

Public Document Pack

Peak District National Park Authority

Tel: 01629 816200

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

Web: www.peakdistrict.gov.uk

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



Our Values: Care – Enjoy – Pioneer

Our Ref: A.1142/4699

Date: 7 November 2024



NOTICE OF MEETING

Meeting: **Planning Committee**

Date: **Friday 15 November 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 11 October 2024** *(Pages 5 - 8)*
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 - Change of use from C2 to C3 following demolition of central communal block of single storey former care facility and adaptation/conversion to create 7 bungalows. at Gernon Manor House, Dagnall House, Bakewell (NP/DDD/0724/0755, MN)** *(Pages 9 - 22)*
Site Plan
7. **Full Application - Conversion of barns to 5 residential dwellings, demolition of modern buildings, creation of access and associated parking, external alterations to the buildings, works of hard and soft landscaping and associated works at Ughill Hall Farm, West Lane, Bradfield (NP/S/0324/0300, WE)** *(Pages 23 - 42)*
Site Plan
8. **Full Application - Demolition of existing building and erection of rural workers dwelling. White Park Barn, Alsop Road, Parwich (NP/DDD/0424/0361, SC)** *(Pages 43 - 56)*
Site Plan
9. **Request for Authority to decline to determine an application for planning permission under S70C of the Town and Country Planning Act 1990 (as amended) RE: (new) full application for planning permission for retention of existing track surface in quarried limestone at existing track at Cartledge Flat / Rushy Flat Dike, North of Hollindale Plantation, Strines, Bradfield, South Yorkshire (JK)** *(Pages 57 - 62)*
Site Plan
10. **Full Application - Proposed amendment to the site boundaries between the Farm house and Barn 1 & Barn 2 (variation of original red line from approval ref: NP/DDD/0619/0649) and an additional use to the ancillary accommodation (Barn 2) to include holiday accommodation at Laneside Farm, High Street Calver (NP/DDD/0824/0801, CB)** *(Pages 63 - 72)*
Site Plan

11. **Full Application - New building to form cover existing storage bins 11, 12 and 13 at DSF Refractories & Minerals Ltd, Friden, Newhaven (NP/DDD/0924/0923, SC) (Pages 73 - 82)**
Site Plan
12. **Authority Solicitor Report - Planning Appeals (A.1536/AE) (Pages 83 - 86)**

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.

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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.

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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.

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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: P Brady
Vice Chair: V Priestley

M Beer
M Buckler
B Hanley
L Hartshorne
D Murphy
K Richardson
J Wharmby

Ms R Bennett
M Chaplin
A Hart
I Huddleston
K Potter
K Smith

Other invited Members: (May speak but not vote)

Prof J Dugdale

C Greaves

Constituent Authorities
Secretary of State for the Environment
Natural England

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



MINUTES

Meeting: **Planning Committee**

Date: Friday 11 October 2024 at 10.00 am

Venue: Aldern House, Baslow Road, Bakewell

Chair: P Brady

Present: V Priestley, M Beer, Ms R Bennett, M Buckler, M Chaplin, B Hanley, L Hartshorne, I Huddleston, D Murphy, K Potter and K Richardson

Apologies for absence: A Hart, K Smith and J Wharmby.

112/24 MINUTES OF PREVIOUS MEETING HELD ON 13 SEPTEMBER 2024

The minutes of the last meeting of the Planning Committee held on 13 September 2024 were approved as a correct record, subject to the following amendments:

Minute 106/24

Listed Building Consent – North Lees Barn, Birley Lane, Hathersage

To amend the wording to “consider bringing forward a joint application with development proposals for future use noting that in the meantime”

Minute 108/24

Full Application – Stoney Cliffe Farm, Buxton Road, Upper Hulme

To amend the wording of Condition 3 to read “ Secure finish of the store to make it dark and recessive including any lid”.

Minute 111/24

Cllr Hanley asked that his concern on the Planning Inspectors decision regarding Top Riley Lane be added to the minute, as the Planning Inspector had considered that there was no vehicle movement issues, which was surprising as the lane is used by visitors to Eyam and to the historic Riley graves, which has to be done on foot as there is no other way of getting there.

113/24 URGENT BUSINESS

There was no urgent business.

114/24 PUBLIC PARTICIPATION

One member of the public was present to make a representation to the Committee.

115/24 MEMBERS DECLARATIONS OF INTERESTS

Item 6

An email received from the agent to Cllr Priestley was circulated to Members of the Planning Committee and to Planning Officers.

Cllr Potter declared a personal interest as she relied on the bees for making jams for charity.

Item 7

All Members declared an interest as the application related to a property owned by the Peak District National Park Authority.

116/24 FULL APPLICATION - PROPOSED CREATION OF AN AGRICULTURAL BARN FOR BEE KEEPING REQUIREMENTS AT SWALLOWS NEST BARN, THE EDGE, EYAM (NP/DDD/0724/0738/CB)

Some Members had visited the site the previous day.

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

The Officer reported that since the report was drafted, correspondence from the agent had been received clarifying the status of both the existing shed and the proposed use of the building, and it was also confirmed on the site visit how the building would be used, so it was clear that the vast majority of the building would be for agricultural purposes. Officers were therefore satisfied that there was a need for an agricultural building and any business use would be ancillary to the main agricultural use.

The Officer reported that following the clarification of the use of the building from the applicant, recommendation 1 of the report should now be amended

The following spoke under the public participation at meetings scheme:

- James Darwent – Agent

Although Members supported the business, it was asked whether the building could be moved further to allow for better screening? It was also noted that it was a sensitive site and that more work needed to be done on screening, location and materials.

A motion to defer the application was moved and seconded.

A recommendation to defer the application and grant delegated authority to the Head of Planning to approve the application subject to further discussions with the applicant to agree amendments to screening, location and materials was proposed, and seconded, put to the vote and carried.

RESOLVED:

That the application be DEFERRED and delegated authority granted to the Head of Planning to approve the application subject to further discussions with the applicant to agree amendments to screening, location and materials

117/24 FULL APPLICATION - ALTERATION TO EXTERNAL APPEARANCE OF EXISTING LIVESTOCK BUILDING AT KNOWLE HOUSE FARM, MOOR ROAD, REAPSMOOR, LONGNOR (NP/SM/0824/0829/RD)

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

Members queried why cement was being used for part of the proposal as opposed to Yorkshire Boarding, as cement was a carbon emitting material? The Officer reported that using cement was more robust and was a common material used in agricultural buildings.

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

RESOLVED:

That the application be APPROVED subject to the following conditions:

- 1. Statutory time limit**
- 2. In accordance with approved plans**
- 3. Design and materials**

118/24 MONITORING & ENFORCEMENT QUARTERLY REVIEW - OCTOBER 2024 (A.1533/AJC)

The Principal Enforcement Planner presented the report which provided a summary of the work carried out over the last quarter (July - September 2024). The Officer also reported of an amendment to the report regarding Orchard Farm, Parwich (case ref 22/0003) which should say it was for the "erection of a fence" and not "erection of a yurt" and that the fence had now been removed.

The Officer informed Members that following an internal process mapping and discussions with the Chair and Vice Chair of Planning Committee, it was agreed that Officers would provide relevant information in the Annual Monitoring and Enforcement Report on the number of cases that remained unresolved, and those where an enforcement notice had not been complied with and where it appeared that timely action was not being taken to ensure compliance.

It was agreed that, in the annual review which is reported to the April Planning Committee Meeting, Members will now receive information about outstanding cases and how long they have been outstanding for. Once an enforcement notice is in place and

has not been complied with within 3 months of the compliance period, this would come before Planning Committee as a priority case each quarter along with an explanation of where the case was at.

The Officer then shared before and after photographs of some of the cases that had been resolved in the latest quarter.

Members thanked the Officer for his report, but asked what “expedient” meant. The Officer reported that expediency must be considered when the Authority has to decide whether to take enforcement action or not. In reaching this decision, Officers must consider whether there is harm to the amenity of the area or the special qualities of the National Park and if the development is in conflict with policies. Members asked whether by not taking any action does that mean that they have planning permission by default? The Officer reported that the developments still remained unauthorised, and the applicant has the right to apply for retrospective planning permission to regularise it as it could lead to issues for them if they wished to sell the property in the future. Unauthorised development (excluding listed buildings) will normally become immune from enforcement action after 10 years.

The Officer responded to a request for an update on case ref: 15:0057, Mickleden Edge. Members also asked for an update on case ref: 19/0037, Cauldwells Mill. The Officer reported that he would look into them and report back.

The Officer was thanked for the report and particularly for the before and after photos which proved helpful and gave a quick snapshot into what is happening.

RESOLVED:

That officers begin a process of gathering data in relation to those matters set out in paragraph 6, and report to the Planning Committee on all outstanding cases and the length of time they have been outstanding at least once per year, and each quarter on cases where compliance with an enforcement notice is outstanding for longer than three months.

119/24 AUTHORITY SOLICITORS 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 10.55 am

6. FULL APPLICATION - CHANGE OF USE FROM C2 TO C3 FOLLOWING DEMOLITION OF CENTRAL COMMUNAL BLOCK OF SINGLE STOREY FORMER CARE FACILITY AND ADAPTATION/CONVERSION TO CREATE 7 BUNGALOWS, AT GERNON MANOR HOUSE, BAKEWELL (NP/DDD/0724/0755, MN)

APPLICANT: MR D HILTON

Summary

1. The application proposes converting an existing (closed) care home in to seven open market dwellinghouses.
2. This is contrary to adopted policy HC1 due to the proposals comprising the provision of open market housing.
3. Further, it would result in the loss of a community facility without replacing it with a development of further community benefit, without justification having been provided for this. This is contrary to adopted policy HC4.
4. The proposals also fail to assess flood risk impacts, or impacts of the development in protected species, and fail to set out any climate change mitigation proposals, all contrary to adopted policies.
5. For these reasons, the application is recommended for refusal.

Site and Surroundings

6. Gernon Manor House is a currently closed care home within the town of Bakewell.
7. It is located on the Dagnall Gardens cul-de-sac, to the west of the A6, off which it is currently accessed. A further cul-de-sac, The Avenue, runs roughly parallel with Dagnall Gardens to the south of the application site, also accessed from the A6.
8. The building comprises a group of five single-storey pitched roof elements, connected by flat-roofed links to form a single unit of accommodation; albeit the pitched roof of the central element and the flat roofs have been removed during the course of this application, and internal works to alter the building have also taken place at the site.
9. The property has residential neighbours to the side; to the immediate east and west of its boundaries, on Dagnall Gardens to the north-east, on The Avenue to the south and in the Hoyle Court building a short distance north west of the site.
10. A tall yew tree hedge bounds the southern edge of the application site, with a number of further trees present within the site.
11. Whilst the application property is not a historic building, the site lies within the Bakewell Conservation Area, the boundary of which tracks the southern and eastern boundaries of the site.
12. Much of the site and existing building is within Flood Zone 2.

Proposal

13. Change of use from C2 to C3 following demolition of central communal block of single storey former care facility and adaptation/conversion to create 7 bungalows.

RECOMMENDATION:

14. That the application be **REFUSED** for the following reasons:
1. **The proposed market housing would not deliver affordable housing to meet eligible local need, meet the essential need of rural workers or be required to achieve conservation or enhancement. Therefore there is no justification for the proposed market housing contrary to Core Strategy policy HC1.**
 2. **The proposal would result in the loss of the existing community facility. The development would not meet another community need or deliver affordable housing to meet eligible local need. No evidence of attempts to secure such a use have been provided. The loss of the existing community facility is therefore contrary to Core Strategy policy HC4.**
 3. **Insufficient evidence has been submitted to demonstrate that the development would not harm protected species or their habitat contrary to Core Strategy policy L2, Development Management policies DMC11 and DMC12 and the Authority's obligations under the Conservation of Habitats and Species Regulations 2017 (as amended).**
 4. **The site is located within Flood Zone 2. No Flood Risk Assessment has been submitted with the application and therefore there is insufficient evidence to conclude that the development would be appropriately flood resistant and resilient, incorporates sustainable drainage systems, manages any residual risk and includes safe access and escape routes contrary to Core Strategy policy CC5 and the National Planning Policy Framework.**
 5. **Insufficient evidence has been submitted to demonstrate how the development would make the most sustainable use of land and resources, reduce energy and water consumption and mitigate the impacts of climate change contrary to Core Strategy policy CC1.**

Key Issues

15. The principle of development, including the provision of open market housing and the loss of a community facility.
16. The impact of the development on the amenity of neighbouring properties.
17. The impact of the development on protected species.
18. Matters of highway safety and amenity.
19. Matters of flood risk.
20. Matters of climate change mitigation.
21. The impact of the development on the tree interests of the site.

Relevant Planning History

22. 1998 – Renewal of temporary consent for use of staff dwelling as an office (granted temporarily)

23. 1993 – Change of use from staff dwelling to office (granted temporarily)
24. 1977 – 36 aged persons home and 2 staff dwellings and erection of garage (granted)

Consultations

25. Highway Authority – No objections subject to a construction management plan being approved and implemented, and to sheltered cycle storage being available within the site.
26. Lead Local Flood Authority – Due to the team’s current workload, Derbyshire LLFA are only responding to Major planning applications.
27. Town Council – Object to the proposals and reiterate the representation of Robert Kirkwood. In summary, that representation objects to the provision of a development comprising only open market housing, and raises concerns about preserving the area’s character.
28. District Council – No response at time of writing
29. Historic England – Not offering advice in this case.
30. Environment Agency – The development falls within flood zone 2 and therefore the Authority should apply national flood risk standing advice (FRSA) in this instance.
31. PDNPA Tree Officer – Raise no objection to the proposals subject to securing replacement planting for lost trees, to the scheme of protective fencing being adjusted, and to works being carried out in accordance with the submitted Arboriculture Report.

Representations

32. 17 letters of representation have been received. 16 object to the application, whilst 1 makes general comment. Many of the representations express concern only in relation to the provision of a new pedestrian access on to the Avenue. The planning reasons for objection received are summarised below.
 - a) The proposals should constitute affordable housing rather than open market housing
 - b) Impacts on privacy of neighbouring properties
 - c) Change of character of the area through removal of hedgerow to the southern edge of the site
 - d) Concerns over loss of trees, particularly the yew hedge to the southern edge of the site
 - e) Lack of assessment of impacts on protected species
 - f) Lack of statement of drainage provision or flood risk assessment
 - g) Concerns regarding the provision of a pedestrian access on to the private road of The Avenue
 - h) Concerns over intensification of the use of The Avenue by vehicular traffic, including parking
 - i) Inaccuracy of the application form
 - j) Missing plans
 - k) The development has already commenced
 - l) Concerns regarding rights of access to other property

Main Policies

33. Relevant Core Strategy policies: GSP1, GSP3, DS1, L1, L2, L3, HC1, HC4, CC1

34. Relevant Development Management Plan policies: DMC3, DMC8, DMC12, DMC13, DMC14, DMT3, DMT8

National Planning Policy Framework

35. The National Planning Policy Framework (NPPF) is a material consideration. Development plan policies relevant to this application are up-to-date and in accordance with the NPPF and therefore should be given full weight in the determination of this application.
36. Paragraph 182 of the NPPF states: Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.
37. Paragraph 173 states that, where appropriate, applications should be supported by a site-specific flood-risk assessment. The supporting footnote states that a site-specific flood risk assessment should be provided for all development in Flood Zones 2 and 3. Paragraph 174 sets out that applications for changes of use should not be subject to the sequential or exception tests but should still meet the requirements for site-specific flood risk assessments.
38. Paragraph 173 goes on to states that development should only be allowed in areas at risk of flooding where, in the light of flood risk assessment, it can be demonstrated that the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment, that it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate, that any residual risk can be safely managed, and that safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

Core Strategy

39. Policy GSP1 sets out that all policies must be read in combination and that all development shall be consistent with the National Park's legal purposes and duty.
40. 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.
41. Policy HC1 sets out the strategic housing principles within the National Park, stating that provision will not be made for housing solely to meet open market demand. It states that exceptionally, new housing (whether newly built or from re-use of an existing building) can be accepted where: it addresses eligible local needs, provides for key workers in agriculture, forestry or other rural enterprises, or where it is required in order to achieve conservation and/or enhancement of valued vernacular or listed buildings or to achieve conservation or enhancement in settlements listed in core policy DS1.
42. Policy HC4 requires proposals to change the use of buildings or sites which provide

community services and facilities including shops and financial and professional services to non-community uses must demonstrate that the service or facility is:

- I. no longer needed; or
 - II. available elsewhere in the settlement; or
 - III. can no longer be viable.
43. It goes on to state that wherever possible, the new use must either meet another community need or offer alternative community benefit such as social housing, and that evidence of reasonable attempts to secure such a use must be provided before any other use is permitted.
44. Policies L1 and L3 say that development must conserve or enhance the landscape character and cultural heritage of the National Park. Development that harms the landscape or cultural heritage will only be permitted in exceptional circumstances.
45. Policy L2 states the development must conserve and enhance any sites, features or species of biodiversity importance and where appropriate their setting. Other than in exceptional circumstances development will not be permitted where is likely to have an adverse impact on any site, features or species of biodiversity importance or their setting.
46. Policy CC1 states that development must make the most efficient and sustainable use of land, buildings and natural resources, considering the energy hierarchy and achieving the highest possible standards of carbon reductions and water efficiency.

Development Management Plan

47. Policy DMC3 expects a high standard of design that respects, protects and where possible enhances the natural beauty, quality and visual amenity of the landscape.
48. Policy DMC8 seeks to protect the character and appearance and setting of Conservation Areas.
49. DMC12 sets out that for European Protected Species, the exceptional circumstances where development may be permitted are those where it can be demonstrated that the legislative provisions to protect such sites or species can be fully met.
50. DMC13 seeks to protect trees put at risk by development and requires that sufficient information be submitted to enable impacts to be properly considered. It resists the loss of trees of visual amenity or biodiversity importance, and seeks the retention of trees and hedgerows unless the loss is justified. It also seeks to protect trees during works.
51. DMC14 sets out that development that presents a risk of pollution or disturbance including soil, air, light, water or noise pollution, or odour will not be permitted unless adequate control measures are put in place to bring the pollution within acceptable limits.
52. DMH6 states that re-development of previously developed land will be permitted provided development conserves and enhances the built environment or landscape on, around or adjacent to the site. In settlements, and subject to viability, an element of the housing addresses local need for affordable housing.
53. Development Management Policy DMT3 states the development will only be permitted where, having regard to the standard, function, nature and use of the road, a safe access that is achievable for all people, can be provided in a way that does not detract

from the character and appearance of the locality and where possible enhances it.

54. DMT8 states that off-street car parking for residential development should be provided unless it can be demonstrated that on-street parking meets highway standards and does not negatively impact on the visual and other amenity of the local community.

Assessment

Principle of Development

Provision of open market housing

55. The application proposes seven units of open market housing. The site is previously developed land and therefore policies HC1 and DMH6 are relevant. These policies reflect national policy and guidance for housing in the National Parks stating that housing will not be permitted solely to meet open market demand to live in its sought after environment.
56. Policies HC1 and DMH6 state that housing will only be permitted in exceptional circumstances such as affordable housing to meet local need, where development is required to achieve the conservation or enhancement of a heritage asset or settlement or a rural worker dwelling.
57. The application buildings are not heritage assets or any architectural, historic or other significance. The existing buildings nevertheless sit comfortably in its setting and have a limited impact upon the character of surrounding Conservation Area or landscape. The development would result in little difference to the other buildings on the site and therefore the proposed market dwellings would not result in any enhancement to the area. The proposed development would not deliver affordable housing to meet local need or a rural worker dwelling to meet the essential need of a rural enterprise.
58. Policy DMH6 does offer scope for re-development of previously developed land to housing. However, this policy and its supporting text make clear development must deliver enhancement and affordable housing to meet local need in accordance with policy HC1. The proposed development of market dwellings is therefore in direct conflict of the principles set out by the Authority's established housing policies.

Loss of the existing care home use

59. The proposals represent the loss of a community facility. Where the proposed new use of such a facility is not another community use, as is the case here, policy HC4 requires evidence that the facility is no longer required, no longer viable, or available elsewhere in the settlement.
60. In relation to the need and viability of the care home, the property is understood to have been disposed of by Derbyshire County Council by way of auction in 2022. That is strongly indicative of the property being no longer required for local care provision in the view of the County Council – or no longer viable to be operated as such.
61. Further, there are other care homes in Bakewell. Whilst they may offer different provision to that which was offered at Gernon Manor House (this matter has not been explored by Officers), the care home subject to the current application has a lawful C2 use that would allow a range of different provisions to be provided from the site. Therefore, the proposal would meet the initial part of HC4 C.

62. However, policy also requires that other community uses or uses of community benefit, such as affordable housing, be considered and evidence of attempts to secure such uses to be submitted prior to any non-community use being supported.
63. No evidence has been provided of that process having taken place, the application makes no reference to how the currently proposed use was arrived at. The proposed development is therefore contrary to policy HC4.

Design and appearance

64. The existing building is not a heritage asset and its scale, form and massing do not reflect the built tradition of the National Park or the character of the local area. It is however constructed of natural stone, includes some traditional design elements – modestly sized openings, no significant fascia or bargeboards, stone (albeit artificial) surrounds to doors and windows – and is generally modestly designed.
65. As a scheme seeking to work with the existing building, the proposed design is broadly acceptable as it removes the connecting flat roofs and, in removing the central part of the building altogether, it provides several units that are of a simpler and more traditional form and massing than the existing building.
66. Elevation plans for the south elevation of the building (both as existing and proposed) are missing from the application, although the existing site appearance, proposed floor plans and other elevation plans make it possible to anticipate their appearance. Nevertheless, those plans would need to be secured by condition if the application was approved.
67. The proposals largely re-use existing openings, remove some recessed doorways, and add flat-roofed porch canopies to some parts of the building. Whilst the latter are not traditional features and do not relate especially well to the pitched roof buildings, the overall impact is neutral.
68. In terms of the landscaping of the site, this is not defined in detail by the application. Each property is shown to be served by a garden (albeit not one with any significant privacy in most cases), but details of new surfacing and any proposed boundary treatments is not provided. Again, those matters could be reserved by planning condition in the event of the application being approved.
69. Overall, the development is concluded to be acceptable in general design terms in accordance with policies GSP3, L1, and DMC3 in this regard.

Impact of the development on the Bakewell Conservation Area.

70. The application has not been accompanied by a heritage statement, as required by policies DMC5 and DMC8. However, given the nature and extent of development it is considered possible to make assessment of the impacts of the development upon the conservation area without this.
71. The care home is positioned just within the Conservation Area (CA) boundary. Whilst not a traditional building, its single storey height, low visibility in wider views due to topography and planting, and position amongst other single storey properties mean that its impact on the character and appearance of the CA is low.
72. The proposed development does not significantly change that impact. The breaking up of the single complex and removal of the flat roofed elements while a modest

improvement to the form of the building itself would have a largely neutral impact upon the significance of the CA.

73. The development would also not significantly affect the setting of any other designated heritage asset. Overall, the development would conserve the significance of the CA, according with policies L3, DMC5 and DMC8.

Highway and Access Issues

74. The proposals alter the site layout to provide access and parking space for the proposed seven dwellings, with each property allocated two spaces – those for unit 1 are ill-defined on the proposed site plan, but it is evident that space is available to accommodate them. This level of provision accords with adopted parking standards.
75. Representations question if and how the existing access at the north of the site – within the applicants control and application site area – would be managed going forward to ensure access to the properties sharing it would continue to be able to. This part of the site is not subject to change by the proposals, and matters of rights of access are otherwise not planning matters that can be controlled through this application process.
76. A new pedestrian access on to the Avenue is proposed and would benefit the connectivity of the development, and of Dagnall Gardens and the Avenue more generally. Representation raises concern regarding increased use of the Avenue for visitors for the new dwellings if this arrangement proceeds, both on the basis of its capacity to accommodate this, and because it is a private road.
77. As noted above however, the site itself proposes adequate parking provision for dwellings of this number and size, and the Highway Authority raise no concerns regarding the arrangement. Concerns over the unadopted nature of the road, or regarding rights of access more generally, are not material to the consideration of this planning application.
78. Representations also raise concern over the risk of the proposed pedestrian access being used as a vehicular access. It is not proposed as that, and has not been assessed as such. Given its width and the lack of detail regarding the design of the entrance to this access from the Avenue, Officers agree that there is scope for it to be used to provide vehicular access in to the site. As a vehicular access here has not been considered under the current application, including any implications of intensifying traffic movements at the junction of the Avenue and A6, it would be necessary to secure the design of the access to be agreed and restricted to use as a pedestrian access only if permission was granted.
79. Calculations regarding any increased intensity of use of the highway and associated impacts has not been provided. However, taking account of the movements of residents, staff, visitors, and support services comings and goings from the site, the proposed use as seven 2 and 3 bedroom dwellings is not likely to result in a significant increase in traffic movements when compared to the extant use of the site as a care home. Further, the Highway Authority raise no objections to the proposals on these grounds.
80. The Highway Authority recommend conditions to ensure access is not impeded during works, and recommend a condition to secure sheltered cycle parking within the development. Those matters could be controlled by condition if the application were

approved.

81. Overall, and subject to conditions, the proposals do not give rise to objections on highway safety or amenity grounds, and accords with policies DMT3 and DMT8 in relation to the provision of safe access and adequate parking space.

The impact of the development on the amenity of neighbouring properties

82. The site currently has a lawful use as a care home, which has previously and could include residential accommodation, and there is no control over how the rooms within the building are used within the limitation of its lawful use. This existing situation is given significant weight in assessing any change to amenity impacts.
83. In general, the positions of doors and windows facing out of the site in any direction is unchanged by the proposals. Some of these are below the usual recommended separation distances, but that is an existing situation and, as noted above, the use of the spaces behind them is uncontrolled and could readily be occupied as sleeping or living areas. In that context, the development would not give rise to any significant additional loss of privacy to neighbouring properties.
84. This would be subject to clarity being provided by way of condition in relation to proposed boundary and planting treatments to the southern edge of the site if permission was granted, where there is the potential for a change in the amenity relationship between the site and The Avenue if this were to remain uncontrolled.
85. The position of parking spaces would be changed from the existing situation, and in some cases be closer to neighbouring boundaries. However, this, and the wider domestic use of the site, would not be considered to give rise to unacceptable noise or other disturbance in this existing residential area, particularly when also giving weight to the noise and disturbance that could arise from the extant care home use.
86. The relationship between facing windows of the proposed properties themselves would give rise to some privacy concerns, particularly between facing windows of units 6 and 7 at a distance of approximately 11m. That matter could be addressed through amending window positions and consideration of boundary treatments. These amendments could be secured by planning condition if the application were approved.
87. Subject to minor amendments, it is therefore concluded that the development would not result in any significant harm to the amenity of living conditions of occupants of the proposed development or neighbouring properties , and would accord with policy DMC3 in this regard.

Tree impacts

88. There are several trees with the application site area that would be affected by the development, including some removals. The Authority's tree conservation officer raises no objections to these proposals subject to appropriate mitigating planting and tree protection measures being undertaken, and as such the trees are concluded to not contribute such to the visual amenity or biodiversity of the location to warrant retention and the development is concluded to accord with policy DMC13 in this regard.
89. The submitted Arboricultural 'tree protection plan' recommends that the large yew hedge running along the southern boundary is removed, but there is no further mention of this within the submissions. The submitted proposed site plans show only indicative landscaping, but do appear to show changes to the planting along this boundary. Having consulted the applicant, they advise that the yew tree hedgerow removal does

not form part of this application.

90. Whilst the Authority's tree conservation officer does not object to the removal of this hedgerow, were it to form part of the application then the development would be subject to statutory requirements for biodiversity net gain (BNG) requirement (see below). As such, if permission was granted it would be necessary to impose a condition to retain the hedgerow as part of the development; its removal would otherwise circumvent the BNG legislative requirements.

Ecology and BNG

91. The application is exempt from statutory requirements for BNG under the 'de minimus' exemption.
92. The application has not been accompanied by a protected species survey. Prior to the roof of the building being removed, it would likely have been considered a building of complex roof structure with the potential to accommodate protected species; its removal without such survey is therefore regrettable.
93. In any case, however, the development does affect mature trees within the site, including the loss of 3 trees, and as such a protected species survey should have been submitted with the application because the removal of the trees may impact upon protected species or their habitat.
94. In the absence of this information it cannot be concluded that the development would not result in harm to protected species. Under the provision of the Conservation of Habitats and Species Regulations 2017 (as amended), the Authority is required to consider whether European Protected Species (EPS), such as bats would be affected by the proposed development. Without assessment, the Authority is unable to establish the extent to which European Protected Species may be affected by the proposal before granting planning permission contrary to policies L2, DMC11 and DMC12.

Flood risk

95. The application does not include a site specific flood risk assessment (FRA). The application states that the site will be occupied by fewer people at any one time, that both the existing and proposed uses are classified as 'more vulnerable' uses by the Flood Risk Vulnerability Classification, and that removal of the central part of the building will reduce potential obstacle for flowing flood water.
96. Notwithstanding that the flood resilience measures of the current care home are not specified in the application, the intention of the requirement for an FRA is to ensure that new development is appropriately flood resistant and resilient, incorporates sustainable drainage systems, that any residual risk can be safely managed, and that safe escape access can be achieved. The NPPF does not make exception for the provision of an FRA when a change of use is between two uses with the same vulnerability classification. On the contrary the NPPF and practice guidance specifically states that changes of use are subject to the requirement of an FRA in Flood Zone 2.
97. For developments of this type, the Authority is to refer to government standing advice in regard to what an FRA should include. In this case it should include:
- an assessment of the flood risk from all sources of flooding for the development, plus an allowance for climate change
 - the estimated flood level for the development, considering the impacts of climate change over its lifetime

- an assessment of the residual risks resulting from the breach or overtopping of any flood defences
- details of the finished floor levels
- details of the flood resistance and resilience plans
- any supporting plans and drawings

98. None of these have been provided and as such we are unable to conclude that the development would be appropriately flood resilient, resistant and safe, contrary to policy CC5 and the provisions of paragraphs 173 and 174 of the NPPF.

Climate change mitigation

99. Policy CC1 requires all new development to demonstrate how it would make the most sustainable use of land and resources and to set out how it would reduce the need for energy, use and supply it efficiently, and seek to use low carbon and renewable energy.
100. No information has been submitted with the application to demonstrate how the development has been designed to minimise the use of resources or mitigate the impacts of climate change. The re-use of existing buildings is inherently sustainable, however, there would be opportunities to improve the performance of the buildings and incorporate energy and water saving measures and micro generation as part of the proposals. The application is therefore contrary to policy CC1.

Other Issues

Wider application site area

101. There is significant land within the application site area that is not affected by the development based on the proposed plans; including access roads, other buildings, and landscaping. Proposals for those areas if this application was to be approved are undefined. Given that the land subject to the development proposals for the dwellinghouses would, presumably, be taken in to various separate ownerships it is unclear how the remaining land would be managed and maintained going forwards.
102. If the application were approved, it would therefore be necessary by condition to identify and control the extent of the use permitted and the curtilage for each dwelling on plan, and to specifically exclude all other land from being subject to the approved change of use.

Drainage

103. No information has been provided with regard to the disposal of foul sewage. The application form states that foul sewage is to the main sewer but it is unknown if the development would connect to the main sewer. The development should connect to the main sewer as this would be practicable and viable. If the application were approved this would need to be secured by planning condition.

Fall-back position

104. In conversation with Officers the applicant has suggested that the building could be put to other uses without the need for planning permission. Whilst alternative proposals

have not been provided as part of the application, it is correct to assert that the property benefits from a Class C2 use. This use extends to residential care homes, hospitals, nursing homes, boarding schools, residential colleges and training centres. It is noted that these uses represent a 'fall-back' position for the applicant.

105. However, this application is for development of the site to seven market dwellings (Use Class C3). This is a materially different use than the fall-back position. The existing lawful use of the site itself therefore does not provide any overriding weight to indicate that permission should be granted for development contrary to the development plan.

Conclusion

106. The conversion of the care home as proposed is contrary to adopted policy due to the proposals comprising the provision of open market housing, and resulting in the unjustified loss of a community facility.
107. The proposals also fail to assess flood risk impacts, or impacts of the development in protected species.
108. Whilst other more minor matters detailed above could be overcome through negotiation or condition, these would not overcome the more fundamental objection to the development on policy grounds.
109. Consequently, the development is contrary to the development plan and having assessed all other material considerations, the application is recommended for refusal for the reasons set out at the top of this report.

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: Mark Nuttall, Principal Planner



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Gernon Manor House, Dagnall House, Bakewell

Item no. 6
 Application no. NP/DDD/0724/0755
 Committee date: 15/11/2024

Page 21
 Scale: 1:1,100 at A4 pagesize
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7. NP/S/0324/0300 FULL PLANNING APPLICATION – CONVERSION OF BARNs TO 5 RESIDENTIAL DWELLINGS, DEMOLITION OF MODERN BUILDINGS, CREATION OF ACCESS AND ASSOCIATED PARKING, EXTERNAL ALTERATIONS TO THE BUILDINGS, WORKS OF HARD AND SOFT LANDSCAPING AND ASSOCIATED WORKS AT UGHILL HALL FARM, BRADFIELD (WE)

APPLICANT: DISTINCT PROPERTIES LTD

Summary

1. This application seeks planning permission for the conversion of the application buildings to create 5 market dwellinghouses. The application also seeks permission for the demolition of two large modern agricultural sheds, the creation of two new accesses, and the creation of amenity space to serve the properties.
2. The application is supported by a Heritage Statement which confirms the buildings were constructed between the mid to late 19th century. It outlines that the buildings have varying levels of significance but that all three buildings to be converted have a sufficient level of historical interest to be considered non-designated heritage assets.
3. The application demonstrates that the development could not deliver affordable housing to meet local need or make a financial contribution to affordable housing off-site.
4. As such, the principle of converting these traditional farm buildings into open-market properties is acceptable subject to their conversion being required in order to achieve the conservation and/or enhancement of the non-designated heritage asset.
5. The proposed scheme of conversion would result in some harm to the significance and setting of Ughill Farm; however, when viewed in the wider planning balance it is considered that the small degree of harm to the significance and setting of the non-designated heritage assets would be outweighed by securing a viable use for the heritage asset as a whole.
6. Subject to conditions, this application is recommended for approval.

Site and Surroundings

7. The development site is Ughill Hall Farm, a historic farmstead located in the small hamlet of Ughill approximately 16.km south-west of Low Bradfield.
8. Ughill Hall Farm is located on the north side of West Lane on the western side of the hamlet. The farm complex comprises of a semi-detached farmhouse, a historic farm courtyard, and several modern portal framed agricultural buildings.
9. The courtyard features a large L-shaped ‘combination’ barn on its western and southern boundary, a stable block with modern extension on its northern boundary and an open-faced barn on its eastern boundary. The farmhouse is located to the north-west of the courtyard.
10. The courtyard is surfaced in concrete. It features a recessed ramp which appears to have been for loading and unloading carts.
11. All the traditional buildings are constructed from local gritstone with simple gritstone detailing surrounding the openings. The roofs of all the outbuildings are now covered in

corrugated profiled sheeting.

12. To the west of the historic farmyard is the modern working area of the farm.
13. The hamlet of Ughill is residential and agricultural in character. Ughill Hall Farm continues to operate as a working farm.

Proposal

14. Conversion of the L-shaped barn to create 4 two-bedroomed open-market dwellings and conversion of the detached historic stable block into a one-bedroomed open market property.
15. The conversion proposes new windows and fenestration and also seeks to re-roof the barns in natural grey stone tiles.
16. As part of the conversion, this application proposes several alterations to the wider site. The central access immediately adjacent to the barn would be closed and infilled with a drystone wall while the southern access would be realigned and re-surfaced. There would be 8 car parking spaces created at the north of the site.
17. To the rear of the combination barn, the application proposes the creation of private amenity space for each property demarcated by hedgerows.
18. The large agricultural sheds to the west of the combination barn would be dismantled and removed and the land restored to create a small woodland/wildflower meadow bound by a drystone wall. In addition to this, the poorer quality elements of the historic barns would be removed, such as the dilapidated rear lean-tos and the modern extension to the stable block.
19. Within the historic courtyard, the ground would be resurfaced with a mix of cobbled stones. The 20th century open-faced barn would be retained and used as a carport and bin storage.
20. All properties would be served by concealed air-source heat pumps.
21. In addition to the above, this application proposes a new access on Ughill Road to the north which would serve the working farms' modern agricultural sheds.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions:

- 1. Commence development in 3-years**
- 2. Development to be in accordance with listed amended plans**
- 3. Submission and compliance with a Written Scheme of Investigation for archaeology**
- 4. Submission and compliance with a Written Scheme for Investigation for historic building recording**
- 5. The conversion shall be carried out within the shell of the existing buildings, with any rebuilding limited to that specifically shown on the approved plans.**

6. **Prior to installation, agree precise details of windows and doors which shall better reflect the varied fenestration currently on site**
7. **Prior to installation, agree details of internal floor, wall and roof insulation**
8. **Prior to installation, agree a sample of grey stone rooftiles**
9. **Prior to installation, agree sample of cobble stone for farm courtyard**
10. **Prior to installation, agree gate details**
11. **Prior to first occupation, the soft landscaping, including garden hedgerow boundaries, tree planting and wildflower meadow, shall have been carried out and managed in accordance with a detailed scheme first agreed by the Authority**
12. **Prior to first occupation, the amendments to the site access, re-surfacing of the courtyard and the provision of parking and turning shall be carried out in accordance with the approved landscape plan**
13. **Prior to first occupation, the barn swallow compensatory and bird nesting scheme shall be carried out in accordance with a detailed scheme which shall be first agreed in writing**
14. **Prior to first occupation, the EV charging points shall be installed and operational**
15. **Prior to first occupation, the scheme for the control of surface water discharging onto West Lane shall be carried out in accordance with an agreed scheme**
16. **The air source heat pump shall be installed before the first occupation of the development hereby permitted in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority.**
17. **In strict compliance with precaution and mitigation measures outlined in Protected Species Survey report prepared by Dunelm Ecology dated October 2023.**
18. **There shall be no external lighting installed on site other than in accordance with an agreed scheme**
19. **The package treatment plant shall be installed and operational before the first occupation of the development hereby permitted.**
20. **All new services to the site (including but not limited to power, water, and telecommunication) shall be undergrounded across all land in the owner's control.**
21. **Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015, (or any order revoking and re-enacting that order) no alterations, extensions, outbuildings or boundary treatments whatsoever (other than those approved by this permission) shall be erected on the site without the National Park Authority's prior written consent.**

Key Issues

- Principle of development;
- Design and impact on cultural heritage;
- Impact on the valued characteristics of the landscape;
- Ecology;
- Amenity;
- Other matters.

History

22. 1994 – Erection of 3 loose boxes (NP/S/0294/006) – Granted conditionally
23. 1994 - Erection of Agricultural Building & New Bay on End of Dutch Barn (NP/S/0594/017) – Granted conditionally
24. 2000 – Erection of cowshed (NP/S/0800/012) – Granted conditionally

Consultations

25. **PDNPA Built Environment** – Raised concern and clarification on the following aspects of the conversion:
 - Landscaping; concern over the proposed carparking and provision of stone walled gardens to the rear of the threshing barn. Amended plans were received which included an alternative location for the parking and the replacement of stone walls with hedges. Concluded that these measures would reduce the impact to the setting of the barn, but would still domesticate the barn and amount to some harm;
 - Internal subdivision of the barn; the proposed internal conversion to the large threshing barn would enclose the historically open character of this building. Amended plans were received which are a big improvement in terms of layout, as the former haylofts will largely be left open;
 - Treatment of openings; concern over the simple casement windows in all but large cart-door openings which would have a large impact on the character and historic function of the barn. Recommended condition to approve details of all windows and doors;
 - Degree of rebuilding; the proposed rebuilding of extensions has now been omitted. Recommended a condition restricting any rebuilding;
 - Questioned whether building three is suitable for conversion and may be better used as an ancillary structure;
 - Location of air-source heat pumps; amended plans were received which sited them in less conspicuous locations;
 - Type and suitability of insulation; recommended a condition to approve these details.
26. **PDNPA Archaeology** – *The groundworks associated with the development have the potential to encounter, damage and destroy such remains and features, and result in their loss within the footprint of the groundworks, harming the archaeological interest of the site.*

As a non-designated heritage asset, a balanced planning decision that has regard to the significance and harm is required (para.209).

Should the planning balance be favourable I recommend that the harm identified above is mitigated by means of condition for a programme of intermittent archaeological

monitoring.

27. PDNPA Landscape – Some harm but capable of mitigation through conditions. *The proposal would result in some harm to landscape character in the location, although an adequate landscape mitigation scheme could accommodate the development.*

The supplied landscape plan doesn't have the required detail to enable the delivery of a comprehensive landscape scheme - this plan should include location of plants, species, size, numbers plus details of any sundries (stakes, guards etc) and establishment maintenance. Trees / shrubs should be native with a variety of species (I can provide some details to the agents if helpful).

This can be conditioned (to safeguard landscape character and visual amenity and comply with Policy L1).

28. Bradfield Parish Council – Objection. *The application is overdevelopment of both the site and hamlet in which the site is located. There are concerns regarding lack of adequate parking. It would appear the site is not on mains water and also concerns the sewage system is not adequate.*

29. Sheffield City Council – No response to date

30. Natural England – No objection

31. PDNPA Ecology – No objection subject to conditions.

Works to be undertaken under a bat mitigation class licence (BMCL) from Natural England.

All Mitigation, Compensation and Enhancement measures to be adhered to and conditioned as detailed in Section 4.4 of the Protected Species Report by Dunelm Ecology 2023) including the bespoke barn owl nesting space as per detail in Section 4.4.6 (Please refer to the Ecology report for further details).

In addition to the above:

- A barn swallow compensatory and bird enhancement nesting scheme to be submitted to the authority for approval.*
- No external lighting should be installed which would directly shine on or adjacent to and existing or new roosting sites with new lighting kept below 3 lux in the vicinity of roost access points*

32. PDNPA Sustainable Travel Officer – No objection. Provided recommendations for visitor parking, EV charging, heat pumps, solar panels and sustainability credentials.

33. Sheffield City Council Highways – No Objection:

- In relation to vehicular traffic generated by the proposal I would anticipate that this would be in the order of 40 – 50 vehicular movements per day. This will obviously be an increase on the existing use, however I would not envisage it to be of such a magnitude as to indicate that the surrounding highway network would be detrimentally impacted.*
- The development will be accessed from West Lane via two existing vehicular accesses with the third being reinstated and the creation of a new agricultural access from Ughill Road. Given the nature of the area it would be virtually impossible to “design” accesses which would completely adhere to current design standards. Based on the fact that there have been no reported personal*

injury accidents in the past 10 years in the vicinity of any of the points of access, the fact that improvements are being made and the low level of vehicular movements from the accesses I would be of the opinion that the proposals are acceptable from a highway safety point of view.

- *The proposed on-site car parking provision appears to be in accordance with the parking standards and the provision of cycle parking is welcome.*
- *I would request that a condition is imposed (particularly in relation to the access serving building 1) to prevent surface water spilling onto the highway.*

Representations

34. Representations were received by 10 separate parties during the determination of the application, including from the Sheffield and Rotherham Wildlife Trust and the Friends of the Loxley Valley. All representations objected to the development, citing the following concerns:

- a) Support the principle of converting the barns at Ughill Hall Farm to residential use but considered 5-dwellings to be out of keeping with the built-form of the hamlet;
- b) Significant concern associated with the over-development of the site and surrounding hamlet which would erode the tranquil area;
- c) Concern over impact of the additional vehicles using the local highway network and potential conflict with other users of the lanes, such as cyclists, walkers and horse-riders;
- d) Concern over noise associated with increase in residents to the village, such as vehicle movements and pets;
- e) Issue surrounding visitor parking and where this would be sited;
- f) Impact of the development on the adjacent property Ughill Hall, which is a historically significant building in the locality;
- g) Impact of the development on ecology, in particular protected and nesting birds, such as swallows, owls, kestrels and jackdaws;
- h) Impact of additional lighting on bats;
- i) Concern over the revised access and the potential for agricultural waste to be deposited on the highway;
- j) The infrastructure of the area, with particular concern raised over water supply and foul sewage;
- k) Impact of the built-form on water culverts and high-pressure gas lines.

35. One representation raised no objection to the scheme, but wished to make the applicant and Authority aware of a pair of kestrels which are seen flying in the local area which could potentially be a breeding pair. They advised that their nest may be in one of the buildings. They also advised that the buildings are used for jackdaw nests, and requested the application have proper regard to the impact on nesting birds.

National Planning Policy Framework (NPPF)

36. 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.

37. 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.
38. 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

39. 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.
40. 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.
41. DS1 - *Development Strategy*. Sets out that most new development will be directed into named settlements. Taddington is a named settlement.
42. HC1 – *New housing*. States that provision will not be made for housing solely to meet open market demand. Exceptionally, new housing can be accepted where: - In accordance with core strategy 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 contribution¹⁰² will be required towards affordable housing needed elsewhere in the National Park.
43. 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.
44. L2 – *Sites of biodiversity or geodiversity importance*. Development must conserve and enhance any sites, features or species of biodiversity importance and where appropriate their setting.

45. L3 – Cultural heritage assets. Seeks to ensure all development conserves and where appropriate enhances the significance of any heritage assets. In this case the Bradwell Conservation area is the relevant heritage asset.
46. Policy CC1 states that development must make the most efficient and sustainable use of land, buildings and natural resources.

Development Management Policies

47. Policy DMC1 – Conservation and enhancement of nationally significance landscapes. In countryside beyond the edge of settlements listed in DS1, any development with a wide scale landscape impact must provide a landscape assessment with reference to the Landscape Strategy and Action Plan.
48. 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.
49. Policy DMC5 – *Development affecting a heritage asset*. Planning applications for development affecting a heritage asset, including its setting must clearly demonstrate:
 - i) its significance including how any identified features of value will be conserved and where possible enhanced; and
 - ii) why the proposed development and related works are desirable or necessary.
50. Policy DMC10 - *Conversion of a heritage asset*. This policy states:
 - a) Conversion of a heritage asset will be permitted provided that:
 - i) it can accommodate the new use without changes that adversely affect its character (such changes include enlargement, subdivision or other alterations to form and mass, inappropriate new window openings or doorways and major rebuilding); and
 - ii) the building is capable of conversion, the extent of which would not compromise the significance and character of the building; and
 - iii) the changes brought about by the new use, and any associated infrastructure (such as access and services), conserves or enhances the heritage significance of the asset, its setting (in accordance with policy DMC5), any valued landscape character, and any valued built environment; and
 - iv) the new use of the building or any curtilage created would not be visually intrusive in its landscape or have an adverse impact on tranquillity, dark skies or other valued characteristics.
 - b) Proposals under Core Strategy policy HC1CI will only be permitted where:
 - v) the building is a designated heritage asset; or
 - vi) based on the evidence, the National Park Authority has identified the building as a non-designated heritage asset; and
 - vii) it can be demonstrated that conversion to a market dwelling is required in order to achieve the conservation and, where appropriate, the enhancement of the significance of the heritage asset and the contribution of its setting.
51. Policy DMC11 – *Safeguarding, recording and enhancing nature conservation interest*. Proposals should aim to achieve net gains to biodiversity or geodiversity as a result of development. In considering whether a proposal conserves and enhances sites, features or species of wildlife, geological or geomorphological importance all reasonable measures must be taken to avoid net loss by demonstrating that in the

below order of priority the following matters have been taken into consideration:

- i) enhancement proportionate to the development;
 - ii) adverse effects have been avoided;
 - iii) the ‘do nothing’ option and alternative sites that cause less harm;
 - iv) appropriate mitigation; and
 - v) in rare cases, as a last resort, compensation measures to offset loss.
52. Policy DMC12 - Sites, features or species of wildlife, geological or geomorphological importance:
- A) For Internationally designated or candidate sites, or European Protected Species, the exceptional circumstances where development may be permitted are those where it can be demonstrated that the legislative provisions to protect such sites or species can be fully met.
 - B) For sites, features or species of national importance, exceptional circumstances are those where development is essential:
 - i) for the management of those sites, features or species; or
 - ii) for the conservation and enhancement of the National Park’s valued characteristics; or
 - iii) where the benefits of the development at a site clearly outweigh the impacts on the features of the site that make it of special scientific interest and any broader impacts on the national network of SSSIs.

Assessment

Principle of the development

53. This application has been supported by a Heritage Statement. This statement outlines that the L-shaped barn is dated to 1844, as indicated by a date stone above the threshing barn door. The building is constructed from traditional gritstone with some attention paid to its architectural detailing. The statement concludes that the building is a good example of a combination barn of this time period, retaining several features of interest, including the threshing barn door arrangement, a stone set floor, and the external stone steps on the northern elevation on either end of the barns.
54. The statement concludes that the L-shaped barn possesses a regional heritage significance. The barn’s architectural interest makes a moderate contribution to its significance as an example of a mid-19th century combination barn, a form and function which is ubiquitous of this region and period.
55. The statement also outlines that the stable block was constructed between 1855 and 1893. This building is constructed from local gritstone in a vernacular and utilitarian style, with no architectural embellishment. The internal arrangement of this building has been heavily altered, including the installation of a concrete floor and the loss of internal fixtures and fitting. It concludes that it has a local heritage significance, and its primary contribution to the heritage asset as a whole is its contribution towards the understanding of the farmstead as a whole.
56. Therefore, both buildings proposed to be converted into residential use feature sufficient heritage interest to be considered non-designated heritage assets.
57. Policies HC1.C permits the conversion of ‘valued vernacular’ (non-designated heritage assets) into open market housing subject to it being necessary to achieve its conservation or enhancement. Policy DMC10 sets out the detailed criteria that conversions of heritage assets should follow.
58. Policy HC1.C(iii) states that where a site is able to accommodate more than one

dwelling unit should address an identified eligible local need and be affordable with occupation restricted to local people, unless it can be demonstrated to not be financially viable or would provide more homes than are needed in the parish and adjacent parish (a financial contribution would be made towards affordable housing elsewhere in this instance).

59. This application has been supported by a Financial Viability Assessment prepared by a fellow of the Royal Institute of Chartered Surveyors. The assessment concludes that the proposed development is viable but that it would not be viable to provide any affordable housing on site or a contribution to off-site affordable housing provision. Officers have no reason to disagree with the evidence submitted.
60. Accordingly, the principle of development has been established through policy HC1 and DMC10. The following sections of this report will assess whether the proposed conversion is acceptable on heritage grounds. It will also consider whether the proposed development is acceptable with regard to residential amenity, ecology, and landscape.

Impact on significance and setting of heritage assets

61. The conversion of heritage assets into open market housing is accepted, subject to the conversion being necessary for the conservation and enhancement of the asset. Policy DMC10 expands on this, and sets out 4 criteria the development should comply with:
- it can accommodate the new use without changes that adversely affect its character;
 - The building is capable of conversion;
 - The changes brought about by the new use, and any associated infrastructure, conserve or enhances the significance and setting of the asset;
 - The new use of the building or any curtilage created would not be visually intrusive in its landscape or have an adverse impact on tranquillity, dark skies or other valued characteristics.
62. Policies DMC5 state that applications impacting heritage assets should demonstrate the building's significance, and advise how any identified features of value (including setting) will be conserved and where possible enhanced. It also requires justification to why the proposed development and related works are necessary or desirable.
63. This application has gone through several design alterations since submission following dialogue between the agent and Officers.
64. The proposed scheme of conversion is entirely internal. It does not propose any additional extensions, nor any new openings within the historic fabric of the buildings.
65. In the combination barn, the northern and south-eastern barns are two-storey, with the ground floors being in former use as stabling or cart storage and the first-floor used as a hayloft.
66. The proposed conversion respects these arrangements. In Unit 1, the ground floor features the bedrooms and bathrooms, with bedroom 2 and the bathroom located in the northern portion and bedroom 1 and the accompanying en-suite located in the larger stall to the south. The living room and kitchen in this unit are located on the first-floor. This arrangement ensures that the former hayloft on the first floor retains its open and unpartitioned, while the ground floor is partitioned broadly in line with the current stall arrangement. This assists in retaining the historic form of the building.

67. Similarly, in Unit 4, the barn currently features 2 rooms on the ground floor and 2 rooms on the first floor. The conversion proposes to use the larger ground-floor room as the kitchen and dining room, with the smaller eastern room as the living room. On the first floor, it proposes to use the former open hayloft as a single bedroom and the smaller eastern room as bedroom 2. Again, this helps preserve the open character of the barn and allows the former hayloft to remain open.
68. This pattern is mirrored in the smaller detached Unit 5. The conversion retains the current partitions, with the smaller stall on the eastern side of the building utilised as the bedroom, and the open stall retained as an open plan living and dining space.
69. The threshing barn (Units 2 and 3) is currently a double-height space owing to its historic function. The application proposes the installation of a first-floor. The middle section of the barn (Unit 2) features the threshing barn doors on its eastern and western elevation. Its ground floor would be utilised for an open-plan kitchen diner, with a section of historic internal walling being used to form the living room. On its first floor, this application proposes to create a partial double-height space above the hayloft doors, with two bedrooms either side accessed through a landing bridge. While it is unfortunate that the conversion would enclose the first-floor of the threshing barn through the creation of the bedrooms, it is acknowledged that the dual height space in the centre of the barn would greatly assist in retaining the open character of the threshing bay.
70. In the southern section of the threshing barn (Unit 3), the ground floor features the living space while the first floor is reserved for the open plan living/kitchen and dining room, retaining the barns open character on the first-floor.
71. The application proposes to use a sheep-wool and wood fibre board walling insulation with a lime plaster finish. For the floor, it proposes a recycled glass gravel ‘glapor’ or ‘geocell’ with a vapour permeable floor. Due to the roof construction and the requirement for a bat-safe membrane, the application proposes modern PIR insulation. The precise insulation method can be reserved through condition.
72. Accordingly, it is considered that the internal scheme of conversion is acceptable and would not unduly harm the character and significance of the non-designated heritage assets.
73. Externally, the application proposes several different styles of window and door details. The larger threshing and cart door openings would feature doors with ‘hit and miss’ boarding, which is considered to be an appropriate treatment considering that the doors would have historically been fully boarded timber. The application proposes to install simple casement window units into the majority of the window openings. This would erode the building’s character. At present, the barn features several styles of windows, including casement, hopper style, hit and miss and 4-panelled units. These are all reflective of the varying ages and functions of the different sections of the combination barn. If approved, it is recommended that a condition is applied which requires the submission of revised window details which better reflect the current arrangement.
74. This application proposes to remove several of the buildings at the farm, including a large portal framed agricultural barn, a small lean-to stall, an asbestos cabin and the modern extension to the stable block. These buildings are all modern in construction and are in varying states of repair. Their removal would be a modest enhancement to the setting of the farmstead.
75. The historic courtyard is currently surfaced in concrete. This application proposes to re-surface the historic courtyard in cobbled stone. This would be an enhancement to the

setting of the non-designated heritage assets.

76. As part of the works associated with the conversion, this application proposes to close one of the access points to West Lane and re-align the other. The land to the west of the combination barn would be used for carparking and garden space. There would be 8 carparking spaces provided from this access point, and they would be located at the northern extent of the site. The bays would be surfaced in 'hexpave' on grassed areas. The carparking would be located away from the proposed dwellings, and when not in use would appear as grassed areas.
77. The gardens would be located immediately to the west of the barns. They would be demarcated by mixed hedgerows. Officers discussed several forms of boundary treatments to the gardens, and it was concluded that the hedgerow boundaries would be the most appropriate. While there would be a degree of domestication associated with the creation of gardens to the rear of the barns, it is considered that the hedgerows would have the softest impact (when compared to fencing or walling), with the hedges themselves screening much of the domestic paraphernalia associated with the buildings' proposed use.
78. The access path would be surfaced in compacted sandstone gravel, which would have an agricultural appearance when viewed from the street-scene.
79. The open-faced barn in the historic courtyard would be retained and utilised for carparking and a bin-store to serve the properties. This would ensure that the courtyard retains free from parked cars, which would enhance its setting, and also finds a suitable use for the open-faced building which, while isn't historic, positively contributes to the courtyard through its sense of enclosure.
80. This application has not been supported by a Structural Survey; however, the buildings appear to be well constructed and the applicant has confirmed that they would be happy to have a planning condition which strictly forbids any rebuilding of the barns during their conversion.
81. Paragraph 209 states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
82. It is considered that when taken as a whole, the heritage asset can accommodate the use residential use without changes that adversely affect its character. The scheme proposes no rebuilding, nor any extensions or new openings to the historic fabric of the building. The changes to the setting are acceptable, with enhancements coming from the modern building's removal and the re-surfacing of the courtyard. As such, the scheme is broadly compliant with policies DMC5 and DMC10.
83. However, Officers acknowledge that certain elements of the scheme would have a small, but nevertheless, harmful impact on the buildings' significance. The creation of the gardens to the rear of the property would have a small domesticating influence, and some of the internal treatments to the threshing barn would have an impact on this feature of value.
84. Notwithstanding this, with consideration to its unlisted status, and when taken as a whole, it is considered that the scheme of conversion is acceptable. It would secure a long-term viable use for the historic farmstead which currently has no functional use

and achieve its long-term conservation. It would also provide some enhancements to the local landscape through the removal of poor-quality and poorly sited agricultural buildings.

85. Subject to conditions, the proposed development is compliant with policies L3, DMC5 and DMC10.

Impact on the valued characteristics of the landscape

86. The development site is located on the edge of Ughill, which is located in the slopes and valleys with woodland landscape character type in the Dark Peak Yorkshire Fringe. This area is characterised by:

- Steeply sloping and undulating topography with gritstone edges characterising the tops of some steeper slopes;
- Irregular blocks of ancient semi-natural and secondary woodland with patches of acid grassland and bracken
- Permanent pasture in small, often irregular, fields enclosed by hedges and gritstone walls
- Narrow winding, often sunken lanes with scattered gritstone farms and loose clusters of dwellings.

87. Policy L1 states that development must conserve and enhanced the valued landscape character, as identified in the Landscape Strategy and Action plan, and other valued characteristics.

88. As this application seeks to convert existing structures, the physical impact on the landscape would be limited. The largest impact from the proposed development would be the demolition of the modern structures, the installation of the rear gardens, and the alterations to the accesses.

89. The removal of the large portal framed building and the smaller ones nearby would have a positive contribution to the local landscape. At present, these structures are poorly related to the main working section of the barn which is slightly further to the north and located on a relatively well enclosed piece of hardstanding. These structures are highly conspicuous from the road side, and give the farm a messy and sprawling appearance.

90. The removal of the modern buildings would also facilitate the planting of additional trees and wildflower meadows. This would have a positive impact on the local area. As noted above, a key characteristic of this landscape is woodland and tree coverage, and this application would further reinforce the western boundary of Ughill with further tree planting.

91. At present, the access from West Lane is understated and small. It is a single metal gate set in the drystone wall. This application seeks to amend the access so it is several metres back from the highway edge, and also taper the drystone walling to achieve greater visibility for vehicles exiting the site. This would have an impact on the street-scene, and would appear more residential in character than its current agricultural form. However, the impact would be extremely limited, and the detailing to the access would be traditional in material, further reducing its impact.

92. An agricultural access is also proposed off Ughill Road to provide direct access to the working section of Ughill Hall Farm, which is located directly north-west to the historic farmstead. It would feature a simple agricultural access, with two small posts and a post and wire fence leading to a gate several metres into the field. The track would

feature two gritstone tyre tracks with a central grass line. There would be an impact on the local landscape through the creation of the access and the small track; however, it would be very limited and would be seen in the context of both Ughill hamlet and the working farm it seeks to serve.

93. The creation of the parking and amenity space would have a physical impact on the contribution that Ughill Hall Farm makes to the landscape; however, the boundary treatment would be mixed hedgerows and would therefore be 'soft' in appearance. This would assimilate well into the existing and proposed vegetation to the west of the farmstead.
94. As such, the physical alterations proposed as part of this application would have a negligible impact on the valued landscape character.
95. In addition to the physical alterations, it is necessary to consider the changes to the character of the landscape through the associated change of use.
96. Several representations have raised concern that the proposed development would constitute 'over-development' to the settlement of Ughill due to the hamlet only featuring 7 dwellings at present, and the provision of a further 5 would be a substantial increase.
97. These concerns are acknowledged; however, the development proposes 4x 2-bedroomed properties, and one 1-bedroomed property. As the scheme only seeks to convert existing structures, its impact would be highly concentrated to the western end of Ughill. The site itself would experience some change and an intensification of use; however, the quantum of development is not considered to be disproportionate to the settlement itself. There would be a limited impact on the character of the hamlet outside of the site itself, and the provision of additional houses is not considered to be harmful in of itself to the valued characteristics of the landscape or hamlet.
98. If approved, a condition requiring the details of any external lighting will be suggested. Inappropriate lighting on the building, driveways and parking bays could have a negative impact on the setting of the barn as a heritage asset and the wider setting of Ughill and its associated landscape.

Ecology

99. Policies L2, DMC12 and DMC13 seek to ensure that development conserves and enhances biodiversity, nature conservation interests and sites, features and species of wildlife importance.
100. This application has been supported by a Protected Species Report. This includes 3 bat surveys - 1 daytime and 2 dusk. The surveys found that the combination barn was used by a low number of common pipistrelle bats as a day roost. The report concludes that the combination barn as being a roost site of site importance.
101. With regard to birds, the surveys found relatively low numbers of pellets and splashing in several of the modern buildings on site but no owls were recorded during the dusk surveys. Swallow nests were recorded in many of the buildings on site. The report concluded that the site is therefore of a local ecological importance in respect of birds, in particular barn owls and swallows.
102. Without appropriate mitigation, the proposed development could result in the disturbance and/or possibly injury and death of common pipistrelle bats during the conversion of the combination barn.

103. To mitigate the impact of the development on bats, the report recommends sensitive working methods during the construction phase including the removal of roofs, roof timbers, weather boarding and guttering by hand. It also advises that prior to the construction, bat boxes should be installed on site at an appropriate level and maintained permanently. It also recommends that elements of the work be supervised by an ecologist, and should contractors encounter bats without supervision, all works cease and a qualified ecologist be contacted for advice.
104. The proposed development would also result in the creation of several bat roosting opportunities. The roof would be lined with a bat-friendly membrane, and all crevices in excess of 200mm deep would be retained. It states that prior to internal pointing, high powered lighting should be installed prior to work commencing internally.
105. In addition to the above, the works would need to be undertaken with a Natural England Bat Mitigation License.
106. To mitigate the impact of the development on birds, the report recommends that the works take place outside of bird nesting season (March-August inclusive). It also recommends the creation of a barn nesting space at the southern end of the combination barn. This is shown on the proposed plans.
107. It also recommends further nesting boxes be installed on the land surrounding the site. If approved, a condition recommending the submission of a barn swallow compensatory and bird enhancement nesting scheme to be submitted and agreed by the Authority, and a condition requiring the control of lighting surrounding roosting sites.
108. Subject to strict compliance with the recommendations of the Protected Species Survey and suggested conditions, it is considered that the proposed development is acceptable with regard to ecology and biodiversity.
109. This application was submitted before 1st April 2024 and is therefore not required to demonstrate a 10% biodiversity net-gain. However, the application proposes the planting of several trees on the western boundary of the site, in addition to the creation and maintenance of wildflower grassland. This would result in a net-gain to biodiversity interest across the site.
110. It is acknowledged that many representations on this application raised the possibility of further protected species in the locality, most notably kestrels. Officers are mindful that the submitted Protected Species Survey does not reference the possibility of kestrels using the site. It is therefore considered that the mitigation and enhancement measures are sufficient to compensate for the impact of the development on the identified species on site.

Amenity

111. The closest neighbour to the development site is Ughill Hall, which is the adjoined neighbour to Ughill Hall Farm farmhouse. The orientation of this property faces the west, and has its own curtilage and garden space in front of its principal elevation. It also benefits from its own access from Ughill Road.
112. This property features windows on its southern elevation which face into the farm courtyard.
113. The creation of 5-dwellings close to this property will change the relationship the occupant of this property has with its surroundings; however, it is not considered to

amount to an unacceptable impact on their private amenity.

114. While the outlook of their southern window would face onto the eastern end of Unit 4's principal elevation, there is sufficient distance between the two properties to not impinge on one another's privacy or amenity.
115. Furthermore, the amenity space for the majority of the properties would be located to the west of the combination barn. As such, there would be no unacceptable noise impacts from the increased residents living nearby.
116. The amenity space for 5 would be located in a small walled garden immediately to the west of the unit. This property would only feature a single bedroom. The walling surrounding the proposed garden would ensure there is no overlooking or loss of privacy on Ughill Hall, and would also safeguard the amenity of the potential occupants of Unit 5.
117. Each property would benefit from its own private garden space which would be demarcated by a hedgerow. As such, an appropriate level of amenity could be secured for each property.
118. As the proposed application also seeks consent for a new agricultural access to the working section of the farm, it is considered that there would be no unacceptable noise or vehicle movements in close proximity to the proposed dwellings. There is also sufficient distance between the working section of the farm and the proposed dwellings.
119. As such, the proposed development is acceptable on amenity grounds.

Other matters

120. Each of the proposed dwellings would benefit from an appropriately sited air source heat pump. This satisfies the requirement of policy CC1.
121. The Highway Authority has confirmed that the access points and parking provision for the proposed development is acceptable. The Highway Authority recognised that it would be difficult to achieve an access design which completely adheres to current design standards; however, based upon the anticipated vehicle movements associated with the proposal, and the lack of injuries reported at any of the access points, the proposals are acceptable from highway safety point of view. They recommended a condition requiring the prevention of surface water discharging onto West Lane from the amended access.
122. The property would be serviced by a new borehole located to the west of the proposed dwellings to provide the dwellings with water. This is acceptable in planning terms, depending upon the quantity of water required for the development an abstraction licence may be required but this consent regime is managed by the Environment Agency.
123. Foul sewage would be disposed of through a new package treatment plant which would discharge to the south of the development site. It is not viable or practicable to connect to the main sewer here and therefore a package treatment plant is acceptable and will satisfactorily prevent pollution of the water environment.

Conclusion

124. The proposed scheme of conversion is considered acceptable on conservation grounds. While certain elements of the proposed design would have an impact on its

significance, when viewed as a whole it is considered that the proposed development would find a suitable alternative use for the buildings and achieve its long-term conservation.

125. The proposed development would not have an unacceptable impact on the valued characteristics of the landscape, and subject to mitigation and compliance with the submitted details, it would not have a harmful impact on the ecological value of the site or surroundings.
126. The scheme is acceptable from an amenity, highway, and sustainability point of view.
127. On this basis, the application is recommended for conditional approval.

Human Rights

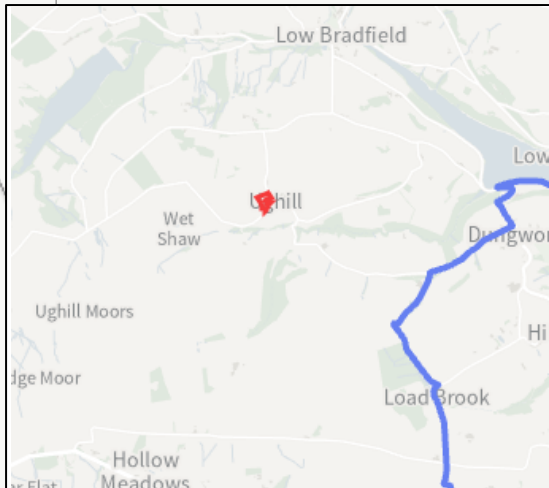
1. Any human rights issues have been considered and addressed in the preparation of this report.
2. List of Background Papers (not previously published)
3. Nil

Report author: Will Eyre, North Area Senior Planner

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425600

425800



Blue line = NP Boundary



425600

425800

0 0.045 0.09 km



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Ughill Hall Farm, West Lane, Bradfield

Item no. 7
 Application no. NP/S/0324/0300
 Committee date: 15/11/2024

Page 41
 Scale: 1:1,200 at A4 pagesize
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8. FULL APPLICATION - DEMOLITION OF EXISTING BUILDING AND ERECTION OF RURAL WORKERS DWELLING AT WHITE PARK BARN, ALSOP ROAD, PARWICH, (NP/DDD/0424/0361, SC)

APPLICANTS: BEN AND JESSICA CHADFIELD

Summary

1. The application seeks planning permission for the construction of a farm workers dwelling on land north west of the main group of farm buildings at White Park Barn, Parwich.
2. Policy supports this type of development in principle, provided the applicant can demonstrate that there is a genuine and essential functional need for the dwelling, including financial evidence that the business is currently profitable and sustainable.
3. The evidence provided in support of this application does not meet these criteria. Consequently, the principle for the erection of a dwelling has not been established.
4. The application is therefore recommended for refusal.

Site and Surroundings

5. The application site is a triangular shaped parcel of land located on the outskirts of Parwich approximately 300 metres to the west of the village Conservation Area boundary.
6. It is set back from the road around 30m and at a higher level. A triangular copse of trees and roadside hedging helps in part to shield the development site from the highway.
7. Access to the site is along an unmade track directly off Dam Lane, which also serves as a Public Right of Way (PRoW).
8. A range of modern agricultural buildings (in the applicant's ownership) are sited on land around 70 metres south east of the proposed new dwelling. The main entrance to these buildings and farmyard is accessed directly from the highway (Dam Lane). The farmyard can also be gained by footfall from the adjacent PRoW at the northern boundary of the farm.
9. There is a group of farm buildings (in separate ownership to the applicants) sited on the opposite side of Dam Lane, approximately 80m south west of the development site.

Proposal

10. Planning permission is being sought to demolish an existing timber structure and timber poles from the development site and erect a two-storey three-bed detached farm workers dwelling, with two parking spaces and garden areas contained within a triangular parcel of land.
11. Amended plans have since been received which have revised the form and design of the dwelling, showing a more traditional building approach. These amended plans now form part of the current scheme.

RECOMMENDATION:

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

- 1. The application does not demonstrate that there is an essential functional need for the proposed development or that the development would meet the financial test to justify an agricultural worker dwelling on the site, contrary to Core Strategy policy HC2 and Development Management policy DMH4.**
- 2. The applicant has not provided sufficient evidence to demonstrate that construction costs of a new dwelling would be commensurate with the established functional requirement and likely sustainable income of the current farming business, contrary to Core Strategy policy HC2 and Development Management policy DMH4.**

Key Issues

- The principle of development.
- Scale, design and external appearance.
- Impact on the character and appearance of the locality.
- Residential amenity.
- Highways safety.

Relevant History

2021 - Erection of cattle shed. Approved.

2017 - Additional livestock building & extension to existing agricultural building. Granted.

2013 - Agricultural building. Granted

Consultations

12. Highway Authority – No objections.
13. Parish Council – Supports the application on the grounds that it would be beneficial to the farming economy and housing stock in the village.

Representations

14. There are four letters of support for the application. In summary:
 - The design of the dwelling would be modest and appropriate to the landscape.
 - Would assist with the husbandry of the farm animals.
 - Would allow the applicants to live close to the farm and livestock.
 - Would be a welcome addition in providing housing stock for a young family.
 - Would allow the applicants to take the existing business forward enabling the commercial interest to grow to its full potential.
15. One letter from the Ramblers (Derbyshire Dales Group) - Asserts that the adjacent PRoW should remain unaffected at all times during and after development and that consideration should be given to the safety of the public using the PRoW both during and after any proposed works.

Statutory Framework

16. National Park designation is the highest level of landscape designation in the UK. The Environment Act 1995 sets out two statutory purposes for national parks in England and Wales:
- a) Conserve and enhance the natural beauty, wildlife and cultural heritage.
 - b) Promote opportunities for the understanding and enjoyment of the special qualities of national parks by the public.
17. 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.
18. In the National Park, the development plan comprises the Authority's Core Strategy and the new Development Management Policies (DMP). These Development Plan Policies provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application.
19. This application must be determined in accordance with the development plan unless material considerations indicate otherwise.

Core Strategy policies: GSP1, GSP2, GSP3, DS1, L1, HC2, CC1

Development Management policies: DMC3, DMH4, DMH11, DMT3

Supplementary Planning Documents:

- Building & Design Guidance, 1987, 2007, 2014.
- Climate Change and Sustainable Buildings.

National Planning Policy Framework (NPPF)

20. The National Planning Policy Framework (NPPF) is a material consideration. Development plan policies relevant to this application are up-to-date and in accordance with the NPPF and therefore should be given full weight in the determination of this application.

Section 15 sets out guidance for conserving and enhancing the natural environment.

21. Para: 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.

Section 5 sets out guidance for delivering a sufficient supply of homes.

22. Para: 84, states amongst other things, that planning policies and decisions should avoid the development of isolated homes in the countryside, unless (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.
23. In this case, it is considered there are no significant conflicts between prevailing policies in the Development Plan and government guidance in the NPPF.

Development Plan Policies

Core Strategy

24. GSP1 requires that all development is consistent with the National Parks legal purpose and duty, to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Parks; Policy GSP3 sets out development management principles in line with GSP1.
25. GSP2 states that opportunities for enhancing the valued characteristics of the National Park will be identified and acted upon.
26. GSP3 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. GSP3 also specifically states that attention will be given to (k) adapting to and mitigating the impact of climate change, particularly in respect of carbon emissions, energy and water demand.
27. DS1 supports the development of renewable energy infrastructure in principle.
28. L1 seeks to ensure that all development conserves and enhances valued landscape character and sites, features and species of biodiversity importance.
29. HC2 states amongst other things, that new housing for key workers in agriculture must be justified by functional and financial tests
30. CC1 sets out that development must make the most efficient and sustainable use of land, buildings and natural resources. Development must also achieve the highest possible standards of carbon reductions.

Development Management Policies

31. DMC3 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.
32. DMH4 states states that the need for a worker dwelling to support agriculture, forestry or other rural enterprise businesses will be considered against the needs of the business concerned.
33. DMH11 is clear that where planning conditions cannot achieve the desired outcome of ensuring worker dwellings are tied by the business, the applicant will be required to enter into a Section 106 Agreement that will restrict the occupancy of all properties in perpetuity in line with policy DMH4.
34. DMT3 states that a safe access should be provided in a way that does not detract from the character and appearance of the locality and where possible enhances it.

Assessment

Principle of the development

35. Core Strategy policy HC2 – (*Housing for key workers in agriculture, forestry or other rural enterprises*) states amongst other things, that new housing for key workers in agriculture must be justified by functional and financial tests.
36. In addition, Development Management Policy DMH4 – (*Essential worker dwellings*) states that the need for a worker dwelling to support agriculture, forestry or other rural enterprise businesses will be considered against the needs of the business concerned. Development will be permitted by conversion or new build provided that:
- (i) a detailed appraisal demonstrates that there is a genuine and essential functional need for the worker(s) concerned, with a requirement that they need to be readily available at most times, day and night, bearing in mind current and likely future requirements; and
 - (ii) stated intentions to engage in or further develop the business are genuine, reasonably likely to happen and capable of being sustained for a reasonable period of time. The Authority will require financial evidence that:
 - the business has been operating for at least three years; and
 - the business is currently profitable; and
 - it has been profitable for at least one of the last three years; and
 - the profit from the business as opposed to turnover, is such that it can sustain the ongoing cost of the dwelling; and
 - the ongoing costs associated with the dwelling linked to the landholding reflect the actual and potential income that might be generated from the landholding; and
37. (iii) there is no accommodation available in the locality that could enable the worker(s) to be readily available at most times, day and night, bearing in mind current and likely future requirements; and
38. (iv) where a new building is proposed, there is no traditional building that could be converted for use as a worker dwelling, within or close to the main group of buildings, in line with other policies and guidance on siting and design; and
39. (v) where conversion of existing buildings is not an option, construction costs of new buildings reflect the likely sustainable income of the business; and
40. (vi) the new building is within or immediately adjacent to the site of the existing building group and enhances the building group when considered in its landscape setting; and
41. (vii) the new building is smaller than any house in the building group that is already under the control of the business and in accordance with policy DMH5, unless an acceptable landscape and building conservation outcome for the building group and the setting can only be achieved by a bigger building.
42. B. Where there is uncertainty about the financial sustainability of an otherwise acceptable proposal, permission may be granted for an appropriately coloured caravan or other temporary accommodation.

43. The application site lies in open countryside, where there are strong restrictions on new build development and only allowed under exceptional circumstances. One circumstance permitted by policies HC1 and HC2 is where housing is required to meet the need of a key rural worker.
44. Where it is permitted under Policy HC2 & DMH4 of the Authority's Development Plan, there has to be clear evidence justified by functional and financial tests. These are set out in the following report.

Background

45. According to the submitted appraisal, the applicants currently live in Hulland Ward which is approximately 8 miles away from the farm and would take around 20 minutes travel by car.
46. In inclement weather the applicants have not been able to access the farm which has given rise to animal welfare issues. Given the level of stocking, requirement for critical care of livestock, security and unsociable hours associated with the 'Petting Farm' (mini farm) business this is not considered tenable and the applicants would like to pursue on-site accommodation having been unable to afford a dwelling locally.
47. In this case, the applicants have submitted information concerning the farming enterprise, which is based on not only the cattle and sheep rearing activity, but also a petting farm which is run from the site in Parwich. The applicants also have a fencing business based in Ashbourne supplying fencing for Equine, Domestic, Agricultural & Industrial uses.

The current farming business

48. The current agricultural holding comprises 108 acres (43.7 Hectares) of land. 12 acres of this is owned by the applicant at White Barn Farm, with a further 39 acres of rented/family owned land adjoining the land around the farm. The remaining rented land is located at Hulland Ward (50 acres) and Ashbourne (7 acres).
49. The applicants run a 20 head herd of White Park beef suckler cow, a flock of 70 Texel ewes, with a calf rearing enterprise of 30 head per annum.
50. Cattle are finished at around 30 months, occasionally cattle would be sold as stores, with the applicants rearing their own replacements. The suckler cows calve in a single block between January to March. Following calving the applicants utilise shed space to rear up to 30 head of 2–3-day old dairy cross beef calves.
51. With regard to the sheep enterprise. These are lambed inside mid-February into April every year. Meat is sold locally direct to residents' doors in meat boxes, surplus is sold as fat lambs at local market.
52. All land is down to permanent grass, with fodder primarily bought in. Depending on grass growth the farming business utilises the field opposite the farm buildings for wrapped silage/haylage should this be available (as was the case for the 2022/2023 harvest).
53. There are three modern agricultural buildings located at White Park Barn, in addition to a range of smaller timber and stone buildings associated with the mini farm, of which a small element is used as part of the commercial sheep enterprise (infirm sheep and lambs).

54. There is also a large range of farm machinery that is owned by the applicants in regard to the farming business and practice.

Petting Farm business (Mini Farm)

55. According to the submitted Appraisal 'The Petting Farm' have a range of animals which comprise; rabbits, guinea pigs, chickens and hatching chicks, pygmy goats, pigs/piglets, lambs a lama, donkey and miniature ponies.
56. 'The animals are transported during school term time to schools through the country. This requires having livestock loaded from 5am with destinations ranging from London to Leeds. Typically, not arriving back until 7pm when petting animals then need to be housed and fed.
57. The care associated with these animals is not insignificant and has to be carried out outside the transportation periods with journeys of up to three hours each way and at unsociable times. Consequently, levels of care in terms of inspection, treatment, feeding, dealing with emergencies are required.

Security

58. In this regard the applicants state, that the site has fallen victim to break ins and thefts in the past, therefore a permanent onsite presence would be essential in deterring potential criminal activity in the future.

Policy constraints

59. As a Planning Authority, we have to consider whether the information provided is a valid attempt to establish whether the stated farming practices are genuine, are reasonably likely to materialise and are capable of being sustained for a reasonable period of time.
60. Policy also requires the applicant to establish the needs of the intended enterprise(s) to require one or more of the people engaged in it to live nearby. Therefore, the Authority applies stringent levels of assessment to applications for agricultural workers' dwellings, in a manner and to the extent that they are relevant to the nature of the enterprise(s) concerned. And at this stage, the key assessments are the functional and financial tests.

Functional Test

61. With regard to the functional test – Currently, the applicants are responsible for the overall operation of the farm business including the petting farm, whilst also running a fencing business. In this case, it could be argued that the Petting Farm business should not be included as part of an agricultural needs assessment, particularly because the inclusion of certain animals such as guinea pigs, llamas etc do not fall under the definition of 'livestock'. Nevertheless, the Authority should consider whether such a business could justify an essential need for a worker to live on site.
62. For the running of the farm enterprise, and according to the submitted figures presented, (based on standard man days), it has been calculated that there is a current labour requirement equivalent to 1.22 (Equivalent full-time workers).
63. In this case, the Standard Working Man Days (SWMD) is increased by 20% for field work, works which are not applicable to the Petting Farm. The SWMD would therefore be slightly reduced if only the core agricultural aspects of the enterprise were to be considered.

64. Alongside the SWMD calculation, the appraisal outlines 'critical care periods. These are mainly January to April for calving and lambing. The diagram provided in the appraisal includes 'reduced critical care' (March to September) associated with the Petting Farm. However, moving/transporting animals early in the morning (suggested time, 5am on the appraisal) would not in Officer review require a worker to live nor would the lack of an on-site presence pose a risk to livestock safety when they are being transported as a worker would be present in any case.
65. It appears the main functional need for someone to live on site would be related to the care and management of the current breeding stock and that of the 'Petting Farm' animals.
66. The applicants' vet has provided letters indicating the level of care required for the applicant's animals and detailing the importance of living onsite.
67. Based on the size and nature of the farming operations alone and the land being at capacity to support the existing stock, Officers consider that the application does not demonstrate an essential need for one full time worker to be on site at most times. The proposed dwelling therefore is not justified and would be contrary to policies HC2 & DMH4.

Financial Test

68. Financial information has been provided to address the financial test and includes the farm accounts (including the petting farm) which have been prepared by an independent accountant.
69. Considering the financial test on the farm – Figures indicate annual profits between the years 2020-2022, indicate an upward trend in revenue, which is generally an indicator that the farming business is seen as both profitable and sustainable.
70. However, it is not clear from the submitted financial details, whether the sources of the sales and purchases outlined in the accounts include the fencing business. The information provided is not sufficient to demonstrate that the agricultural business is profitable on its own or could support the costs of the proposed dwelling house.
71. With the functional test, the financial one should essentially consider the core agricultural parts of the enterprise. Therefore, taking the above into account, the application does not demonstrate whether the farm would be financially viable without additional income from the applicant's other enterprises.
72. However, it is noted that the applicants have demonstrated commitment and investment to the farm enterprise, in this case with the presence of an existing farmyard and agricultural buildings, with the addition of general farm machinery.
73. Moreover, in addition to passing the functional and financial tests, Government advises that the proposed dwelling should be commensurate with the needs of the enterprise and should not reflect the personal preferences or circumstances of the applicant. The enterprise should also be capable of sustaining the dwelling in financial terms i.e. cover capital costs as well as ongoing maintenance.
74. However, there has been no evidence provided of the construction costs for the proposed dwelling and as such it has not been possible for Officers to establish whether these would be commensurate with any reserves the applicants possess or the likely sustainable income that would be purely based on the agricultural aspect of the farming activity.

75. This evidence is essential because if a dwelling house were permitted without an essential functional requirement or meeting the financial tests then it would be likely in the future that a case could be made that the dwelling is not required by or affordable to an agricultural worker resulting in pressure to release any occupancy restriction and resulting in a market dwelling which would be wholly inappropriate in an open countryside location such as the application site.
76. Therefore, it is concluded that the application fails to comply with policies HC2 and DMH4 in these respects.

Siting, design and materials

77. Policy DMC3 – (*Siting, Design, layout and landscaping*). Reiterates, that where developments are acceptable in principle, policy requires that design is to high standards and where possible enhances the natural beauty, quality and visual amenity of the landscape. The siting, mass, scale, height, design, building materials should all be appropriate to the context. Accessibility of the development should also be a key consideration.
78. As stated in the proposal section of this report above, amended plans have been received which have revised the form and design of the dwelling and showing a more traditional approach as previously submitted. These amended plans now form part of the current scheme and are addressed in the following section.
79. The proposed dwelling would be sited around 70m north west of the applicants existing farm buildings and on a relatively flat triangular parcel of land. Access to the dwelling would spur off from an existing farm track.
80. The proposed dwelling is based on a simple floor plan, which is considered in keeping with the local building tradition. The design incorporates a fenestration which is considered to be generally acceptable in terms of the proportions of openings, window designs and the solid to void relationship between the proposed openings and wall elevations.
81. Internally at ground floor level, the dwelling would comprise a hallway leading to a dining/kitchen area, a lounge area, a farm office room and utility room. Internal stairs would lead up to three bedrooms and a bath and shower room at first floor.
82. Externally, there would be space allocated for the parking and turning of two vehicles and small garden areas mainly to the south and west of the dwelling. The domestic curtilage would be bounded by post and rail fencing.
83. In this case and by virtue of form, design and use of materials, the proposed dwelling would help complement the character and appearance of the area, generally according with the Authority's conservation and design policies GSP3 & DMC3 and supplementary advice on design.

Landscape and visual impact

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

85. The application site is a relatively flat area of land, which rises to open countryside with scattered tree cover along the field boundaries to the north and west. To the south is a copse of trees and roadside hedging which separates the development site from the highway and around 70m to the south east of the site are the applicant's group of farm buildings and yard area. The nearest residential properties lie at the western edge of the village over 200m away.
86. A PRoW runs along the access track and carries on in a lateral direction past the application site and towards the western edge of the village.
87. Glimpses of the building can be seen from the highway, this could be more notable during the winter months. However, this would be seen at a setback distance of over 30m and at a higher level than the roadside.
88. According to the submitted information, no formal landscaping measures have been proposed currently due to the rural setting of the site. However, if permission were granted a condition securing some form of landscaping could be imposed.
89. As submitted, the plans for the position of the proposed dwelling and associated parking and garden areas are judged to be the least intrusive location within the site.
90. Regarding this, the development would not appear in any way dominant over its surroundings, therefore would have minimal adverse impact on the established local landscape character of the area, since the development would be enclosed within a small curtilage and incorporated relatively close to an already established farmyard area and farm access. Therefore, the scheme is considered to accord with policy L1 in these respects.

Other matters

91. The submitted information states, that the dwelling would be a self-build and as such would be exempt from biodiversity net gain (BNG).
92. DM Policy DMH4 also requires, that there is no accommodation available in the locality that could enable the worker(s) to be readily available at most times, day and night, bearing in mind current and likely future requirements, and where a new building is proposed, there is no traditional building that could be converted for use as a worker dwelling.
93. In this case, the applicant has stated that there are no traditional buildings on site that could be converted for use as a worker's dwelling.
94. In terms of other potential accommodation. The applicant has stated that searches had been made within the local property market. In this case, an online search was carried out on in February and a half mile search radius of the application site was included. With a minimum property size of 3 bedrooms and a maximum purchase price set at £400,000, it showed no results and no available properties to let within 0.5 miles.
95. Whilst there is no supporting paperwork to accompany these, Officers have reviewed them on the basis that the applicant is seeking to demonstrate that there is no existing accommodation in the locality that could reasonably meet their housing need. If the functional need for a dwelling on site were made out then it is accepted that there are no existing dwellings that could meet that need.

Potential amenity issues

96. Policy DMC3 – (*Siting, Design, layout and landscaping*). Reiterates, that where developments are acceptable in principle, particular attention will be paid to the amenity, privacy and security of the development and other properties that the development affects.
97. Due to the intervening distances from the nearest residential properties, (which are sited over 300m away on the edge of the village), it is considered the scheme would have no adverse impacts on the amenity of these or any other properties in the locality, therefore accords with policies GSP3 & DMC3 in these respects.

Local Highway matters

98. Policy DMT3 – (*Access and design criteria*). States amongst other things, that a safe access should be provided in a way that does not detract from the character and appearance of the locality and where possible enhances it.
99. The local Highway Authority have raised no objections to the scheme, however note that a PRoW runs in close proximity to the site. In this case they advise that the route must remain unobstructed on its legal alignment at all times and the safety of the public using it must not be prejudiced either during or after development works take place. Subject to this advice being appended to any forthcoming decision, the scheme is considered to accord with policy DMT3 in particular.

Environmental Management and sustainability

100. Policy CC1 – (*Climate change mitigation and adaptation*). Sets out that development must make the most efficient and sustainable use of land, buildings and natural resources.
101. Notwithstanding the required Building Control measures for heat and power, the submitted details state that the design and orientation of the dwelling makes the best use of solar gain, with solar panels being incorporated on the rear elevation. All construction materials and finishes would be locally sourced. Low use water-conserving fittings for taps and sanitary ware can be used throughout. The construction would also incorporate high levels of thermal insulation and low energy light fittings.
102. Subject to the above, the proposals would essentially follow the principles of policy CC1 in these respects.

Conclusion

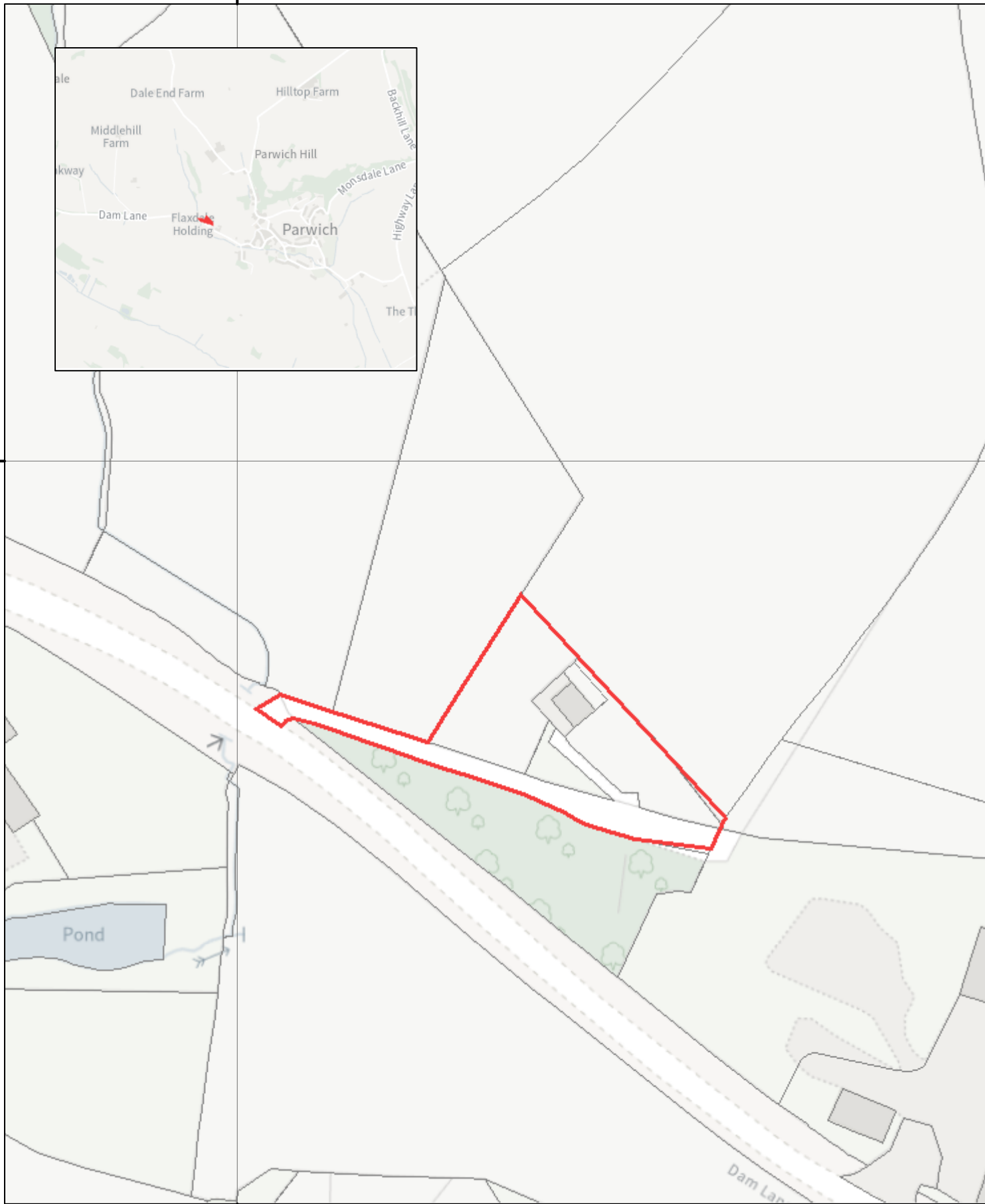
103. Whilst the siting and design of the building is considered acceptable and there are no issues regarding amenity and highway impacts, the current application fails to satisfy the financial and functional tests in Core Strategy policy HC2 and Development Plan policy DMH4.
104. The application is therefore not in accordance with relevant development plan policies. In the absence of any further material considerations the application is recommended for refusal.

Human Rights

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

2. List of Background Papers (not previously published)
3. Nil
4. Report Author: Steve Coombes, South Area Planning Team.

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White Park Barn, Alsop Road, Parwich

Item no. 8
 Application no. NP/DDD/0424/0361
 Committee date: 15/11/2024

Page 55
 Scale: 1:800 at A4 pagesize
 Map centre grid ref: 418,241 354,577



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9. REQUEST FOR AUTHORITY TO DECLINE TO DETERMINE AN APPLICATION FOR PLANNING PERMISSION UNDER S70C OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) RE: (NEW) FULL APPLICATION FOR PLANNING PERMISSION FOR 'RETENTION OF EXISTING TRACK SURFACE IN QUARRIED LIMESTONE AT EXISTING TRACK AT CARTLEDGE FLAT / RUSHY FLAT DIKE, NORTH OF HOLLINGDALE PLANTATION, STRINES, BRADFIELD, SOUTH YORKSHIRE' (JK)

Summary

1. The Authority served an Enforcement Notice (EN) on the land in 2018 (reference 18/0062) which requires the landowner to remove the crushed stone from the land which was placed without planning permission on an existing access route across the moorland.
2. An appeal against the notice, which included Ground (a), (a deemed planning application) was subsequently dismissed with the notice then coming into effect in 2019.
3. No action has been taken to comply with the notice.
4. The landowner has now applied for planning permission to retain the works arguing that with the passage of time the track has weathered in harmoniously with the landscape and therefore this represents a material change in circumstance which warrants reconsideration.
5. The natural weathering argument was advanced by the Appellant as part of their Ground (a) appeal against the EN (that planning permission should be granted) but was dismissed by the Inspector.
6. S70C of the Planning Act gives a power to local planning authorities to decline to determine a retrospective application for planning permission where the proposal relates to those matters specified as the breach in an enforcement notice.
7. Officers have notified the applicant that they are minded to decline to determine the application but under current standing orders the use of such a power is not delegated. Therefore, this report seeks authority from the Planning Committee to formally decline to determine this application.

Site and Surroundings

8. The subject track lies on open moorland to the north-west of Sheffield which forms part of the Bradfield Moors and the Fitzwilliam-Wentworth estate. The track is located in an area known as Rushy Flat Dike – between Bole Edge and Holling Dale Plantations (to the east) and Cartledge Flat (to the west). Approximately 1.5km to the south is the Strines Inn.
9. The land is designated as Natural Zone under our Development Plan Policy and is Section 3 Moorland, as defined in the Wildlife and Countryside Act 1981, and is also part of the Dark Peak Site of Special Scientific Interest (SSSI).
10. The land is also designated as a Special Area of Conservation (SAC), as defined in the European Union's Habitats Directive (92/43/EEC), and a Special Protection Area under the European Union Directive on the Conservation of Wild Birds.

11. In common with most of the upland areas in the National Park, the land concerned is also open access land under the Countryside and Rights of Way Act 2000 which means that, subject to certain exceptions, the public normally has a ‘freedom to roam’ on foot without keeping to public rights of way.
12. The surfaced track which is the subject of the Notice is part of a longer route which extends for approximately 2.7km from a gated access point on Mortimer Road (just east of Strines Bridge). The route climbs in a generally north-westerly direction from Mortimer Road and terminates on the open moorland where it meets a footpath known as Dukes Road which runs roughly north-south.

Proposal

13. An application for full planning permission for the retention of existing track surface in quarried limestone has been submitted which Officers consider raises no new issues and therefore seek authority to decline to determine using S70C of the Town and Country Planning Act.

RECOMMENDATION:

14. That authority to **DECLINE TO DETERMINE** the retrospective planning application under **S70C of the Town and Country Planning Act 1990 (as amended)** for the following reasons:
 1. The application relates to development of land to which an existing enforcement notice relates and seeks permission for the retention of the matters specified in the enforcement notice as constituting a breach of planning control.
 2. There is no material change in circumstances to warrant consideration of the application. The case for the development has been heard at appeal where the ‘weathering in’ argument in support of the ground (a) appeal was heard and dismissed by the Inspector.

Key Issues

15. The continued harmful impact of the development on the character and appearance of the moorland landscape and special landscape qualities of the National Park having regard to its designation as an area of national and international importance for nature conservation.
16. Public confidence in the planning system through the effective enforcement of the planning regulations.

Planning History

17. There is no relevant planning history other than the enforcement notice (18/0062) and appeal (APP/M9496/C/18/3208720) referred to above.

The National Planning Policy Framework

18. Paragraph 59 on Enforcement states;
19. ‘Effective enforcement is important to maintain public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control. They should consider publishing a local enforcement plan to manage enforcement proactively, in a

way that is appropriate to their area. This should set out how they will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where appropriate.'

The PDNPA Local Enforcement Plan (updated 2024)

20. In respect of Retrospective planning applications this states;
21. '...Although the submission of retrospective planning applications will be discouraged where we consider a development to be clearly unacceptable, the person responsible will still have the right to submit a retrospective application if they wish, unless an Enforcement Notice has already been issued in relation to the same development in which case we have the power to decline to determine a retrospective application.'

Legislation - The Town and Country Planning Act 1990 (as amended). S70C Power to decline to determine retrospective application

This states that;

22. 'A local planning authority may decline to determine an application for planning permission or permission in principle for the development of any land if granting planning permission for the development would involve granting, whether in relation to the whole or any part of the land to which a pre-existing enforcement notice relates, planning permission in respect of the whole or any part of the matters specified in the enforcement notice as constituting a breach of planning control.'
23. 'For the purposes of the operation of this section in relation to any particular application for planning permission or permission in principle, a "pre-existing enforcement notice" is an enforcement notice issued before the application was received by the local planning authority.'

Assessment

24. Sections 70C is one measure to speed up the planning system and avoid delaying tactics caused by repeat applications. It gives a Local Planning Authority the power to decline to determine a retrospective planning application in cases where the works are specified in a valid enforcement notice, which is the circumstance here.
25. The failure to comply with the Enforcement Notice for such a long period of time has inevitably led to further weathering since the notice came into effect in 2019. However, the crushed stone and the harm it is causing to the special qualities of the National Park remains. The visual change caused by the further weathering and vegetation growth since 2019 is noted but it is not significant and does not mitigate the ongoing visual and physical harm identified to the landscape and the ecological interests of this designated area. It is therefore not considered to amount to a material change that warrants any change to the need to remove the stone in accordance with the Enforcement Notice.
26. This applicant has already exercised their opportunity to appeal against the enforcement notice, and within that discuss the planning merits of their proposal via their ground (a) appeal and the deemed planning application. This included arguing that by the time of the appeal, some four years after the work commenced, the track had and would continue to 'weather in' making it less visually prominent in the landscape. This weathering in over time was therefore considered at the appeal and was dismissed by the planning Inspector.
27. At the appeal the appellant also argued the need for the work was connected with the

estate's conservation work and how it was necessary to prevent degradation through concentrating access along a defined route, whilst also increasing public access. However, the Inspector noted that Policy LC1 and DMC2 clearly state that development that would serve only to make land management or access easier will not be regarded as essential.

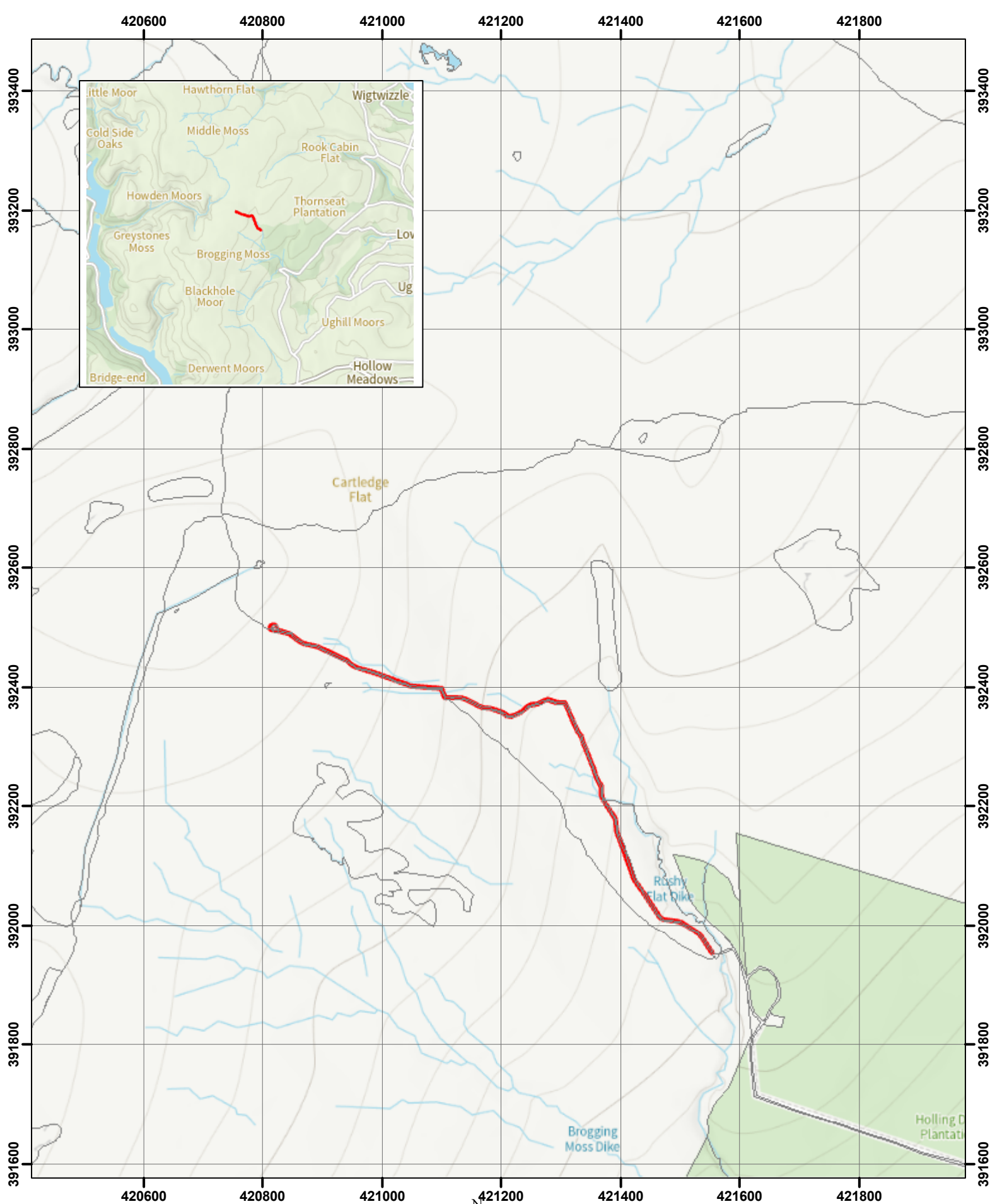
28. The Inspector also considered the suggestion that the route facilitated the estate's wildfire strategy and agricultural work. Whilst the Inspector accepted the benefit the track offered in that respect, she concluded that the evidence suggested the track's primary purpose was recreational to access the grouse 'butts' on a relatively regular basis for shooting. It had therefore not been shown that the development was essential within the meaning of the development plan policy.
29. Those same policies are still in place and there has been no significant change in either national or local policy since 2019, nor are there considered to be any other material considerations that would warrant further reconsideration. Consequently, Officers consider that the applicants have had their case to retain the works thoroughly examined and would therefore not be disadvantaged by taking this action to decline to determine the new application.

Conclusion

30. Whilst enforcement action is discretionary there were strong grounds in 2018/9 to pursue action to remove the harm in order to conserve the special qualities of this nationally and internationally designated moorland landscape. The Planning Inspector agreed and dismissed the appeal, confirming the notice and the timescale for the removal of the crushed stone from the land by the 9th September 2019.
31. Given the weathering has not and will not mitigate the harm, and all the other elements of the applicant's case were dismissed by the Inspector, there are no reasonable grounds to delay removal of the stone. The applicants have had their case to retain the works thoroughly examined would therefore not be disadvantaged by taking this action to decline to determine the new application.
32. The current application therefore represents an unnecessary delaying tactic which frustrates the effective enforcement of planning control. It is therefore now considered both reasonable and necessary that appropriate consent is sought to utilise S70C and allow officers to decline to determine the application.
33. The landowner must comply with the enforcement notice. If this does not take place then the Authority should consider appropriate action to secure compliance with the enforcement notice.

34. Human Rights

35. Any human rights issues have been considered and addressed in the preparation of this report.
36. List of Background Papers (not previously published)
37. Nil
38. Report Author: John Keeley – Area Planning Manager – North Team



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Cartledge Flat / Rushy Flat Dike, North of Hollindale Plantation, Strines, Bradfield

Item no. 9

Page 61
 Scale: 1:8,000 at A4 pagesize
 Map centre grid ref: 421,196 392,532

Committee date: 15/11/2024



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10. FULL APPLICATION – PROPOSED AMENDMENT TO SITE BOUNDARIES BETWEEN THE FARM HOUSE AND BARN 1 & BARN 2 (VARIATION OF ORIGINAL RED LINE FROM APPROVAL REF: NP/DDD/0619/0649) AND AN ADDITIONAL USE TO THE ANCILLARY ACCOMMODATION (BARN 2) TO INCLUDE HOLIDAY ACCOMMODATION AT LANESIDE FARM, HIGH STREET, CALVER (NP/DDD/0824/0801 CB)

APPLICANT: MR NICK HAWNT

Summary

1. Proposed is an increase in the size of the site to provide a larger amenity area for Barn 1 and the use of Barn 2 as a short-term holiday-let.
2. The increase in the size of the site and the use of the barn as a holiday let are appropriate and would not harm the character and appearance of the barn as a non-designated heritage asset, would conserve the Conservation Area and would not have a harmful impact on amenity.
3. The application is therefore recommended for approval subject to conditions.

Site and Surroundings

4. Laneside Farm is located south of the High Street in Calver in the Conservation Area. The site comprises of two barns. Planning permission, Ref: NP/DDD/0619/0649, was granted for the conversion of the two barns to form a dwelling (Barn 1) to the south of the site, with detached ancillary accommodation and garage/store in the roadside barn (Barn 2).
5. The barns are constructed of natural limestone. The larger of the barns (Barn 1) has limestone walls with gritstone detailing (including quoin stones, heads and cills) and a natural gritstone slate roof. The roadside barn (Barn 2) has a natural blue slate roof and does not have the same level of gritstone detailing.
6. The nearest neighbouring properties are 'Fernhill Cottage', adjoining the site to the west. To the south of the site is 'Hydrangea Cottage'
7. The farm house which adjoins the site to the east, fronts the road and is in the same ownership as the barns, but outside the site area as it is edged blue (land in ownership) on the plans. The farm house is finished in wet dashed render with gritstone detailing, its roof is clad with natural blue slate.
8. To the rear of the farm house and to the east is the dwelling 'The Cross'.
9. There are no listed buildings on the site. However, the house and barns are considered to be non-designated heritage assets that contribute positively to the character and appearance of the Conservation Area.
10. Between the boundary of Laneside Farm and the adjoining dwelling to the east 'The Cross' there is tall mature beech hedge.

Proposal

11. The proposal seeks to increase in the size of the site to provide a larger garden for the dwelling (Barn 1) and to use Barn 2 as a short-term holiday-let.

RECOMMENDATION:

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

1. **Statutory 3-year time period for commencement of development.**
2. **In accordance with specified plans.**
3. **Holiday occupancy restriction to barn 2, to remain ancillary to main dwelling and within same planning unit.**
4. **Remove permitted development rights for alterations, extension and means of enclosure.**
5. **The holiday accommodation shall not be occupied until parking spaces have been laid out within the site in accordance with specified plans.**
6. **Car parking spaces shown on the specified plans to be retained and not used for any purpose other than the parking of private motor vehicles.**
7. **The approved use to be carried out entirely within the existing shell of the building with no rebuilding whatsoever.**
8. **Timber windows and doors and permanently so maintained.**
9. **Agree timber finish.**
10. **No gates or other barriers on the access other than that shown on specified plans.**

Key Issues

- The principle of the development.
- Impact upon cultural heritage
- Impact on residential amenity
- Highways and parking

Planning History

12. NP/DDD/0619/0649 - Conversion of two barns to form dwelling with detached ancillary accommodation and garage/store - Granted Conditionally - November 2020
13. NP/DIS/0522/0710 - Discharge of Condition 21(a) on NP/DDD/0619/0649 - Condition/s Partly Discharged - June 2022
14. NP/DDD/0424/0379 - S.73 application for the removal or variation of conditions 2, 3, 8, 16 and 20 on NP/DDD/0619/0649 - currently under consideration

Consultations

15. Highway Authority – Object to application for the following reasons:

- *Intensification of use of a substandard access onto the public highway. This is based*

on the previous HA concerns (response to NP/DDD/0619/0649) which includes the wording 'Although the vehicle would be blocked in given that it is ancillary accommodation and that there is manoeuvring room within the site whilst not ideal it should not be a major issue from a highway point of view. Whilst a far from ideal situation, as previously indicated, there are no accidents associated with the access and subject to the provision of only a single dwelling with ancillary accommodation the Highway Authority does not consider that a recommendation of refusal would be sustainable.'

- *The use of 'Barn 2' as holiday accommodation contravenes Condition 3 of NP/DDD/0619/0649.*

16. Calver Parish Council – Objection, on the basis of parking and the potential impact of on-street parking on the local area.

17. Derbyshire Dales District Council – no response at the time of writing

Representations

18. During the consultation period, the Authority has received one letter objecting to the proposal which raises material planning concerns, summarised as follows:

- the number of holiday lets already in the village
- that the proposed use as a holiday-let denies local people the opportunity to buy or let the property
- that the proposed use will increase the number of cars parked on the road.

Main Policies

Relevant Core Strategy policies:

19. GSP1 – Sets out the broad strategy for achieving the National Park's objectives and seeks to secure national park legal purposes and duties through the conservation and enhancement of the National Park's landscape and its wildlife and heritage. Where there is irreconcilable conflict between the statutory purposes, the Sandford Principle will be applied and the conservation and enhancement of the National Park given priority.

20. GSP2 – Opportunities for enhancing the valued characteristics of the National Park will be identified and acted upon. Proposals intended to enhance the National Park will need to demonstrate that they offer significant overall benefit to the natural beauty, wildlife and cultural heritage of the area.

21. GSP3 – All development must respect, conserve and enhance all valued characteristics of the site and buildings, paying particular attention to impact on the character and setting of buildings, scale of the development and accordance with the Authority's Design Guide, impact on living conditions and access.

22. CC1 – All development must make the most efficient and sustainable use of land, buildings and natural resources and take account for the energy hierarchy. Development should be directed away from areas of flood risk, and achieve the highest possible standards of carbon reductions.

23. DS1 – Forms of development in all settlements which are acceptable in principle include conversion or change of use of buildings for housing and business, preferably by re-use of traditional buildings. In named settlements, new build development will be acceptable for affordable housing and small-scale business premises.
24. 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.
25. L3 – Development must conserve and where appropriate enhance or reveal the significance of historic assets and their settings
26. RT2 – sets out the parameters for proposals involving self-catering/holiday accommodation. It stipulates under part a. that ‘the change of use of a traditional building of historic or vernacular merit to self-catering holiday accommodation will be permitted.’
27. T7 – states residential parking will be the minimum required for operational purposes, taking into account environmental constraints and future requirements.
28. Policy DMC5 - Assessing the impact of development on designated and non-designated heritage assets and their settings, requires applications to be supported by information sufficient to enable the significance of the heritage asset and the effect of the development on it to be identified. In the case of development in a conservation area, the policies expect development to preserve or enhance its character and appearance. Development that results in harm to a heritage asset will not be supported unless the public benefits to be derived from it dictate otherwise.
29. DMT3 and DMT8 require that all development is provided with safe access and satisfactory parking.

National Planning Policy Framework

30. 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 the NPPF with regard to the issues that are raised.
31. Para 137 states design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot.
32. Para 182 states great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads.

Supplementary Guidance:

33. The Authority has adopted three relevant supplementary planning documents (SPD) that offers guidance, namely;
- Design Guide
 - Conversion of Historic Buildings
 - Residential Annexes

Assessment

Principle

34. The principle of conversion of the buildings to residential use has been established by planning permission NP/DDD/0619/0649. The application proposes to use Barn 2 as a holiday let ancillary to the permitted dwelling in Barn 1.
35. Policy DS1 outlines that in all settlements the conversion or change of use for housing, community facilities and business uses including visitor accommodation, preferably by re-use of traditional building, will be acceptable in principle.
36. The building subject to this application is a ‘traditional’ building as defined by Paragraph 3.30 of the Development Management Policies Plan, which states that a *‘traditional building is defined as a property built prior to 1919 with solid walls constructed of moisture permeable materials.’*
37. This building has historic vernacular merit and makes a positive contribution to the historic significance and character of the Conservation Area. The building is therefore considered to satisfy the requirements of Core Strategy Policies DS1 and RT2 and the principle of conversion to a holiday let is acceptable.
38. A planning condition can be attached to any grant of planning permission that the building be used as a holiday let or as ancillary accommodation.

Impact upon cultural heritage

39. This application proposes no external alterations to the building. The proposed development would therefore not be harmful to the character and appearance of the building, to its significance as a non-designated heritage asset, to its setting or to the Calver Conservation Area.
40. The proposal is therefore compliant with policies Core Strategy Policies GSP3 and L3, and Development Management Plan Policies DMC5, DMC8 and DMC10.

Impact on residential amenity

41. It is considered that the proposed use of the building as a holiday let would be unlikely to give rise to significant additional amenity issues, including noise or disturbance, over and above the permitted residential use of the building, given it would have restricted occupancy, by virtue of its size.
42. In addition, no new openings are proposed that would prejudice the neighbours’ privacy.
43. The proposed use is therefore considered not to significantly alter the existing situation in relation to the impact on amenity, privacy or security of any neighbouring properties

44. If this application were to be approved, the building would still remain ancillary to the approved dwelling and this can be secured by planning condition. As such, there are no concerns over the relaxation of the occupation restriction to enable it to be used as short-stay holiday accommodation.
45. The increased area of amenity space for Barn 1, would be unlikely to give rise to significant additional amenity issues.
46. The proposed development is therefore acceptable on residential amenity grounds and is considered to comply with Policy DMC3, DMR3 and DMH5, in this regard.

Highways and parking

47. The Highway Authority (HA) have raised the following objections to the application.
 - *Intensification of use of a substandard access onto the public highway. This is based on the previous HA concerns (see attached HA response to NP/DDD/0619/0649) which includes the wording 'Although the vehicle would be blocked in given that it is ancillary accommodation and that there is manoeuvring room within the site whilst not ideal it should not be a major issue from a highway point of view. Whilst a far from ideal situation, as previously indicated, there are no accidents associated with the access and subject to the provision of only a single dwelling with ancillary accommodation the Highway Authority does not consider that a recommendation of refusal would be sustainable.'*
 - *The use of 'Barn 2' as holiday accommodation contravenes Condition 3 of NP/DDD/0619/0649.*
48. The concerns raised by the HA are acknowledged and Officers agree the access to the property is substandard in terms of visibility existing the site onto High Street and therefore that any significant intensification of use could harm highway safety. The proposal to use Barn 2 as holiday accommodation ancillary to the use of Barn 1 would potentially be more intensive than sole use as ancillary accommodation but the intention is for the holiday let to remain ancillary to the main house to give the option to let to paying guests rather than be let a separate dwelling.
49. Therefore, while the use of the access may be more intensive it would not be significantly so compared to the permitted use. Officers therefore conclude contrary to the view of the HA that proposal would not result in any significant harm in terms of highway safety.
50. Calver Parish Council have raised an objection with regard to potential parking on the highway and the impact of this upon highway safety. It is noted that the HA have raised no objection to the application of the grounds of parking provision.
51. The proposed increase in the area of the site, to provide for an increase in the area of amenity space for Barn 1, would result in a loss of one parking space at the rear of the existing farm house. Nevertheless, the house, Barn 1 and Barn 2 would still be provided sufficient off-street parking meeting the standards adopted in Development Management policies.
52. It is considered that the loss of one parking space to the house, and the resulting possibility of on-street parking, when balanced against the improvement in the amenity space for the Barn 1, commensurate to size of the 3-bedroom property, would not result in significant harm to highway safety or the amenity of the area, which would warrant the refusal of the application.

53. Subject to a condition to ensure that the parking spaces shall be maintained free from impediment for the parking of cars, it is considered that there would adequate parking provision within the site.

54. The development is therefore in compliance with policy DMT3 and DMT8.

Other matters

55. The dwelling is an open-market and is not restricted to local occupation. As such, no significant weight can be afforded to the provision of affordable housing in this instance.

56. The proposed development would be constructed using local building materials, and sustainable building methods. This is considered commensurate to the scale of development and in accordance with policy CC1.

Conclusion

57. On the balance, the proposed use of Barn 2 as a holiday let is considered to be compliant with Core Strategy Policies DS1 and RT2 and DMC3 of the Development Management Plan.

58. It is recommended that planning permission be granted subject to a condition that restricts the use of the holiday accommodation to be used for no more than 28 days per calendar year by any one person in accordance with the requirements of Policy DMR3.

59. The proposal will not harm the character and appearance of the building, or its significance, as a non-designated heritage asset and will conserve the designated Conservation Area, in compliance with Development Management policies L3, DMC5, DMC8 and DMC10.

60. The proposal would not cause significant amenity or highway safety issues and complies with Development Management Policies DMT3 and DMT8, subject to the use of appropriate conditions.

61. The proposed development is not outweighed by any other material considerations which would indicate planning permission should be refused.

62. Given compliance with relevant policies, adopted supplementary planning guidance and the NPPF and in the absence of any further material considerations, the application is recommended for approval subject to conditions.

Human Rights

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

List of Background Papers (not previously published)

Nil

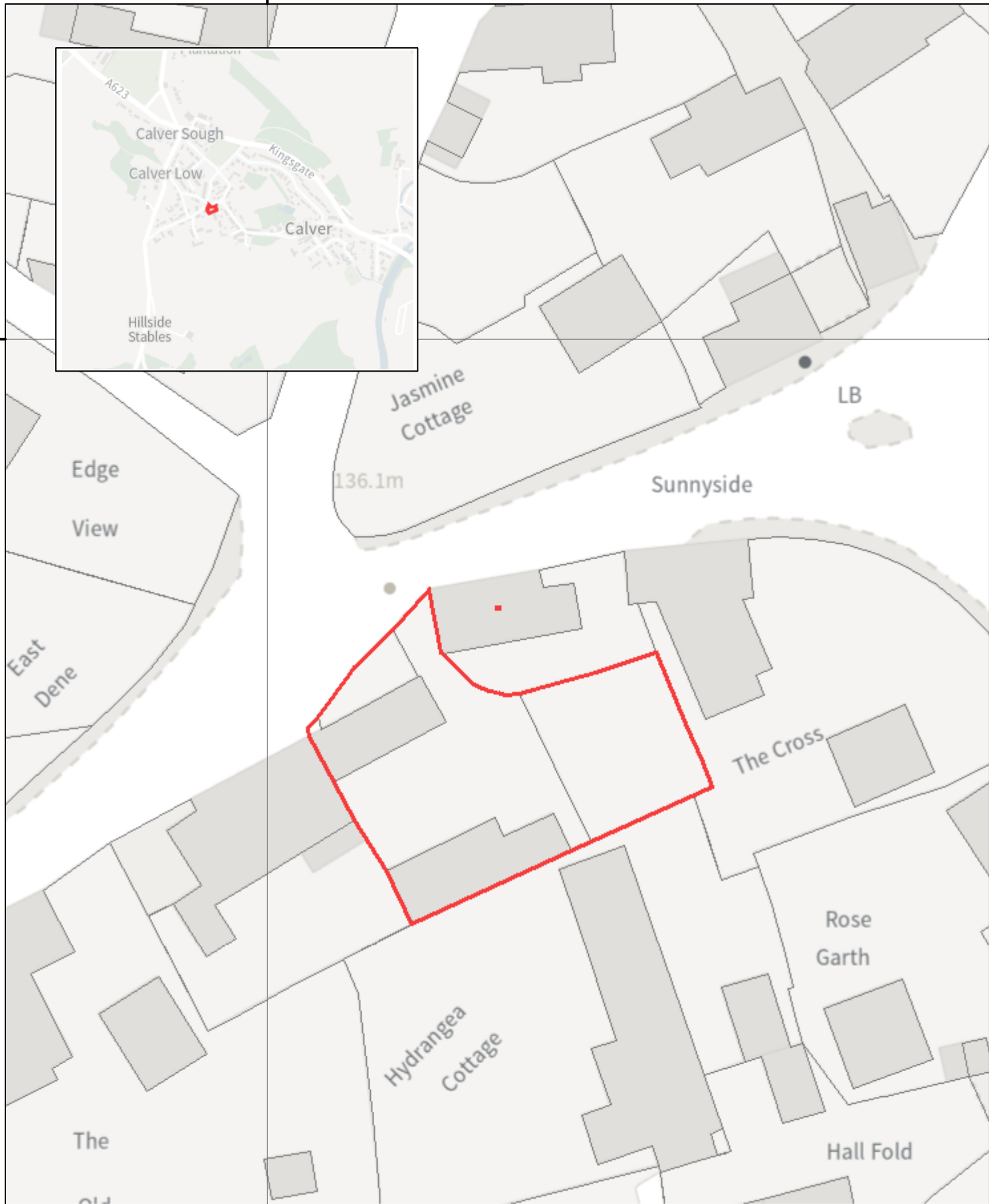
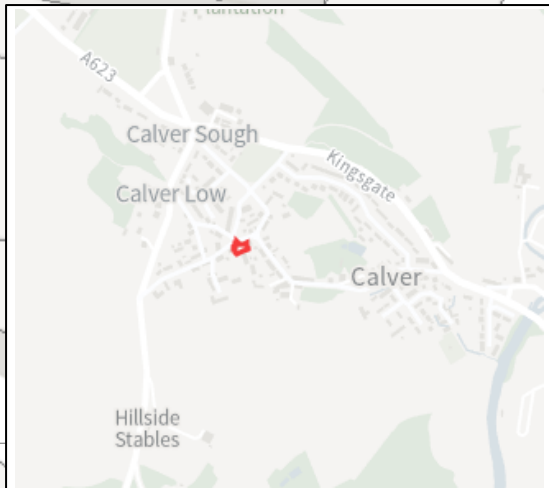
Report Author: Chris Briggs - Senior Planner - North Area Team

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Laneside Farm, High Street, Calver

Item no. 10
 Application no. NP/DDD/0824/0801
 Committee date: 15/11/2024

Page 74
 Scale: 1:413 at A4 pagesize
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11. FULL APPLICATION – NEW BUILDING TO FORM COVER OVER EXISTING STORAGE BINS (11,12 & 13) AT D S F REFRACTORIES & MINERALS LTD, FRIDEN, NEWHAVEN (NP/DDD/0924/0923, SC)

APPLICANT: D S F REFRACTORIES & MINERALS LTD

Summary

1. The application seeks planning permission to cover three existing storage areas within the confines of an industrial site at Friden Brickworks.
2. The proposed development is considered acceptable in scale, design and materials.
3. In addition, the development would raise no amenity concerns with regard to any neighbouring properties. Moreover, there would be no adverse impact on the wider locality or highway safety due to the location within an enclosed industrial site.
4. Consequently, the scheme is considered acceptable in accordance with National and Development Plan Policies, therefore recommended to members for approval, subject to appropriate conditions.

Site and Surroundings

5. DSF Refractories & Minerals, is a business specialised in refractory manufacture and mineral processing. The factory is located in Friden on a 6.6-hectare site, which includes offices, warehouses, kilns, grinding plant and other plant associated with the business.
6. Friden is located around 700 metres to the North of Newhaven, with the High Peak Trail running for around 350 metres along and adjacent to the western boundary of the site.
7. The nearest domestic dwelling is Friden Grange a grade II listed building, sited around 140 metres to the south-east of the development site.

Proposal

8. The scheme would involve the installation of a new steel framed building to cover three existing storage bins within the confines of the industrial yard area of the site.
9. The existing bins are currently used as outdoor storage for bulk and palletised product. The new building would provide dry storage for these products. This would directly support the businesses net-zero goals, enhancing environmental compliance, and reducing operational costs by:
10. Eliminating Drying Processes: Currently, bulk materials stored outdoors require drying before processing. Covered storage would ensure materials remain dry, eliminating this energy-intensive step and significantly reducing carbon emissions per tonne of product.
11. Minimising Dust: The covers would shield materials from wind, improving the ability to prevent dust dispersion. This aligns with the company's commitment to improving air quality.
12. Preserving Product Quality: Palletised goods stored outdoors are susceptible to weather related damage, necessitating repackaging. Covered storage would protect packaging, reducing waste and improving operational efficiency.

RECOMMENDATION:

That the application be **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 approved shall not be carried out otherwise than in complete accordance with the submitted plans, drawing numbers [2] 262.24 & [3] 262.64, subject to the following conditions and specifications.
- 3 The roofs and wall elevations as shown on the submitted plans shall be coloured to B.S. 5252, 18B29 Slate Blue at the time of installation and shall be permanently so maintained.
- 4 No external lighting other than in accordance with a scheme which shall have first been submitted to and approved in writing.

Key Issues

13. The principle of development, the potential impact on the appearance of the site and the locality, residential amenity and highway safety.

Relevant History

14. 2021 – (NP/DDD/0321/0282) - Canopies installed to cover existing storage areas – Granted.

Consultations

15. Highway Authority – No objections.
16. Parish Council – No response at the time of writing the report.
17. PDNPA Landscape – No objections, subject to the roof materials matching the existing in colour.

Representations

18. No third-party representations have been submitted during the course of the application.

Statutory Framework

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

21. In the National Park, the development plan comprises the Authority's Core Strategy and the new Development Management Policies (DMP). These Development Plan Policies provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application.
22. This application must be determined in accordance with the development plan unless material considerations indicate otherwise.

Core Strategy policies: GSP1, GSP2, GSP3, DS1, L1, CC1, E2

Development Management policies: DMC3, DME7, DME8, DMT3

National Planning Policy Framework (NPPF)

23. The National Planning Policy Framework (NPPF) is a material consideration. Development plan policies relevant to this application are up-to-date and in accordance with the NPPF and therefore should be given full weight in the determination of this application.
24. In particular Para: 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.
25. Whilst Para: 85 states that, planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, considering both local business needs and wider opportunities for development.
26. In this case, it is considered there are no significant conflicts between prevailing policies in the Development Plan and government guidance in the NPPF.

Development Plan Policies

Core Strategy

27. GSP1 requires that all development is consistent with the National Parks legal purpose and duty, to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Parks; Policy GSP3 sets out development management principles in line with GSP1.
28. GSP2 states that opportunities for enhancing the valued characteristics of the National Park will be identified and acted upon.
29. GSP3 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. GSP3 also specifically states that attention will be given to (k) adapting to and mitigating the impact of climate change, particularly in respect of carbon emissions, energy and water demand.
30. DS1 supports the development of renewable energy infrastructure in principle.
31. L1 seeks to ensure that all development conserves and enhances valued landscape character and sites, features and species of biodiversity importance.
32. CC1 sets out that development must make the most efficient and sustainable use of

land, buildings and natural resources. Development must also achieve the highest possible standards of carbon reductions.

33. E2 states is relevant for businesses in the countryside directing development to existing traditional buildings, in smaller settlements, farmsteads and groups of buildings in sustainable locations. For existing businesses E2 states that proposals to accommodate growth and intensification will be considered carefully in terms of their impact on the appearance and character of landscapes.

Development Management Policies

34. DMC3 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.
35. DME7 states amongst in the countryside development will be permitted where it is of a modest scale in relation to the existing activity and/or buildings, can be accommodated without harm to amenity or the valued character of the area, does not harm the site and landscape and proper consideration has been given to using or extending existing buildings.
36. DME8 states, that where development for employment purposes is acceptable in principle, it will only be permitted where every practicable means is used to minimise any adverse effects on the valued characteristics and amenity of the surrounding area, including visibility from vantage points.
37. DMT3 states that a safe access should be provided in a way that does not detract from the character and appearance of the locality and where possible enhances it.

Assessment

Principle of the development

38. Core Strategy Policy E2 – (*Business in the countryside*). States, that development in the countryside outside the Natural Zone and named settlements should be located in groups of buildings in sustainable locations.
39. Development Management Policy DME7 – (*Expansion of existing industrial and business development not involving farm diversification*). States amongst other things that the business is of a modest scale in relation to the existing activity and/or buildings.
40. The development would be located within the existing building group with access to a main highway and of a scale that would be commensurate with the existing infrastructure/buildings and the industrial business/activity of the site. The scale of the building would be small relative to the existing group and would cover an existing storage yard area.
41. The proposal therefore accords with policies E2 & DME7 in principle.

Siting, design and materials

42. Development Management Policy DME8 – (*Design, layout & neighbourliness of employment sites*). States, that where development for employment purposes is acceptable in principle, it will only be permitted where every practicable means is used to minimise any adverse effects on the valued characteristics and amenity of the

surrounding area, including visibility from vantage points.

43. The development is sited within the working yard area of the business and consists of three uncovered concrete walled storage areas, used for storing raw materials. The proposed new building would cover all three of these storage areas and would afford protection of the raw materials from the elements.
44. The new building would be constructed from a steel frame with steel box profile sheet cladding. The existing concrete walls which form the bays would be retained. The building as a whole would measure around 4.55m to the eaves with a 15-degree pitched roof. The roofing would include 10no. rooflights, allowing natural light into the space.
45. The Friden brickworks site has an industrial character and the proposed steel framed cover to the existing storage bins would not look out of place in this context. In addition, there would be no increase than already exists in the footprint of the built form, whilst the design and materials would reflect that of the existing buildings and the sites industrial use.
46. Regarding this and subject to the roofs and walling being coloured a slate blue, the development would be acceptable in siting, design and use of materials, in accordance with policies DMC3 & DME8 in these respects.

Potential Landscape impact of the development

47. Core Strategy Policy L1 – (*Landscape character and valued characteristics*) - Seeks to ensure amongst other things, that all development conserves and enhances valued landscape character and sites.
48. Due to the enclosed nature of the High Peak Trail, (where it runs alongside the brickworks western boundary) and the intervening buildings within the site, the visual impact from the trail is indiscernible, as is wider views from the main highway (A515) due to the intervening distance.
49. Consequently, it is considered the landscape impact of the development would be very limited, as it would be contained within the industrial yard area of the site, surrounded and adjacent to existing buildings.
50. With this regard, the development would have negligible impact on the wider locality outside of the industrial boundaries of the site, conserving the wider landscape character and according with policy L1 in particular.

Potential amenity issues

51. Development Management Policy DMC3 – (*Siting, Design, layout and landscaping*). Reiterates, that where developments are acceptable in principle, particular attention will be paid to the amenity, privacy and security of the development and other properties that the development affects.
52. In this instance, the nearest residential property is Friden Grange, sited around 140 metres to the south east of the site. Due to this degree of separation and the fact the development is within an existing and enclosed industrial site, it would have no impact beyond that of the existing business site, including the setting of the listed building.
53. Consequently, the proposed development would have no adverse impact or significantly harm the amenity of Friden Grange or any other residential properties in

the locality, therefore in accordance with policy DMC3 in these respects.

Highway matters

54. Development Management Policy DMT3 – (*Access and design criteria*). States amongst other things, that a safe access should be provided in a way that does not detract from the character and appearance of the locality and where possible enhances it.
55. There would be no further increase in site activity arising from the development and no changes would be required to the existing site access layout as a result of the proposal, with all pedestrian and vehicular movement remaining unchanged.
56. As the local Highway Authority have raised no objections, the proposed development is considered acceptable in Highway safety terms in accord with policy DMT3.

Environmental Management and sustainability

57. Core Strategy Policy CC1 – (*Climate change mitigation and adaption*). Sets out that development must make the most efficient and sustainable use of land, buildings and natural resources.
58. The submitted information states amongst other things, that the proposal would help reduce energy requirements with the large openings maximising natural ventilation, which would aid in drying the raw materials prior to manufacture.
59. Low energy light fittings and fixtures would be fitted, both internal and external should they be required. With construction materials and finishes to be locally sourced where possible. In addition, to capturing surface water drainage from roofs and other hard surfaces for use on site.
60. Subject to the above, the proposals would essentially follow the principles of policy CC1 in these respects.

Conclusion

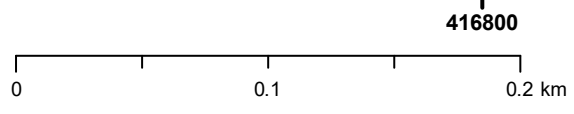
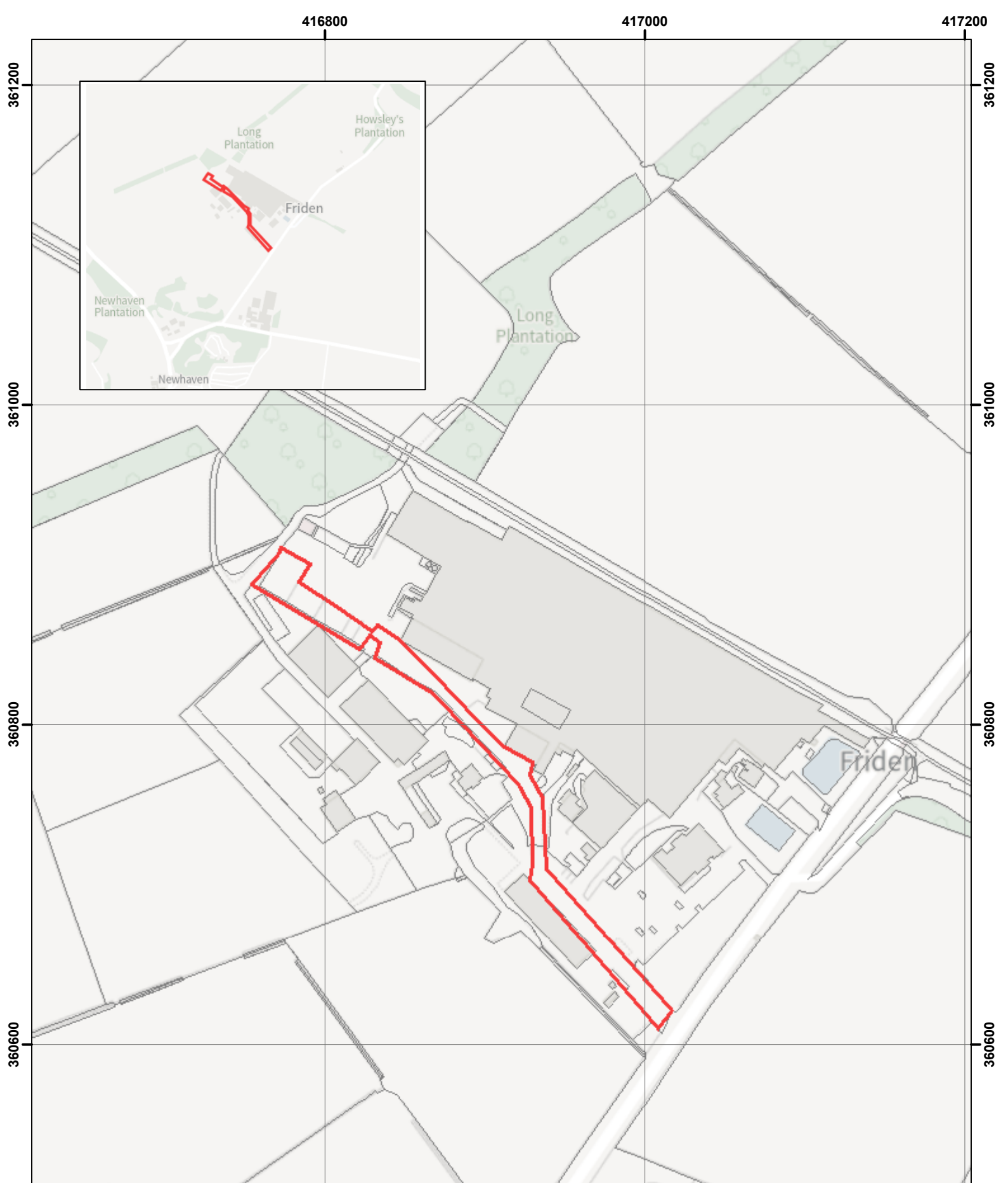
61. Due to the industrial application, the proposed development would be acceptable in scale, design and materials. In addition, due to the location within an enclosed industrial site, the development would present no wider landscape impact than already exists, whilst having no adverse effect on the amenity of any neighbouring properties or highway safety.
62. Consequently, the scheme is in accordance with the National and the Authority's Development Plan Policies, therefore recommended to members for approval, subject to appropriate conditions.

Human Rights

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

66. Report Author: Steve Coombes, South Area Planning Team.

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DSF Refractories & Minerals Ltd, Friden, Newhaven

Item no. 11
 Application no. NP/DDD/0924/0923
 Committee date: 15/11/2024

Page 81
 Scale: 1:3,000 at A4 pagesize
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12. 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>
20/0061 - ENF 3335115	Appeal against enforcement notice issued at The Bank House Bar & Restaurant, Hathersage for erection of a timber structure.	Written Representations	Delegated
NP/SM/1123/1403 3350201	Appeal against refusal of 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	Written Representations	Committee
20/0089 - ENF 3346264	Appeal against enforcement notice issued at Manor House, Little Hucklow for unauthorised heat pumps and timber fencing	Written Representations	Delegated
NP/SM/0224/0229 3350258	Construction of an agricultural barn and an additional roadside gated access at Blues Trust Farm, Marnshaw Head, Longnor	Written Representations	Delegated
NP/DDD/0324/0306 3351162	Proposed heightening of stone wall between garden and road from 1m to 1,82m at Lathkill View, Monyash	Householder	Delegated
NP/DDD/0224/0148 3348548	2 storey and single storey extension at 1 Horsedale, Bonsall	Written Representations	Delegated
NP/HPK/0923/1055 3351892	Proposed seasonal use of land for eco-camping, siting of 3no. bell tents and amenity facilities along with associated access, parking and landscaping at Land west of Edale Road, Barber Booth, Edale	Written Representations	Committee
NP/DDD/0224/0143 3352514	Conversion of out farm to dwelling at Hillcrest Barn, Pits Lane, Parwich	Written Representations	Committee
NPSM/0624/0619 3352218	S.73 Application for the removal or variation of Condition 8 on NP/SM/0224/0142 at Lower Damgate Farm, Stanshope	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/0623/0743 3342029	Retrospective planning consent for the retention of a shepherd's hut for tourist accommodation and for an ancillary washroom at Townend Lane, Waterfall, Waterhouses	Written Representations	Dismissed	Committee

The Inspector considered that the proposed holiday accommodation would not support farm diversification and there was no clear evidence that the new business use would remain subsidiary or secondary to the agricultural operation of the land. Whilst the proposal was to relocate the hut, it would still be visible from the adjacent public right of way as well as views within the wider landscape. The Inspector concluded that the proposal would conflict with the development management plan as a whole including the NPPF. The appeal was therefore dismissed.

NP/DDD/0523/0521 3330613	Retrospective planning consent for the erection of timber structures and platforms for use as holiday accommodation at Rocking Stone Farm, Birchover	Hearing	Allowed	Committee
ENF 22/0057/2 3336593	Enforcement Notice served regarding the carrying out of building and other operations to form independent residential use/use as holiday accommodation at Rocking Stone Farm, Birchover	Hearing	Allowed	Delegated

The Inspector considered that the development had been sensitively located and expertly designed and erected so had a minimal physical impact on the landscape due to the screening of the development by nearby trees so complied with DMR1C of the Development Management Policies. The Inspector therefore allowed the appeal and granted planning permission for the erection of a cabin and associated structures for short-term let holiday accommodation ancillary to Rocking Stone Farm. The enforcement notice was also quashed.

NP/HPK/0524/0523 3348846	New dark brown stained timber panel perimeter fence to dwelling boundaries with concrete posts at 4 Greenhead Park, Bamford	Householder	Dismissed	Delegated
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The Inspector considered that the proposal would represent an incongruous feature in the street scene, and would cause further harm to the character and appearance of the area. The proposal would also conflict with policies GSP1 and GSP3 of the Core Strategies and DMC3 of the Development Management Policy. The appeal was dismissed.

NP/DDD/0324/0236 3344694	Alterations and extension to existing garage at Stone Cottage, Baslow	Householder	Dismissed	Delegated
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The Inspector considered that the proposal would be harmful to the character and appearance of the existing building and to the area. The proposal also failed to comply with GSP3 and of the Core Strategy and DMC3, DMH8 of the Development Management Policies. The appeal was dismissed.

4. **RECOMMENDATION:**

To note the report.

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