

Public Document Pack

Peak District National Park Authority

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



Our Values: Care – Enjoy – Pioneer

Our Ref: A.1142/4695

Date: 6 June 2024



NOTICE OF MEETING

Meeting: **Planning Committee**

Date: **Friday 14 June 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 held on 10 May 2024** *(Pages 5 - 16)*
- 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 Interests**
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 house and construction of new, three-bedroom dwelling, including new retaining wall structure at The Bungalow, Macclesfield Road, Kettlethulme (NP/CEC/1023/1278, WE)**
(Pages 17 - 26)
Site Plan
- 7. Full Application - For the replacement of an existing agricultural building with a new dwelling at Hope Farm, Alstonefield (NP/SM/1123/1405, GG)**
(Pages 27 - 38)
Site Plan
- 8. Annual Report on Planning Appeals 2023/2024 (A.1536/BT/KH)** *(Pages 39 - 42)*
Appendix 1
- 9. Authority Solicitor Report - Planning Appeals (A.1536/AE)** *(Pages 43 - 44)*

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.

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.

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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 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

Ms R Bennett	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

Peak District National Park Authority
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Aldern House, Baslow Road, Bakewell, Derbyshire. DE45 1AE



MINUTES

Meeting: **Planning Committee**

Date: Friday 10 May 2024 at 10.00 am

Venue: Aldern House, Baslow Road, Bakewell

Chair: Cllr P Brady

Present: Cllr V Priestley, Ms R Bennett, Cllr M Beer, Cllr M Buckler, Cllr M Chaplin, Cllr B Hanley, Cllr A Hart, Cllr L Hartshorne, Cllr Mrs K Potter, Cllr K Richardson and Mr K Smith

Apologies for absence: Cllr I Huddleston, Cllr D Murphy and Cllr J Wharmby.

51/24 MINUTES OF PREVIOUS MEETING OF 19 APRIL 2024

The minutes of the last meeting of the Planning Committee held on the 19th April 2024 were approved as a correct record, subject to the following amendment:

Minute 42/24

The wording to be amended to read "FULL APPLICATION- REPAIR AND CONVERSION OF BARNS"

52/24 URGENT BUSINESS

There was no urgent business.

53/24 PUBLIC PARTICIPATION

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

54/24 MEMBERS DECLARATIONS OF INTEREST

Item 7

Several Members over time have received representations from one of the speakers but have not committed to any views regarding this application.

Item 9

Cllr Brady serves on Taddington Parish Council however when this item came for discussion at the Parish Council meeting Cllr Brady did not vote.

Item 11

A number of Members knew the Agent as a previous employee of the Peak District National Park Authority.

Item 12

A number of Members had received an email from the Applicant however no Member had responded to the Applicant.

Item 13

Cllr Hanley has prior knowledge of this item but stated he has no prejudicial interest.

Item 14

A number of Members knew the Agent as a previous employee of the Peak District National Park Authority.

10.05am Cllr Buckler attended the meeting

55/24 FULL APPLICATION - REGULARISATION OF THE OVER TIPPED AREA TO THE EAST OF THE 1884/9/4 CONSENT, RETAINING USE OF THE SITE FOR DEPOSITING INDUSTRIAL WASTE FROM DSF REFRACTORIES AND CONSOLIDATION OF PROGRESSIVE RESTORATION AND AFTERCARE STRATEGY FOR THE REVISED SITE AREA AT FRIDEN LANDFILL SITE, NEWHAVEN, NR BUXTON SK17 0DX (NP/DDD/1022/1276, HM)

Some Members had visited the site the previous day.

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

Members noted that this application was submitted prior to the BNG mandatory requirement and therefore the 30 year statutory requirement rule cannot be applied. It will take some time to progressively restore the site, and therefore it was felt there would be greater biodiversity gain achieved beyond the statutory 5 year aftercare period and the proposal would ensure a greater enhancement to the site than if it was restored in accordance with existing requirements. Condition 13 imposes a Restoration Masterplan.

There was a question regarding the depth of the man-made lagoon and if life-preservers could be put in place around the lagoon. It was agreed a condition would be appended to any approval in order to accommodate this.

The motion to approve the application with an additional condition regarding life-preservers, was proposed, seconded, put to the vote and carried.

RESOLVED:

That the application be APPROVED subject to conditions covering the following matters and the additional condition to be included by the Planning Officer:

- 1. Duration of the use of the land for the deposit of waste arising from the nearby refractory works to cease on or before 31 December 2033.**
- 2. Scope of the permission listing the approved plans and documents for the avoidance of doubt.**
- 3. No waste other than inert waste arising from the nearby refractory works shall be imported to and deposited at the site.**
- 4. No heavy goods vehicles (HGVs) shall travel to or from the site other than via the existing gated site entrance off the A5012 as shown on the Location Plan Drawing No. ECL.8765.D01.007 Rev A.**
- 5. Appropriate vehicle sheeting to prevent material spillage, wind blow and dust nuisance.**
- 6. No operational vehicles shall enter the public highway unless their wheels and chassis have been cleaned to prevent material being deposited on the public highway.**
- 7. The working, restoration and aftercare of the site shall be carried out only in accordance the approved plans.**
- 8. Hours of working restricted to between 07:30 and 17:00 Mondays to Fridays.**
- 9. Measures shall be taken to minimise dust arising from the handling of inert waste in accordance with the Nuisance Health Risk Assessment dated May 2023.**
- 10. All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturer's specification at all times, and shall be fitted with and use effective silencers.**
- 11. The existing trees within the site/identified on the Proposed Restoration Masterplan Drawing No. ECL.8765.D01.002 Rev D shall be retained.**
- 12. Annual survey as described in paragraph 6.5.2 of the Closure and Aftercare Management Plan Rev B dated November 2023 shall be submitted for approval to the WPA. Annual survey information shall include details of how Biodiversity Net Gain is being met.**
- 13. The Proposed Restoration Masterplan Drawing No. ECL.8765.D01.002 Rev D and Closure and Aftercare Management Plan Rev B dated November 2023 shall be implemented in full accordance with the approved details. Restoration of the whole site shall be completed by 31 December 2034.**

14. Upon satisfactory completion of the restoration scheme, to be confirmed in writing by the WPA, the site shall thereafter be subject to a 5 year programme of aftercare requirements as detailed in the Closure and Aftercare Management Plan Rev B.

15. Condition to ensure the provision of buoyancy aids on site prior to the on-site surface water attenuation features holding water.

56/24 FULL APPLICATION - PROPOSED HOLIDAY RETREAT WITH HOLIDAY ACCOMMODATION INCLUDING 2 STATIC CARAVANS, 1 YURT, 9 TOURING CARAVAN PITCHES, 17 CAMPING PODS, 5 CAMPING PITCHES AND ANCILLARY FACILITIES INCLUDING TOILET BLOCK, CONVERSION OF POLE BARN TO FLEXIBLE SPACE FOR EVENTS, CONVERSION OF DUTCH BARN TO CATERING AREA, CONVERSION OF OLD MILKING PARLOUR TO 4 HOLIDAY LETS, REPLACEMENT OF 2 STOREY STORAGE BARN WITH 2 UNDERGROUND SINGLE STOREY HOLIDAY LET STUDIOS, A POLYTUNNEL AND ASSOCIATED ACCESS AND ACCESS TRACKS, PARKING AND LANDSCAPING AT HOME FARM, SHELDON (NP/DDD/1223/1459, AM)

The Planning Officer presented the report and outlined the reasons for refusal.

Some Members had visited the site the previous day.

It was noted that the footpath mentioned on the site visit is not actually on the site and starts at Lower Farm. The Conservation Area was clarified.

The following spoke under the public participation at meetings scheme:

Mr Andrew Ford – Sheldon Village Planning Committee

Mr Joe Noble – Sheldon Village Planning Committee

Mr Ammir Kohanzad – Applicant – Statement read out by a member of Democratic Services.

The Members noted from the site visit that this development can be seen from a distance and from a number of view points. It was noted that there is a lack of information provided in this application including:

- No ecological survey
- No tree survey
- No noise survey or noise management plan
- No list of sustainability measures to be employed so contrary to CC1 policy
- No drainage or suds proposals

The impact and upset imposed on the community was acknowledged by the Members.

It was discussed as to what would be acceptable and noted that small scale tourism development would be more likely to be acceptable. However this would be a different development than the current proposal. The Officer invited the applicant to use the Authority's pre-application advice service.

The Officer recommendation to refuse the application was moved, seconded, put to the vote and carried.

RESOLVED:

That the application be REFUSED for the following reasons:

- 1. The development would not be in the public interest and exceptional circumstances do not exist to justify the proposed major development. The proposal is therefore contrary to policies Core Strategy policies GSP1, GSP3 and DS1, Development Management policy DMC1 and the National Planning Policy Framework.**
- 2. The development would involve the retention of new build holiday accommodation and the conversion and alteration of modern buildings of no historic or vernacular merit contrary to Core Strategy policy RT2 and Development Management policy DMC10.**
- 3. The development would involve the retention and use of static caravans and is not an appropriate site for camping pods or the scale of touring caravans or camping proposed contrary to Core Strategy policy RT3 and Development Management policy DMR1.**
- 4. The development would result in a significant adverse visual and landscape impact and would significantly harm valued landscape character contrary to Core Strategy policy L1, Development Management policy DMC1 and DMC3 and the National Planning Policy Framework.**
- 5. Insufficient information has been submitted with the application to demonstrate that the application would enhance biodiversity or that the development would not harm trees, protected species or their habitat contrary to Core Strategy policy L2, Development Management policies DMC11, DMC12 and DMC13 and the National Planning Policy Framework.**
- 6. The development would result in harm to the Sheldon Conservation Area and its setting and the setting of the Grade II listed Church of St Michael and All Saints contrary to Core Strategy policy L3 and Development Management policies DMC5, DMC7 and DMC8. The harm identified would not be outweighed by public benefits arising from the development contrary to the National Planning Policy Framework.**
- 7. The development would result in harm to the character, appearance and amenity of the local area and neighbouring properties contrary to Core Strategy policy GSP3 and Development Management policy DMC3.**
- 8. Insufficient information has been submitted with the application to demonstrate that the development would encourage behavioural change to achieve a reduction in the need to travel or reduce traffic movements. Visitors to the development would be largely or wholly reliant upon the private car and therefore would not be a sustainable form of recreation development contrary to Core Strategy policies GSP3 and T2.**
- 9. Insufficient information has been submitted with the application to demonstrate that the development would be served by a suitable sustainable urban drainage scheme or that pollution from foul drainage associated with the development can be satisfactorily mitigated contrary to Core Strategy policy CC5, Development Management policy DMC14 and the**

National Planning Policy Framework.

10. The proposal would not deliver high quality design or the highest possible standards of carbon reductions and water efficiency in order to mitigate the causes of climate change contrary to Core Strategy policies GSP3 and CC1, Development Management policy DMC3, the Authority's adopted Supplementary Planning Documents 'Design Guide' and 'Climate Change and Sustainable Building' and the National Planning Policy Framework.

57/24 FULL APPLICATION - CONVERSION OF BARN TO HOLIDAY ACCOMMODATION AT THE OLD BARN, SMITHY LANE, PARWICH (NP/DDD/0124/0037, RD)

Some Members had visited the site the previous day.

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

It was noted that since the report was written an extra condition had been added relating to archaeological recording of the site.

The following spoke under the public participation at meetings scheme:

Mr Joe Oldfield – Agent

Members who had visited the site suggested that frosted glazing on the east end of the building would protect the neighbours privacy and it was agreed to add this in as a condition. Members felt some clarification over the field drainage was required and asked for a condition to be added regarding drainage as it was not clear how rain-water goods would function.

Overall Members felt this was a sympathetic restoration of the original building. The existence of the village map on the side of the building was noted.

A motion to approve the application was proposed and seconded, put to the vote and carried subject to additional conditions regarding the windows and drainage and archaeological recording.

RESOLVED:

That the application is APPROVED subject to the following conditions and the additional conditions outlined by the Planning Officer:

- 1. Statutory time limit**
- 2. In accordance with amended plans**
- 3. Conversion in shell only**
- 4. Agree landscaping scheme**
- 5. Agree external lighting**
- 6. Agree biodiversity enhancement measures**

7. Design details
8. Underground service lines
9. Removal of permitted development rights
10. Climate change mitigation measures
11. Drainage details to be agreed
12. Archaeological recording to be secured
13. Obscuring or obstructing of window to eastern end of principal elevation to be secured.

The meeting adjourned for a short break at 11.20am and returned at 11.35am.

58/24 FULL APPLICATION - CONVERSION OF STONE FIELD BARN TO CREATE A THREE-BEDROOM PROPERTY WITH INTEGRATED ONE-BEDROOM ACCOMMODATION FOR USE AS ANNEXE OR HOLIDAY ACCOMMODATION AT BARN OFF BROADWAY LANE, NR PRIESTLIFFE, TADDINGTON (NP/DDD/0223/0117,MN)

The Planning Officer presented the report and outlined the reasons for refusal.

Members were reminded that this was an application that was deferred at the December 2023 meeting in order for officers to resolve matters of conserving the interior heritage character, the extent of the curtilage, and matters of climate change mitigation, and to approve the application under delegation if this was achieved. Having been unable to come to agreement with the applicant on these matters, the application was returning to committee for determination by Members. Some amendments have been received since the report was drafted which were explained by the Officer in his presentation.

The following spoke under the public participation at meetings scheme:

- Miss Ellie Hensby, Applicant

It was noted that other proposals for alternative internal layout had not been put forward to address the concerns raised in these regards. The Members felt that there is no sound rationale as to why the floor space could not be reversed. Members were also concerned about the exposure and isolation of the building and its' relationship to the landscape. There were concerns regarding the extent and enclosure of curtilage, and of how parking would be accommodated.

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

RESOLVED:

That the application be REFUSED for the following reasons:

- 1. The proposed conversion would harm the heritage significance of the barn by virtue of domestication of its character and setting, with no material planning considerations outweighing that harm, contrary to policies L3, DMC3, DMC5, and DMC10, and to the heritage provisions of the NPPF.**
- 2. The proposed conversion would harm the special landscape character of the locality by virtue of domestication of the barn and its rural agricultural setting, with no material planning considerations outweighing that harm, contrary to policies L1, DMC3, and DMC10, and to the provisions of the NPPF insofar as they relate to landscape protection within National Parks.**

59/24 FULL APPLICATION - PROPOSED EXTENSION TO DWELLING AT THE ORCHARDS, MONSDALE LANE, PARWICH (NP/DDD/0921/0990, SC)

Some Members had visited the site the previous day.

The Planning Officer presented the report and outlined the reasons for refusal.

This application was previously deferred by Members in June 2022 to allow for the Applicant and Officers to work together to find an improved design solution. It was noted that this new application was the same scale and form as the previous applications and would have a significant visual impact on the host dwelling.

The following spoke under the public participation at meetings scheme:

- Rosie Ward – Applicant
- Lynette Coyne – Agent

Members weighed up the pros and cons of developing the current building versus a new build for affordable housing in a small village.

A motion to approve the application contrary to Officer recommendation was moved, seconded, put to the vote and carried.

RESOLVED:

That the application is APPROVED subject to the following conditions:

- 1. The development hereby permitted shall be begun within 3 years from the date of this permission.**
- 2. The development hereby permitted shall not be carried out other than in accordance with the following amended 1:100 elevation plan and 1:100 floor plan received by the Authority on the 31 January 2024 and subject to the following conditions.**

3. All new stonework shall be natural limestone with natural gritstone surrounds in accordance with samples which shall have first been submitted to and approved in writing by the National Park Authority.
4. Prior to the erection of the external walls a sample panel (a minimum of 1 square metre) of the natural limestone walls, natural gritstone surrounds and pointing shall be erected on site for inspection and approval in writing by the National Park Authority. The development shall not be carried out other than in accordance with an approved sample panel.
5. The roof shall be clad with clay tiles to match the existing.
6. Prior to the installation of any new windows and doors construction details (including detailed window and door design, recess from external walls, materials and external finish) shall be submitted to and approved in writing by the National Park Authority. The development shall thereafter not be carried out other than in accordance with the approved details.
7. The rainwater goods shall be metal, fitted on rise and fall brackets fixed to the stonework and painted black at the time of installation.
8. The roof verges shall be flush pointed with no fascia boards or projecting timberwork.

60/24 FULL APPLICATION - CHANGE OF USE OF BARN TO HOLIDAY LET, AND ERECTION OF SINGLE STOREY LEAN-TO EXTENSION ON NORTHERN GABLE AT BARN TO THE SOUTH OF HOLE CARR FARM, LONGNOR (NP/SM1123/1403, PM)

Some Members had visited the site the previous day.

The Planning Officer presented the report and outlined the reasons for refusal.

The following spoke under the public participation at meetings scheme.

- Sarah Foster, Agent

The Members agreed that the site visit had been very worthwhile. It was felt that the main issue was the landscape impact across the Warslow Moor area where there were extensive views and this is an isolated building so there would be significant impact on the landscape. This impact on the landscape combined with the extent the building needs to be rebuilt, almost becoming a new build, underpins Officer recommendation. It was acknowledged that not all derelict barns can be saved.

The motion to refuse the application with the addition of the application almost being a new build to the reason for refusal was proposed, seconded, put to the vote and carried.

RESOLVED:

That the application be REFUSED for the following reasons:

1. The hard surfacing of the access track, creation of a car parking area, domestic paraphernalia and lighting associated with the proposed use of the barn as a holiday let would cause significant harm to the landscape character of the area, contrary to Core Strategy policies GSP1, GSP2,

GSP3, L1, L3 and RT2, Development Management Plan policies DMC3 and DMC10 and the National Planning Policy Framework. The public benefits arising from the development would not outweigh the harm that has been identified.

- 2. Insufficient information has been submitted with the application to demonstrate that the development could be carried out without significant re-building of the barn.**

13:00pm A motion to continue the meeting past 1pm was moved, seconded, voted on and carried.

13.01pm The meeting adjourned for a short break and returned at 13.10pm.

61/24 S73 APPLICATION - FOR THE VARIATION OF CONDITION 3 FROM NP/DDD/0618/0562 TO OPEN ON MONDAY AT IVY COTTAGE, DALE HEAD, LYDGATE, EYAM (NP/DDD/0224/0160. EF)

Some Members had visited the site the previous day.

The Planning Officer presented the reported and outlined the reasons for approval.

The following spoke under the public participation at meetings scheme:

- Pat Gosling, Objector
- Kathleen Hall, Applicant

It was noted that there is no public footpath in front of the property however it maybe a ROW. Members felt that there were no particular issues associated with the Sunday opening and no reason not to approve the opening on Mondays. It was noted in the report that there was a 4th condition attached to approval however this had been included in error and therefore was removed from the list of conditions.

The motion to approve the application with the revised conditions was proposed, seconded, put to the vote and carried.

RESOLVED:

That the application be APPROVED subject to the following conditions:

- 1. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted details as amended by the following amended plans: Floor Plan of the Outbuilding dated 26.07.2018, Amended Floorplan of the External Seating Area dated 25.09.2018 and subject to the following conditions and/or modifications;**
- 2. The opening hours shall be between 11:00 and 17:00 on Sundays and Mondays only.**
- 3. The use of the premises hereby permitted shall be for a tea room ancillary to the residential use of Ivy Cottage.**

62/24 FULL APPLICATION - CHANGE LOW LEVEL BOLLARD LIGHTING TO REAR CAR PARK ENTRANCE FROM BACK LANE AT MOORLAND HOUSE STATION ROAD, HATHERSAGE (NP/DDD/0124/0112, EF)

The Planning Officer presented the report and outlined the reasons for approval.

Members were happy that the concerns of the residents and the Parish Council had been resolved.

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

RESOLVED:

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

- 1. Statutory 3-year time limit.**
- 2. In accordance with specified approved plans and specifications and subject to the following conditions or modifications**

63/24 HOUSEHOLDER APPLICATION - PROPOSED ERECTION OF A SINGLE GARAGE AND STORE AT 15 EYAM WOODLANDS, GRINDLEFORD (NP/DDD/0224/0208, WE)

Members had a drive-by this site the previous day.

The Planning Officer presented the report and outlined the reasons for refusal.

The following spoke under the public participation at meetings scheme:

- Jane Newman, Agent

Members welcomed the design of the green roof. It was also noted that rain-water would also be harvested. However they were concerned about the safety of the roof and would recommend having some form of safety fencing. Members asked what conditions would be imposed if they were minded to approve this and the Officer clarified these conditions.

13:45pm Cllr Hanley left the meeting.

A motion to approve the application contrary to Officer recommendation was moved, seconded, put to the vote and carried.

RESOLVED:

That the application be APPROVED subject to the following conditions:

- 1. Commence development within 3 years.**
- 2. Carry out in accordance with specified approved plans.**

3. **Materials to be natural stone walling to match house**
4. **Recess garage door 150mm**
5. **Maintain garage and outside parking spaces for designated use.**
6. **Landscaping including details of green roof**
7. **Withdraw permitted development rights for fencing, walling or other means of enclosure on the development**
8. **No flood or other external lighting except in accordance with scheme to be agreed in writing.**

64/24 PLANNING PERFORMANCE UPDATE (BJT)

The Head of Planning presented his report and updated the committee on current performance of the Authority's development management function.

It was noted that the current figures are showing that the Authority is now performing above the national standard for speed of determination over the 2 year designation period and that the two year average is now around 75%. As such the Authority has now moved out of the risk of designation. Officers remain engaged with the Planning Advisory Service to look for further service improvement with a key element looking to have good engagement at the start of the process. The recent resumption of the pre-application advice service will help with that.

Congratulations and thanks were extended to all involved for their hard work in getting the service back on track.

A suggestion to address the public perception of the number of applications that are approved on a monthly basis was put forward. It was noted that there is a monthly delegated items list which members should receive. A pro-active communications strategy is being looked at and developed by the CEO.

The recommendation was moved, seconded, put to the vote and carried.

RESOLVED:

To note the report.

65/24 AUTHORITY SOLICITOR REPORT - PLANNING APPEALS (A.1536/AE)

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

RESOLVED:

To note the report.

The meeting ended at 2.00 pm

6. FULL PLANNING APPLICATION – DEMOLITION OF EXISTING HOUSE AND CONSTRUCTION OF NEW, THREE BEDROOM DWELLING, INCLUDING NEW RETAINING WALL STRUCTURE AT THE BUNGALOW, MACCLESFIELD ROAD, KETTLESHULME, (NP/CEC/1023/1278, WE)

APPLICANT: MR MARTIN DALEY

Summary

1. This application seeks consent for the demolition of the existing dwelling on site and replacement with a larger, three-bedroomed property.
2. The design of the proposed replacement dwelling is identical to that within planning approval NP/CEC/0221/0178 which received consent as an alterations and extensions application to the existing property.
3. This application advises that the retaining wall to the rear of the existing property is deteriorating and in order to undertake the full scheme of repairs, the building would need to be demolished and relocated.
4. As such, the proposed replacement dwelling would be relocated approximately 2m north-west from the current siting of the house.
5. Officers consider that the development approved through NP/CEC/0221/0178 was acceptable on the basis that it sought consent to alter the external appearance of the *existing* building using the property's existing proportions and constraints. Conversely, this application seeks to demolish the existing property and construct a replacement dwelling using a design that still reflects the existing property's unusual form and massing.
6. It is considered that the proposed development does not constitute 'significant overall enhancement' to development site, landscape, and built environment as required by policy DMH9. It is therefore recommended for refusal.

Site and Surroundings

7. The Bungalow is located in open countryside to the east of Kettleshulme and backs onto the north side of Macclesfield Road with the principal elevation facing into the open countryside.
8. The property is set down below the level of the highway with the access drive sloping down and coming around the back and side of the property to the garden at the lower level. The property is non-traditional and mainly single storey with a two-storey element to the west end. The property is constructed from a mixture of materials including render, brick, timber boarding and natural gritstone under pitched and hipped roofs clad with blue slate.
9. The nearest neighbouring property is Beech House to the south and on the far side of Macclesfield Road.

Proposal

10. This application seeks full planning permission for the demolition and replacement of the existing dwelling, including the repair of the retaining wall structure to the rear of the house.

11. The replacement dwelling would be finished in natural stone under a blue-slate roof. The windows frames would be dark grey.
12. The form of the proposed dwelling can be best described as comprising of three elements. The south-western end of the dwelling would be two-storey with a roof-pitch which runs parallel to the adjacent road, with a rear gabled two-storey element projecting toward the highway. The middle section of the building is single-storey, with a roof-pitch which flows into the eastern section of the dwelling which would be slightly taller as a result of its deeper plan and thus gable width than the middle section. The roof of these sections would also run parallel to the road.
13. The fenestration of the property would be varied, featuring a mix of window sizes. It would be heavily glazed, with 4 sets of French door-style openings, many full height windows and windows on the rear and gable ends. In front of the property would be a raised stone terrace with a balustrade.
14. As noted, the dwelling would move approximately 2m north-west from the current siting of the house with a new part gabion and part stone faced concrete retaining wall constructed to hold back the sloping driveway and bank between the dwelling and the road.

RECOMMENDATION:

That the application be REFUSED for the following reason;

1. **The proposed replacement dwelling would not contribute towards significant overall enhancement to the valued character and appearance of the site itself, nor the surrounding landscape. The design of the proposed replacement dwelling does not adequately reflect the local built-environment or the established local vernacular building traditions and therefore does not meet the high design standards necessary to justify the demolition and replacement of the existing dwelling. It is therefore contrary to policies GSP1, GSP2, GSP3, DMC3, DMH9 and the National Planning Policy Framework.**

Key Issues

- Principle of development;
- Design and impact on the landscape;
- Other matters.

History

15. 1977 – Extend dwelling house – NP/M/0577/001 Granted conditionally
16. 2020 - Demolition of existing two-storey element and replacement with larger two-storey element; internal reconfiguration; amendments to existing roof – NP/CEC/0520/0395 Refused due to harm to the character and appearance of the area and landscape.
17. 2021 - Alterations and extensions to the existing dwelling, installation of a GSHP and package treatment plant, works of hard and soft landscaping and other works incidental to the proposals NP/CEC/0221/0178 – Granted conditionally

Consultations

18. Kettlethulme and Lyme Handley Parish Council – No objections

19. Cheshire East Strategic Transport – No objection subject to a condition requiring a Construction Management Statement to be submitted and approved prior to work commencing on site.
20. Cheshire East Amenity – No comments
21. Cheshire East Air Quality – No objection subject to a condition requiring an Electric Vehicle Infrastructure plan to be submitted and agreed in writing which requires the installation of a single Mode 3 compliant Electrical Vehicle Charging point.
22. Cheshire East Contaminated Land – No comments to make but suggested a condition requiring a watching brief to be undertaken should any land which is currently hardstanding be proposed for soft landscaping/garden.
23. United Utilities - It is the applicant's responsibility to investigate the existence of any pipelines that might cross or impact their proposed site and also to demonstrate the exact relationship between United Utilities' assets and the proposed development. The applicant should not rely solely on the detail contained within asset maps when considering a proposed layout. Requested a letter to be appended to the decision letter in the event of an approval.

Representations

24. Four representations were received during the determination of this application. All four representations supported the proposed development, citing the following reasons:
 - Application is similar to the existing approved development on site;
 - The rebuilding of the property in natural stone will be a major improvement visually and will appear better on the open landscape to the north;
 - The replacement dwelling would be highly efficient and sustainable.

National Planning Policy Framework (NPPF)

25. 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.
26. 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.
27. 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

28. 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.
29. 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.
30. DS1 - *Development Strategy*. Sets out that most new development will be directed into named settlements.
31. 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.
32. Policy CC1 states that development must make the most efficient and sustainable use of land, buildings and natural resources.

Development Management Policies

33. 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.
34. Policy DMH9 - States that the replacement of a dwelling will be permitted provided that the existing dwelling is not of heritage or local landscape value. All proposed replacement dwellings must enhance the valued character of the site itself and the surrounding built environment and landscape, reflecting guidance provided in adopted guidance. Larger replacement dwellings should demonstrate significance overall enhancement to the valued character and appearance of the site itself, the surrounding built environment and landscape. In all cases the replacement dwelling must not create an adverse impact on neighbours' residential amenity. In all cases the replacement dwelling must exhibit high sustainability standards.
35. Policy DMT8 - States off-street car parking for residential development should be provided unless it can be demonstrated that on-street parking meets highway standards and does not negatively impact on the visual and other amenity of the local community. This should be either within the curtilage of the property or allocated elsewhere.
36. Policy DMC14 - Outlines that development will only be permitted where, upon cessation of a permitted use, the appropriate removal of any pollutants arising from development can be assured.

Assessment

Principle of Development

37. This application is seeking permission for the full demolition of the existing property, and replacement with a new, larger dwelling. Policy DMH9 permits the replacement of dwellings provided that the property to be replaced is not of heritage or local value and is not considered to contribute positively toward the valued landscape character or built environment. It is noted that The Bungalow is an atypical, non-traditional property that does not reflect the vernacular of the National Park. As such, subject to the development complying with detailed design, landscape impact and sustainability criteria set out in parts B, C, D, and E of policy DMH9, the proposed development would be acceptable.

Design and impact on the valued characteristics of the landscape

38. The design of the proposed replacement dwelling is largely identical to the external appearance of the scheme of alterations and extensions (NP/CEC/0221/0178) approved in 2021.
39. The replacement dwelling would be clad in natural stone under a natural slate roof and can be best described as being comprised of 3 elements; a two-storey element with rear projecting gable on the south-western end with a single-storey central element connecting to a slightly wider and therefore slightly taller single-storey section on the north-eastern end. All three main elements are gabled in form, with roof pitches running parallel to the adjacent road. The detailed design of the proposed development does not reflect the local tradition and is contemporary in style, featuring heavy glazing in a variety of different sized openings and without lintels, cills, or quoin stones. Overall this results in an unbalanced and unresolved fenestration arrangement which does not reflect local traditions and together with the inappropriate form and massing only reinforces the design appearing somewhat incongruous and out of keeping within its setting.
40. In the delegated report for application NP/CEC/0221/0178, Officers stated that the proposed alterations would *alter the property to a more traditional horizontal form and enhance the character of the property and the landscape*. Notwithstanding this, the report did highlight that the alterations to the roof would have a *more visual impact than the existing hipped roof*.
41. It is stressed that the above comments were made on the basis that the proposed development was an alteration to an existing property and brought some enhancement as a result of materials and to a lesser extent the form. In total contrast the current application seeks the complete demolition and replacement of the dwelling on site, and its relocation approximately 2m north-west on the plot. This is a materially different development proposal which has to be assessed against a completely different policy basis.
42. Clearly the proposed alterations in the last application were acceptable in the context of a householder application wherein the scheme was contingent on utilising the existing building and the site constraints, such as the buildings unusual long form, massing and door/window layout. Freed from those constraints which limited the scope of the former application proposal, the reinstallation of many of those former detracting elements in the current scheme is not acceptable. This is especially so and reinforced when considering the wording of policies DMH9 and GSP2 which outline the significant enhancement requirements acceptable schemes must achieve for replacement dwellings in the National Park.

43. In particular Core Strategy policy GSP2 outlines that “*opportunities for enhancing the valued characteristics of the National Park will be identified and acted upon, and opportunities will be taken to enhance the National Park by the treatment or removal of undesirable features or buildings*”. It advises that “*work must be undertaken in a way which conserves the valued characteristics of the site and its surrounding*”. This guiding principal is reflected in the wording for policy DMC9, particularly in the case of larger replacement buildings which requires the replacement dwelling to “*demonstrate significant overall enhancement to the valued character and appearance of the site itself, and the surrounding built environment and landscape*”. This application proposes a larger dwelling than currently on site, so this provision is particularly pertinent in the consideration of this application.
44. The current dwelling is atypical in form and massing, and features several detailed elements which are not reflective of the local building tradition. These include the rendered gable on the south-west of the site, the overhanging canopy and the timber detailing. It is acknowledged that the proposed development would result in a dwelling with more sensitive and appropriate materials, such as the natural stone cladding and would also include a slightly more resolved pitched-roof, as opposed to the varying roof forms of the existing property. However, whilst in isolation these measures would be supported in principle, and were so in the previous alterations’ application, as they assisted in pulling the property closer into the traditional materials and design, they fall substantially short of the high design standards and enhancement necessary for a replacement dwelling proposal.
45. It is considered that the form of the existing building is one of its more detracting features. At present, the property has a frontage which is approximately 24m in length. This is not reflective of local building traditions, particularly in this landscape where properties are visible across the local valley formed by the Todd Brook. The current low height and hipped form of the existing building does however assist in reducing its overall massing.
46. The replacement dwelling would retain this long form, and would feature a longer 26.5m frontage. In addition, the proposed replacement dwelling would also feature a significantly larger massing by virtue of the two-storey element on the south-west of the site, in addition to the northern section of the building featuring a pitched roof as opposed to a hipped roof. In addition to this, the more prominent two-storey element would feature a gable height of 5m, which would be noticeably distinct from more traditional buildings in the locality. This gives the two-storey section of the building an unusual proportion which appears somewhat tall and narrow. The fenestration, with its vertical characteristic, further emphasises this unusual proportion and unresolved form and massing. These key defining features of the proposed design are wholly in conflict with the prevailing guidance on the traditional form of properties as expressed within the Peak District Design Guide (2007).
47. This scale, form and massing, in addition to the increased glazing on the north facing elevation, would result in an incongruous design which is more visually intrusive and dominant on the local landscape despite the improved use of materials.
48. The development site is visible on the landscape from the local public right of way network (FP21, FP24, HP23/55) which are to the north of the dwelling on the southern slope of the valley, in addition to the across the valley on Start Lane. It is acknowledged that the dwelling is a small feature on the local landscape from these locations; however, it is nevertheless considered that the proposed development would have a larger landscape impact as a result of its increased volume, massing and particularly its glazing.

49. While these alterations may have constituted a modest enhancement to the visual appearance of the building when considering the property's existing constraints, the policy basis for a larger replacement dwelling requires 'significant overall enhancement'. For the reasons above, it is considered that the proposed development fails to meet part C of policy DMH9.
50. As this application proposes to completely demolish the house, and move it 2m, there is the obvious and clear opportunity now available to achieve a property with the necessary high standard of design which would contribute towards significant enhancements to the locality. As noted, policy GSP2 highlights that opportunities will be taken to enhance the National Park through the removal of undesirable features or buildings, but these works must be undertaken in a manner which conserves the valued characteristics of the site and its surroundings.
51. The Authority accept that the existing property is non-traditional and is a detracting influence on the local landscape; however, it is considered that as a result of the proposed dwelling's form, height, frontage, and fenestration, it would not contribute towards significant overall enhancements to the site, locality and landscape. It is therefore considered to be contrary to policies GSP1, DMH9, GSP2, DMC3 and the guidance contained within the Authority's adopted design guide.

Other matters

52. As required by policy DMH9.E and CC1, all development must exhibit a high standard of efficiency and sustainability. This application has been supported by a Sustainability Statement which advises that the proposed dwelling would be constructed using a Structural Insulated Panel system (SIP). The SIP would create a continuously insulated building fabric which would dramatically reduce heat loss. In addition to this, the process of construction using a SIP system is quicker, minimising the energy required during the construction phase. The SIP system also has a lower embodied carbon compared to traditional building materials, such as concrete and timber. The U-value and air tightness that is achieved by using a SIP system is above the current Building Regulation requirements.
53. In addition to this, the statement advises that all material, such as stone and slate, will be locally sourced where possible. The proposed development proposes an air source heat pump and a Mechanical Ventilation and Heat Recovery System to further reduce reliance on non-renewable energy and decrease the property's overall energy requirements.
54. Additionally, Cheshire East Strategic Transport team have suggested a condition to ensure that the property has a Mode 3 electric vehicle charging port.
55. It is considered that the proposed development meets the sustainability standards as mandated by policy CC1, and properly utilises the energy hierarchy to ensure that the overall energy requirements of the property is reduced through a 'fabric first' approach.
56. With regard to policy DMH9, it is noted that a high sustainability standard is only one consideration when determining replacement dwelling applications. Proposals are expected to be appropriately designed *and* have a high standard of sustainability. Therefore, the high standard of efficiency and sustainability does not outweigh the identified lack of compliance with other requirements of policy DMH9.

57. The proposed development would not impact access or parking provision, so it is acceptable from a highway safety perspective.
58. The property is isolated with its nearest neighbours over 100m away. As such, this development does not give rise to amenity concerns.

Conclusion

59. This application seeks full planning permission for the demolition of the existing dwelling on site and the erection of a replacement dwelling. Whilst the design of this scheme is nearly identical to the application in 2021, this was approved within the significant constraints of altering and extending the existing dwelling, and it was determined that the design was in accordance with policies covering alterations and extensions only. As a demolition and replacement dwelling proposal, this development is freed from those former site constraints and being materially different to the previous application must be determined against different policies which require full consideration be given to the design of the replacement dwelling and the scale of enhancement this achieves in terms of the local built environment and the impact on the landscape.
60. The proposed dwelling is larger than the current house on site. Therefore, policy DMH9 requires “*significant overall enhancement to the character and appearance of the site, the surrounding built environment and landscape*”. As a result of its form, massing and detailed design the proposal would only perpetuate the harm caused by the main detracting elements of the current dwelling, albeit in improved materials. As such the current scheme fails to achieve a high standard of design and would not present a significant enhancement to the site or the surrounding landscape.
61. It is therefore concluded to be contrary to policies DMH9, GSP1, GSP2, and DMC3, The Building Design Guides and the NPPF. On this basis, it is recommended for refusal.

Human Rights

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

List of Background Papers (not previously published)

Nil

Report author and Job Title

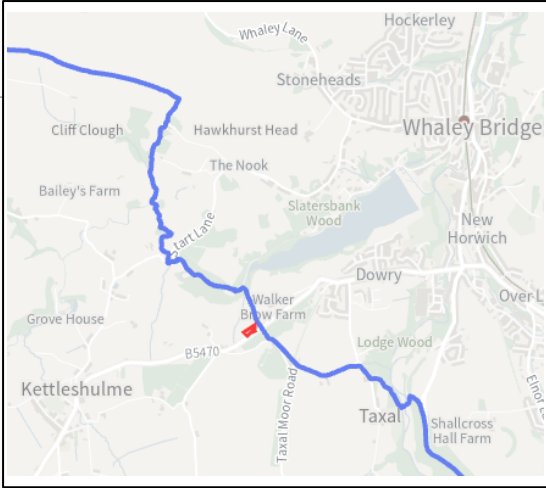
Will Eyre, North Area Senior Planner

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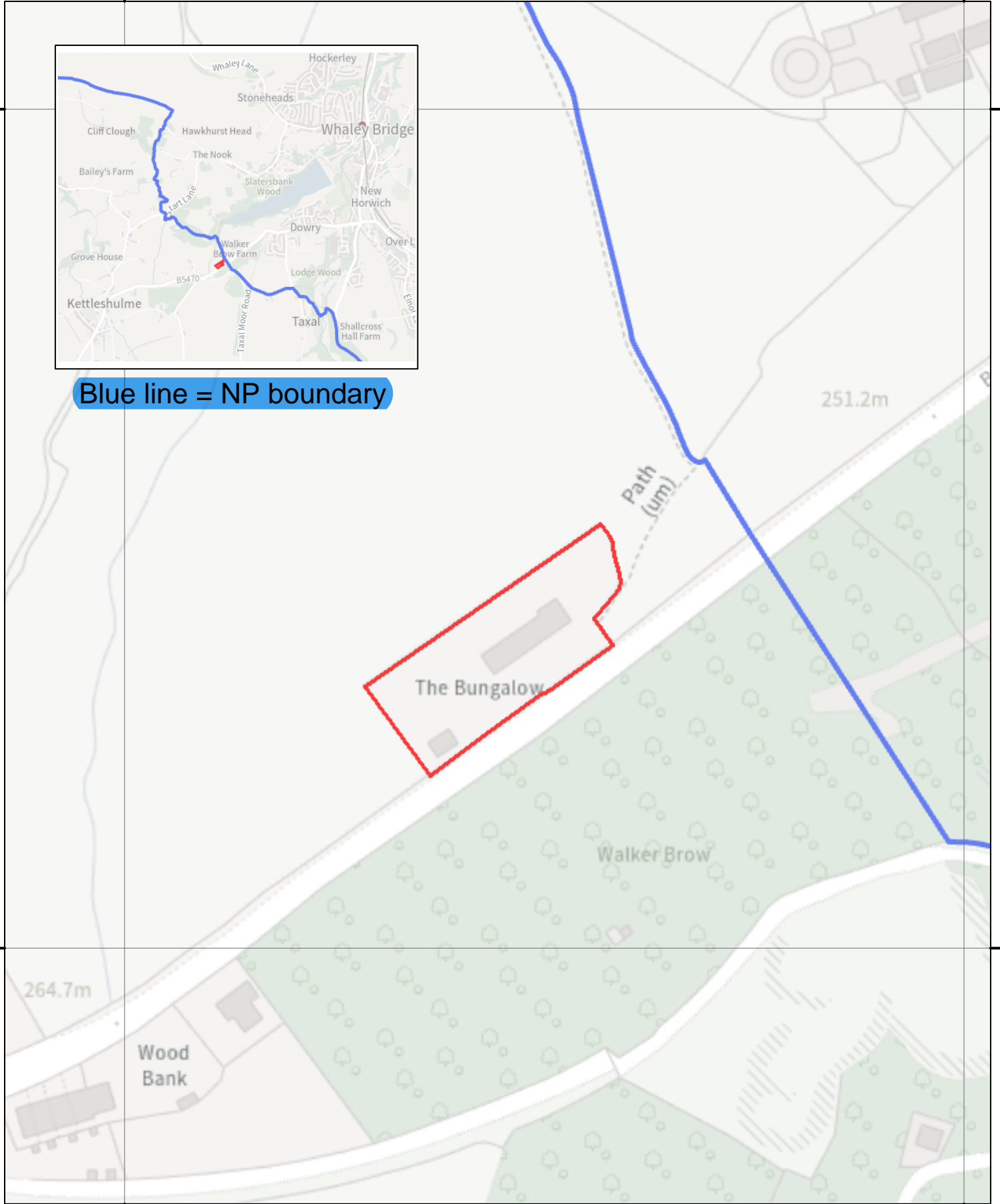
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Blue line = NP boundary

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The Bungalow, Macclesfield Road, Kettleshulme

Item no. 6
 Application no. NP/CEC/1023/1278
 Committee date: 14/06/2024

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

APPLICANT: MR & MRS HAMBLING

Introduction - Background

This application is being re-presented to the Planning Committee further to the decision to defer the application at the 8th March 2024 Committee Meeting.

At the meeting, a motion to approve the application was moved and seconded but not voted on. There was a discussion regarding the submitted design, which was felt did not provide particular enhancement to the area. Therefore, Members requested that the item be deferred to allow for further discussions between the Officers and the Applicants regarding the design, to see if a more suitable design could be presented and the policy implications of this.

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 the design, was moved, seconded, voted on and carried. It was resolved:

That the application be DEFERRED to allow for a discussion between the Applicant and Officers regarding design which could result in enhancement.

The Officers report has been revised to address the amended submission.

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:

- 1. 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.**
- 2. 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.*

24. Further to deferral of the planning decision, and the submission of the amended proposals, a representation has been received which advises the following:

- *latest modification, which is a more traditional build in keeping with the existing farmstead, looks excellent*
- *hope that owners can now get permission.*

Main Policies

25. Relevant Core Strategy policies: GSP1, GSP2, GSP3, GSP4, CC1, CC2, DS1, HC1 & L1
26. Relevant Local Plan policies: DMC3 & DMC4
27. National Planning Policy Framework

Wider Policy Context

28. 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

29. 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.
30. 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.'*
31. 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.
32. 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

33. 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

34. 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.
35. GSP4 – *Planning Conditions and Legal Agreements*. 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.
36. 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.
37. 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.
38. DS1 - *Development Strategy*. This sets out what forms of development are acceptable in principle within the National Park.
39. 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.
40. 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. These are:
- A. *It addresses eligible local needs:*
- i) *for homes that remain affordable with occupation restricted to local people in perpetuity; or*
 - ii) *for aged persons' assisted accommodation including residential institutions offering care, where adequate care or assistance cannot be provided within the existing housing stock. In such cases, sufficient flexibility will be allowed in determining the local residential qualification to take into account their short term business needs whilst maintaining local residency restrictions for the long term.*
- B. *It provides for key workers in agriculture, forestry or other rural enterprises in accordance with core policy HC2.*
- C. *In accordance with core policies GSP1 and GSP2:*
- i) *it is required in order to achieve conservation and/or enhancement of valued vernacular or listed buildings; 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, unless:

- iii) it is not financially viable, although the intention will still be to maximise the proportion of affordable homes within viability constraints; or*
- iv) it would provide more affordable homes than are needed in the parish and the adjacent parishes, now and in the near future: in which case (also subject to viability considerations), a financial contribution will be required towards affordable housing needed elsewhere in the National Park.*

Local Plan Development Management Policies

- 41. 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.
- 42. 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.

Supplementary Planning Guidance

- 43. The PDNPA Design Guide refers to the principles of good design and designing in harmony with the local building tradition. However, this must only be applied where a development is otherwise justified by other policy criteria.

Assessment

Principle of the development

- 44. 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. The proposal does not meet any of the exceptional circumstances set out in HC1 and is therefore not acceptable in principle.
- 45. However, Policy GSP2 advises that, when development is permitted, a design will be sought that respects the character of the area. 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.

Discussion

- 46. The application follows the refusal of a previous application (ref: 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.

47. 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 after the Committee meeting.
48. The development description is now for “*Replacement of an existing agricultural building with a new dwelling.*” 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 in the form of the market dwelling and not, therefore, an ancillary dwelling. On this basis the application is contrary to policy HC1.
49. 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 under DMH6, because previously developed land is not land that has been occupied by agricultural buildings.
50. 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). Finally and as stated, the Applicants have confirmed that they would not be agreeable to a planning condition or S106 Legal Agreement that would ensure the dwelling remains ancillary to the main dwelling, instead their intention is for the new dwelling to be legally separate from the farm.
51. The farmstead is in open countryside, over half a kilometre to the south-west of Alstonefield. Therefore, it does not lie within the settlement 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). Therefore, it is concluded that the proposal is contrary to Core Strategy Policy HC1.
52. Notwithstanding the above, at the Planning Committee meeting in March 2024, this current application was deferred to allow for a discussion between the Applicants and Officers regarding design, which Members considered could result in enhancement. Given that Members of the Committee advised that they wished to see an improved design, the Applicants were referred to Core Strategy Policy GSP2 and Paragraph 84 of the NPPF.
53. Policy GSP2 advises that, where development is permissible, a design will be sought that enhances the National Park. The key criteria are:
- A. Opportunities for enhancing the valued characteristics of the National Park will be identified and acted upon.
 - B. 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. They should not undermine the achievement of other Core Policies.
 - C. When development is permitted, a design will be sought that respects the character of the area, and where appropriate, landscaping and planting schemes will be sought that are consistent with local landscape characteristics and their setting, complementing the locality and helping to achieve biodiversity objectives.

D. 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 surrounding.....

54. Beyond the terms of adopted Local Plan policies the only other exceptions for residential development in the open countryside are set out in Paragraph 84 of the NPPF. This states:

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.*

55. To this end, as detailed above in the 'Discussion' section of this report, the only criteria that a proposal could meet with, to accord with the NPPF, is that of criteria e); the Applicants were advised that this could be explored.

Character and Appearance

56. The Applicants' Agent considers that the guidance in criteria e) is drawn upon to create a stand-alone dwelling in an isolated location where there are few or no buildings within the locality; that is not necessarily the case. The concern of the Applicants' Agent is that to construct something of this nature, within the surroundings of an existing farmstead, with a traditional stone farmhouse and timber agricultural buildings in close proximity, would be unusual, making the newer design more noticeable next to the existing buildings. The Applicants' Agent considers that this contradicts the policy, in that the new design is supposed to sit harmoniously within the landscape, something that they believe would not be possible with the surrounding traditional/agricultural buildings.

57. The Applicants' Agent explored designs of this nature, for critical evaluation, and it was deemed that they would not be a suitable addition to the village of Alstonefield and that communities would like to see permanent residents living in an expanded housing stock that is harmonious and complementary to the surroundings. It is the view of the Applicant's Agent that creating a '*grand design*' on the outskirts of the village opposes this incentive. The designs detailed to Officers certainly would not be considered truly outstanding or of exceptional design quality.

58. Given the above, the Applicants have now amended the proposals to reflect on the initial submission, but to provide a gabled projection off the front and a gabled projection off the rear of the building. Where there is a step back between the two elements of the existing building (rear elevation) which was reflected in the initial proposals, this elevation is now proposed to be flush along its length with a gabled projection, of shallow depth, now proposed as an intervention in the elevation where patio doors were

previously proposed; this now merely sets the patio door detail off the main elevation.

59. Similarly, a larger gabled projection is now proposed on the front elevation of the proposed building. This is proposed to have an eaves and ridge height to match that of the main element of the proposed building. The majority of the space within this projection is for a covered terrace, with full height glazing set deep in the recess and just forward of the line of the front elevation of the main element of the building. The simple, hopper style windows that were previously proposed are now proposed to be stone surround, mullioned windows. The flue previously proposed on the roof is now proposed to be a chimney.
60. As a result of the amendments, it is the view of Officers that the design of the amended proposed dwelling fails to conserve and enhance the valued character of the area and is not of truly outstanding quality. The amended proposal has not improved on the initial submission, producing what now would appear more so a bungalow development than a building seeking to be reflective of traditional farmstead character.
61. Given the above, the Officer view is that the replacement building would be anomalous in its context and would not meet with criteria e) of the NPPF, by which such a new build dwellinghouse could only otherwise be justified in such a location. Even setting the above aside, and only having regard to Core Strategy Policy GSP2, it is considered that the building proposed would not constitute an enhancement to the site, given that its design is clearly reflective of a residential building, and it would not be contiguous with the character and appearance of buildings that would be associated with a farmstead, as is also a required by the policy.

Sustainability

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

Conclusion

63. The Applicants have not demonstrated any eligible local need or functional need for housing in this location and the proposed dwelling fails to conserve and enhance local valued character and also fails to satisfy the exceptional criteria e) of the NPPF with respect to being a development of outstanding quality. 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

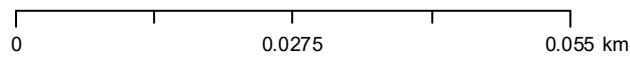
Gareth Griffiths – Planner – South Area

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Hope Farm, Alstonefield

Item no. 7
 Application no. NP/SM/1123/1405
 Committee date: 14/06/2024

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8. ANNUAL REPORT ON PLANNING APPEALS 2023/2024 (A.1536//BT/KH)

Purpose of Report

This report summarises the work carried out on planning appeals from 1 April 2023 to 31 March 2024.

Information on Appeals Process

In this period, 36 new appeals were received, of which 17 were still in hand as of the 1 April. During the year, 31 appeals were decided, which included some appeals that had been carried over from the previous year.

Of the 36 total new appeals received:

- 27 - followed the written representation procedure
- 6 - followed the householder appeals procedure
- 2 - followed the hearing procedure
- 1 - was withdrawn by the applicant

Outcome of Appeals

The chart below shows the outcome of appeals over the last six years. The percentage of appeals dismissed in the year 2023/24, at 65% is higher than the previous year, although the context for this is analysed in more detail below.

	2023/24	2022/23	2021/22	2020/21	2019/20	2018/19
DECISIONS	31	27	49	40	40	24
Allowed	11 35%	11 41%	12 24%	14 35%	15 37%	9 38%
Dismissed	20 65%	16 59%	37 76%	26 65%	25 63%	15 62%

Householder Appeals

In the year to 31 March 2024, 6 new householder appeals were submitted. Of these 2 (33%) were dismissed, 1 (17%) was allowed and 3 (50%) were still ongoing.

The Householder appeal service continues to be the most popular as it allows for a quicker and simpler process and the opportunity for officers to use the delegated report as the essential evidence to defend the appeal. As there is no opportunity to provide additional information in householder appeals, this ensures that the Inspector always has the policy background clearly set out and can easily understand why in the National Park there is a greater need to conserve and enhance the special qualities of the place. The national average for householder appeals allowed (according to the figures from the Planning Inspectorate up to the end of March 2024) for 2023/24 was 36%. To date no problems have occurred with the processing of appeals electronically.

Of the 11 appeals allowed during this period, 9 (82%) were dealt with by written representations and 2 (18%) by the householder procedure.

Delegation / Planning Committee

Total number of planning applications received between 1 April 2023 and 31 March 2024 was 1413.

Of the 31 appeals decided:

- 24 related to applications determined under delegated powers. Of these, 15 (63%) were dismissed and 9 (37%) were allowed
- 6 appeals related to applications that were determined by Planning Committee. Of these, 4 (67%) were dismissed and 2 (33%) were allowed
- 1 appeal was for non-determination which was dismissed.

Comment

The percentage of appeals allowed in 2023/24 was lower than the previous year at 35%

Those appeals, which have been allowed, have been cases where a site-specific judgment by the Inspector has been different from that of the Authority. There have been no appeals allowed which were fundamentally contrary to policy or which raised wider policy issues. This is welcome and shows that the Planning Inspectorate is generally supporting the Authority's decisions and its policies.

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

Human Rights

The appeals procedure is consistent with human rights legislation.

RECOMMENDATION:

That the report be noted.

Background Papers (not previously published) - None

Appendices

Appendix 1 – List of Appeals Allowed 2023/2024

Report Author, Job Title and Publication Date

Brian Taylor, Head of Planning and Karen Harrison, Customer & Democratic Support Team
Senior Adviser

List of Appeals Allowed 2023/2024

Each appeal decision, whether allowed or dismissed, has been reported to Committee during the year. The following is a list of all the appeals that were allowed or partially allowed during 2023/2024.

Appeal Site	Development subject to appeal	Mode of appeal	Decision date	Delegated/ committee	Main issue
The Old Post Office, Birchover	Retrospective application for alterations and extension to dwelling	Written Representations	06/04/23	Delegated	Whether the condition is necessary and reasonable having regard to the character and appearance of the surrounding area, including the Birchover Conservation Area.
Damson Trees, Tideswell Lane, Eyam	S73 Application for removal of condition 4 and the variation of condition 2 on NP/DDD/0522/0657	Householder	09/05/23	Delegated	The effect of the variation of condition 2 and removal of condition 4 on the character and appearance of the host property and area.
Land south of Peaslow Lane, Sparrowpit	Proposed agricultural building to house feed, handle and lamb sheep and to store fodder	Written Representations	18/05/23	Delegated	The effect of the development on the character and appearance of the Peak District National Park.
The Cottage, Alstonefield	Internal alterations	Written Representations	22/05/23	Delegated	Whether a written scheme of archaeological investigation is needed in order to ensure that the proposal preserves or enhances the special character of the listed building.
The Anchor Inn, Tideswell	Erection of a single storey side extension, new patio, retaining wall and railings and steps, and infilling existing window	Written Representations	01/08/23	Delegated	The effect of the development on the character and appearance of the host building and the Peak District National Park, having particular regard to the effect on its significance as a non-designated heritage asset.

Jasmine Cottage, Main Street, Birchover	Extension to garage and roofing over yard	Householder	04/10/23	Delegated	Whether or not the proposal preserves or enhances the character or appearance of the Birchover Conservation Area.
Leach House, Leadmill, Hathersage (Planning & Listed Building Applications – 2 appeals)	Regularisation of unauthorised work to rear roof over bathroom	Written Representations	20/11/23	Delegated	Whether the proposal preserves a Grade II listed building, attached cottage and outbuilding, and whether there is harm to the character and appearance of the wider area.
Old Dains Mill, Roach Road, Upper Hulme	S.73 application for the variation of condition 2 on NP/SM/0321/0297.	Written Representations	21/11/23	Committee	That the revised scheme would cause harm to the significance of a non-designated heritage asset.
Land at Whitelow Lane, Sheffield	Erection of a new agricultural building and associated works	Written Representations	04/01/24	Delegated	Whether a functional need for the proposal has been demonstrated to justify the development and the effect of the proposal on the character and appearance of the rural area within the Peak District National Park.
Old Dains Mill, Upper Hulme	Erection of double garage	Written Representations	22/03/24	Committee	The main issue is the effect of the proposal on the character and appearance of the surrounding area, with particular regard to its effect on non-designated heritage assets

9. AUTHORITY SOLICITOR REPORT - PLANNING APPEALS REPORT (A.1536/AE)

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/HPK/0723/0869 3340823	Conversion and refurbishment of disused stable block to form self-contained holiday accommodation at Round Meadow Barn, Parsons lane, Hope	Written Representations	Delegated

2. APPEALS WITHDRAWN

There have been no appeals withdrawn during this month.

3. APPEALS DECIDED

The following appeals have been decided during this month.

<u>Reference</u>	<u>Details</u>	<u>Method of Appeal</u>	<u>Decision</u>	<u>Committee/ Delegated</u>
NP/SM/1222/1535 3332348	Conversion of redundant barn to one bed residential dwelling at barn south west of Crowdecote	Written Representations	Dismissed	Delegated

The Inspector considered that the barn would be observed in the wide-open views, and the likely proliferation of domestic paraphernalia would have an adverse effect on the local landscape character, which could not be adequately mitigated. The proposed development would also be contrary to policies DS1 and HC1 of the Core Strategy as well as DMC10 of the Development Management Policies. The appeal was dismissed.

NP/DDD/0623/0731 3333489	Erection of rear extension and alterations to existing dormer roof/window with associated internal and external works at Brookfield Grove, The Dukes Drive, Ashford	Householder	Dismissed	Delegated
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The Inspector considered that the proposal would have a visually harmful impact on the host property and character and appearance of the area. The Inspector also found that insufficient evidence had been provided to demonstrate that the proposal would not harm protected bat species that had been identified on the site. The appeal was dismissed.

NP/GDO/0322/0431 3325925	New building for mixed agricultural use at Land at Middle Hay, Long Lane, Cressbrook Dale	Written Representations	Allowed	Committee
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The Inspector considered that the design and appearance of the proposal would not harm the landscape character of the area and would conserve the valued characteristics of the National Park as well as assisting with the appellant's management of the DDNNR. The Inspector also concluded that the siting, design and appearance of the proposal would comply with GSP1, GSP2, GSP3 and L1 of the Core Strategy as well as DMC1, DMC3 and DME1 of the Development Management Policies. The appeal was allowed.

NP/DDD/0723/0782 3335965	Removal of cement render and repointing of walling stone at Biggin Grange, Liffs Road, Biggin	Written Representations	Dismissed	Delegated
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The Inspector considered that the proposal would not preserve the special interest of the Grade II listed building, nor satisfy the requirements of the National Planning Policy Framework. The appeal was dismissed.

4. **RECOMMENDATION:**

To note the report.