination of the planning application. Comments are summarised below.

*“The application site is located on Moor Lane which is a classified road subject to a 60mph speed limit, however, due to the nature of the road i.e., rural, bends in the road and somewhat limited width, vehicle speeds are likely below the legal limit. It should be noted that the site is in a remote location and it is considered that future residents would be reliant on the use of private car, however, it is appreciated that the proposal will re-use an existing building and this Authority has taken commensurate use into its consideration of the proposals.*

*The proposal includes the creation of a new vehicular access to Moor Lane, therefore, the proposed vehicular access should be provided with emerging visibility sightlines in accordance with the speed limit of Moor Lane, to conform with current guidance any new access to a 60mph road should typically be provided with emerging visibility sightlines of 203m in either direction, measured from a point located centrally and setback 2.4m into the access, to the nearside carriageway edge in either direction. Any lesser extents should be supported by the results of a traffic speed survey.*

*The above-mentioned emerging visibility sightlines appear to be unachievable from the proposed vehicular access in either direction due to the alignment of the road, with splays in the region of 60 - 70m being achievable in the Southerly direction. However, there is an existing field access to the land within the applicant’s control, therefore, the applicant may wish to explore utilising this access to serve the proposed dwelling which appears to be significantly more suitable in terms of available emerging visibility. Nonetheless, it is recommended the applicant considers a traffic speed survey to ascertain details of 85<sup>th</sup>ile vehicle speeds, in order to determine what would be acceptable in regards to emerging visibility sightlines.*

*The proposed level of off-street parking provision is adequate for a 2no bedroom dwelling, and there appears to be sufficient space within the site for maneuvering to*

*enable vehicles to both enter and emerge in a forward gear.”*

26. Natural England – No response to date.

27. PDNPA Conservation Officer – Object to the application. Comments are summarised below:

*“Barker Barn is a grade II listed building (1335216, listed on 14th December 1983). Built as a field barn in the late 18th century, the barn was extended with the addition of a loose box in the late 19th century.*

*Field barns were typically built in the Peak District from the late 18th to 19th century as formerly open fields and wastes were enclosed. The Peak District Farmsteads Character Statement says: ‘Field Barns... are a highly significant feature of the Peak District, and combine with the intricate patterns of dry-stone walling and hay meadows to form an integral and distinctive part of the landscape.*

*Unusually the barn can be dated with some certainty to 1787, and is identified on the Elton Enclosure Award plan of 1809. The precise date is unknown, but it is reasonable to assume that the surrounding fields were enclosed from open wastes and commons not long before the construction of the barn, in a process that defines the present-day character of the White Peak.*

*The position of the barn with its near contemporary enclosed fields is highly illustrative of the process of enclosure, which has defined the present character of the White Peak. The presence of the barn so close to scheduled lead workings is also highly illustrative of the dual farming/mining economy of the area.*

*The heritage statement has also identified that the barn largely retains its original layout, as well as a surviving original roof structure (part of which lies on the floor), and an original gritstone floor. Most cow houses and field barns were altered in the 20th century due to hygiene regulations for the production of milk, which usually resulted in the loss of their original floor. Therefore, the survival of an original 18<sup>th</sup> century stone floor is significant.*

*Taking the above into account, the barn can be described as highly significant. The key elements that contribute to its significance are its age and rarity, its surviving historic layout, its surviving historic fabric, and its relationship with a landscape which hasn’t changed for over 200 years.*

#### Outline of proposals, summary of impact, and the principle of conversion

*As I see it, aspects of the proposals can be divided into three categories: Proposals that will harm the significance of the building that can’t be mitigated, proposals that lack sufficient information to judge their impact, proposals that would harm the significance of the building but could be changed or mitigated should the principle of development be approved. The latter two areas would need to be addressed should the principle of development be deemed acceptable.*

#### Harmful proposals intrinsic to the scheme:

- *The imposition of extra domestic curtilage and car parking space would have a negative impact on the barn’s setting and the contribution this makes to its significance. Both of these, but particularly the garden curtilage, would harm the relationship between the barn and its setting, which contributes greatly to its significance.*
- *The floor finish has been identified as likely original and highly significant. The*

application proposes lifting the floor and reusing the paving stones in different places. Updated plans propose to lift and relay the stone paving, whilst levelling it. The floor would have to be recorded and re-laid as it was in order to preserve its significance, as patterns of wear contribute towards a buildings historic and archaeological interest. Levelling the floor would harm its significance.

- The insertion of a new, heavily subdivided first floor will destroy a previously open space and obscure the highly significant roof truss.
- The lining of the walls will obscure the original interior of the barn and destroy the evidence of its surface finish.
- The installation of roof-lights will inevitably have a negative impact on the significance and agricultural character of the barn.
- The addition of external plant for an air source heat pump, and a garden store will add to the barn's visual clutter, harming its character and significance.

Where more information is required should the principle of development be deemed acceptable:

- On visiting the site, it was noted that in addition to part of the building being roofless, cracks have appeared in the walls. In order to assess the application against DMC10, a structural appraisal should be undertaken by a suitably experienced engineer, ideally CARE registered. Drawings should then identify exactly what elements of the building require rebuilding, and where other structural interventions are required. If a significant amount of rebuilding is required this would harm the historic interest of the building, compounding the harm already proposed by the application.
- There is no information as to how much of the roof will be kept or replaced, or what the justification is for a steel ridge beam. The roof is highly significant and its loss would be very harmful to the significance of the barn.
- Repointing is mentioned but there are no details. I noticed on site that what remains of the current pointing is likely to be original mortar, which is itself of historical value. Historic mortar in good condition should be identified and retained. Replacement mortar should be visually and mechanically compatible with the historic mortar.

Unnecessary harmful proposals that should be amended should the principle of conversion be deemed acceptable:

If the principle of conversion is approved, there are a number of harmful elements to the proposal that would need addressing. These include:

- The proposed doors and windows, which would erode the agricultural character of the building and harm its significance.
- The replacement of the varied roof coverings with uniform welsh slate. The updated drawings somewhat address this comment, with the inclusion of stone slate to the rear catslide roof. However most of the rear roof covering prior to its collapse was stone slate, and the front elevation is clad with clay tiles.

### Conclusion

Overall, in the language of the NPPF, the proposals would cause substantial harm. Substantial harm is quite a high test, so it is worth looking at the government's planning

*practice guidance, which states:*

*“in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset’s significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting.”*

*To break down the above statement, we should consider the key elements that contribute to the significance of the barn. These are; the building’s age and rarity, surviving historic features, layout and fabric (such as the roof truss and stone floor), and the relationship between the barn and its landscape setting. The historic fabric of the barn and its landscape setting will be severely impacted by the proposals, leading to what can only be described as substantial harm to its significance, which could lead to the barn losing its listed status. If it transpires that the barn would need significant rebuilding, this would further undermine the barn’s significance.*

*As per our development management policies and paragraph 201 of the NPPF, the application should be refused unless substantial public benefits are achieved, or the tests in paragraph 201(a-d) are demonstrated.*

*A read through the planning file for the barn suggest that attempts have repeatedly been made over the years to encourage the owner to maintain the listed barn, in order to arrest its decay. However, it appears that almost no attempt has been made by the owner to keep the building in good repair, which would have been considerably cheaper if done before the building’s condition worsened.*

*It is important to state that the choice here is not between a barn conversion and a pile of stones. The PDNPA could serve an urgent works notice, which would give the Authority the power to carry out emergency repairs and recover the costs from the owner. Under the Levelling-up and Regeneration Act 2023, the costs could be recovered via a land charge.*

*The amended drawings somewhat answer some of my comments, and would somewhat reduce the level of harm proposed. However, the proposals still fail to answer the substance of my comments, resulting in a scheme that leaves questions to be answered, and substantial harm to the significance of the building.”*

28. PDNPA Archaeology – Makes the following comment:

*“Supporting Information*

*This application has been supported by a heritage statement that describes the significance of the barn as a heritage asset, considers the below ground archaeological interest of the site and has consulted the Derbyshire Historic Environment Record and made use of the PDNPA Historic Farmstead guidance. It meets the requirements of NPPF.*

*Significance*

*The barn is a designated heritage asset and is of national significance, of 18th century origin with 19th century alterations. It has archaeological interest because the structure has potential for concealed or previously unknown evidence associated with its constructions, development and use to be revealed through specialist study of the structure itself.*

*The site and barn has belowground archaeological interest for previously unknown and unrecorded archaeological remains from the prehistoric period to the post-medieval*



*period, specifically:*

- *Neolithic and Bronze Age settlement – the fields immediately to the west have produced a wealth of chert, flint and pottery artefacts that suggest occupation during the Neolithic and Bronze Age. Finds include arrowheads, scrapers, blades, axes and stone axe fragments, several polish stones axes, a spear head, awls, sickles, saws and cores, including from in this particular field, with a particular concentration of finds suggesting a settlement focus slightly further west and then surrounding agricultural activity. The site is recorded in the Derbyshire Historic Environment Record and the Peak District National Park Authority Historic Buildings, Sites and Monuments Record.*
- *Bronze Age funerary and ritual activity – a now lost barrow was excavated by Thomas Bateman in 1844. The precise location of the original barrow is unknown, with the location given only as Elton Moor. The site is recorded in the Derbyshire Historic Environment Record as in the immediate vicinity of the barn. Finds comprised human remains (inhumation and cremated bone), flint tools, ceramic vessels, and non-local pebbles.*
- *Medieval agricultural activity – LiDAR mapping data demonstrates the survival of ridge and furrow earthworks oriented north-east to south-west within the field associated with barn. These could be associated with the medieval field systems of Elton, Winster or associated with agricultural activity of the medieval grange at Mouldridge (Scheduled, NHLE # 1020947) to the south west.*
- *Post-medieval lead mining – the barn is within a landscape of lead mining remains that survive as belowground features, underground features and extant surface structures and earthworks. Two areas of scheduled remains lie within the immediately landscape setting of the site, Rainslow Scrins (NHLE # 1017749) c. 500m to the north east and remains of Dunnington and Hardbeat Mines, Rath and Cowlica Rakes, and Rath Rake Sough south west of Oddo House Farm (NHLE # 1019045) c.800m to the north west. Extensive non-designated lead mining remains at present within the immediate surrounding landscape of the barn as recorded in the Historic Environment Record and evident within the site itself as visible on the LiDAR mapping.*
- *Post-medieval agricultural – particularly the earlier phase of the barn at the south end as depicted on the 1809 Enclosure prior to the late 19th century alteration.*

*Any such archaeological remains and features that survived on the site would be considered to be non-designated heritage assets. Any remains relating to the construction, use and development of the barn would contribute directly to the significance of a designated heritage asset.*

*The significance of archaeological remains and features that could be encountered can be estimated to be of local significance (post medieval agricultural) to regional (lead mining and prehistoric remains).*

*Previous ground impact can be anticipated from the creation of the barn itself, including levelling of the ground, excavation for any foundations etc. These previous ground impacts lowers the chance of finding entirely undisturbed remains within the footprint of the building itself, although this cannot be entirely ruled out as the level of previous impact and disturbance is unknown.*

*The chances of encountering such remains within the immediate vicinity of the barn and in the areas proposed to form the drive way, parking areas, residential curtilage*

*etc. is deemed to be moderate-high.*

### Impact

*The works to the building have the potential to encounter, damage and destroy concealed or previously unknown evidence associated with its constructions, development and use of the building, particularly its adaptation in the 19th century and the footprint of the original structure. This would result in minor harm to the archaeological interest of the building.*

*The groundworks associated with the proposed development, both within the existing barn structure (e.g. for the new concrete floor slab, associated membranes, insulation, any underfloor heating etc.) and in the area around it for the delivery of (but not limited to) the amenity space and curtilage, drive and parking areas, package treatment plant, electrical and other services connections, drainage, package treatment plant etc. have the potential to encounter, damage and destroy previously unknown and unrecorded archaeological remains and features of local to regional significance relating to a range of human activity (settlement, funerary and ritual, agricultural and lead mining) from prehistory to the post-medieval period.*

*This would result in permanent and irreversible harm to the archaeological interest of the site. The scale of the anticipated groundworks suggests that this harm would be moderate in scale to the site overall, but would lead to the complete loss of the remains and features within the footprint of the groundworks.*

### Recommendations

*Should the proposals be considered acceptable with respect to the advice of the Building Conservation Officer and with respect to an appropriately weighted planning balance for the relevant designated and non-designated heritage assets in accordance with national and local policy then I recommend that the harm and impacts detailed above are mitigated through a conditioned scheme of building recording (nature and level to be specified by the Building Conservation Officer) and a programme of archaeological investigation (a scalable watching brief to strip, maps and sample excavation) on all internal and external groundworks.*

*This work needs to be carried out by a suitably qualified and experienced heritage/archaeological contractor in accordance with the nationally agreed standards of the Chartered Institute for Archaeologists, and to a written scheme of investigation approved by the Senior Conservation Archaeologist. These recommendations are in accordance with NPPF para 205 requiring developers to record and advance the understanding of heritage assets to be lost wholly or in part in a manner proportionate to their significance and the impact of the development.”*

### 29. PDNPA Ecology – No objection subject to conditions. Comments are summarised below:

*“Baker Consultants Ltd undertook a protected species survey of Barker Barn, Elton in May 2023. The Baker Consultant’s survey involved a preliminary bat inspection of the building and although no evidence of bats was recorded, the barn was assessed as having moderate bat roost potential. The ensuing report therefore advised that two nocturnal surveys were undertaken in line with current best practice guidelines (BCT 2016). Subsequently, two dusk emergence surveys were carried out on 20th July and 7th August 2023 by Dunelm Ecology with an assessment of impacts and mitigation proposals presented within the report entitled Barker Barn, Elton Supplementary Bat Survey August 2023.*

*All surveys have been undertaken in line with the relevant guidelines. An appropriate*

*impact assessment has been undertaken, along with suitable mitigation methods and enhancements.*

*The surveys by Dunelm Ecology found that the barn is used by low number <5 common pipistrelle bats. The report states:*

*“Without the implementation of mitigation measures, individual or small numbers of common pipistrelle bats could be disturbed and/or possibly injured or killed during conversion works. This action could, therefore, result in an offence under the legislation that protects bats and their roosts. However, since only low numbers of bats are considered likely to be present, the scale of impact is assessed as low at a local level.”*

*A bat mitigation class license from Natural England is required prior to commencement of the development.*

*All mitigation and Compensation measures as detailed within Section 4.4 of the Supplementary Bat Survey report by Dunelm Report (2023) to be adhered to.*

*No external lighting should be installed which would directly shine on or adjacent to new roosting sites with new lighting kept below 3 lux in the vicinity of roost access points.”*

## **Representations**

30. The Authority has received 26 letters of representation in support of the application to date. The reasons are summarised below:

31. Support

- a) The barn is an important part of the history of Elton and development of farming in the area. If allowed to remain in its current state its rate of deterioration will accelerate as the loss of the roof will allow the elements to further erode the structure and will attract theft and vandalism.
- b) Over the last 15 years the barn has gradually fallen apart. If something is not done soon it will be lost.
- c) Many of these barns are being lost.
- d) The plans present an opportunity for this building to be saved.
- e) The design is very sympathetic to the original design and purpose of the barn. The accommodation is contained within the existing building conserving its external appearance.
- f) Conversion of the barn to a market dwelling is preferable to the loss of the barn.
- g) The position of the development will not cause problems for the users of Moor Lane as there are no bends in the road and there will be plenty of off-road parking.
- h) A number of isolated redundant barns have been converted into dwellings in recent years. There is therefore a precedent.

## **Main Policies**

32. Relevant Core Strategy policies: GSP1, GSP2, GSP3, GSP4, DS1, L1, L2, L3, CC1, CC5, and HC1

33. Relevant Development Management policies: DMC3, DMC5, DMC6, DMC7, DMC10, DMC11, DMC12, DMC14, DMT8 and DMU1

34. Conversion of Historic Buildings Supplementary Planning Document (SPD)

## National Planning Policy Framework

35. The National Planning Policy Framework (NPPF) is a material consideration and carries particular weight where a development plan is absent, silent or relevant policies are out of date.
36. 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. There is no significant conflict between policies in the development plan and the NPPF.
37. Therefore, full weight should be given to policies in the development plan and the application should be determined in accordance with the Authority's policies unless material considerations indicate otherwise.
38. Paragraph 182 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.
39. Paragraph 200 states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. It notes that the level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. It advises that as a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.
40. Paragraph 201 states that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.
41. Paragraph 202 states that where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be considered in any decision.
42. Paragraph 203 states that in determining applications account should be taken of desirability of sustain and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation, the positive contribution that conservation can make to sustainable communities and the desirability of new development making a positive contribution to local character and distinctiveness.
43. Paragraph 205 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

44. Paragraph 206 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of Grade II listed buildings should be exceptional.
45. Paragraph 207 states that where a proposed development will lead to substantial harm (or total loss of significance of) a heritage asset consent should be refused unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or that all of the following apply:
  - a) the nature of the heritage asset prevents all reasonable uses of the site; and
  - b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
  - c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
  - d) the harm or loss is outweighed by the benefit of bringing the site back into use.
46. Paragraph 208 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
47. Paragraph 211 states that local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.

#### Peak District National Park Core Strategy

48. Policy GSP1 requires all development to be consistent with the National Park's legal purposes and duty and that the Sandford Principle be applied and the conservation and enhancement of the National Park will be given priority. Policy GSP2 states that opportunities for enhancing the valued characteristics of the National Park will be identified and acted upon. Enhancement proposals must demonstrate that they offer significant overall benefit to the natural beauty, wildlife and cultural heritage of the area.
49. Policy GSP3 states that development must respect, conserve and enhance all valued characteristics of the site and buildings subject to the development proposal paying particular attention to (amongst other things) impact on character and setting, scale, siting, landscaping, building materials, design, form, impact upon amenity, highways and mitigating the impact of climate change.
50. Policy DS1 states that in the countryside conversion or change of use for housing is acceptable in principle.
51. Policies L1, L2 and L3 state that development must conserve and enhance valued landscape character, as identified in the Landscape Strategy and Action Plan, biodiversity and cultural heritage assets.

52. Policy CC1 requires all development to make the most efficient and sustainable use of land, buildings and natural resources and to achieve the highest possible standards of carbon reductions and water efficiency.

53. Policy HC1. C states that, exceptionally, and in accordance with policies GSP1 and GSP2 new housing will be permitted where it is required in order to achieve conservation and / or enhancement of valued vernacular or listed buildings.

#### Development Management Policies

54. Relevant Development Management policies: DMC3, DMC5, DMC6, DMC7, DMC10, DMC11, DMC12, DMC14, DMT8 and DMU1

55. Policy DMC3 sets out detailed criteria for the assessment of siting, design, layout and landscaping.

56. Policy DMC5 provides detailed criteria relevant for 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 applications.

57. Policy DMC7 provides detailed criteria relating to proposals affected listed buildings and states that;

a. Planning applications for development affecting a Listed Building and/or its setting should be determined in accordance with policy DMC5 and clearly demonstrate:

- (i) how their significance will be preserved;
- (ii) why the proposed development and related works are desirable or necessary.

b. Development will not be permitted if applicants fail to provide adequate or accurate detailed information to show the effect on the significance and architectural and historic interest of the Listed Building and its setting and any curtilage listed features.

c. Development will not be permitted if it would:

- (i) adversely affect the character, scale, proportion, design, detailing of, or materials used in the Listed Building; or
- (ii) result in the loss of or irreversible change to original features or other features of importance or interest.

d. In particular, development will not be permitted if it would directly, indirectly or cumulatively lead to (amongst other things):

- (i) removal of original walls, stairs, or entrances or subdivision of large interior spaces
- (ii) removal, alteration or unnecessary replacement of structural elements including walls, roof structures, beams and floors.

58. Policies DMC10 sets out detailed criteria for the assessment of proposals to convert heritage assets. Development will be permitted provided that:

- (i) it can accommodate the new use without changes that adversely affect its character (such changes include enlargement, subdivision or other alterations to form and mass, inappropriate new window openings or doorways and major rebuilding); and

- (ii) the building is capable of conversion, the extent of which would not compromise the significance and character of the building; and
- (iii) the changes brought about by the new use, and any associated infrastructure (such as access and services), conserves or enhances the heritage significance of the asset, its setting (in accordance with policy DMC5), any valued landscape character, and any valued built environment; and
- (iv) the new use of the building or any curtilage created would not be visually intrusive in its landscape or have an adverse impact on tranquility, dark skies or other valued characteristics.

59. Policies DMC11 and DMC12 set out detailed criteria to secure safeguarding, recording and enhancement of nature conservation interests and conservation of sites, features and species of importance. Policy DMC14 states that development that represents a risk of pollution (including soil, air, light, water, noise or odor pollution will not be permitted unless adequate control measures are put in place to bring pollution within acceptable limits.

60. Policy DMT8 requires off-street parking to be provided for residential development unless it is demonstrated that on-street parking is appropriate. Parking provision should meet the Authority's adopted standards.

61. Policy DMU1 permits new or upgraded service infrastructure for new development provided that it does not adversely affect the valued characteristics of the area and provided that services are provided before commencement of a new land use.

## **Assessment**

### **Whether the proposed development is acceptable in principle**

62. The application is a Grade II listed barn located in open countryside. Policies DS1 and HC1.C allow for the conversion of listed buildings to market dwellings, in principle, provided that it is demonstrated that the development is required to secure the conservation or enhancement of the building.

63. The key issue in the determination of this application is therefore the impact of the proposed development upon the significance of the building, its setting and valued landscape character, having regard to our duty to conserve the special qualities of the National Park and give great weight to the desirability of preserving and enhancing the listed building.

### **The impact of the development upon the significance of the listed building and its setting**

64. Barker Barn is a Grade II listed building standing in an isolated and very prominent location on Elton Moor. The barn is on the Authority's 'at risk' register. Unusually, the barn can be dated with some certainty to 1787, and is identified on the Elton enclosure Award plan of 1809. The precise date is unknown but it is likely that the fiends were enclosed from open wastes not long before the construction of the barn. The enclosure process defines the present-day character of much of the White Peak.

65. The main structure was built as a field barn with the addition of a loose box in the late 19<sup>th</sup> century. The position of the barn within its near contemporary enclosed fields is highly illustrative of the process of enclosure. Furthermore, the presence of the barn so close to scheduled lead workings is also highly illustrative of the dual farming / mining economy of the area.

66. The application is supported by a heritage statement which meets the requirements of policy DMC5, the conversion SPD and the NPPF. The heritage statement identifies that the barn largely retains its original layout, as well as a surviving original roof structure

(which is partially collapsed) and an original gritstone floor. Most cow houses and field barns were lost their original floor during the 20<sup>th</sup> century due to hygiene regulations for the production of milk and therefore the survival of an original 18<sup>th</sup> century floor is significant.

67. Overall and having had regard to the submitted heritage statement and advice from the Authority's Conservation Officer and Archaeologist, it is clear that the building is a designated heritage asset of national interest. The barn can be described as highly significant due to its age and rarity, its surviving historic layout, fabric and its relationship with a contemporaneous landscape which has seen little change since it was enclosed over 200 years ago.
68. Relevant policies in the development plan and the NPPF make clear that great weight must be given to the conservation of the significance of the barn and its setting, particularly in the National Park bearing in mind its statutory purposes. Furthermore, in considering this application the Authority must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
69. This application seeks planning permission for the conversion of the building along with associated landscaping to create a parking and garden area and to provision of services to the building. During the course of the application amended plans have been received. The Authority's Conservation Officer has been consulted and has provided a detailed assessment of the impact of the development and associated works.
70. The conversion of the barn to a market dwelling and likely any type of residential accommodation would require changes to the curtilage of the building due to the fact that the building is effectively sandwiched between the road and the field with only a very limited enclosed curtilage to the side. This application proposes alterations to the existing walling and erection of new walling to form a parking and turning area to the side of the barn and a patio area to the rear of the barn.
71. The proposed curtilage is relatively modest and would be enclosed by dry-stone walling which would be appropriate in the landscape. However, the introduction of parked cars and an albeit small domestic curtilage with bin storage, shed and air source heat pump, associated domestic paraphernalia and lighting would result in a change to the setting of the building and its relationship with the surrounding open landscape.
72. The setting of the barn and its relationship with the surrounding landscape is a key aspect of the significance of the building. The formation and existence of the barn is closely tied with the enclosure of the surrounding land. The setting is therefore of high significance and sensitive to change. The proposed changes therefore would result in harm to the setting of the building.
73. Externally, the conversion is within the shell of the existing building which would be repaired and re-built. The repair and re-building, subject to appropriate details and methodology would be welcomed in principle as it would be a significant enhancement to the building. However, the application is not supported by a structural appraisal and therefore it is not clear what elements of the building would require re-building or if other structural interventions are required.
74. This is important because without a structural appraisal it is not possible to understand what the implications of the development are and what rebuilding and structure would be required. Approval of the development without this information may permit significant and unjustified structural works which would be unnecessarily harmful to the building. Furthermore, there is no information how much of the roof would be retained or why a steel ridge beam is justified to the main building. The roof of the building has been identified as a highly significant feature.



75. The conversion scheme therefore externally could result in significant enhancement to the building by repairing the structure. Furthermore, the overall conversion is within the shell of the building and could be made acceptable with minor amendments to the fenestration and roof materials, with the agreement of the applicant. However, there is insufficient information with the application on structural matters to understand the implications of the conversion, particularly in regard to the roof which is of high significance.
76. Internally the building would be converted to habitable accommodation as shown on the plans. The barn retains its original layout and gritstone floor and therefore these elements are of particular significance. The application now proposes to retain the gritstone floor which would be lifted and re-laid. The retention of the floor is welcomed provided that it is appropriately recorded to retain historic patterns of wear. The levelling of the floor would result in some harm to its significance.
77. The plans include the installation of a stair and subdivided first floor for the bedrooms and bathroom. This work would result in the subdivision of what historically was and remains a single larger open space. This space relates to the historic function of the building and along with the rest of the building layout is intact and therefore of high significance. The subdivision of the open space as proposed would harm this space and obscure the highly significant roof truss.
78. Finally, the application proposes to line the internal walls with lime plaster. This is an appropriate finish to historic building; however, the lime plaster would conceal the original interior of the barn and destroy and evidence of its surface finish. This element of the works would also therefore result in harm to the significance of the building.
79. Overall it is concluded that the development would result in harm to the setting of the building and harm to internal elements including the roof structure, internal spaces, walls and to the gritstone floor. Externally the development would have the potential to enhance the structure through repair, however, there is insufficient information to assess what structural works are required or to justify the proposed steel ridge beam.
80. In accordance with policies DCC5 and DMC7 and the NPPF the level of harm to the listed building must be identified. The Authority's Conservation Officer advises that the development and associated works would cause substantial harm to the listed building. Substantial harm is a high test and our policies and the NPPF state that identification of substantial harm should result in refusal of the application unless substantial public benefits or the tests in paragraph 201 are demonstrated.
81. The Planning Practice Guidance (PPG) states "*in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting.*" It is therefore necessary to consider whether the adverse impacts seriously affect a key element of the barns special architectural or historic interest and the degree of harm.
82. The Authority's Conservation Officer advises that the key elements contributing to the significance of the barn are: the age of the building and rarity of surviving historic features, layout and fabric (such as the roof truss and stone floor), and the relationship between the barn and its landscape setting.
83. The development would result in the retention and repair of the building which would be retained. There are concerns about the lack of information to assess structural implications and design details. If these were resolved the development would not result in the loss of the barn itself and could result in enhancement to the external

envelope. The development and associated works would result in harm to surviving historic features including the roof, stone floor and internal walls. The development would also result in harm to the layout through the introduction of a first floor and sub-division. The development would also result in harm to the setting of the barn and its relationship with the landscape.

84. The development and associated works would therefore harm key elements of the buildings special architectural or historic interest. The degree of harm would be significant particularly in regard to the layout of the building and its setting. However, the development and associated works would not result in substantial harm to any of these elements provided that structural works were understood and the roof restored in an appropriate manner. The layout of the building would be compromised but still readable and the floor would be visible, albeit re-laid. The building, albeit compromised by domestic changes would still be read in the landscape.
85. The advice from the Authority's Conservation Officer is understood. However, having carefully considered the significance of the building and the impacts of the development and associated works (known and unknown) it is concluded that the development would not result in substantial harm to the significance of the listed building. It is important to note that this does not mean that the development would result in no harm to the listed building or that the development is acceptable.
86. The development would result in a high degree of less than substantial harm to the significance of the listed building. There is a strong presumption against development which results in harm (whether substantial or less than substantial) in our policies and the NPPF.
87. The impact of the development must be considered and weighed in the planning balance bearing in mind the duty of the Authority to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The impact of the development along with other issues such as alternative options and public benefits are considered further in the conclusion section of the report.

#### The impact of the development upon the landscape

88. For the purposes of policies L1 and DMC1 and the adopted Landscape Strategy the application site is located in the White Peak and the Limestone Plateau Pastures landscape character type. This is an upland pastoral landscape with regular patterns of straight roads and small to medium sized rectangular fields bounded by limestone walls. Tree cover is mostly limited to occasional tree groups, or small shelter belts, allowing wide views to the surrounding higher ground. Isolated stone farmsteads and field barns are a key characteristic of this landscape type.
89. The Limestone Plateau Pastures is a planned agricultural landscape, derived from the enclosure of former commons around and beyond the older settled core of the village farmlands. Enclosure is characterised by small to medium sized fields defined by stone walls. The straight boundaries and regular enclosure pattern are strong and very distinct features of this landscape, reflecting the relatively late enclosure from common and waste. Many of the enclosures were the result of later 18th and earlier 19th century Parliamentary Enclosure Awards As outlined above the barn was erected as the time of enclosure of this part of the landscape and makes a positive contribution to landscape character.
90. Policies L1 and DMC1 state that development must conserve and enhance valued landscape character as identified in the Landscape Strategy and must be supported by sufficient information to enable impacts upon the landscape to be understood.

91. The application is not supported by a Landscape Assessment but it is possible to understand the impacts of the development by means of a site visit. The site and barn sit in a remote and highly prominent location in the limestone plateau where the building is read in almost complete isolation from other built development. The barn is seen as an integral aspect of this landscape with close historic and functional relationship with the adjacent highway and field behind.
92. The barn is currently in a state of disrepair with part of the roof collapsed. The current condition of the building detracts from valued landscape character. The repair of the building would result in enhancement.
93. The proposed conversion of the building to a dwelling, domestic curtilage, parking, activity and lighting would inevitably change the simple utilitarian character of the building in this landscape. The provision of parking spaces and parked cars would introduce a significant domestic element as would provision of and use of a garden area which would erode the relationship of the barn with the field. Lighting and domestic activity would also be obvious in this prominent location.
94. The development therefore while retaining the building would result in changes to the setting and use of the building which collectively would result in significant harm in a very prominent location in an open landscape setting. The development therefore would result in harm to valued landscape character contrary to policies DMC1 and DMH1.
95. It is relevant to note that in determining the appeal in 1994 the Inspector concluded that *“any form of domestication would have a significant visual impact upon the character of the barn and upon that of its surroundings”*. It is acknowledged that the appeal decision was taken around 30 years ago and under different policies. However, the policy principles for landscape conservation remain unchanged as does the character of this landscape. Therefore, the Inspectors decision remains a material consideration.

#### The impact of the development upon highway safety

96. The application proposes two off-street parking spaces and turning area which is acceptable from a highway safety perspective. The Highway Authority has been consulted and advises that visibility splays appear to be unachievable. The Highway Authority therefore requests a speed survey be carried out to inform what would be acceptable in terms of emerging visibility sightlines.
97. The agent has indicated that a speed survey would be carried out if the principle of the development were approved. Having visited the site it is considered likely that adequate visibility splays could be achieved if permission were granted. Provision of maximum possible splays in accordance with an approved scheme could be secured by a planning condition.
98. It is therefore concluded that the development would not harm highway safety or the amenity of road users.

#### Whether the development is acceptable in all other respects

99. The application proposes the conversion of a traditional building to a dwelling. In principle, the re-use of such a building for this purpose is a sustainable form of development. The application states that the development would incorporate high levels of thermal insulation, low energy light fittings and an air source heat pump to minimise energy consumption. Low water use fittings for taps and sanitary ware will also be used throughout along with water butts to reduce water consumption. The proposed measures are considered to be acceptable and in accordance with policy CC1.

100. The application is supported by protected species reports. The building was surveyed and this found that the building is used by a low number of Common Pipistrelle bats. The report concludes that a mitigation class licence will be required from Natural England and recommends mitigation and compensation measures including appropriate working methods and creation of roosting opportunities in mortar cavities in the stonework.
101. The impact of the development upon bats is a material consideration as a protected species. The submitted information is sufficient to understand the potential impact of development upon bats and to be confident that the development will not harm the conservation status of identified species. If the development was considered to be acceptable then the impact upon bats would be justified and meet the derogation tests. If permission were granted planning conditions would be recommended to ensure that the development was carried out in accordance with the recommendations of the report and that details of external lighting were controlled.
102. There is no evidence to suggest that the development would harm any birds or other protected species and the development would not harm any designated sites. There are limited opportunities for biodiversity enhancement given the nature of the proposals and the desire to minimise impact upon the building and its setting, however, the development would incorporate additional bat roosts in wall cavities.
103. Foul drainage from the development would be treated by a package treatment plant on site before draining through infiltration in the adjacent field. This is acceptable in principle as it would not be practicable to connect to the main drain given the remote location. The site is outside of the nutrient neutrality catchment.
104. Given the distance from the barn to nearest neighbouring properties there are no concerns that the development would result in any significant harm to the amenity of neighbouring properties.

## **Conclusion**

105. The proposed development and associated works would result in a high degree of harm to the significance of the Grade II listed barn. The harm identified would be less than substantial.
106. In accordance with policies DMC5 and DMC7 and the NPPF the Authority must refuse the application unless it is demonstrated that public benefits arising from the development would outweigh the harm identified. The barn is on the Authority's at risk register and the development would result in the repair of the barn and would provide a use which would secure the long-term conservation of the building.
107. If the development would secure the optimal viable use of the building then this would constitute a public benefit which could be weighed against the harm. If there is only one viable use for a building, then that use is the optimal viable use. If there are a range of alternative viable uses then the optimal viable use is the one likely to cause the least harm to the significance of the building.
108. Officers agree with the applicant that use of the building for agricultural purposes is unlikely to be viable as the building no longer meets current welfare requirements and there are no large openings for storage of equipment or machinery. The submitted application considers alternative uses to the proposal including: stabling, a camping barn, commercial purposes such as an office or workshop or holiday accommodation.
109. The application concludes that use as stabling would not be viable due to the investment required to make the building safe. The application accepts that use as a

camping barn would have less impact upon the significance of the barn but again concludes that this would not be viable. Use as an office or workshop the application considers would be equally impactful as the proposal and unlikely to be viable. Finally, the application considers that use as holiday accommodation would be marginally less harmful than the proposed market dwelling but considers that a market dwelling would be preferable as it would be more beneficial to the community.

110. The barn is in a poor state of repair and therefore significant investment would be required to repair the structure before any use could be considered. It is accepted that use for agriculture or stabling would be unlikely to be viable. The application considers that use as a camping barn or office / workshop would not be viable. However, there is no evidence to indicate what the cost of repair works are and what projected incomes from these uses could be. There is therefore insufficient evidence to conclude that these uses would not be viable.
111. Use as a camping barn would have a significantly lesser impact than the proposal in terms of setting and internal layout in particular. It is accepted that a workshop or office use would require parking, however, there would be no requirement for a garden and such uses could better conserve the internal layout of the building.
112. Finally, a holiday let may result in less impact due to the lower pressure for garden, storage and again would present an opportunity to better conserve the internal layout of the building. The application rules out use as a holiday let on the grounds that use as a market dwelling may be more beneficial for the community. This point is understood; however, it must be stressed that the proposal is for a market dwelling not an affordable dwelling to meet eligible local need. A market dwelling could be purchased on the open market and there would be no occupancy restriction. Furthermore, currently a market dwelling could be used as holiday accommodation.
113. Even if it were considered that use as a market dwelling was the optimal viable use policies require any harm to be minimised. As set out above additional structural information would be required to inform the repair works and to maximise repairs of the roof structure and coverings. Furthermore, it may be possible to develop the barn to a smaller dwelling on the ground floor only thereby retaining the open space internally. These issues would need to be explored and harm minimised.
114. Therefore, on the basis of information provided use of the barn as a camping barn, workshop / office and holiday let cannot be ruled out as not viable. These uses would be likely to result in less harm to the listed building than the proposed market dwelling. Therefore, the application has not demonstrated that the proposal represents the optimal viable use of the heritage asset. Therefore, the public benefit of the development of restoring the building would not outweigh the harm identified. The application is therefore contrary to policies GSP3, L3, DMC3, DMC5, DMC7 and DMC10 and the NPPF.
115. In addition, and as a separate matter the development while retaining the building would result in changes to the setting and use of the building which collectively would result in significant harm in a very prominent location in an open landscape setting. The development therefore would result in harm to valued landscape character contrary to policies DMC1 and DMH1 and the NPPF.
116. The development would not harm biodiversity, highway safety or the amenity of neighbouring properties. These are neutral considerations which do not weigh heavily either in favour or against the development.
117. The concern raised about the condition of the barn is understood as is the need to find viable uses to secure the long-term conservation of heritage assets. However, the nature of the barn and its setting makes it very sensitive to change and the application

has not demonstrated that the proposal represents the optimal viable use or that harm to the building would be minimised. It is reasonable to conclude that there are alternative options that could secure the building with less harm to the building or the landscape.

118. There it is therefore concluded that having had regard to all matters raised that the development would be contrary to the development plan there are no material considerations that indicate that permission should be otherwise granted.

### **Human Rights**

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

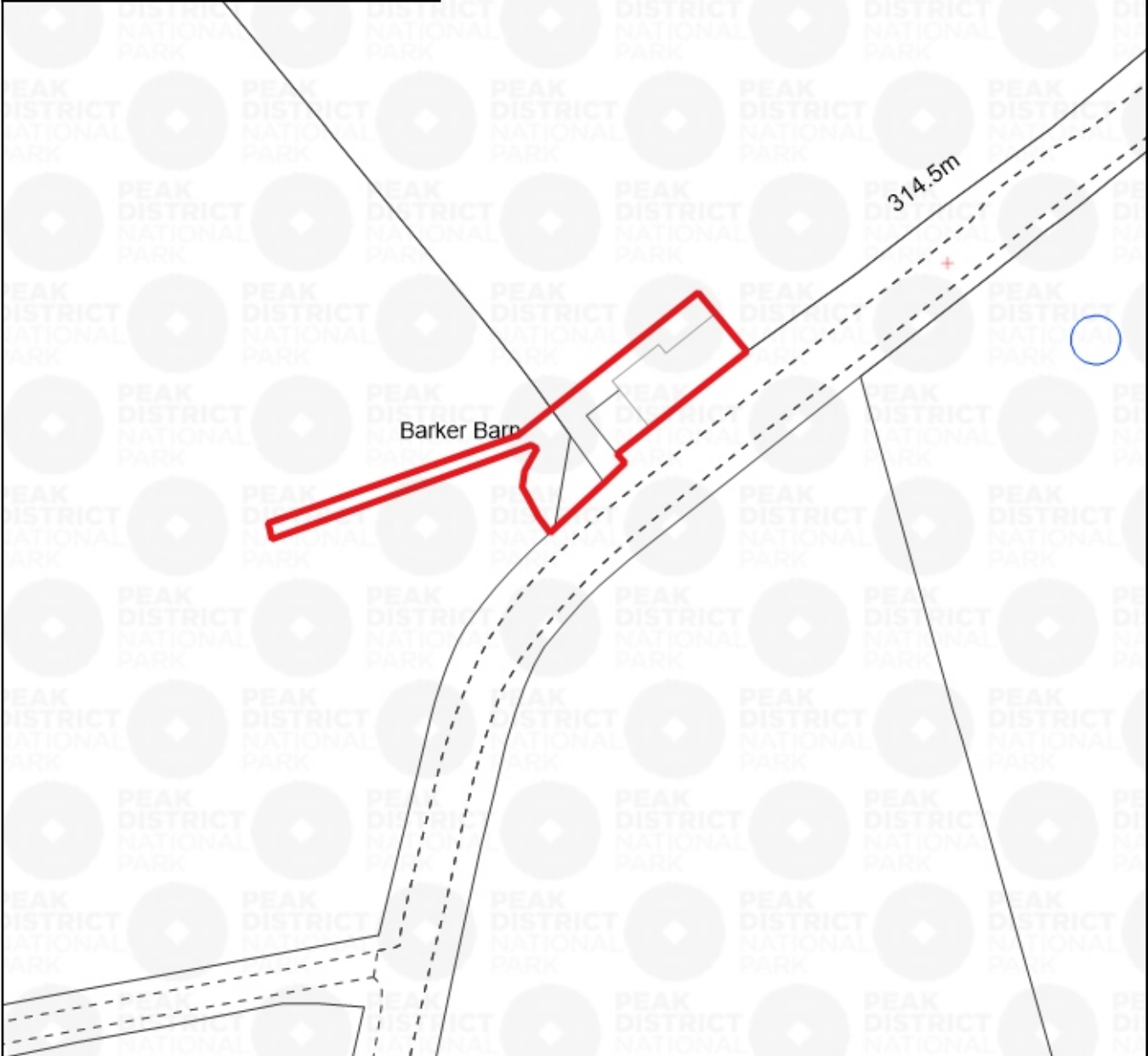
### **List of Background Papers** (not previously published)

120. Nil


Report Author: Adam Maxwell – Development and Enforcement Manager



1:800



© Crown copyright and database rights 2022 Ordnance Survey 0100022750  
 You are not permitted to copy, sub license, distribute or sell any of this data to third parties in any form.

Committee Date:	08/03/2024	<b>Title:</b> Barkers Barn, Moor Lane, Elton	 <b>PEAK DISTRICT NATIONAL PARK</b>
Item Number:	Item 14 & 15		
Application No:	NP/DDD/0823/0974		
Grid Reference:	421965, 359964		

This page is intentionally left blank



---

**15. LISTED BUILDING CONSENT – CONVERSION OF FIELD BARN TO DWELLING AT BARKER BARN, MOOR LANE, ELTON (NP/DDD/0823/0975, AM)**

**APPLICANT: MRS PAULINE MORRIS**

**Summary**

1. The application site comprises a Grade II listed barn located south of Elton.
2. Listed Building Consent is sought for the conversion of the barn to a market dwelling along with associated landscaping and drainage.
3. The proposed works would result in less than substantial harm to the significance of the listed building, its setting and would harm valued landscape character. Public benefits arising from the development would not outweigh the harm to the listed building.
4. The application is recommended for refusal for the reasons set out in the report.

**Site and Surroundings**

5. Barker Barn is a Grade II listed building located in open countryside on Moor Lane, approximately 1km south of Elton. The building is on the Authority's 'at risk' register.
6. The building is a two-storey field barn fronting directly onto the highway verge and to the fields behind with an overgrown access and small walled curtilage to the south west. The building is constructed from rubble limestone and gritstone. The roof of the building is partially collapsed.
7. The barn sits within the Limestone plateau and is visible in wider views in the landscape from surrounding highways, access land and footpaths. The nearest neighbouring property is Leadmines farm some 750m to the north east.

**Proposal**

8. Listed Building Consent is sought for the conversion of the barn to a single market dwelling.
9. The amended plans show that the whole building would be converted to a two-bedroom dwelling, with kitchen, living room and study at ground floor with a new stair providing access to two bedrooms and a bathroom at first floor.
10. Externally, the collapsed roofs and walling sections would be repaired. The main roof of the building would be clad with Welsh slate, the lean-to to the rear would be clad with reused stone slate. The existing window and door openings would be retained with an alteration to reduce the height of the opening to the north east elevation (W15). New timber window and door frames would be installed in the openings along with recessed glazing to the slot vents. Two roof lights would be installed to the rear elevation and a roof tile vent to the front elevation.
11. Internally, works are proposed to lift and relay the stone paving floor while levelling it. A new first floor and stair would be installed along with internal walls to sub-divide the space at ground and first floor level. The majority of internal walls would be lime rendered. The repairs to the roof structure include the installation of a steel ridge beam.
12. The plans also show that the dwelling would be provided with a domestic curtilage, utilising the existing access adjacent to the building to a hardstanding with space for two cars to park and turn and a patio area to the rear of the barn. The curtilage would be bound by a new drystone boundary wall. A package treatment plant would be

installed within the curtilage to serve the development along with bin store, shed and air source heat pump to the rear of the barn. The dwelling would be provided with an underground electricity supply.

### **RECOMMENDATION:**

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

- 1. The works would harm the significance of this Grade II listed barn and its setting contrary to Core Strategy policy L3 and Development Management policy DMC7. The harm would be less than substantial but would not be outweighed by public benefits, including securing the optimal viable use of the building. The application is therefore contrary to the National Planning Policy Framework.**

### **Key Issues**

13. The impact of the development upon the significance of the listed building and its setting.

### **Relevant Planning History**

14. 2020 – ENQ/38435 – Pre-application enquiry for conversion to house. Officer advice given that conversion would not be acceptable due to the impact of the development upon a very isolated building in an open landscape setting.
15. 2016 – ENQ/28302 – Pre-application enquiry for change of use of barn to either residential or holiday let.

*“In the light of the planning history on the site, it is unlikely that the Authority would support a residential use for the property unless it could be demonstrated that:*

- 1. The development would represent the optimal viable use of the heritage asset; and*
- 2. Alterations would not harm the significance (architectural and historic interest) of the listed building; and*
- 3. The setting of the listed building (the rural open landscape) would not be compromised by domestication.*

*An agricultural use (the original use) is the preferred use for the barn. In line with my letter sent to the property owner, on 1st November 2007, a low-key leisure / recreation use, e.g. camping barn or low-key business use e.g. workshop or office might be supported but this would have to be in accordance with points 1-3 above.*

*My view is that holiday use is another possibility as this would have less impact upon the setting of the building than a permanent residential dwelling.”*

16. 2015 – ENQ/24539 – Pre-application enquiry for change of use to a dwelling and also to incorporate camping/caravanning on neighbouring land.
17. 1994 – Appeal against applications WED0393091 and 3092 dismissed.

In determining the appeal, the Inspector stated that *“any form of domestication would have a significant visual impact upon the character of the barn and upon that of its surroundings”*. The Inspector stated, *“the open character of the peak National Park countryside would, by implementation of the proposal, be unacceptably harmed”*.

The Inspector was satisfied that the scheme considered at appeal would preserve the exterior of the barn, however, the Inspector was concerned about the proposed insertion of a first floor to the whole of the northern wing. The inspector stated, *“this part of the barn is currently a high vaulted space which is an important and historic feature.*

*By the insertion of the floor and the horizontal subdivision of this space, this internal feature of architectural and historic interest would be destroyed.”*

18. 1993 Planning permission and listed building consent for conversion of the barn to dwelling (WED0393091 and 3092) refused on design and landscape impact grounds.
19. 1991 Planning permission and listed building consent for conversion of the barn to a dwelling refused (WED0391132 and WED0991435) refused in principle and on design and landscape impact grounds.

### **Consultations**

20. Parish Council – Strongly support the application.
21. PDNPA Conservation Officer – Object to the application. Comments are summarised below:

*“Barker Barn is a grade II listed building (1335216, listed on 14th December 1983). Built as a field barn in the late 18th century, the barn was extended with the addition of a loose box in the late 19th century.*

*Field barns were typically built in the Peak District from the late 18th to 19th century as formerly open fields and wastes were enclosed. The Peak District Farmsteads Character Statement says: ‘Field Barns... are a highly significant feature of the Peak District, and combine with the intricate patterns of dry-stone walling and hay meadows to form an integral and distinctive part of the landscape.*

*Unusually the barn can be dated with some certainty to 1787, and is identified on the Elton Enclosure Award plan of 1809. The precise date is unknown, but it is reasonable to assume that the surrounding fields were enclosed from open wastes and commons not long before the construction of the barn, in a process that defines the present-day character of the White Peak.*

*The position of the barn with its near contemporary enclosed fields is highly illustrative of the process of enclosure, which has defined the present character of the White Peak. The presence of the barn so close to scheduled lead workings is also highly illustrative of the dual farming/mining economy of the area.*

*The heritage statement has also identified that the barn largely retains its original layout, as well as a surviving original roof structure (part of which lies on the floor), and an original gritstone floor. Most cow houses and field barns were altered in the 20th century due to hygiene regulations for the production of milk, which usually resulted in the loss of their original floor. Therefore, the survival of an original 18<sup>th</sup> century stone floor is significant.*

*Taking the above into account, the barn can be described as highly significant. The key elements that contribute to its significance are its age and rarity, its surviving historic layout, its surviving historic fabric, and its relationship with a landscape which hasn't changed for over 200 years.*

### **Outline of proposals, summary of impact, and the principle of conversion**

*As I see it, aspects of the proposals can be divided into three categories: Proposals that will harm the significance of the building that can't be mitigated, proposals that lack sufficient information to judge their impact, proposals that would harm the significance of the building but could be changed or mitigated should the principle of development be approved. The latter two areas would need to be addressed should the principle of development be deemed acceptable.*

Harmful proposals intrinsic to the scheme:

- *The imposition of extra domestic curtilage and car parking space would have a negative impact on the barn's setting and the contribution this makes to its significance. Both of these, but particularly the garden curtilage, would harm the relationship between the barn and its setting, which contributes greatly to its significance.*
- *The floor finish has been identified as likely original and highly significant. The application proposes lifting the floor and reusing the paving stones in different places. Updated plans propose to lift and relay the stone paving, whilst levelling it. The floor would have to be recorded and re-laid as it was in order to preserve its significance, as patterns of wear contribute towards a buildings historic and archaeological interest. Levelling the floor would harm its significance.*
- *The insertion of a new, heavily subdivided first floor will destroy a previously open space and obscure the highly significant roof truss.*
- *The lining of the walls will obscure the original interior of the barn and destroy the evidence of its surface finish.*
- *The installation of roof-lights will inevitably have a negative impact on the significance and agricultural character of the barn.*
- *The addition of external plant for an air source heat pump, and a garden store will add to the barn's visual clutter, harming its character and significance.*

Where more information is required should the principle of development be deemed acceptable:

- *On visiting the site, it was noted that in addition to part of the building being roofless, cracks have appeared in the walls. In order to assess the application against DMC10, a structural appraisal should be undertaken by a suitably experienced engineer, ideally CARE registered. Drawings should then identify exactly what elements of the building require rebuilding, and where other structural interventions are required. If a significant amount of rebuilding is required this would harm the historic interest of the building, compounding the harm already proposed by the application.*
- *There is no information as to how much of the roof will be kept or replaced, or what the justification is for a steel ridge beam. The roof is highly significant and its loss would be very harmful to the significance of the barn.*
- *Repointing is mentioned but there are no details. I noticed on site that what remains of the current pointing is likely to be original mortar, which is itself of historical value. Historic mortar in good condition should be identified and retained. Replacement mortar should be visually and mechanically compatible with the historic mortar.*

Unnecessary harmful proposals that should be amended should the principle of conversion be deemed acceptable:

*If the principle of conversion is approved, there are a number of harmful elements to the proposal that would need addressing. These include:*

- *The proposed doors and windows, which would erode the agricultural character of the building and harm its significance.*

- *The replacement of the varied roof coverings with uniform welsh slate. The updated drawings somewhat address this comment, with the inclusion of stone slate to the rear catslide roof. However most of the rear roof covering prior to its collapse was stone slate, and the front elevation is clad with clay tiles.*

### Conclusion

*Overall, in the language of the NPPF, the proposals would cause substantial harm. Substantial harm is quite a high test, so it is worth looking at the government's planning practice guidance, which states:*

*"in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting."*

*To break down the above statement, we should consider the key elements that contribute to the significance of the barn. These are; the building's age and rarity, surviving historic features, layout and fabric (such as the roof truss and stone floor), and the relationship between the barn and its landscape setting. The historic fabric of the barn and its landscape setting will be severely impacted by the proposals, leading to what can only be described as substantial harm to its significance, which could lead to the barn losing its listed status. If it transpires that the barn would need significant rebuilding, this would further undermine the barn's significance.*

*As per our development management policies and paragraph 201 of the NPPF, the application should be refused unless substantial public benefits are achieved, or the tests in paragraph 201(a-d) are demonstrated.*

*A read through the planning file for the barn suggest that attempts have repeatedly been made over the years to encourage the owner to maintain the listed barn, in order to arrest its decay. However, it appears that almost no attempt has been made by the owner to keep the building in good repair, which would have been considerably cheaper if done before the building's condition worsened.*

*It is important to state that the choice here is not between a barn conversion and a pile of stones. The PDNPA could serve an urgent works notice, which would give the Authority the power to carry out emergency repairs and recover the costs from the owner. Under the Levelling-up and Regeneration Act 2023, the costs could be recovered via a land charge.*

*The amended drawings somewhat answer some of my comments, and would somewhat reduce the level of harm proposed. However, the proposals still fail to answer the substance of my comments, resulting in a scheme that leaves questions to be answered, and substantial harm to the significance of the building."*

## 22. PDNPA Archaeology – Makes the following comment:

### "Supporting Information

*This application has been supported by a heritage statement that describes the significance of the barn as a heritage asset, considers the below ground archaeological interest of the site and has consulted the Derbyshire Historic Environment Record and made use of the PDNPA Historic Farmstead guidance. It meets the requirements of NPPF.*

### Significance

*The barn is a designated heritage asset and is of national significance, of 18th century origin with 19th century alterations. It has archaeological interest because the structure has potential for concealed or previously unknown evidence associated with its constructions, development and use to be revealed through specialist study of the structure itself.*

*The site and barn has belowground archaeological interest for previously unknown and unrecorded archaeological remains from the prehistoric period to the post-medieval period, specifically:*

- Neolithic and Bronze Age settlement – the fields immediately to the west have produced a wealth of chert, flint and pottery artefacts that suggest occupation during the Neolithic and Bronze Age. Finds include arrowheads, scrapers, blades, axes and stone axe fragments, several polish stones axes, a spear head, awls, sickles, saws and cores, including from in this particular field, with a particular concentration of finds suggesting a settlement focus slightly further west and then surrounding agricultural activity. The site is recorded in the Derbyshire Historic Environment Record and the Peak District National Park Authority Historic Buildings, Sites and Monuments Record.*
- Bronze Age funerary and ritual activity – a now lost barrow was excavated by Thomas Bateman in 1844. The precise location of the original barrow is unknown, with the location given only as Elton Moor. The site is recorded in the Derbyshire Historic Environment Record as in the immediate vicinity of the barn. Finds comprised human remains (inhumation and cremated bone), flint tools, ceramic vessels, and non-local pebbles.*
- Medieval agricultural activity – LiDAR mapping data demonstrates the survival of ridge and furrow earthworks oriented north-east to south-west within the field associated with barn. These could be associated with the medieval field systems of Elton, Winster or associated with agricultural activity of the medieval grange at Mouldridge (Scheduled, NHLE # 1020947) to the south west.*
- Post-medieval lead mining – the barn is within a landscape of lead mining remains that survive as belowground features, underground features and extant surface structures and earthworks. Two areas of scheduled remains lie within the immediately landscape setting of the site, Rainslow Scrins (NHLE # 1017749) c. 500m to the north east and remains of Dunnington and Hardbeat Mines, Rath and Cowlica Rakes, and Rath Rake Sough south west of Oddo House Farm (NHLE # 1019045) c.800m to the north west. Extensive non-designated lead mining remains at present within the immediate surrounding landscape of the barn as recorded in the Historic Environment Record and evident within the site itself as visible on the LiDAR mapping.*
- Post-medieval agricultural – particularly the earlier phase of the barn at the south end as depicted on the 1809 Enclosure prior to the late 19th century alteration.*

*Any such archaeological remains and features that survived on the site would be considered to be non-designated heritage assets. Any remains relating to the construction, use and development of the barn would contribute directly to the significance of a designated heritage asset.*

*The significance of archaeological remains and features that could be encountered can be estimated to be of local significance (post medieval agricultural) to regional (lead mining and prehistoric remains).*

*Previous ground impact can be anticipated from the creation of the barn itself, including levelling of the ground, excavation for any foundations etc. These previous ground impacts lowers the chance of finding entirely undisturbed remains within the footprint of the building itself, although this cannot be entirely ruled out as the level of previous impact and disturbance is unknown.*

*The chances of encountering such remains within the immediate vicinity of the barn and in the areas proposed to form the drive way, parking areas, residential curtilage etc. is deemed to be moderate-high.*

### Impact

*The works to the building have the potential to encounter, damage and destroy concealed or previously unknown evidence associated with its constructions, development and use of the building, particularly its adaptation in the 19th century and the footprint of the original structure. This would result in minor harm to the archaeological interest of the building.*

*The groundworks associated with the proposed development, both within the existing barn structure (e.g. for the new concrete floor slab, associated membranes, insulation, any underfloor heating etc.) and in the area around it for the delivery of (but not limited to) the amenity space and curtilage, drive and parking areas, package treatment plant, electrical and other services connections, drainage, package treatment plant etc. have the potential to encounter, damage and destroy previously unknown and unrecorded archaeological remains and features of local to regional significance relating to a range of human activity (settlement, funerary and ritual, agricultural and lead mining) from prehistory to the post-medieval period.*

*This would result in permanent and irreversible harm to the archaeological interest of the site. The scale of the anticipated groundworks suggests that this harm would be moderate in scale to the site overall, but would lead to the complete loss of the remains and features within the footprint of the groundworks.*

### Recommendations

*Should the proposals be considered acceptable with respect to the advice of the Building Conservation Officer and with respect to an appropriately weighted planning balance for the relevant designated and non-designated heritage assets in accordance with national and local policy then I recommend that the harm and impacts detailed above are mitigated through a conditioned scheme of building recording (nature and level to be specified by the Building Conservation Officer) and a programme of archaeological investigation (a scalable watching brief to strip, maps and sample excavation) on all internal and external groundworks.*

*This work needs to be carried out by a suitably qualified and experienced heritage/archaeological contractor in accordance with the nationally agreed standards of the Chartered Institute for Archaeologists, and to a written scheme of investigation approved by the Senior Conservation Archaeologist. These recommendations are in accordance with NPPF para 205 requiring developers to record and advance the understanding of heritage assets to be lost wholly or in part in a manner proportionate to their significance and the impact of the development.”*

### Representations

23. The Authority has received 26 letters of representation in support of the application to date. The reasons are summarised below:

## 24. Support

- a) The barn is an important part of the history of Elton and development of farming in the area. If allowed to remain in its current state its rate of deterioration will accelerate as the loss of the roof will allow the elements to further erode the structure and will attract theft and vandalism.
- b) Over the last 15 years the barn has gradually fallen apart. If something is not done soon it will be lost.
- c) Many of these barns are being lost.
- d) The plans present an opportunity for this building to be saved.
- e) The design is very sympathetic to the original design and purpose of the barn. The accommodation is contained within the existing building conserving its external appearance.
- f) Conversion of the barn to a market dwelling is preferable to the loss of the barn.
- g) The position of the development will not cause problems for the users of Moor Lane as there are no bends in the road and there will be plenty of off-road parking.
- h) A number of isolated redundant barns have been converted into dwellings in recent years. There is therefore a precedent.

### **Main Policies**

25. Relevant Core Strategy policies: L3

26. Relevant Development Management policies: DMC7

27. Conversion of Historic Buildings Supplementary Planning Document (SPD)

### **National Planning Policy Framework**

28. The National Planning Policy Framework (NPPF) is a material consideration and carries particular weight where a development plan is absent, silent or relevant policies are out of date.
29. 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. There is no significant conflict between policies in the development plan and the NPPF.
30. Therefore, full weight should be given to policies in the development plan and the application should be determined in accordance with the Authority's policies unless material considerations indicate otherwise.
31. Paragraph 182 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.



32. Paragraph 200 states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. It notes that the level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. It advises that as a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.
33. Paragraph 201 states that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.
34. Paragraph 202 states that where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be considered in any decision.
35. Paragraph 203 states that in determining applications account should be taken of desirability of sustain and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation, the positive contribution that conservation can make to sustainable communities and the desirability of new development making a positive contribution to local character and distinctiveness.
36. Paragraph 205 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
37. Paragraph 206 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of Grade II listed buildings should be exceptional.
38. Paragraph 207 states that where a proposed development will lead to substantial harm (or total loss of significance of) a heritage asset consent should be refused unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or that all of the following apply:
  - a) the nature of the heritage asset prevents all reasonable uses of the site; and
  - b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
  - c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
  - d) the harm or loss is outweighed by the benefit of bringing the site back into use.
39. Paragraph 208 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

40. Paragraph 211 states that local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.

#### Peak District National Park Core Strategy

41. Policy L3 states that development must conserve and enhance significance of cultural heritage assets.

#### Development Management Policies

42. Policy DMC7 provides detailed criteria relating to proposals affected listed buildings and states that;
- a. Planning applications for development affecting a Listed Building and/or its setting should be determined in accordance with policy DMC5 and clearly demonstrate:
    - (i) how their significance will be preserved;
    - (ii) why the proposed development and related works are desirable or necessary.
  - b. Development will not be permitted if applicants fail to provide adequate or accurate detailed information to show the effect on the significance and architectural and historic interest of the Listed Building and its setting and any curtilage listed features.
  - c. Development will not be permitted if it would:
    - (i) adversely affect the character, scale, proportion, design, detailing of, or materials used in the Listed Building; or
    - (ii) result in the loss of or irreversible change to original features or other features of importance or interest.
  - d. In particular, development will not be permitted if it would directly, indirectly or cumulatively lead to (amongst other things):
    - (i) removal of original walls, stairs, or entrances or subdivision of large interior spaces
    - (ii) removal, alteration or unnecessary replacement of structural elements including walls, roof structures, beams and floors.

#### **Assessment**

##### The impact of the development upon the significance of the listed building and its setting

43. Barker Barn is a Grade II listed building standing in an isolated and very prominent location on Elton Moor. The barn is on the Authority's 'at risk' register. Unusually, the barn can be dated with some certainty to 1787, and is identified on the Elton enclosure Award plan of 1809. The precise date is unknown but it is likely that the fiends were enclosed from open wastes not long before the construction of the barn. The enclosure process defines the present-day character of much of the White Peak.
44. The main structure was built as a field barn with the addition of a loose box in the late 19<sup>th</sup> century. The position of the barn within its near contemporary enclosed fields is highly illustrative of the process of enclosure. Furthermore, the presence of the barn so

close to scheduled lead workings is also highly illustrative of the dual farming / mining economy of the area.

45. The application is supported by a heritage statement which meets the requirements of policy DMC5, the conversion SPD and the NPPF. The heritage statement identifies that the barn largely retains its original layout, as well as a surviving original roof structure (which is partially collapsed) and an original gritstone floor. Most cow houses and field barns were lost their original floor during the 20<sup>th</sup> century due to hygiene regulations for the production of milk and therefore the survival of an original 18<sup>th</sup> century floor is significant.
46. Overall and having had regard to the submitted heritage statement and advice from the Authority's Conservation Officer and Archaeologist, it is clear that the building is a designated heritage asset of national interest. The barn can be described as highly significant due to its age and rarity, its surviving historic layout, fabric and its relationship with a contemporaneous landscape which has seen little change since it was enclosed over 200 years ago.
47. Relevant policies in the development plan and the NPPF make clear that great weight must be given to the conservation of the significance of the barn and its setting, particularly in the National Park bearing in mind its statutory purposes. Furthermore, in considering this application the Authority must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
48. This application seeks consent for the conversion of the building along with associated landscaping to create a parking and garden area and to provision of services to the building. During the course of the application amended plans have been received. The Authority's Conservation Officer has been consulted and has provided a detailed assessment of the impact of the development and associated works.
49. The conversion of the barn to a market dwelling and likely any type of residential accommodation would require changes to the curtilage of the building due to the fact that the building is effectively sandwiched between the road and the field with only a very limited enclosed curtilage to the side. This application proposes alterations to the existing walling and erection of new walling to form a parking and turning area to the side of the barn and a patio area to the rear of the barn.
50. The proposed curtilage is relatively modest and would be enclosed by dry-stone walling which would be appropriate in the landscape. However, the introduction of parked cars and an albeit small domestic curtilage with bin storage, shed and air source heat pump, associated domestic paraphernalia and lighting would result in a change to the setting of the building and its relationship with the surrounding open landscape.
51. The setting of the barn and its relationship with the surrounding landscape is a key aspect of the significance of the building. The formation and existence of the barn is closely tied with the enclosure of the surrounding land. The setting is therefore of high significance and sensitive to change. The proposed changes therefore would result in harm to the setting of the building.
52. Externally, the conversion is within the shell of the existing building which would be repaired and re-built. The repair and re-building, subject to appropriate details and methodology would be welcomed in principle as it would be a significant enhancement to the building. However, the application is not supported by a structural appraisal and therefore it is not clear what elements of the building would require re-building or if other structural interventions are required.
53. This is important because without a structural appraisal it is not possible to understand

what the implications of the development are and what rebuilding and structure would be required. Approval of the development without this information may permit significant and unjustified structural works which would be unnecessarily harmful to the building. Furthermore, there is no information how much of the roof would be retained or why a steel ridge beam is justified to the main building. The roof of the building has been identified as a highly significant feature.

54. The conversion scheme therefore externally could result in significant enhancement to the building by repairing the structure. Furthermore, the overall conversion is within the shell of the building and could be made acceptable with minor amendments to the fenestration and roof materials, with the agreement of the applicant. However, there is insufficient information with the application on structural matters to understand the implications of the conversion, particularly in regard to the roof which is of high significance.
55. Internally the building would be converted to habitable accommodation as shown on the plans. The barn retains its original layout and gritstone floor and therefore these elements are of particular significance. The application now proposes to retain the gritstone floor which would be lifted and re-laid. The retention of the floor is welcomed provided that it is appropriately recorded to retain historic patterns of wear. The levelling of the floor would result in some harm to its significance.
56. The plans include the installation of a stair and subdivided first floor for the bedrooms and bathroom. This work would result in the subdivision of what historically was and remains a single larger open space. This space relates to the historic function of the building and along with the rest of the building layout is intact and therefore of high significance. The subdivision of the open space as proposed would harm this space and obscure the highly significant roof truss.
57. Finally, the application proposes to line the internal walls with lime plaster. This is an appropriate finish to historic building; however, the lime plaster would conceal the original interior of the barn and destroy and evidence of its surface finish. This element of the works would also therefore result in harm to the significance of the building.
58. Overall it is concluded that the development would result in harm to the setting of the building and harm to internal elements including the roof structure, internal spaces, walls and to the gritstone floor. Externally the development would have the potential to enhance the structure through repair, however, there is insufficient information to assess what structural works are required or to justify the proposed steel ridge beam.
59. In accordance with policies DCC5 and DMC7 and the NPPF the level of harm to the listed building must be identified. The Authority's Conservation Officer advises that the development and associated works would cause substantial harm to the listed building. Substantial harm is a high test and our policies and the NPPF state that identification of substantial harm should result in refusal of the application unless substantial public benefits or the tests in paragraph 201 are demonstrated.
60. The Planning Practice Guidance (PPG) states "*in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting.*" It is therefore necessary to consider whether the adverse impacts seriously affect a key element of the barns special architectural or historic interest and the degree of harm.
61. The Authority's Conservation Officer advises that the key elements contributing to the significance of the barn are: the age of the building and rarity of surviving historic

features, layout and fabric (such as the roof truss and stone floor), and the relationship between the barn and its landscape setting.

62. The works would result in the retention and repair of the building which would be retained. There are concerns about the lack of information to assess structural implications and design details. If these were resolved the development would not result in the loss of the barn itself and could result in enhancement to the external envelope. The development and associated works would result in harm to surviving historic features including the roof, stone floor and internal walls. The development would also result in harm to the layout through the introduction of a first floor and sub-division. The development would also result in harm to the setting of the barn and its relationship with the landscape.
63. The works would therefore harm key elements of the buildings special architectural or historic interest. The degree of harm would be significant particularly in regard to the layout of the building and its setting. However, the development and associated works would not result in substantial harm to any of these elements provided that structural works were understood and the roof restored in an appropriate manner. The layout of the building would be compromised but still readable and the floor would be visible, albeit re-laid. The building, albeit compromised by domestic changes would still be read in the landscape.
64. The advice from the Authority's Conservation Officer is understood. However, having carefully considered the significance of the building and the impacts of the development and associated works (known and unknown) it is concluded that the development would not result in substantial harm to the significance of the listed building. It is important to note that this does not mean that the development would result in no harm to the listed building or that the development is acceptable.
65. The works would result in a high degree of less than substantial harm to the significance of the listed building. There is a strong presumption against development which results in harm (whether substantial or less than substantial) in our policies and the NPPF.
66. The impact of the works must be considered and weighed in the planning balance bearing in mind the duty of the Authority to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The impact of the development along with other issues such as alternative options and public benefits are considered further in the conclusion section of the report.

## **Conclusion**

67. The proposed works would result in a high degree of harm to the significance of the Grade II listed barn. The harm identified would be less than substantial.
68. In accordance with policy DMC7 and the NPPF the Authority must refuse the application unless it is demonstrated that public benefits arising from the development would outweigh the harm identified. The barn is on the Authority's at risk register and the development would result in the repair of the barn and would provide a use which would secure the long-term conservation of the building.
69. If the development would secure the optimal viable use of the building then this would constitute a public benefit which could be weighed against the harm. If there is only one viable use for a building, then that use is the optimal viable use. If there are a range of alternative viable uses then the optimal viable use is the one likely to cause the least harm to the significance of the building.

70. Officers agree with the applicant that use of the building for agricultural purposes is unlikely to be viable as the building no longer meets current welfare requirements and there are no large openings for storage of equipment or machinery. The submitted application considers alternative uses to the proposal including: stabling, a camping barn, commercial purposes such as an office or workshop or holiday accommodation.
71. The application concludes that use as stabling would not be viable due to the investment required to make the building safe. The application accepts that use as a camping barn would have less impact upon the significance of the barn but again concludes that this would not be viable. Use as an office or workshop the application considers would be equally impactful as the proposal and unlikely to be viable. Finally, the application considers that use as holiday accommodation would be marginally less harmful than the proposed market dwelling but considers that a market dwelling would be preferable as it would be more beneficial to the community.
72. The barn is in a poor state of repair and therefore significant investment would be required to repair the structure before any use could be considered. It is accepted that use for agriculture or stabling would be unlikely to be viable. The application considers that use as a camping barn or office / workshop would not be viable. However, there is no evidence to indicate what the cost of repair works are and what projected incomes from these uses could be. There is therefore insufficient evidence to conclude that these uses would not be viable.
73. Use as a camping barn would have a significantly lesser impact than the proposal in terms of setting and internal layout in particular. It is accepted that a workshop or office use would require parking, however, there would be no requirement for a garden and such uses could better conserve the internal layout of the building.
74. Finally, a holiday let may result in less impact due to the lower pressure for garden, storage and again would present an opportunity to better conserve the internal layout of the building. The application rules out use as a holiday let on the grounds that use as a market dwelling may be more beneficial for the community. This point is understood; however, it must be stressed that the proposal is for a market dwelling not an affordable dwelling to meet eligible local need. A market dwelling could be purchased on the open market and there would be no occupancy restriction. Furthermore, currently a market dwelling could be used as holiday accommodation.
75. Even if it were considered that use as a market dwelling was the optimal viable use policies require any harm to be minimised. As set out above additional structural information would be required to inform the repair works and to maximise repairs of the roof structure and coverings. Furthermore, it may be possible to develop the barn to a smaller dwelling on the ground floor only thereby retaining the open space internally. These issues would need to be explored and harm minimised.
76. Therefore, on the basis of information provided use of the barn as a camping barn, workshop / office and holiday let cannot be ruled out as not viable. These uses would be likely to result in less harm to the listed building than the proposed market dwelling. Therefore, the application has not demonstrated that the proposal represents the optimal viable use of the heritage asset. Therefore, the public benefit of restoring the building would not outweigh the harm identified. The application is therefore contrary to policies L3, DMC7 and the NPPF.
77. There it is therefore concluded that having had regard to all matters raised that the works would significantly harm listed building and that are no material considerations that indicate that consent should be otherwise granted.

### **Human Rights**

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

### **List of Background Papers (not previously published)**

79. Nil

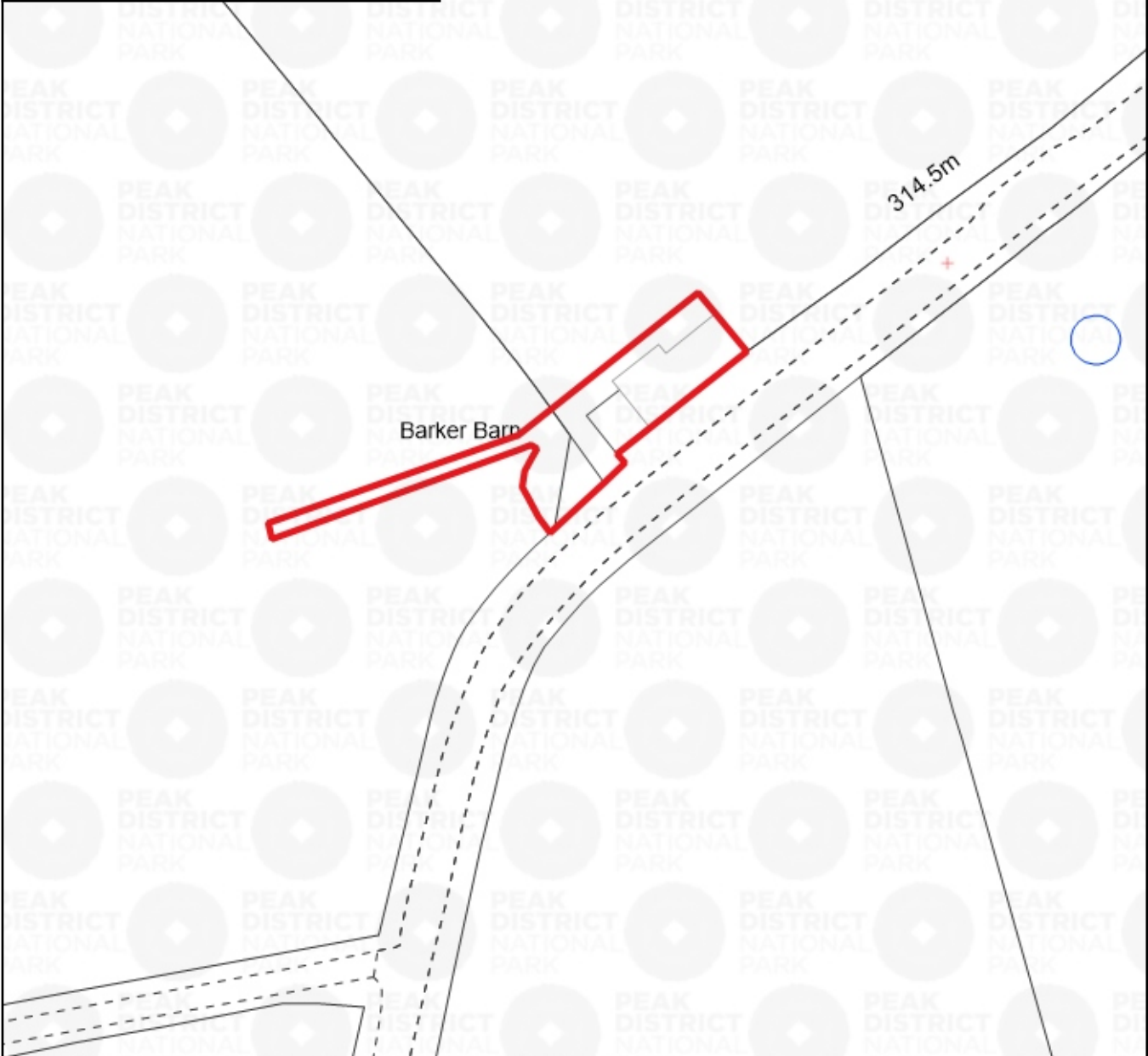
Report Author: Adam Maxwell – Development and Enforcement Manager

This page is intentionally left blank






1:800



© Crown copyright and database rights 2022 Ordnance Survey 0100022750  
 You are not permitted to copy, sub license, distribute or sell any of this data to third parties in any form.

Committee Date:	08/03/2024	<b>Title:</b> Barkers Barn, Moor Lane, Elton	 <b>PEAK DISTRICT NATIONAL PARK</b>
Item Number:	Item 14 & 15		
Application No:	NP/DDD/0823/0974		
Grid Reference:	421965, 359964		

This page is intentionally left blank

---

**16. FULL PLANNING APPLICATION – AGRICULTURAL BUILDING TO LAMB AND HOUSE SHEEP AND STORE FODDER AND IMPLEMENTS, LAND WEST OF COMMON LANE, CALTON, WATERHOUSES. (NP/SM/1223/1483, LB)**

**APPLICANT: MR S HAMBLETON**

**Summary**

1. The application seeks planning permission for the erection of an agricultural building on land west of Common Lane, Calton, in open countryside. The building will be used for lambing and housing sheep and for the storage of fodder and implements.
2. Planning policy supports agricultural development in open countryside, provided that development conserves and enhances the valued landscape character, as identified in the landscape character and action plan, and other valued characteristics, such as natural beauty, quality and visual amenity of landscape.
3. In this case, there is a reasonable agricultural need for the development and by virtue of buildings siting, scale, design, and massing, the proposal would not have a significant or adverse visual impact on the appearance of the landscape and its characteristics, harmonising and adequately respecting the site, setting and wider scenic beauty of the National Park. The proposal is therefore in accordance with landscape conservation objectives. Consequently, the application is recommended for approval.

**Site and Surroundings**

4. The application site of 12 acres is adjacent to the eastern boundary, near the entrance of a strip fields off the west side of 'Common Lane', approximately 200 metres south of Calton and east of Waterhouses.
5. Outside of Calton's Conservation Area, the field is part of the 'Limestone Hills and Slopes' landscape character, which is a pastoral landscape with varied undulating topography and some steep slopes. It is a remote, sparsely populated landscape with a regular pattern of medium to large wall fields with wide open views in places.
6. The applicant farms 112 acres, of which 12 acres are owned (site area of this application) and 100 acres are rented in Alstonfield. Rearing 250 ewes and lambs and producing fodder and bedding, the applicant is establishing his own farm business.
7. The nearest neighbouring property is 250 metres north of Common Lane and Daisy Bank Farm, 300 metres to the south east of the site.
8. A public footpath runs north south from Calton through the application site.

**Proposal**

9. Planning permission is being sought for an agricultural building for lambing, housing sheep and for the storage of fodder and implements.
10. This application follows a previous application, (NP/SM/0823/0932), for an agricultural building on the current site, but of a larger size and in a different location. Consequently, it was refused due to landscape impact.

**RECOMMENDATION:**

11. That the application is **APPROVED** for the following reason:

**The building, by virtue of its siting, scale, form, massing and design, would not result in significant or adverse visual impact on the valued characteristics and appearance of the landscape and the wider scenic beauty of the National Park. The proposal is therefore in accordance with landscape conservation objectives set out in the NPPF and the Authority’s Development Plan Policies Core Strategy GSP1, GSP2, GSP3, DS1 & L1 and Development Management Policies DMC3 and DME1.**

### **Key Issues**

12. The key issues are:
- Principle of the development;
  - Potential impact on the character and appearance of the landscape; and
  - The potential impact on residential amenity and highways.

### **History**

13. NP/SM/0823/0932: Agricultural building for lambing, housing sheep and for the storage of fodder and implements; refused due to landscape impact.

### **Consultations**

14. Highway Authority – No objection. *‘Similar to application NP/SM/0832/0932 except the location of the store. There will not be constant traffic at the access, on that basis there will not be a severe highway or safety impact.’*
15. Waterhouses Parish Council – Recommends Refusal. *‘Its opinion is that the siting of the building in the revised position, adjacent to Common Lane, was considerably more damaging to the overall landscape and to the setting of Calton Conservation Area. This large building would be prominent on the skyline and would form an oppressive industrial like massing on the main entrance to the village, when taken together with the existing industrial site on the opposite side of Common Lane. It was also noted that notwithstanding information contained within the application form, the land has been used for storage of all the manure produced at Upper Green Farm over the past 18 months, inferring that this is not being operated as a separate holding, but in conjunction with Upper Green Farm that already has extensive modern buildings’.*
16. Staffordshire Moorlands District Council – No response to date.

### **Representations**

17. During the consultation period, one letter of support has been received stating *‘I am pleased to see a youngster making a commitment to farming’s future in the area’*. This is not a material planning consideration.

### **National Planning Policy Framework (NPPF)**

18. 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. Paragraph 134 states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, considering any local design guidance and supplementary planning documents such as design guides and codes.

20. In particular Paragraph 182 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.
21. Paragraph 199 states that when considering the impact of a proposed development on the significance of a designated heritage asset (in this case being the Conservation Area), great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
22. In the National Park, the development plan comprises the Authority's Core Strategy and the new Development Management Policies (DMP). These Development Plan Policies provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application.
23. 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**

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*. 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.
26. DS1 – *Development Strategy & L1 - Landscape character and valued characteristics*. Supports agricultural development in the open countryside, provided that development respects, conserves and enhances the valued characteristics of the site paying particular attention to impact upon the character and setting of buildings and siting, landscaping and building materials.
27. 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**

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. DMC8 - *Conservation Areas*. States, that applications for development in a Conservation Area, or for development that affects it's setting or important views into or out of the area, across or through the area should assess and clearly demonstrate how the existing

character and appearance of the Conservation Area will be preserved and, where possible, enhanced.

30. DME1 - Agricultural or forestry operational development. Allows for new agricultural buildings provided that they are functionally required, are close to the main group of buildings wherever possible and in all cases relates well to existing buildings and landscape features, respects the design of existing buildings and building traditions, makes use of the least obtrusive location and does not require obtrusive access tracks, roads or services.
31. 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**

32. Supplementary Planning Guidance (SPG) is provided in the adopted guidance note 'Agricultural Developments in the Peak District National Park'. Whilst the Authority's Landscape Strategy and Action Plan offers guidance on the application of landscape conservation policies in the Development Plan.

### **Assessment**

#### **Principle of the development**

33. From a site visit, which showed sheep on the land, and from details in the submitted supporting documents it is considered apparent that the application site is in use for the purposes of agriculture.
34. The submitted details state the land was recently purchased by the applicant from the Peak District National Park Authority to try and support the establishment of a farming business, in addition to the existing rented land.
35. The application states that as a result of their expanding business the building is required to house and lamb sheep, store hay and straw produced, (65 bales per year) and to store implements required to manage the holding. There are no other buildings on the holding to house the stock and implements.
36. Based upon this and the case set out in the application, it is concluded that a building is reasonable and necessary for the purposes of the applicants agricultural operation and needs. Therefore, in these respects accords with policy DME1 insofar as it relates to the need for new farm building to be fully justified.

#### **Appearance and landscape impacts**

37. Adopted planning policy does support agricultural development in the open countryside, provided that development conserves and enhances valued landscape character, as identified in the landscape strategy and action plan, and other valued characteristics such as the natural beauty, quality and visual amenity of the landscape.
38. Policy DME1 states, amongst other things, that new farm buildings should be close to the main group of buildings wherever possible and in all cases relate well to and make best use of existing buildings, trees and other landscape features.

39. The proposed building would be located adjacent to the eastern boundary of the site and 'Common Lane' and in close proximity to the access to field access, an existing double gated entrance to the field.
40. In comparison to the previous application, NP/SM/0823/0932, the building has been relocated 150 metres to the east.
41. The application does not propose or need an access track or any hardstanding for the proposal due to its position near the field entrance, of which there is an existing hardstanding.
42. Immediately, on the opposite side of 'Common Lane' there is a substantial industrial building and approximately 150 metres north, on the east side of common lane are dwellings and a group of farm buildings.
43. There is no existing development on the site. The proposed siting of the building has been located as close as possible to the entrance to the field, highway and to the existing buildings on the opposite side of 'Common Lane'.
44. When viewed on approach from the south the proposal will be seen within the context of existing buildings and features on Common Lane.
45. The building will measure 13.7 metres x 13.7 metres x 5.4 metres to the ridge with the eaves height 3 metres. It will be constructed from a steel portal frame with concrete panels, vertical Yorkshire boarded cladding under a fibre cement blue roof.
46. The building has been reduced in length by 4.5 metres in comparison to the building proposed in the previous application, NP/0823/0932. This has significantly reduced the overall size and massing of the building.
47. The scale, form and use of proposed materials is typical of modern agricultural buildings which raises no objections in principle. The scale of the building is still commensurate for the scale and purpose it would serve.
48. The building is similar in form and appearance to other industrial and agricultural buildings on Common Lane.
49. Positioned adjacent to the eastern field boundary, the buildings location relates to the boundary wall, and boundary trees and surrounding landscape features
50. A footpath runs through the application site approximately 120 metres west of the building. Views from the footpath onto the building would be seen within the context of the existing buildings on Common Lane.
51. Existing mature and younger trees run along the field wall boundaries close to the proposed building providing some partial screening.
52. A detailed landscaping scheme has been submitted with the application showing a mixture of trees and shrubs will be placed along the field boundaries within the eastern area of the field between existing planting, which once established allow the building to assimilate and harmonise with the landscape.
53. The proposed landscaping scheme is considered to be more suitable for the landscape character than the previous proposals under application NP/0823/0932, which has limited mitigating effect on the development landscape impact.

54. Overall, whilst the building would be visible in the proposed location, the structure is located as close as possible to existing building and can be viewed alongside one another, preventing it being an isolated feature. It has been reduced significantly in scale in comparison to the previous proposal and been provided with a much more suitable landscape scheme appropriate for immediate and wider landscape character and setting of the building.
55. Therefore, the building would not appear as a prominent and isolated feature and would not result in and adverse impact on the immediate and wider landscape, its character and appearance in accordance with L1, DMC3 and DME1.

#### Potential amenity issues

56. Due to the intervening distances between the proposed location of the building and the nearest neighbouring property it is considered the development would have no adverse impact on the amenity and would accord with GSP3 and DMC3 in this respect.

#### Highway matters.

57. The Highway Authority have accepted the proposal on the basis there will not be a severe highway or safety impact. Therefore, it is concluded that the proposal would be acceptable in highway terms and generally meets the criteria set out in Policy DMT3.

#### Environmental Management and Sustainability

58. The building would be of modest construction without the need for heating or mains electricity lighting.
59. The building would incorporate sustainably sourced timber that is compliant with CE standards set out by the government. Rainwater would be collected in rainwater harvesting tanks and will be used for drinking water for livestock and washing down agricultural vehicles. Lighting will be of low wattage LED's powered from the solar panels.
60. The proposals work towards climate change to meet core strategy CC1.

#### Conclusion

61. It is accepted that there is a reasonable agricultural need for the development proposed. The proposed building is of an appropriate design and scale and is located in the least damaging location reasonable on the site. The reduced scale of building and relocation on site, together, are considered not to result in significant adverse landscape harm that would arise from the provision of the development. Therefore, the application is considered to accord with the relevant policies in the Development Plan and accordingly is recommended for approval.

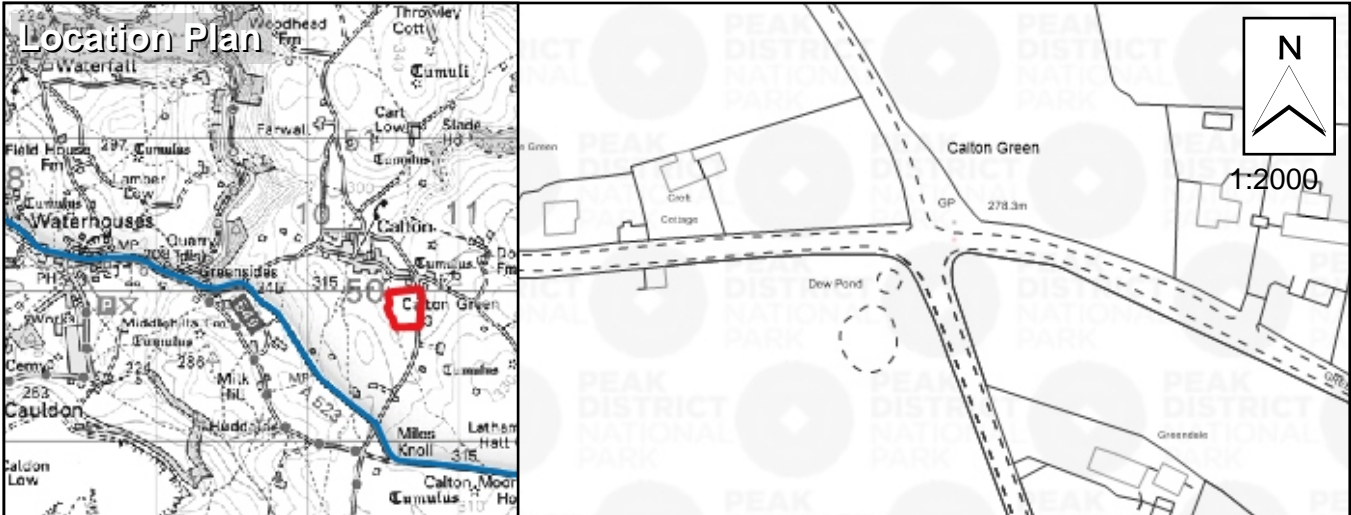
#### Human Rights

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

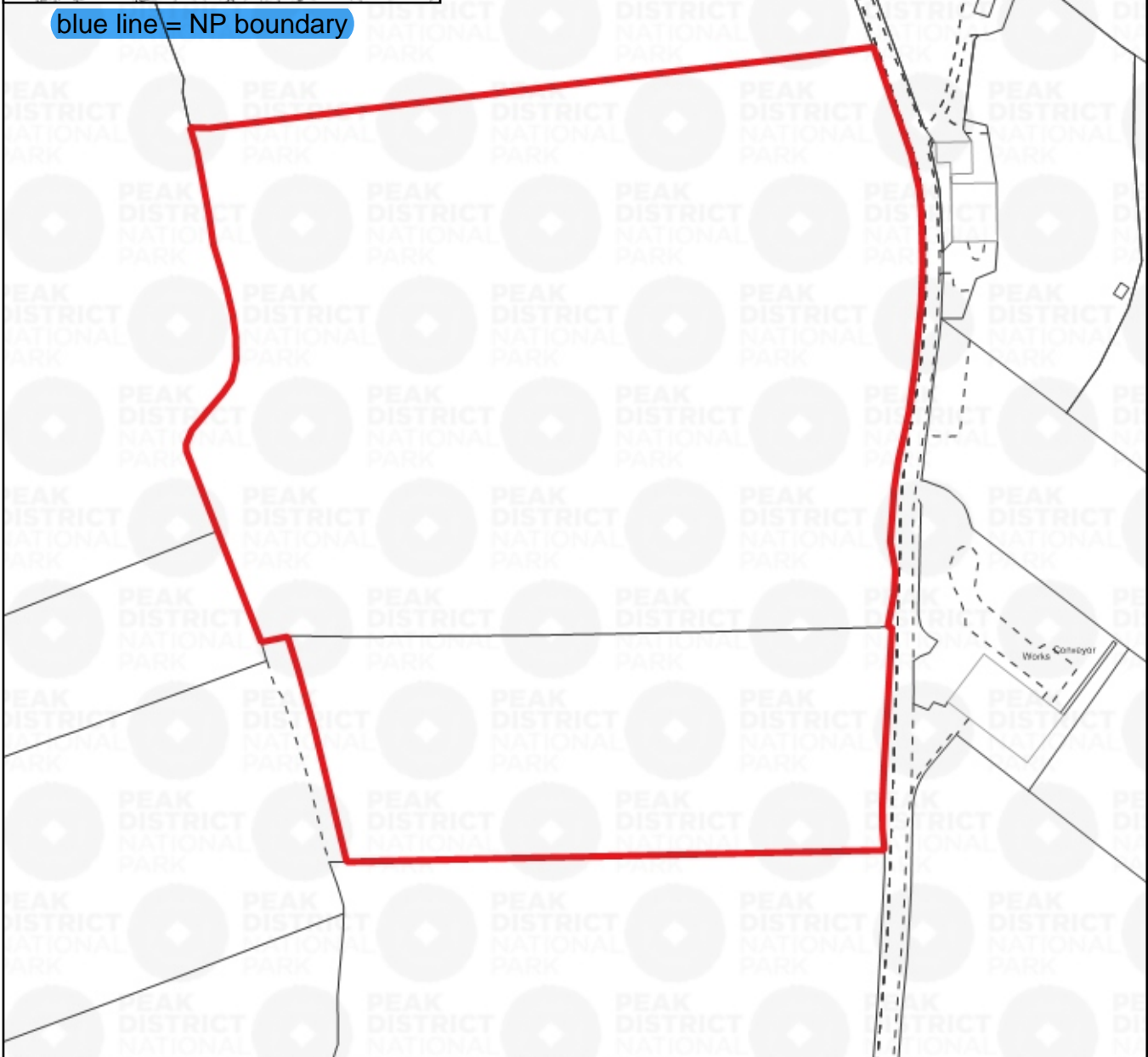
#### List of Background Papers (not previously published)

63. Nil
64. Report Author: Laura Buckley, Assistant Planner, South Area Planning Team.






blue line = NP boundary



© Crown copyright and database rights 2022 Ordnance Survey 0100022750  
 You are not permitted to copy, sub license, distribute or sell any of this data to third parties in any form.

Committee Date:	08/03/2024	<b>Title:</b> Land West of Common Lane, Calton, Waterhouses	 <b>PEAK DISTRICT NATIONAL PARK</b>
Item Number:	Item 16		
Application No:	NP/SM/1223/1483		
Grid Reference:	410637, 349873		

This page is intentionally left blank

---

**17. FULL APPLICATION – CONVERSION OF TRADITIONAL AGRICULTURAL BUILDING TO OPEN MARKET DWELLING AT RIDGE FARM, BOTTOM OF MOOR, LONGNOR (NP/SM/1123/1314/PM)**

**APPLICANT: MR. ARTHUR GEE**

**Summary**

1. The application seeks planning permission for the conversion of a traditional agricultural building to an open market dwelling at Ridge Farm, Bottom of Moor, Longnor.
2. The report concludes that the proposed open market dwelling is acceptable in principle. Whilst the proposed conversion would cause less than substantial harm to the significance and setting of the non-designated heritage asset, this harm is at the lower end and is deemed to be outweighed by the public benefit of securing a long-term future use for the building.
3. The proposal subject to conditions is acceptable in terms of the impact upon landscape character, residential amenity, protected species, highway safety and climate change mitigation.
4. The proposal is considered to be in accordance with the policies of the development plan and the NPPF and is recommended for approval subject to conditions.

**Site and Surroundings**

5. Ridge Farm is a working beef farm extending to 34 hectares with 25 beef cattle located approximately 2 kilometres to the south of Longnor along the B5053 within the parish of Fawfieldhead. The farmstead dates from the late 18<sup>th</sup> or early 19<sup>th</sup> century and is located on the eastern side of the B5053. Until the 1950s, it was part of the Harpur Crewe estate.
6. The farmstead originally consisted of the gritstone farmhouse, which lies south of the application site, and the range of barns, subject of this application, separated from the farmhouse by a narrow yard. The farmstead has gradually developed over time with additional stone buildings, and extensions to stone buildings, added in the late nineteenth/early twentieth century, and then a considerable array of modern agricultural buildings from the mid twentieth century onwards.
7. The building proposed for conversion is a two-storey structure with an existing single storey lean-to extension on its western gable.
8. None of the buildings on site are listed and they are not within a Conservation Area however Ridge Farm is a historic farmstead recorded in the PDNPA Historic Buildings, Sites and Monuments Record and the Staffordshire Historic Environment Record. Therefore, the farmhouse and its historic outbuildings are considered to constitute a non-designated heritage asset.
9. The nearest neighbouring residential property is known as ‘The Ridge’ and is located on the western side of the B5053 immediately opposite the vehicular access for the proposed dwelling.
10. Ridge Farm is located in an elevated position to the west of the Manifold Valley and is located within an upland pastoral landscape.

## **Proposal**

11. Planning permission is sought for the conversion of a traditional agricultural building to an open market dwelling. The building proposed for conversion is located to the north of the farmhouse. The building would be converted to create a 3 bedroomed property.
12. Vehicular access would be provided via an existing vehicular access from the B5053 located to the north of the main vehicular access to Ridge Farm with off road parking for 2 vehicles provided to the north of the building.

## **RECOMMENDATION:**

13. That the application is **APPROVED** subject to the following conditions:
  1. **Standard time limit**
  2. **Carry out in accordance with specified approved plans and documents**
  3. **No development shall take place until a Written Scheme of Investigation for a scheme of a programme of level 2 building recording has been submitted to and approved in writing by the National Park Authority.**
  4. **Consent not granted for stone wall along southern boundary of application site. Details of alternative positioning of boundary treatment to be submitted to and approved in writing by the National Park Authority prior to occupation.**
  5. **Adjoining dairy barn to be demolished prior to first occupation of the dwelling.**
  6. **Removal of permitted development rights relating to extensions, porches, ancillary buildings, satellite antenna, solar pv panels, gates, fences, walls or other means of boundary enclosure.**
  7. **New window frames and doors to be constructed from timber and painted a dark recessive colour at the time of installation.**
  8. **Precise details of works to north elevation stonework necessitated by removal of adjoining barn and blocking up of existing doorway to be submitted to and approved in writing by the National Park Authority prior to work being undertaken.**
  9. **Any service lines associated with development should be placed underground**
  10. **All new rainwater goods shall be either timber or cast metal, painted black. The gutters shall be fitted directly to the stonework with brackets and without the use of fascia boards.**
  11. **All pipework, other than rainwater goods, shall be completely internal within the building.**
  12. **Prior to the installation of any external lighting a scheme of external lighting shall be submitted to and approved in writing by the National Park Authority.**
  13. **Prior to their installation details of soft and hard landscaping to be submitted to and approved in writing by the National Park Authority.**
  14. **Dwelling not to be occupied until a scheme to maximise visibility from the**

vehicular access has been submitted to and approved in writing by the National Park Authority.

15. Development hereby permitted not to be brought into use until the parking and turning areas have been provided in accordance with the approved plans. The parking and turning areas shall thereafter be retained unobstructed as parking and turning areas for the life of the development.
16. Development hereby permitted not to be brought into use until the access drive has been surfaced in a bound material for a minimum distance of 5 metres from the rear of the carriageway edge.
17. The proposed creation of an additional bat roost and swallow cups in the adjoining barn as set out in section 4 of the protected species survey shall be carried out prior to first occupation of the dwelling.
18. Pre-works bird nest checks shall be carried out on the barn by a suitably qualified ecologist prior to any works taking place within the bird breeding season (March to August inclusive). If active bird nests are present works must cease until chicks have fledged the nest.
19. The sensitive working methods outlined in paragraph 4.4.3 of the protected species survey shall be followed in full.
20. An air source heat pump shall be installed and operational before the completion or first occupation of the approved dwelling. The air source heat pump shall not be installed other than in complete accordance with a detailed scheme which shall have first been submitted to and approved in writing by the National Park Authority.

### **Key Issues**

14. The principle of the conversion to an open market dwelling; the impact upon character, appearance and significance of heritage asset; the impact upon landscape character; the impact upon residential amenities; the impact upon protected species, the impact upon highway safety and climate change mitigation.

### **History**

15. There have been numerous planning applications at the wider site relating to its function as a farm however there are no previous planning applications relevant to the current proposal to convert an agricultural building to an open market dwelling.

### **Consultations**

16. PDNPA Archaeology – Detailed design comments provided. In summary the amended plans are considered to result in a minor degree of harm to a non-designated heritage asset of local significance. If the planning balance is favourable a scheme of conditioned building recording is recommended to ensure the harm to the archaeological, architectural and historic interest of the site is appropriately mitigated.
17. PDNPA Ecology – No response to date.
18. Highway Authority (Staffordshire County Council) – No objection subject to conditions regarding visibility splays, surfacing of the driveway and the need to ensure that parking and turning areas are provided prior to the development being brought into use.

19. Fawfieldhead Parish Council – No response to date.
20. Staffordshire Moorlands District Council – No response to date.
21. Natural England – No response to date.

### **Representations**

22. Objection letters have been received from 4 occupiers of 'The Ridge' (neighbouring property) raising the following concerns:
  - Increased noise and disturbance from additional property in area.
  - Proposed dwelling will face towards the private yard of 'The Ridge'.
  - Vehicular entrance to the proposed property directly opposite living room window of 'The Ridge' resulting in harm to amenity due to noise and light from use of driveway.
  - Concern about highway safety – additional vehicle movements onto a road with fast traffic near a big bend.
  - Understand that utilities to 'The Ridge' run underneath proposed vehicular entrance to property. Concern that digging could damage utilities during construction period.
23. A representation has also been received from CPRE Peak District & South Yorkshire. This advises that the national park authority should ensure that the proposed market dwelling will deliver the conservation / enhancement of the building and either conserve or enhance the significance of the undesignated heritage asset including its setting. The authority should also consider if the conversion of the building to a separate planning unit is incompatible with the farm operation at the site. It is also noted that the building conversion will remove an opportunity for new accommodation for farm succession or farm workers.

### **National Planning Policy Framework (NPPF)**

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. The latest revised NPPF was published in December 2023. The Government's intention is that the document should be considered as a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. In the National Park the development plan comprises the Authority's Core Strategy 2011 and Development Management Policies (adopted May 2019) in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and more recent Government guidance in the NPPF.
25. 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.

### **Main Development Plan Policies**

#### **Core Strategy**

26. 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 conservation and enhancement of the National Park's landscape and its natural and heritage assets.
27. 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.
28. DS1 - Development Strategy. Sets out the forms of development that are acceptable in principle in all settlements and in the countryside outside of the Natural Zone.
29. L1 identifies that development must conserve and enhance valued landscape character and valued characteristics, and other than in exceptional circumstances, proposals in the Natural Zone will not be permitted.
30. L2 – Development must conserve and enhance sites, features or species of biodiversity importance and their setting and development likely to have an adverse impact on any of the above, that have statutory designation or are of international or national importance for their biodiversity, will not be permitted other than in exceptional circumstances.
31. 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.
32. HC1 – New Housing – Sets out the situations where, exceptionally, new housing (whether newly built or from re-use of an existing building) can be accepted.
33. CC1 states 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**

34. DMC3 - requires development to be of a high standard that respects, protects, and where possible enhances the natural beauty, quality and visual amenity of the landscape, including the wildlife and cultural heritage that contribute to the distinctive sense of place. It also provides further detailed criteria to assess design and landscaping, as well as requiring development to conserve the amenity of other properties.
35. DMC5 - Assesses the impact of development on designated and non-designated heritage assets and their settings.
36. DMC10 –addresses conversion of heritage assets, permitting this where the new use would conserve its character and significance, and where the new use and associated infrastructure conserve the asset, its setting, and valued landscape character. It also notes that new uses or curtilages should not be visually intrusive in the landscape or have an adverse impact on tranquillity, dark skies, or other valued characteristics.
37. DMC11 Safeguarding, recording and enhancing nature conservation interests. Proposals should aim to achieve net gains to biodiversity or geodiversity as a result of

development. Details of appropriate safeguards and enhancement measures for a site, feature or species of nature conservation importance must be provided in line with the Biodiversity Action Plan. For all sites, features and species development proposals must consider amongst other things, the setting of the development in relation to other features of importance, historical and cultural.

38. DMT3 - a safe vehicular 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**

39. Peak District National Park Authority Design Guide (2007): The Design Guide states that, when considering a conversion, the building in question should be of sufficient historic or architectural merit to warrant its conversion. Factors such as location, size and character of the building and its means of access will all be assessed. The guiding principle behind the design of any conversion should be that the character of the original building and its setting should be respected and retained.
40. Peak District National Park Conversion of Traditional Buildings SPD (2022): The SPD provides detailed guidance on the principles to be considered when proposing the conversion of traditional buildings. This is set out as 6 key principles: 1. Understanding the building and its setting 2. Working with the existing form and character 3. Following a conservation approach 4. Creating responsive new design 5. Using appropriate materials and detailing. 6. Conserving and enhancing the setting.

### **Assessment**

#### **Principle of the development**

41. Core Strategy policy DS1 (the development strategy) allows in principle the conversion of buildings for housing in countryside outside of the natural zone, preferably by re-use of traditional buildings. The proposal therefore accords with policy DS1.
42. Core Strategy policy HC1 part C in accordance with core strategy policies GSP1 and GSP2 allows for the creation of open market housing if “it is required in order to achieve conservation and/or enhancement of valued vernacular or listed buildings”.
43. Para 12.18 of the Core Strategy provides context on policy HC1 part C:  
“Occasionally, new housing (whether newly built or from re-use of an existing building) may be the best way to achieve conservation and enhancement (for example of a valued building) or the treatment of a despoiled site. Sometimes this requires the impetus provided by open market values, but wherever possible and financially viable such developments should add to the stock of affordable housing, either on the site itself or elsewhere in the National Park. It is accepted that for small schemes capable of providing only one dwelling (whether new-build or changing the use of a building such as a barn) this is unlikely to be viable.”
44. In addition, where it is established that a scheme is for and can only accommodate one dwelling unit, there is no requirement within policy for that unit to be affordable or for applicants to discount other uses in order to justify an open market house. The submitted application proposes one open market residential unit.
45. The key judgment in determining whether the proposal is acceptable in principle is whether the building is a valued vernacular building of sufficient architectural merit or historic interest to allow for an open market residential unit on an exceptional basis as permitted by policy HC1 part C, and whether the proposed scheme would conserve and



or enhance the character and significance of the heritage asset.

46. The barn is a traditional farm building of vernacular design and appearance, a historic element of a historic farmstead which appears on the Staffordshire Historic Environment Record and is considered to be a non-designated heritage asset of local significance.
47. In addition, the proposed development has to conserve and enhance the heritage asset and its setting. The assessment below concludes that on balance the proposed development would conserve the character and significance of the building and its setting and therefore the principle of an open market dwelling as part of the scheme is acceptable in principle in accordance with policy HC1 part C.

Impact upon character, appearance and significance of heritage asset.

48. Policy DMC10 relating to conversion of a heritage asset requires that works to the building to facilitate conversion conserve and or enhance the character and significance of the heritage asset.
49. Following advice from the authority's archaeologist the scheme has been amended with bedrooms now on the ground floor and the living area on the first floor. This means that the hayloft at first floor level can retain its open character rather than being subdivided into bedrooms. Additionally, amendments have been made to the design and configuration of windows to reduce their domestic appearance.
50. Windows and doors would be in existing openings or former openings currently blocked up. No rooflights are proposed.
51. The authority's archaeologist considers that the amended scheme would result in a minor degree of harm to a non-designated heritage asset of local significance. The archaeologist considers that the harm will result from the introduction of a residential curtilage to the former agricultural building, diluting the agricultural character of the building and harming its significance.
52. The proposed residential curtilage serving the property would be well contained bounded by the site boundaries to the north and west and modern agricultural buildings to the east.
53. It is considered that the proposed insertion of a stone wall within the farmyard between the farmhouse and the building proposed for conversion would be contrived and undermine the open character and relationship between the farmhouse and former agricultural building. The agent is content for this wall to be removed from the scheme by way of condition.
54. It is intended to remove permitted development rights from the converted building to allow future control over the extension and alterations to the building and erection of outbuildings within the curtilage.
55. With the removal from the scheme of the proposed wall between the building and the farmhouse, it is considered that the level of harm (minor less than substantial) to the character and significance of the building as a result of the conversion and creation of residential curtilage is outweighed by the level of public benefit accruing from a long term use being secured from the heritage asset, it being accepted that the building does not meet modern farming requirements for agricultural use.
56. The proposal accords with policies DMC3, DMC5, DMC10 and L3 in this respect.

### Impact upon Landscape Character

57. The building proposed for conversion is located within an established farmyard setting. Therefore, whilst the proposed creation of a residential curtilage to serve the proposed dwelling would cause some harm to the setting of the building as identified above, the creation of a residential curtilage and the presence of domestic paraphernalia (garden furniture, washing lines etc) would not result in any harm to the surrounding landscape character, the site being well contained and viewed from the road with modern agricultural buildings behind it. The proposal accords with policy L1.

### Impact upon Residential Amenities

58. There would be a sufficient distance between the proposed dwelling and the existing farmhouse to ensure a satisfactory standard of residential amenity for future occupiers of the proposed dwelling and the occupiers of the existing farmhouse.
59. With regard to the compatibility between the proposed residential use and the adjacent working farm, the scheme proposes the demolition of 5 bays of an existing dairy barn to provide a sufficient distance between the proposed residential use and adjacent agricultural uses.
60. In terms of the relationship between the proposed dwelling and 'The Ridge', the neighbouring property on the western side of the B5053, the contents of the objection letters received from the occupiers of 'The Ridge' have been noted. Whilst the additional dwelling would result in some increase in activity in the area this would not be significant enough to cause harm to the residential amenity of the occupiers of 'The Ridge'.
61. Additionally, the vehicular access would be more intensively used than at present, but would only be serving 1 dwelling so the increase in level of usage would not be significant enough to cause harm to the residential amenity of the occupiers of 'The Ridge'
62. Due to the intervening distance between the application property and 'The Ridge' there would be no harmful overlooking between the curtilage of the proposed dwelling and the neighbouring property.
63. Issues raised in the objection letters relating to damage to utility connections during the construction period are a private legal matter. Issues raised about highway safety are addressed in the highway section below.

### Impact upon Protected Species

64. The submitted protected species survey concludes that the proposed conversion would result in the loss of a bat day roost site considered to be of local ecological value. The survey states that the impacts are likely to have limited ecological significance and are very unlikely to affect the conservation status of the local bat population. The scheme would also result in the permanent loss of a swallow nest site which would contribute to overall decline in swallow populations.
65. By way of mitigation it is proposed that a dedicated bat roosting area is provided in the adjoining single storey barn to the east. Three artificial swallow cups would also be provided in the adjacent barn with birds able to fly into the building via the open doorway.
66. The proposal is in accordance with policies L2 and DMC11.

### Impact upon Highway Safety

67. The highway authority has raised no objection to the proposal. The vehicular access to the proposed dwelling is longstanding but has in recent years been widened and improved. The highway authority does note that the visibility from the access onto the highway is restricted. Therefore, a condition requiring visibility from the access to be maximised in accordance with a plan submitted to and approved by the local planning authority, is considered to be reasonable and necessary in this instance.
68. Two off road parking spaces to serve the proposed dwelling and a space to turn within the curtilage of the dwelling to allow vehicles to exit the site in a forward gear, are to be provided.
69. The proposal is in accordance with policy DMT3.

#### Climate Change Mitigation

70. A detailed climate change mitigation statement has been submitted with the application. This notes that high levels of thermal insulation, low energy light fittings and the use of natural daylight and natural ventilation will help to reduce the energy usage.
71. Additionally, an air source heat pump is proposed to be installed to serve the dwelling.
72. The proposals set out are considered to work towards climate change mitigation and accord with policy CC1.

#### Conclusion

73. The principle of an open market dwelling is accepted. Whilst the proposed conversion would cause less than substantial harm to the significance and setting of the non-designated heritage asset, this harm is at the lower end and is deemed to be outweighed by the public benefit of securing a long-term future use for the building.
74. The proposal, subject to the use of conditions, is acceptable in terms of landscape impact, residential amenity, protected species, highway safety and climate change mitigation.
75. The proposals are therefore considered to be in accordance with the policies of the development plan and the NPPF and are recommended for approval.
76. There are no further material considerations that would indicate that planning permission should be refused.

#### Human Rights

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

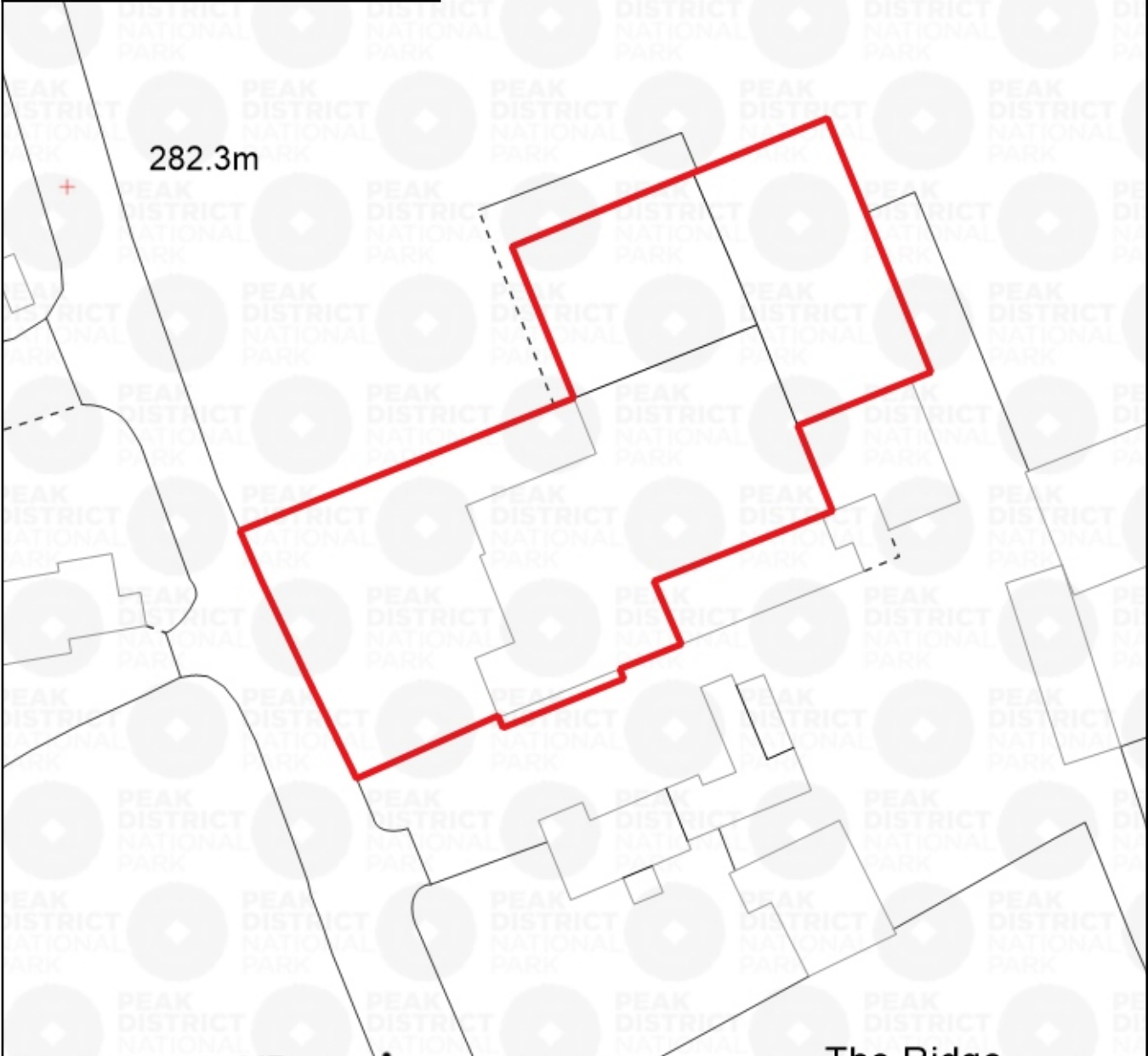
#### List of Background Papers (not previously published)

78. Nil
79. Report Author: Peter Mansbridge - Planner - South Area.

This page is intentionally left blank



1:600



© Crown copyright and database rights 2022. Ordnance Survey 0100022750  
 You are not permitted to copy, sub license, distribute or sell any of this data to third parties in any form.

The Ridge

Committee Date:	08/03/2024
Item Number:	Item 17
Application No:	NP/SM/1123/1314
Grid Reference:	408459, 362947

**Title:** Ridge Farm, Bottom of Moor, Longnor



This page is intentionally left blank

---

**18. HOUSEHOLDER APPLICATION – PROPOSED REAR NORTH EXTENSION TO FORM A KITCHEN. CONSTRUCT A SUMMER HOUSE ON THE NORTH-EAST BOUNDARY LINE WITH THE REMOVAL OF THE EXISTING HEXAGONAL SUMMER HOUSE AND ADDITIONAL GROUNDS WORK REQUIRED TO ACCOMMODATE THE EXTENSION AND CREATING A PATHWAY TO THE NEW SUMMERHOUSE. HAWTHORNE HOUSE, STANTON IN PEAK (NP/DDD/0923/1085, RD)**

**APPLICANT: MR HUTCHINSON**

**Summary**

1. The application seeks planning permission for a rear extension to form a kitchen, and to construct a summer house on the north-east boundary line with the removal of the existing hexagonal summer house and additional grounds work required to accommodate the extension and creating a pathway to the new summerhouse, at Hawthorne House, Stanton In Peak.
2. Planning policy supports alterations and extensions to dwellings in the National Park provided they are of a suitable design, scale, form and massing and would not harm the character, appearance or amenities of the host property or the amenities of neighbouring properties.
3. In this case, following revised plans, by virtue of scale, design and massing, the proposed extension is considered to harmonise with, and adequately respect, the character and appearance of the host dwelling and the immediate surrounding Conservation Area. Consequently, the application is recommended for approval.

**Site and Surroundings**

4. Hawthorne House is a detached dwelling constructed from coursed sandstone walling with a quarter-faced tooling finish, with clay plain tile roofing and with traditional timber 9-light sash windows and timber panelled doors detailed with gritstone cills, head and jambs. The property is also detailed with gritstone quoins, parapeted gables with Kneelers and stone pinion detailing, and with black cast-iron guttering on rise and fall brackets with circular downpipes. The chimneys are Ashlar stone with tight joints, lower corbelled stringcourse with splayed top stone cornice and clay circular cannon head Chimney pots.
5. The property has previously been extended with permission granted in 2001 with works completed in 2003. This scheme consisted of extending the property along the roadside to the east to lengthen the building with a detailed gabled addition providing ground floor kitchen, and a first floor bedroom, along with remodelling to the rear North Elevation with the current lean-to Kitchen addition and another lean-to structure accommodating the Snug.
6. The nearest neighbouring property is Holly House, approximately 5.5m to the west.
7. Hawthorne House is located within Stanton-in-Peak Conservation Area.

**Proposal**

8. Planning permission is being sought to construct a rear extension to form a kitchen.

9. The proposal is to extend to the North with utilisation of the existing two-light windows which would be reconfigured to the East elevation with all the stonework re-used including the stone window surrounds. The wall is to be moved out to extend the kitchen dining area with new aluminium bi-fold doors introduced to open onto the terrace.
10. Planning permission was also originally being sought to construct a summer house on the north-east boundary line. However, revised plans omit this as an alternative design and location of summer house has been selected which falls under General Permitted Development rights, and as such the Authority no longer has control over this element of the application.
11. Stanton In Peak Parish Council objected to this application on grounds of massing and overdevelopment, commenting that *'In relation to the original cottage footprint this further extension takes an already significantly expanded building to a disproportionate scale. It is noted that the summer house appears overly large and that there is already a, recently renovated, standalone stone built office in the garden. The building is in the Conservation Area of the village and although the impact of the majority of the extensions are to the rear, they can still be seen from the road to the school and possibly from the area by the bus stop.'*
12. Amended plans have been submitted which reduce the size of the footprint of the extension, so as not to extend beyond the existing rear projection of the house and also amended the roof pitch to harmonise better with the existing roofs. The summer house was omitted from the application entirely.
13. Stanton In Peak Parish Council raised further objections to the amended plans *'...on the basis that this is an extension of an extension and therefore of greater mass than the original footprint allows for under policy. It sets a dangerous precedent to the rules if allowed for incremental creep'*.
14. Materials and detailing would match the existing.

### **RECOMMENDATION:**

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

- **3 year implementation time limit**
- **Carried out in complete accordance with amended plans (Proposed Site Plan 1296-008 Revision B and Proposed Elevations 1296-005 Revision C)**
- **Design and materials**

### **Key Issues**

15. Design and scale, location, landscape impact and amenity issues.

### **History**

October 2003 – NP/DDD/1003/0662: Re-arrangement of vehicular access – Granted Conditionally

April 2002 – DDD0402176: Extensions to dwelling – Granted Conditionally

January 2002 – DDD0102002: Extension to dwelling – Withdrawn



## **Consultations**

Highway Authority: No response at time of writing.

Parish Council: Objects to the proposal on the grounds of massing and overdevelopment.

District Council: No response at time of writing.

## **Representations**

The Authority has received two letters of representation, one in support from a neighbour on the grounds that the proposal is well designed and in keeping with the property and the village; and one objecting to the summerhouse but in support of the rear extension.

## **National Planning Policy Framework (NPPF)**

1. 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.
2. Paragraph 134 states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, considering any local design guidance and supplementary planning documents such as design guides and codes.
3. In particular Para: 176 states, that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, which have the highest status of protection in relation to these issues.
4. Paragraph 199 states that when considering the impact of a proposed development on the significance of a designated heritage asset (in this case being the Conservation Area), great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
5. In the National Park, the development plan comprises the Authority's Core Strategy and the new Development Management Policies (DMP). These Development Plan Policies provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application.
6. 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**

16. 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.

17. 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.
18. DS1 – *Development Strategy & L1 - Landscape character and valued characteristics*. Supports agricultural development in the open countryside, provided that development respects, conserves and enhances the valued characteristics of the site paying particular attention to impact upon the character and setting of buildings and siting, landscaping and building materials.
19. 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**

20. 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.
21. DMC8 - Conservation Areas. States, that applications for development in a Conservation Area, or for development that affects it's setting or important views into or out of the area, across or through the area should assess and clearly demonstrate how the existing character and appearance of the Conservation Area will be preserved and, where possible, enhanced.
22. DMH7 - Extensions and alterations. States that extensions and alterations to dwellings will be permitted provided that the proposal does not:
  - (i) detract from the character, appearance or amenity of the original building, its setting or neighbouring buildings; or
  - (ii) dominate the original dwelling particularly where it is a designated or non-designated cultural heritage asset; or
  - (iii) amount to the creation of a separate independent dwelling; or
  - (iv) create an adverse effect on, or lead to undesirable changes to, the landscape or any other valued characteristic; or
  - (v) in the case of houses permitted under policy DMH1, exceed 10% of the floorspace or take the floorspace of the house above 97m<sup>2</sup>.
23. 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**

24. The Authority has adopted three separate supplementary planning documents (SPD) that offers design guidance on householder development namely the Design Guide, the Building Design Guide and the Detailed Design Guide on Alterations and Extensions.

## **Assessment**

### **Principle of the development**

25. Extending a dwelling is generally acceptable in principle, subject to the extension being of a satisfactory scale, design and external appearance and where development pays particular attention to the amenity, privacy and security of nearby properties, in accordance with the principles of policies DS1 and DMC3.
26. Policy DMH7 states that extensions and alterations to a residential dwelling will be permitted provided that the proposal does not detract from the character, appearance or amenity of the original building.
27. In addition, the Authority's design guidance sets out that it may be possible to add a well-designed extension provided it would be in harmony with the original building and subject to being appropriate in scale, design and external appearance, in accordance with good design principles.

### **Siting, Design & Materials**

28. There were two elements to the proposed works; firstly, to extend the rear of the property towards the north, and secondly to construct a summer house on the north east boundary line.
29. Following objections from the Parish Council and a neighbouring property to the summer house, this element has been revised and now falls under GPDO and as such the Authority has no control over this component.
30. Proposals now seek permission for the rear extension only.
31. As existing, Hawthorne House has a side extension, which was approved in 2002, and three separate lean-to elements on the rear of the property. This proposal would see the demolition, and replacement, of the most easterly extension.
32. Originally, submitted plans proposed a single storey rear extension, with a low pitched roof extension on the north elevation of the dwelling. It would extend approximately 2m off of the rear of the existing side extension. This would extend beyond the existing rear projection, adding a third, incongruent roof pitch to the dwelling. The walls would be constructed in coursed sandstone walling, under a clay plain tile roof. Materials for which would be sourced, where possible from the demolition of the existing lean-to.
33. Following comments from Authority Officers, amended plans have been submitted stepping this extension back in order to bring it in line with the existing rear projection, and adjusting the roof pitch to be more in keeping with those on the existing property. This would retain a simpler form between the parent dwelling and the proposed development, allowing the extension to be read as a subservient addition to the property in accordance with Authority design guidance.
34. The amended design of the rear, single storey extension is an appropriate scale for the current building and would replace an existing discordant extension in this location. It would not dominate the parent dwelling. The proposed materials would conform to the existing property creating a sense of harmony with the original building which would not detract from its character or appearance.

35. Revised drawings show an amended design for the patio doors to the South Elevation, which would reduce the original glazing to a single pair of double doors, to be double glazed and constructed out of hardwood and painted. The window on the east elevation was revised to a single window.
36. The proposed extension would be modest in size and would not significantly increase the size of the existing building. Therefore, they do not dominate the existing property and are considered to be subservient to the dwelling. The proposed development is concluded to conserve the character and appearance of the property, in line with adopted policies GSP3, L1, DMC3 and DMH7.

### Amenity Impacts

37. Outlook, amenity, privacy and daylight are fundamental considerations when altering or extending a property. This is to ensure that habitable rooms achieve a satisfactory level of outlook and natural daylight, and that there is adequate privacy and outdoor private amenity space, and that no overbearing or harmful overshadowing of neighbouring property results.
38. The only residential neighbour is Holly House approximately 5.5m to the west.
39. The single storey rear extension would not be overbearing, nor overshadow the neighbouring property on account of its location on the eastern end of the property behind existing rear lean-tos.
40. The revised proposal reduced the existing heavy glazing filling a large proportion of the extension, with a single pair of glazed double doors. This would be facing into the occupants' own curtilage and beyond that to an un-occupied area of fields. This element is therefore not considered to raise negative amenity issues on any neighbouring property.
41. It is therefore considered that the proposed development would not adversely affect the neighbouring property with regard to outlook, amenity, privacy and daylight. The proposal accords with policy DMC3 in this regard.

### Environmental Management and Sustainability

42. Policy CC1 requires that new development makes the most efficient and sustainable use of land, building and natural resources and achieves the highest possible standards of carbon reductions and water efficiency.
43. The application would utilise the existing stonework and materials on the site, therefore reducing its carbon footprint as materials would be sourced locally and materials on site re-used.
44. Given the scale of development, this is considered sufficient to comply with Policy CC1.

### Conclusion

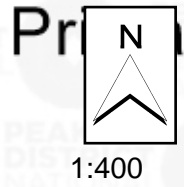
45. The proposed scheme would not have an adverse impact on the character and appearance of the dwelling, its immediate setting or the wider area. The alterations and extensions are relatively modest, are replacing an existing incongruent rear extension, and would not have an unacceptable impact on the amenities of the nearest neighbouring properties.

46. The proposals are therefore considered to be in line with the requirements of GSP1 and GSP3, DMC3, and DMH7, and as such are recommended for **APPROVAL**.

### **Human Rights**

47. Any human rights issues have been considered and addressed in the preparation of this report.
48. List of Background Papers (not previously published) Nil
49. Report Author: Rachael Doyle, Assistant Planner, South Area Planning Team.


This page is intentionally left blank



blue line = NP boundary



© Crown copyright and database rights 2022 Ordnance Survey 0100022750  
 You are not permitted to copy, sub license, distribute or sell any of this data to third parties in any form.

Committee Date:	08/03/2024	<b>Title:</b> Hawthorne House, Stanton-in-Peak	 <b>PEAK DISTRICT NATIONAL PARK</b>
Item Number:	Item 18		
Application No:	NP/DDD/0923/1085		
Grid Reference:	424071, 364335		

This page is intentionally left blank



---

**19. HOUSEHOLDER APPLICATION - FOR ALTERATIONS AND EXTENSION TO DWELLING AND NEW GARAGE, AT PATHWAYS, YOULGRAVE(NP/DDD/1223/1442, DH)**

**APPLICANT: MRS H WARDLE**

**Summary**

1. The application is for the erection of a two-storey extension to the property, a new porch, and a detached single garage.
2. The scale of the proposed two storey extension to the dwelling has been reduced considerably from a previous scheme which was refused for the following reasons, "The scale, form, massing and design of the extension is considered to be wholly unacceptable as it fails to respect the simple form and character of the existing dwelling and the area within which it is sited. As a result of its scale the extension would dominate and harm the appearance of to the existing dwelling, the adjoining dwelling, and the wider cul-de-sac. Furthermore, it would be overbearing and have an unacceptable effect on the amenities of the adjoining property."
3. The revised scheme has addressed the previous concerns with regard to amenity, and is considered to be of a suitable design, scale, form and massing which does not have an adverse effect on the character and appearance of the dwelling or its setting.
4. The application is recommended for approval.

**Site and Surroundings**

5. Pathways is a semi-detached dormer bungalow standing on the south-west side of a cul-de-sac called Brassington Close which is accessed off the east side of Mawstone Lane in Youlgrave.
6. Although not within the Youlgrave Conservation Area, the site is just 15m from the conservation area boundary.
7. The cul-de-sac occupies a sloping site with large detached single storey dwellings to each side, the exception being this pair of bungalows. The principal elevations of the properties face south and due to the slope of the land look over the roofs of the property below. This pair and some of the properties to the opposite side of the cul-de-sac are dormer bungalows. None of the properties are traditional in terms of their design and materials used for their construction.
8. Pathways and its adjoining neighbour, are constructed from artificial stone and the rear elevations are rendered. The roof is clad with Hardrow tile and the flat roofed box dormer to the principal elevations has a timber clad appearance. The doors and windows are upvc, as are the rainwater goods. A flat roofed off-shot to the rear is a mix of stone and render with a felted roof sitting just under the eaves, as shown on the original plans; the adjoining property has raised the height of this element by approximately three courses of stonework so that the flat roof sits above the eaves. The pair are otherwise identical. A small paved terrace runs along the frontage of the pair of dwellings with the sloping garden beyond, to the rear, a paved area with a low retaining wall leads onto the rest of the garden to the north-west.
9. The nearest neighbouring property is Shillong, attached to the west, Greywalls to the south at a distance of 13m, and Afe-way, a recently re-modelled and extended detached former bungalow, stands on the opposite side of the road.

## **Proposal**

10. The proposal is for the erection of a detached single garage to the rear of the dwelling, and extensions and alterations to the dwelling, namely, a porch off the side elevation and a two-storey extension to the rear, with alterations to the first floor.

## **RECOMMENDATION:**

- **That the application be APPROVED subject to the following conditions:**
- **Statutory time limit**
- **The development to be in accordance with the submitted plans drawing numbers 2231-500, Revision A (block plan), 2231-10 (proposed plans, elevations and sections for the works to the dwelling), and 2231-11 (proposed plans and elevations for the garage), received by the Authority 5 December 2023**
- **New doors and windows shall be recessed to the same depth as the existing**
- **Roof verges shall be flush mortar pointed with no projecting rafters or barge boards**
- **Rooflights shall be fitted flush with the roofslope**
- **Rainwater goods shall be black and on brackets**
- **The submitted climate change mitigation measures shall be fully implemented before the development is brought into use and then shall be maintained for the lifetime of the development.**

## **Key Issues**

11. The key issues are:

- Whether the proposed development is of a suitable design, scale, form and massing which does not have an adverse effect on the character and appearance of the dwelling or its setting; and
- Whether the proposals raise any amenity issues upon the dwelling itself, any neighbouring properties, or the wider area within which it sits.

## **History**

12. 1959 – An outline permission for the land to be developed as housing was granted by NP/BAR/759/131
13. 1961 - Planning permission for the erection of a pair of semi-detached bungalows was granted under NP/BAR/461/19
14. 2023 – Application NP/DDD/0723/0807, for a two-storey rear extension, porch and garage was refused.

## **Consultations**

15. Derbyshire County Council (Highway Authority) – No objection as Brassington Close is a private road.
16. Derbyshire Dales District Council – No response to date.
17. Youlgrave Parish Council – Objection. The PC states the following reasons:
- Overbearing
  - Creates a disproportionate look to half of a semi-detached bungalow
  - The garage appears to create a difficult access for the neighbouring property

- and may even over the existing right of access
- Visible location where large alterations to properties are changing the character of the village
- A modern townscape is being introduced on the hillside in front of the conservation area and church tower

*Officer comment: The PC did not respond to the consultation request regarding the previous application, which was refused. This resubmission has been discussed prior to submission and further amendments were requested which have reduced the scale considerably to address the concerns of the Authority.*

### **Representations**

18. During the publicity period the Authority has not received any formal representations regarding the proposal.

### **Main Policies**

19. Relevant Core Strategy policies: GSP1, GSP2, GSP3, CC1, DS1 & L1
20. Relevant Local Plan policies: DMC3, DMH7 & DMH8
21. National Planning Policy Framework

### **Wider Policy Context**

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

### **National Planning Policy Framework**

23. The National Planning Policy Framework (NPPF) replaced a significant proportion of central government planning policy with immediate effect. A revised NPPF was published in December 2023. The Government's intention is that the document should be considered as a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. In the National Park the development plan comprises the Authority's Core Strategy 2011 and policies in the Peak District National Park Development Management Policies document 2019. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and more recent Government guidance in the NPPF.
24. Paragraph 182 of the NPPF states that '*great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in all these areas, and should be given great weight in National Parks and the Broads.*'

### Peak District National Park Core Strategy

25. GSP1 & GSP2 - *Securing National Park Purposes and sustainable development & Enhancing the National Park*. These policies set out the broad strategy for achieving the National Park's objectives, and jointly seek to secure national park legal purposes and duties through the conversion and enhancement of the National Park's landscape and its natural and heritage
26. GSP3 - *Development Management Principles*. GSP3 states that all development must respect, conserve and enhance all valued characteristics of the site and buildings, paying particular attention to, amongst other elements, impact on the character and setting of buildings, scale of the development appropriate to the character and appearance of the National Park, design in accordance with the National Park Authority Design Guide and impact on living conditions of communities.
27. CC1 – *Climate change mitigation and adaptation*. CC1 requires all development to make the most efficient and sustainable use of land, buildings and natural resources to achieve the highest possible standards of carbon reductions.
28. DS1 - *Development Strategy*. This sets out what forms of development are acceptable in principle within the National Park.
29. L1 - *Landscape character and valued characteristics*. L1 states that all development must conserve and enhance valued landscape character and valued characteristics, and other than in exceptional circumstances, proposals in the Natural Zone will not be permitted.

### Local Plan Development Management Policies

30. DMC3 - *Siting, design, layout and landscaping*. DMC3 states that where development is acceptable in principle, it will be permitted provided that its detailed treatment is of a high standard that respects, protects and where possible enhances the natural beauty, quality and visual amenity of the landscape, including the wildlife and cultural heritage that contribute to the distinctive sense of place.
31. DMH7 – *Extensions and alterations* - Policy DMH7 states that these 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 building; or (ii) dominate the dwelling; 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.
32. DMH8 – *New outbuildings and alterations and extensions to existing outbuildings in the curtilage of dwelling houses* – DMH8 (A) states that new outbuildings will be permitted provided the scale, mass, form and design of the new building conserves or enhances the immediate dwelling and curtilage, any valued characteristics of the adjacent built environment and/or the landscape.

### Supplementary Planning Documents

33. The Authority has adopted three separate supplementary planning documents (SPD) that offers design guidance on householder development namely the Design Guide, the Building Design Guide and the Detailed Design Guide on Alterations and Extensions.

34.

## **Assessment**

### **Principle of the development**

34. Core Strategy policy DS1 states that, in principle, extensions and alterations to dwellings, including new outbuildings within their curtilage, are supported by the Authority provided that they are of a high standard of design, scale, form and massing and do not raise any amenity issues upon the dwelling itself or any neighbouring properties.

### **Visual Impacts**

35. The proposed alterations, and in particular the two-storey extension of the dwelling, have been extensively discussed since the previous application was refused. This resubmission has revised the internal floorplan to facilitate a substantially reduced two-storey rear extension orientated at right angles to the existing ridge line, the porch and garage remain as previously proposed.

36. The proposed single garage is at the rear of the dwelling, with its ridge oriented the same way as the existing dwelling. It has a simple rectangular footprint of 4m by 6.7m, and a pitch roof with an eaves level of 2.5m, and a ridge height of 3.1m. The only opening is the garage door, which is metal, in other regards, the materials match those of the dwelling it would serve. This aspect of the proposals is in line with the Authority's guidance for ancillary domestic buildings and policies GSP3, DMC3 and DMH8.

37. The single storey gabled porch is off the north-east gable and set well back from the wall plane of the principal elevation. The massing echoes that of the bungalow, having a pitched roof with over-sailing eaves and the ridge of the roof follows that of the main dwelling. It would be constructed from matching materials. As such, the porch is in line with guidance in the Authority's adopted SPD on extensions and alterations, and complaint with policies GSP3, DMC3 and DMH7.

38. The plans for the two-storey rear extension now provide a degree of articulation from the existing ridge height and gable of the dwelling, and more articulation from the neighbouring, adjoined, property. In addition, the depth the extension protrudes from the rear wall has been reduced considerably so that it does not breach the 45 degree rule as previously. The frontage matches the existing in terms of the box dormer; the new opening below, in the original wall of the dwelling, is the same width. It was suggested that these openings be reduced in width to three lights, however, it was confirmed that the applicant wanted the resubmission determined on the basis of the submitted plans. In view of the existing box dormer which spans both properties being very wide, the proposed is not so incongruous that it would warrant refusal on this detail. The materials for the construction would match the construction materials of the dwelling. As now proposed, the rear extension is considered to be in line with policies and the guidance in the Authority's SPD.

39. The proposed scheme does not detract from the character or appearance of the dwelling or its setting. It is therefore considered that the proposals are compliant with the requirements of the Authority's SPD on extensions and alterations, and with policies GSP3, L1, DMC3 and DMH7.

### Amenity Impacts

40. The only openings to the elevation of the rear extension which faces the adjoined property are two small rooflights. Therefore, the proposed does not give rise to overlooking and privacy issues. In addition, as reduced in scale, although it would alter the access along the rear of the bungalows to the adjoining property, it would not block it entirely.
41. Due to the location and nature of the proposed development there would not be any adverse impact on the amenities of neighbouring properties. Nor would there be a detrimental effect on the character and appearance of the host property or its wider setting, which, as noted, is a development of relatively modern housing with little cohesion in terms of design.
42. In terms of amenity issues the proposals are therefore considered to comply with the requirements of GSP3, L1, L3, DMC3, DMC5, DMC7, DMC8 and DMH7 and national planning policy.

### Sustainability

43. A statement regarding environmental issues was provided with the application within the Design and Access Statement. It is considered that the proposal complies with the requirements of CC1.

### Conclusion

44. The resubmission has reduced the scale of the proposals considerably.
45. The proposed development is not considered to have a detrimental effect on the character and appearance of the existing dwelling, or its setting; nor will the development result in an unacceptable impact on the amenities of the locality or the quiet enjoyment of the nearest neighbouring properties.
46. As such, it is concluded that the proposals are compliant with policies GSP1, 2 & 3, DS1, L1, DMC3, DMH7, DMH8 and national planning policy.

### Human Rights

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

### List of Background Papers (not previously published)

Nil

### Report Author and Job Title

Denise Hunt – Planner – South Area



1:400

Stone Ends

Ivy Cott

Afe-Wae


Pathways

Shillong

BRASSINGTON CLOSE

Greywalls

© Crown copyright and database rights 2022 Ordnance Survey 0100022750  
 You are not permitted to copy, sub license, distribute or sell any of this data to third parties in any form.

Committee Date:	08/03/2024	<b>Title:</b> Pathways, Brassington Close, Youlgreave	 <b>PEAK DISTRICT NATIONAL PARK</b>
Item Number:	Item 19		
Application No:	NP/DDD/1223/1442		
Grid Reference:	421330, 364221		

This page is intentionally left blank



## 20. MONTHLY PLANNING APPEALS REPORT (A.1536/KH)

### 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/0523/0507 3331494	Extension to ancillary accommodation at Ye Olde Rock Inn, Upper Hulme	Written Representations	Delegated
NP/DDD/0523/0521 3336013	Retrospective application for the erection of timber structures and platforms for use as holiday accommodation at Rocking House Farm, Rowter Lane, Birchover	Written Representations	Committee
NP/GDO/0322/043 3325925	New building for mixed agricultural use at Land at Middle Hay, Long Lane, Cressbrook Dale, Derbyshire	Written Representations	Committee
NP/SM/1222/1535 3332348	Conversion of redundant barn to one bed residential dwelling at south west of Crowdecote	Written Representations	Delegated
NP/DDD/0623/0731 3333489	Erection of rear extension and alterations to existing dormer roof/window with associated internal and external works – Brookfield Grove, The Dukes Drive, Ashford-in-the-Water	Householder	Delegated
NP/DDD/0223/0124 3333479	Single storey side extension over existing garage to extend accommodation at first floor level at 12 Eyam Woodlands, Grindleford	Householder	Delegated
22/0057/2 (ENF) 3336593	Installation of a holiday let cabin on raised platform, composting toilet, covered kitchen area, platform housing Japanese sauna and material change of use of the land from pastoral farmland and woodland to independent residential/holiday use without planning permission on land to the west of Rocking Stone Farm, Rowtor Lane, Birchover	Hearing	Delegated
NP/DDD/1122/1434 3329001	Erection of a ground mounted solar panel array at Cressbrook Hall, Bottomhill Road, Cressbrook	Written Representations	Delegated
NP/HPK/0323/0327 3329151	Demolition of existing building and erection of a new open market dwelling, garage and associated works at Land at Rowan Lodge, Hope Road,	Written Representations	Delegated

---

---

Bamford.

---

## 2. APPEALS WITHDRAWN

The following appeal was withdrawn during this month.

NP/DDD/0322/0395 3333814	LDC – Use of the building known as Springview Stonelow, Eastmoor, Derbyshire as a single private dwelling, access track – 2 <sup>nd</sup> Application to LPA now approved.	Written Representations	Delegated
-----------------------------	--	-------------------------	-----------

## 3. APPEALS DECIDED

The following appeals have been decided during this month.

<u>Reference</u>	<u>Details</u>	<u>Method of Appeal</u>	<u>Decision</u>	<u>Committee/ Delegated</u>
NP/DDD/0522/0704 3320562	Erection of triple garage with home office above at Torr Farm, Leadmill	Written Representations	Dismissed	Delegated

The Inspector's view was that the overall volume of the proposed garage, combined with its size of the built form would result in the creation of a large structure that would draw attention to itself as an incongruous feature in the wide area. It would have an awkward appearance in the locality given its size, the harmful impact of which would not be mitigated to any noticeable degree by the cut and fill works. The proposed development would fail to conserve or enhance the character and appearance of the Peak District National Park, and did not accord with the development plan as a whole. The appeal was therefore dismissed.

NP/HPK/0822/1032 3319738 NP/HPK/0623/0664 3328109	Conversion of barn to dwelling to include extension, alterations and landscape works at Herod Farm, Turnlee Road, Simmondley, Glossop	Written Representations	Dismissed	Delegated
--	---	-------------------------	-----------	-----------

The Inspector's considered that the proposal would fail to preserve the Grade II listed building or any features of special architectural or historic interest which it possessed, and would cause harm to the significance of the designated heritage asset. The harmful impact would also be contrary to GSP1, GSP3 and L3 of the Core Strategy Document and DMC3, DMC5, DMC10, DMH7 and DMH8 of the Development Management Policies. The appeals were dismissed.

## 4. RECOMMENDATION:

**To note the report.**