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Peak District National Park Authority

Tel: 01629 816200

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

Web: www.peakdistrict.gov.uk

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



Our Values: Care – Enjoy – Pioneer

Our Ref: A.1142/5010

Date: 9 January 2025



NOTICE OF MEETING

Meeting: **Planning Committee**

Date: **Friday 17 January 2025**

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 15 November 2024** *(Pages 5 - 14)*
3. **Urgent Business**
4. **Public Participation**
To note any questions or to receive any statements, representations, deputations and petitions which relate to the published reports on Part A of the Agenda.
5. **Members Declarations of 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 Planning Application - Demolition of the existing structures to ground level, erection of a replacement dwelling with garage and associated landscaping, package treatment plant and other works incidental to the proposals, Bibury, Riddings Lane, Curbar (NP/DDD/1024/1053 CB)** *(Pages 15 - 26)*
Site Plan
7. **Full Planning Application - Installation of Horse Menage Comprising of Sand and Fibre Floor, Post and Rail Boundary Fence, Landscape Works and Associated Drainage at Watergates,, Pindale Road, Hope (NP/HPK/1124/1184)** *(Pages 27 - 38)*
Site Plan
8. **Full Planning Application - Proposed conversion and extension of historic barn for ancillary domestic use at Wheat Hay Farm, Shatton Lane, Shatton (NP/HPK/0924/1004, WE)** *(Pages 39 - 48)*
Site Plan
9. **Advertisement Consent Application - For an interpretation board at Marsh Farm, Castleton Road, Hope (NP/HPK/1024/1143, LC)** *(Pages 49 - 56)*
Site Plan
10. **Full Planning Application - Proposed replacement of two timber external doors to the campsite amenities building at North Lees Campsite, Birley Lane, Hathersage (NP/DDD/1124/1207, WE)** *(Pages 57 - 64)*
Site Plan
11. **Approval of the Hartington Town Quarter Parish Neighbourhood Development Plan for Consultation and Examination (EF)** *(Pages 65 - 74)*
Appendix 1
12. **Monitoring & Enforcement Quarterly Review - January 2025 (A.1533/AJC)** *(Pages 75 - 86)*
13. **Authority Solicitor Report - Planning Appeals (A.1536/AE)** *(Pages 87 - 90)*

Duration of Meeting

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

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

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

Agendas and reports

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

Background Papers

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

Public Participation and Other Representations from third parties

Please note that meetings of the Authority and its Committees may take place at venues other than its offices at Aldern House, Bakewell when necessary. Anyone wishing to participate at the meeting under the Authority's Public Participation Scheme is required to give notice to the Customer and Democratic Support Team to be received not later than 12.00 noon on the Wednesday preceding the Friday meeting. The Scheme is available on the website <http://www.peakdistrict.gov.uk/looking-after/about-us/have-your-say> or on request from the Customer and Democratic Support Team 01629 816352, email address: democraticandlegalsupport@peakdistrict.gov.uk.

Written Representations

Other written representations on items on the agenda, except those from formal consultees, will not be reported to the meeting if received after 12 noon on the Wednesday preceding the Friday meeting.

Recording of Meetings

In accordance with the Local Audit and Accountability Act 2014 members of the public may record and report on our open meetings using sound, video, film, photograph or any other means this includes blogging or tweeting, posts on social media sites or publishing on video sharing sites. If you intend to record or report on one of our meetings you are asked to contact the Customer and Democratic Support Team in advance of the meeting so we can make sure it will not disrupt the meeting and is carried out in accordance with any published protocols and guidance.

The Authority uses an audio sound system to make it easier to hear public speakers and discussions during the meeting and makes a live audio visual broadcast a recording of which is available after the meeting. From 3 February 2017 these recordings will be retained for three years after the date of the meeting.

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Please note meetings of the Authority and its Committees may take place at venues other than its offices at Aldern House, Bakewell when necessary, the venue for a meeting will be specified on the agenda. There may be limited spaces available for the public at meetings and priority will be given to those who are participating in the meeting. It is intended that the meetings will be either visually broadcast via YouTube or audio broadcast and the broadcast will be available live on the Authority's website.

This meeting will take place at Aldern House, Baslow Road, Bakewell, DE45 1AE.

Aldern House is situated on the A619 Bakewell to Baslow Road. Car parking is available. Local Bus services from Bakewell centre and from Chesterfield and Sheffield pick up and set down near Aldern House. Further information on Public transport from surrounding areas can be obtained from Traveline on 0871 200 2233 or on the Traveline website at www.travelineeastmidlands.co.uk Please note that there is no refreshment provision for members of the public before the meeting or during meeting breaks. However, there are cafes, pubs and shops in Bakewell town centre, approximately 15 minutes walk away.

To: Members of Planning Committee:

Chair: P Brady
Vice Chair: V Priestley

M Beer	Ms R Bennett
M Buckler	M Chaplin
B Hanley	A Hart
L Hartshorne	I Huddleston
D Murphy	K Potter
K Richardson	K Smith
J Wharmby	

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 15 November 2024 at 10.00 am

Venue: Aldern House, Baslow Road, Bakewell

Chair: **V Priestley**

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

Apologies for absence: P Brady, A Hart, K Potter and K Richardson

As the Chair was absent due to illness the Vice-Chair, Ginny Priestley, took the Chair.

120/24 MINUTES OF PREVIOUS MEETING HELD ON 11 OCTOBER 2024

The minutes of the last meeting of the Planning Committee held on 11 October 2024 were approved as a correct record.

121/24 URGENT BUSINESS

There was no urgent business.

122/24 PUBLIC PARTICIPATION

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

123/24 MEMBERS DECLARATIONS OF INTERESTS

Item 7

All Members of the Planning Committee had received an email from the Agent.

Cllr Chaplin, being a Member of Sheffield City Council, declared a pecuniary interest in Item 7 which related to an application on the Sheffield City boundary. Cllr Chaplin had not been involved in any prior discussion regarding this application nor knew the Applicant.

Item 8

All Members of the Planning Committee had received an email from the Applicant.

Item 9

Cllr Chaplin, being a Member of Sheffield City Council, declared a pecuniary interest in Item 9 which related to an application on the Sheffield City boundary. Cllr Chaplin had not been involved in any prior discussion regarding this application nor knew the Applicant.

124/24 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)

Some Members had visited the site the previous day.

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

One late representation had been received however it had no impact on the recommendations in the report.

The following spoke under the public participation at meetings scheme:

- Hugh Wright – Objector
- Adam Place – Agent

Members raised concern that this development had commenced without any planning permission nor had pre-application advice been sought for this application.

The Planning Officer clarified why Core Strategy Policies HC1 and HC4 were applied to this application.

There was a question regarding why the site would be exempt from Biodiversity Net Gain control and this is because less than 25m² of habitat or 5m of linear habitat would be affected.

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

RESOLVED:

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.**

125/24 FULL APPLICATION - CONVERSION OF BARN 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)

Some Members had visited the site the previous day.

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

The following spoke under the public participation at meetings scheme:

- Caroline McIntyre – Agent

It was noted that negotiations to improve the design had taken place with the applicant and the agent which have resulted in significant improvement in the design.

There was a question regarding the ecology and diversity points in paragraphs 102, 103 and 104 and if condition 17 picks up the mitigation measures and it was confirmed that condition 17 does cover these points. The ecology report has been assessed by the PDNPA Ecologist and paragraph 31 of the report reflects this. It was confirmed that the Barn Nesting Space has been designed to accommodate both Barn Owls and Swallows and the mitigation required to precisely meet those requirements.

It was noted that there had been many objections received to this application and Members queried whether five dwellings would constitute too much development of the hamlet setting with the additional traffic and parking required for five units. With the creation of five units the resultant impact on climate change was discussed and it was suggested that larger units would be more suitable for families, smaller units would be more likely to become second homes or holiday accommodation. It was acknowledged that the proposed five open market smaller units would be more affordable than three larger units.

Cllr Buckler left the meeting at 11.00am.

There did not appear to be any reference to rainwater goods in the proposed conditions. It was noted that Ughill is 1.6km south west of Lower Bradfield and not 16 km as stated in

paragraph 7 of the report. The track surface leading to the farm yard would be a rural farm track with gated access set back from the road.

A motion to restrict the number of units to be developed to three dwellings was moved but not seconded.

A motion to approve the application with an additional condition to cover rainwater goods, was proposed, seconded, voted on and carried.

RESOLVED:

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.
22. Installation of rainwater goods to be in full accordance with details which shall first have been submitted to and approved in writing by the National Park Authority.

126/24 FULL APPLICATION - DEMOLITION OF EXISTING BUILDING AND ERECTION OF RURAL WORKERS DWELLING. WHITE PARK BARN, ALSOP ROAD, PARWICH (NP/DDD/0424/0361, SC)

Some Members had visited the site the previous day.

The Planning Officer presented the report and outlined the reasons for refusal as set out in the report. The proposed dwelling differs from the latest plans that have been submitted which shall require re-consultation. A late representation from the NFU had been received in support of the application which considered there was a functional need for the property.

The following spoke under the public participation at meetings scheme:

- Cllr Nigel Edwards-Walker – Supporter
- Sir Richard Fitzherbert – Support – Statement read out by Democratic Support
- Ben Chadfield – Applicant
- Andrew Large – Agent

Members noted the location of the proposed building and queried why the building would not be sited on the farmyard and closer to existing buildings rather than in open countryside. It was explained this is because the farmyard is used for manoeuvring the farm vehicles and there would be separate access to the new home along with significant

screening of the new build which would be well hidden from the highway. An existing ROW would be close to the new build and the new access planned. Members agreed that this was a genuine business need but were concerned for the future requirements of the farm and the potential for more farm buildings to be needed.

A motion to approve the amended application following re-consultation and with a section 106 Agreement, along with conditions to be added by the Planning Officer, contrary to Officer recommendation, was moved, seconded and voted on.

The vote was tied and the Chair used her casting vote for approval and therefore the motion was carried.

11:45am Cllr Buckler returned to the meeting.

RESOLVED:

That the application be APPROVED subject to re-consultation to be carried out on the amended plans and subject to any adverse responses being discussed with the Chair and Vice Chair and subject to prior entry into a planning obligation under S.106 to tie the land and buildings and subject to the following conditions:

- 1. The development hereby permitted shall be begun within 3 years from the date of this permission.**
- 2. The development hereby permitted shall not be carried out otherwise than in complete, accordance with the Amended Plans subject to the following conditions.**
- 3. The occupation of the dwelling shall be limited to a person solely or mainly employed in the locality in agriculture as defined in Section 336 of the Town and Country Planning Act 1990, or in forestry, or to the same occupants when they have stopped such work, or a widow or widower of such a person, and to any resident dependants.**
- 4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order), no ancillary outbuildings or other structures incidental to the enjoyment of the dwelling shall be erected.**
- 5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order), no extensions or alterations to the newly-built dwelling shall be carried out.**
- 6. Notwithstanding the approved plans, the external walls of the dwelling hereby permitted shall be natural limestone (including any quoins, surrounds or coping stones). Prior to the erection of the external walls of the new dwelling a sample panel of coursed limestone at least 1.0 metre square shall be constructed on the site.**

The National Park Authority shall be informed on the completion of the sample panel which shall then be inspected and approved in writing by the National Park Authority. Once approved, all subsequent walling shall match the sample panel in terms of stone colour, size, texture, coursing and

pointing, subject to whatever reasonable modifications may be specifically required in writing by the Authority. If necessary the Authority shall request the construction of another sample panel incorporating the required modifications.

7. Prior to the insertion of the windows and doors, full details of their precise design, including any glazing bar detail and external finish/treatment shall be submitted to and approved in writing to the National Park Authority. Once approved the development shall be carried out in accordance with these details.
8. All window and door frames shall be recessed a minimum of 100mm from the external face of the wall.
9. The roofs of the new dwelling shall be clad in Natural Blue Slate and permanently so maintained.
10. The rainwater goods shall be black. The gutters shall be fixed directly to the stonework with brackets and without the use of fascia boards. There shall be no projecting or exposed rafters.
11. All pipework, other than rainwater goods, shall be completely internal within the building.
12. The solar panels and framework shall be coloured black and permanently so maintained.
13. Prior to the occupation of the dwelling, a scheme for the conveyance of foul drainage to a private treatment plant shall be submitted to and approved by the National Park Authority. Once approved the development shall be carried out in accordance with these details.
14. All new service lines associated with the approved development, and on land with the applicant's ownership and control, shall be placed underground and the ground restored to its original condition thereafter.
15. Any lighting scheme required shall first be submitted to and approved in writing by the National Park Authority. Once approved the scheme shall then be carried out in full accordance with the specified and approved details.
16. The development hereby permitted shall not be brought into use until the access drive has been resurfaced in a bound and porous material for a minimum distance of 5m back from the carriageway edge in accordance with details to be submitted and agreed in writing by the National Park Authority. Once approved the access shall be surfaced in full accordance with the approved details.
17. The development hereby permitted shall not be brought into use until the parking and turning areas have been provided in accordance with the approved plans. The parking and turning areas shall thereafter be retained unobstructed as parking and turning areas for the life of the development.

18. The submitted climate change mitigation measures shall be fully implemented before the dwelling is first brought into use and then retained for the lifetime of the development.

19. No development shall commence until details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority.

The meeting was adjourned from 12 noon until 12.10pm following consideration of this item.

127/24 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)

The Planning Officer presented the report and outlined the reasons to formally decline to determine this application as set out in the report.

The following spoke under the public participation at meetings scheme:

- Dominic Waugh – Supporter

A motion for the Authority to decline to determine the retrospective planning application was moved, seconded, voted on and carried.

RESOLVED:

That the Authority DECLINED 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.

128/24 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)

Some Members had visited the site the previous day.

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

The following spoke under the public participation at meetings scheme:

- Nick Hawnt – Applicant

Members asked whether there was a condition in the original application relating to external lighting and if not then such a condition should be included in this application.

A motion to approve the application, with an additional condition relating to outside lighting, was proposed, seconded, voted on and carried.

RESOLVED:

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.**
- 11. No external lighting except in accordance with details that shall first have been submitted to and approved in writing by the National Park Authority**

129/24 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)

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

It was noted that this application was classified as a major development and therefore was referred to committee for a decision to be made. There was a question regarding the

provision for rainwater goods and if there was a condition covering this, if not then one should be included. It was explained that solar panels were not part of the application and that the proposed cover for existing storage would not consume energy during use. Solar panels would be welcomed in principle but any subsequent application to install solar panels would require consultation.

A motion to approve the application with an additional condition to cover rainwater goods, was moved, seconded, voted on and carried.

RESOLVED:

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.**
- 5 Installation of rainwater goods to be in full accordance with details which shall first have been submitted to and approved in writing by the National Park Authority.**

130/24 AUTHORITY SOLICITOR REPORT - PLANNING APPEALS (A.1536/AE)

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

Members raised concern regarding the decision for appeal number 3330613 which had been allowed and requested that their concerns be conveyed to the Head of the Planning Inspectorate as they were worried about the judgement made. This would be raised with the Head of Planning.

RESOLVED:

To note the report.

The meeting ended at 12.45 pm

6. FULL APPLICATION – DEMOLITION OF THE EXISTING STRUCTURES TO GROUND LEVEL, ERECTION OF A REPLACEMENT DWELLING WITH GARAGE AND ASSOCIATED LANDSCAPING, PACKAGE TREATMENT PLANT AND OTHER WORKS INCIDENTAL TO THE PROPOSALS AT BIBURY, RIDDINGS LANE CURBAR (NP/DDD/1024/1053, CB)

APPLICANT: MR & MRS REA

Summary

1. This application seeks planning permission retrospectively for the demolition of the existing dwelling and for the proposed erection of a replacement dwelling.
2. The design of the proposed replacement dwelling would result in a dwelling which relates well to its immediate setting and would result in significant enhancements required to justify the erection of a market dwelling in this location.
3. The application is acceptable in principle and the proposal is considered to accord with relevant policies. The application is therefore recommended for approval.

Site and Surroundings

4. The application site is the former dormer bungalow known as Bibury which is located on the west side of Riddings Lane, north of the hamlet of Curbar and south of Froggatt.
5. The site stands on land which falls to the west with the river Derwent forming the rear boundary, around 60m from the rear elevation of the building. A Public footpath WD28/13 runs along the east bank of the river Derwent, to the rear of the site.
6. The site sits significantly below the level of Riddings Lane. The access is located at the north-east corner of the site. The site contains the partly demolished dwelling and a large detached garage which sits behind the roadside boundary wall and due to the lower site only its roof is visible above the boundary wall.
7. The immediate area is characterised by low density mid-20th century large dwellings set in large plots. The adjoining properties have similar front and rear building lines.

Proposal

8. The demolition of the existing bungalow and erection of a two-storey four-bedroomed open market dwelling with a link detached garage with room above forming a fifth guest bedroom.
9. The informal pre-application advice given encouraged an approach which reflects the local building tradition.
10. The dwelling would be faced in coursed natural gritstone. Ashlar gritstone is proposed for window and door surrounds, with the roof to be clad in natural slate.
11. The replacement dwelling would be larger in height and volume than the original building.
12. The main element would be two storeys with a single storey element on the north elevation and would broadly occupy the same footprint as the existing dormer bungalow. A link detached garage would be located on the south elevation. The rear elevation would have a flat roofed canopy located between a two-storey gable and a single storey gable. To the rear of the property would be a raised terrace area.

13. The submitted Climate Change Statement advises that the building would feature sustainable building materials, in addition to utilising sustainable and highly efficient fixtures. The application also proposes the use of PV panels, an Air Source Heat Pump and a MVHR (mechanical ventilation with heat recovery) system.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions:

- 1. Statutory limit for commencement.**
- 2. In accordance with specified amended plans.**
- 3. Submission and approval of materials, design details for dwelling and approval of specification for solar panels and air source heat pump.**
- 4. Submission and approval of landscaping scheme, including tree-planting, walling and hard surfacing. Implementation of landscaping and parking and turning areas.**
- 5. Submission and approval of external lighting scheme.**
- 6. Foul sewerage to package treatment plant to be installed in accordance with details to be submitted and approved.**
- 7. Submission and approval of biodiversity enhancement measures (non-statutory).**
- 8. Submission and approval of Construction Management Plan.**
- 9. Solar photovoltaic panels, air source heat pump and mechanical ventilation system to be installed and operational before the first occupation of the dwelling.**
- 10. Withdraw permitted development rights for alterations, extensions and ancillary buildings, boundary walls and fences.**
- 11. Retain garages for garaging and storage**

Key Issues

- Whether the development is acceptable in principle.
- Design, layout and impact on the landscape
- Whether the proposed development would deliver significant overall enhancement to the valued character and appearance of the site itself, and the surrounding built environment and landscape.
- Whether the development is acceptable in all other respects.

History

14. 2023 - Proposed car port extension to existing garage - NP/DDD/1123/1369 - Granted conditionally.
15. 2023 - Proposed front gable extension to existing porch. Amended scheme to approved application NP/DDD/0223/0125 (NP/DDD/0823/0907) – Granted conditionally.

16. 2023 - Single storey rear extension, revised rear terrace, revised rear elevation & extended rear dormer. (NP/DDD/0223/0125) – Granted conditionally.

Consultations

17. Highway Authority – No objection to the proposed development subject to a condition and an informative note.

18. Curbar Parish Council – Objected to the submitted scheme for the following reasons;

- *the proposed design does not conform to the Peak Park design guide, including the treatment of roofs and elevations.*
- *concern over the increase in footprint, specifically the additional double garage and breadth.*
- *prominent site highly visible from a popular footpath*

The Parish Council have been re-consulted on the amended plans.

19. Derbyshire Dales district council – no response.

Representations

20. One representation in support of the proposal was received during the determination of the planning application for the following reasons;

- *the proposed building sits well in its context and is still modest within the generous sized plot.*
- *the design approach will be a significant enhancement over the former and existing situation which is currently an eyesore.*
- *the use of materials is in keeping with the area*
- *welcome the renewable technology.*

National Planning Policy Framework

21. 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.

22. In the National Park, the development plan comprises the Authority's Core Strategy 2011 and the Development Management Policies (DMP), adopted May 2019. These Development Plan Policies provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. In this case, it is considered there are no significant conflicts between policies in the Development Plan and the NPPF.

23. Paragraph 139. Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design 54 , taking into account any local design guidance and supplementary planning documents which use visual tools such as design guides and codes. Conversely, significant weight should be given to:

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

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

24. Paragraph 189. Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes 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. 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.

Relevant Development Plan Policies

Core Strategy

25. GSP1 - *Securing National Park Purposes and sustainable development*. States that planning applications should secure National Park purposes and sustainable development. It outlines that policies must be read in combination and all development shall be consistent with the National Park's legal purposes and duty. Where there is an irreconcilable conflict between the statutory purposes, the Sandford Principle will be applied and the conservation and enhancement of the National Park will be given priority.

26. GSP2 - *Enhancing the National Park*. 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. They should not undermine the achievement of other Core Policies.

27. 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.

28. DS1 - *Development Strategy*. Sets out that most new development will be directed into named settlements. The site is not within a DS1 named settlement.

29. HC1 - *New housing*. Provision will not be made for housing solely to meet open market demand. Housing land will not be allocated in the development plan. Exceptionally, new housing (whether newly built or from re-use of an existing building) can be accepted where:

A) It addresses eligible local needs:

- i) for homes that remain affordable with occupation restricted to local people in perpetuity; or
- ii) for aged persons' assisted accommodation including residential institutions offering care, where adequate care or assistance cannot be provided within the existing housing stock. In such cases, sufficient flexibility will be allowed in determining the local residential qualification to consider their short-term business needs whilst maintaining local residency restrictions for the long term.

- B) It provides for key workers in agriculture, forestry or other rural enterprises in accordance with core policy HC2.
- C) In accordance with core policies GSP1 and GSP2:
 - i) it is required in order to achieve conservation and/or enhancement of valued vernacular or listed buildings; or
 - ii) it is required in order to achieve conservation or enhancement in settlements listed in core policy DS1.

Any scheme proposed under CI or CII that is able to accommodate more than one dwelling unit, must also address identified eligible local need and be affordable with occupation restricted to local people in perpetuity, unless:

- i) it is not financially viable, although the intention will still be to maximise the proportion of affordable homes within viability constraints; or
 - ii) 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.
30. 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.
31. Policy CC1 - *Climate change mitigation and adaption* - states that development must make the most efficient and sustainable use of land, buildings and natural resources.

Development Management Policies

32. 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.
33. 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.
34. Policy DMH9 – Replacement dwellings. States that the replacement of a dwelling will be permitted provided that the existing dwelling is not of heritage or local landscape value. All proposed replacement dwellings must enhance the valued character of the site itself and the surrounding built environment and landscape, reflecting guidance provided in adopted guidance. Larger replacement dwellings should demonstrate significant overall enhancement to the valued character and appearance of the site itself, the surrounding built environment and landscape. In all cases the replacement dwelling must not create an adverse impact on neighbours’ residential amenity. In all cases the replacement dwelling must exhibit high sustainability standards.
35. Policy DMT3 emphasises the importance of safe access to developments.

36. Policy DMT8 – Residential off-street parking. States off-street car parking for residential development should be provided unless it can be demonstrated that on-street parking meets highway standards and does not negatively impact on the visual and other amenity of the local community. This should be either within the curtilage of the property or allocated elsewhere.

Design Guide.

37. Paragraph 2.18 of the Design Guide states *‘it is preferable to find a design solution which reflects or reinterprets the local tradition and is also a product of our time....New modern buildings often fail in design terms when their designers are more intent on current architectural fashion than respecting the context they are working within’.*
38. The Design Guide states *“there are still some basic principles that need to be respected if the new is to harmonise successfully with the old. These relate to the three main characteristics of traditional elevations:*
- *A balance of proportions between the overall shape of the walls and the openings they contain.*
 - *A high solid to void ratio in which the wall dominates.*
 - *A simple arrangement of openings, usually formal (often symmetrical) in the case of houses, and informal in the case of outbuildings”.*

Assessment

Principle of development

39. The former dwelling was not a heritage asset being a 3 bedroomed dormer bungalow and therefore policy DMH9 allows for the erection of a replacement dwelling subject to specific criteria. The proposed replacement is a 5 bedroomed house and being larger than the former, policy requires that the replacement results in a significant enhancement of the site, surrounding built environment and landscape. The principle of a replacement dwelling is therefore acceptable, but only if the proposal meets the criteria set out in policy DMH9 and in other relevant local policies.

Design and impact on the landscape

40. The main element of the proposed replacement dwelling would be two-storey with a lower single storey section on the north gable. Whilst the front elevations are flat to reflect the local tradition, on the rear elevation there are two projecting gables. One is two storey and the other single storey and between the two is a flat roof canopy providing partial covering over the rear terraced area and shading to the SW facing full height glazed doors. From the southern gable of the main house a short single storey flat roofed link would connect the main house to a new one and a half storey high double garage with guest bedroom above.
41. The house would be constructed from natural gritstone under a natural blue stone slate roof. Its frontage width would measure 22.5m, the height to eaves would measure 5m, the height to ridge would measure 7.5m and it would be 9.3m in depth.
42. In comparison, the previous dwelling measured 24m in width, the height to eaves measured 2.5m, the height to ridge measured 5m, with a depth of 10.3m.
43. Since submission of the application, revisions to the design have been agreed with the applicant to provide a less contemporary, less suburban development. These revisions are considered to improve the scheme. The key changes include:

- width of two storey element reduced and the ridge lowered
 - roof of side extension amended
 - glazed balustrades on raised platform removed
 - fenestration amended to give higher solid to void ratio.
 - high sustainability standards demonstrated
44. Whilst the replacement dwelling is larger than the current dormer bungalow, the use of the mixed two and single storey form now better reflects the local building tradition for two storey houses. Coupled with the improved fenestration the proposed dwelling would be of a scale, massing, layout and design that is acceptable and resulting in the proposal relate well to its immediate surrounding.
45. The proposed replacement dwelling complies with design policy DMC3 and is in accordance with supporting design guidance.

Whether the proposed development achieves significant enhancements

46. Policy DS1 does allow for other development in the countryside which is required to achieve conservation or enhancement of the National Park. Policy GSP2 states that opportunities for enhancing the valued characteristics of the National Park will be identified and acted upon. It goes on to state that 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*.
47. Policy GSP2.D outlines that opportunities will be taken to enhance the National Park by the treatment or removal of undesirable features or buildings.
48. When considering whether a development would result in ‘significant overall benefit’ to the National Park, this should be viewed in the context of the National Park’s first purpose.
49. As the replacement dwelling is larger than the current property, Part C of policy DMH9 is most relevant. This requires the replacement dwelling to demonstrate *‘significant overall enhancement to the valued character and appearance of the site itself, and the surrounding built environment and landscape’*.
50. As noted earlier in the report, the former dormer bungalow was considered not to possess any cultural heritage significance, or specific architectural or aesthetic significance and provided no contribution to the surrounding built environment or landscape character it sits within.
51. Furthermore, the current partially demolished condition of the building has a detrimental impact on the wider landscape and significant enhancement can in principle be achieved.
52. The proposed development is considered to exhibit high sustainability standards, to meet the requirement of DMH9 E, particularly with regard to the use of solar panels energy producing /saving systems, including an Air Source Heat Pump (ASHP) and a mechanical ventilation with heat recovery system (MVHR).
53. The key issue is however Part C of DMH9 and whether the replacement dwelling meets the high bar of achieving ‘significant enhancement’ to the valued character and appearance of the site itself, and the surrounding built environment and landscape, and would deliver enhancement to the National Park’s special qualities, through the siting of an appropriately designed, scaled and sustainable dwelling.

54. The amended design although larger has a simplified form compared to the former bungalow and the stepped two and single storey forms breaks what would otherwise be an overlong two storey form and scale. This improved form now reflects the local traditional for predominantly two storey houses with subservient elements confined to the rear and side.
55. Whilst greater reductions in length and scale were sought the agent and applicant were unwilling to go further citing the need to make use of existing foundations where possible and achieve a scale of development that would make the scheme viable for the applicant taking into account the demolition and rebuilding costs. Nevertheless, Officers consider that the significant improvement to the form and design details of the replacement dwelling represent sufficient enhancement to the built form and local landscape impact such that the removal of the building and replacement with the new dwelling would be in accordance with Part C of policy DMH9.
56. Accordingly, the proposed development complies with policies DS1, GSP2, L1 and DMH9 C.

Impact on amenity

57. Given the relative separation of the site from the adjacent dwellings, Woodlands to the north and Brackenburn to the south (itself a replacement dwelling) it is considered that the development would not result in harm to the amenity of these closest residential occupiers, through either overlooking, overshadowing or loss of privacy.
58. The amenity space of the property would be to the west, and would not have an impact on the residential amenity of any neighbouring properties.
59. The proposal therefore accords with policies GSP3, DMC3 and Part D of DMH9.

Impact on Highway

60. The Highway Authority raises no objection, subject to a condition requiring a CMP and an informative note.
61. The proposed development would have sufficient off-street parking to serve the 5-bedroomed property. The proposal is considered not to give rise to any concerns about the scale of vehicular use of the access.
62. Given the previous residential use of the site, it is unlikely that the replacement of the existing building with a new dwelling would raise any highway safety concerns.
63. Therefore, the development is acceptable on highway amenity and safety grounds subject to an appropriate planning condition.

Sustainable building and climate change

64. Policy CC1 and the NPPF requires development to make the most efficient and sustainable use of land, buildings and natural resources, taking account of the energy hierarchy to achieve the highest possible standards of carbon reductions and water efficiency.
65. The application provides a Climate Change Statement. The statement sets out how the proposed dwelling would meet the requirements of policy CC1 and our adopted Supplementary Planning Guidance 'Climate Change and Sustainable Building'.
66. The proposed development is also required to exhibit 'high sustainability standards', as required by part E of policy DMH9.

67. The application explains that the scheme is designed to produce a highly sustainable new dwelling, which would include the following measures;

- The proposed development would be constructed using local building materials, sustainable building methods
- The statement also sets out other details which would help to make the new buildings sustainable in terms of energy use.
- solar panels would be located on the rear roof slope and other energy producing /saving systems, including an Air Source Heat Pump and a MVHR (mechanical ventilation with heat recovery) system.

68. These measures are considered commensurate to the scale of development. Given the above, the proposed development is therefore considered to exhibit 'high sustainability standards', as required by part E of policy DMH9. The proposal is also considered to meet the requirements of policy CC1.

Ecology

69. The proposed development would not impact upon protected species, their habitat or designated sites. The development is exempt from statutory BNG as a self-build dwelling. However, if permission were granted there are opportunities for biodiversity enhancements to be incorporated into the built fabric for bats and birds and for the curtilage to be managed to benefit biodiversity in accordance with the normal requirements of policies L2 and DMC11. This can be secured by planning condition.

Other matters

70. It is recommended that if this application is approved, the details of the package treatment plant, be reserved by condition, in order to mitigate any potential adverse impacts to the water environment.

Overall planning balance

71. In the overall planning balance, the proposed design reflects the local building tradition for dwellings, and its scale, form, materials and appearance are acceptable.

72. The proposal would result in significant enhancements to the valued character and appearance of the site itself, and the surrounding built environment and landscape and to the special qualities of the National Park. These material planning considerations weigh in favour of the proposed development.

Conclusion

73. The proposed replacement dwelling in this location would be of a scale, form and detailed design which respects the local building tradition and the Authority's design guidance.

74. The proposed dwelling would not have a harmful impact on the character of the site and its setting. The proposal adequately addresses the requirements of policy DMH9 and would result in significant enhancements to the special qualities of the National Park.

75. For the reasons set out above, it is considered that the proposal is in accordance with Core Strategy policies DS1, CC1, GSP1, GPS2, GSP3, HC1, L1 and Development Management Policies policies DMC3, DMH6, DMH9.

76. Therefore, the application is recommended for approval subject to conditions.

Human Rights

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

78. List of Background Papers (not previously published)

79. Nil

Report author: Chris Briggs, North Area Senior Planner



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Bibury, Riddings Lane, Curbar

Item no. 6
 Application no. NP/DDD/1024/1053
 Committee date: 17/01/2025

Page 25
 Scale: 1:600 at A4 pagesize
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7. FULL PLANNING APPLICATION – INSTALLATION OF HORSE MENAGE COMPRISING OF SAND AND FIBRE FLOOR, POST AND RAIL BOUNDARY FENCE, LANDSCAPE WORKS AND ASSOCIATED DRAINAGE AT WATERGATES, PINDALE ROAD, HOPE (NP/HPK/1124/1184)

APPLICANT: MS JANE BRAMWELL

Summary

1. The application seeks permission for the installation of a 20m x 40m horse menage on land to the south of Hope, accessed via a private track which connects with Pindale Road to the east.
2. The menage bounds the rear gardens of residential properties to the north, however is around 35m and 85m respectively to the west of small stable structures and the nearest residential property Watergates with which it is associated.
3. Officers consider the siting of the menage has a poor association with the surrounding built form as it would be located some distance from the associated building group to the east and would comprise a large and incongruous form of development within the landscape setting to the south of Hope. It would therefore have an unacceptable design by virtue of its siting, size and relationship with the settlement and would unacceptably impact the landscape character to the south of Hope.
4. The Authority's Tree Officer has confirmed they are unable to assess the application without a suitable Arboricultural Impact Assessment in order to understand the impact of the menage on trees immediately to the north. The application therefore fails to provide sufficient information to enable an assessment of the impact of development on trees.
5. The Authority's Archaeologist has also raised concerns regarding the absence of a suitable Desk Based Assessment to consider the potential archaeological interest of the site and its relationship with the Hope Motte Scheduled Monument.
6. The proposed development therefore conflicts with the Authority's policies in relation to design, landscape, the siting of riding facilities, the historic environment and trees.
7. The application is therefore recommended for refusal.

Site and Surroundings

8. Watergates is a residential property located to the west of Pindale Road, Hope and accessed via an existing private track. To the west of Watergates and beyond a small tributary which leads to Peakshole Water are open fields, where the menage is proposed to be sited.
9. The fields are bounded to the north by vegetation and the rear gardens of dwellings along Castleton Road. Around 40m south of the proposed menage is Peakshole Water.
10. A track and two small structures are located in the north east field and are used to provide access to the field and in connection with the keeping of donkeys and miniature horses by the applicant.
11. The site lies within the valley farmlands with villages landscape character type. Hope Conservation Area is approximately 70m east of the proposed menage, whilst the Scheduled Monument Hope Motte is around 150m to the east.
12. An oil pipeline route extends across the fields further south of the siting of the proposed menage.

13. A Public Right of Way (PRoW) (HP16/7) runs further to the south beyond Peakshole Water.

Proposal

14. The application proposes an extension to the existing field track and installation of a horse menage with associated fencing and landscaping.

RECOMMENDATION:

That the application be REFUSED for the following reasons:

- 1 The proposed development would relate poorly to the existing built form and would represent a prominent and harmful encroachment of development into the surrounding landscape character, contrary to Core Strategy Policies GSP1, GSP3 and L1 and Development Management Policies DMC3, DMC4 and DMR4.**
- 2 The application provides insufficient information to enable an understanding of the impact of the potential archaeological interest of the site and setting of the Hope Motte Scheduled Monument, contrary to Core Strategy Policy L3 and Development Management Policies DMC5 and DMC6.**
- 3 The application provides insufficient information to enable an understanding of the impact of the development on trees, contrary to Development Management Policy DMC13.**

Key Issues

15. The impact of the proposed menage on the character and appearance of the site, landscape setting, historic environment, amenity of neighbouring properties, trees and ecology.

Relevant History

16. There is no relevant planning history associated with the site.

Consultations

17. Highway Authority: No material impact on the public highway, therefore no comments.
18. Hope with Aston Parish Council: Support the proposed development. Clarified the support was due to the proposal having a really good biodiversity plan.
19. PDNPA Archaeology: Consideration has been had towards the proposed menage siting and an alternative location to the east. The initial location is c.150m west of Hope Motte SM and the alternative even closer at about 100m. Both sites are within the setting of the monument.

Very little archaeological work has been undertaken in this area of Hope. Hope is a settlement with early medieval (Anglo-Saxon) origins, with the core of early medieval and medieval settlement and activity anticipated to be around the Church and the Motte area.

Looking at the topography and natural features of the area, it is likely the Peaksholewater and its tributary that joins it to the west may have formed a natural barrier and extent of any early medieval or early post-Norman conquest settlement associated with the motte. The motte's earthwork mound and ditch only survive in part due to the movement of the course of the Peaksholewater causing erosion of the features. It is not known if

further earthworks of an outer bailey ever survived, but the natural landform defined by the two water courses would provide a likely location for it. Beyond the natural landform and protection offered by the water courses, activity beyond the motte and any associated settlement, whether defined by a bailey earthwork or not, cannot be ruled out, including in the fields whether the menage is being considered to the west.

Available LiDAR data appears to show little beyond residual and degraded ridge and furrow earthworks, which may reflect agricultural land use later in the medieval period.

Therefore, if considering either location, the first hurdle to pass archaeologically is appropriate information to allow the application to be considered, which doesn't currently form part of the application. The application needs to be supported by a Desk Based Assessment that includes a setting assessment following Historic England's guidance.

This needs to be produced by a suitably qualified and experienced individual/ contractor work to the standards and guidance of the Chartered Institute for Archaeologists, and following the appropriate Historic England guidance. – on GPA3 The Setting of Heritage Assets and HEAN17 Planning and Archaeology.

The application should not be positively determined without this information.

20. PDNPA Ecology: The site area is 0.2094ha. The dominant habitat type is Modified grassland assessed as poor condition. The overall species list is poor and typical of grasslands that have been improved for agriculture, with indicators of reseeded such as white clover and perennial rye-grass. Two native hedgerows with trees present are assessed as poor condition.

Overall, there is loss of modified grassland but this is offset by enhancements to some of the retained grassland and to both native hedgerows, plus the planting of native scrub; achieved by creation and enhancement of:

- 0.02ha of poor-condition modified grassland to moderate-condition other neutral grassland.
- Planting of 0.0186 ha of new mixed native scrub (good condition in 10 years) around the menage.
- Enhancement of 0.049 km of native hedgerow with trees from poor to moderate condition

The indicative locations of these habitats are shown in the Ecology Report. The proposed enhancements result in a potential BNG of 14.39% comprising of net unit change of 0.04 in habitat units and 0.27 in hedgerow units.

The recommendations in Section 6 outlines how moderate - good condition is to be achieved for grassland, hedgerow and scrub habitats on site. In this case, the areas of habitat creation or enhancement are not considered significant relative to existing habitats on site; therefore, it is not considered proportionate to require monitoring for 30 years. The enhancements and details of how to achieve the enhancements within Section 6 and Appendix 2 of the report are considered proportionate and achievable in relation to the proposed biodiversity uplift. These should be secured by condition.

All recommendations provided in Section 6 of the Ecology Report should be conditioned to secure the biodiversity net gain. Photographs should be submitted to the LPA once capital works (i.e. planting) have been completed and then again in Year 3.

21. PDNPA Landscape: The land is in the Derwent Valley LCA and in the Valley Farmlands with Villages LCT, and is grouped into the 'Traditional Upland Landscapes' wooded landscape type in the PDNPA Wooded Landscapes Plan.

This is a settled pastoral landscape, often with a low lying topography associated with a network of streams and damp hollows. This is an enclosed landscape, with views filtered through scattered hedgerow and streamline trees.

The properties to the north have long garden plots with trees and shrubs to their southern boundary. The PRoW to the south is beyond Peaksole Water (which feeds into the River Noe) and is tree lined, any visibility to the proposed ménage from the PRoW network would be filtered by trees and the proposed hedgerow will provide further screening. The proposed hedgerow species: Hawthorn, Rowan and Field Maple are appropriate for this area, proposals should be in line with the densities shown in the PDNPA WLP: Density: 100 – 500 stems per ha (scrub); 7 whips per lin m (hedge planting), plus hedgerow trees at 10 – 20m spacings; 900 – 1,200 stems per ha (shelterbelts). The planting should be maintained in perpetuity and any dead plants replaced.

I have no major concerns with this development from a landscape perspective. The Cultural Heritage team should be consulted regarding any impacts to cultural heritage assets given the location.

22. PDNPA Trees: No tree survey documentation with the application which is needed. Whilst there is no obvious reason why the application cannot proceed without a harmful impact to trees, this may require moving the ménage further south to keep clear of tree Root Protection Areas. This may also benefit the equestrian purpose as whilst without a survey it is unclear if any sycamore trees are present, the toxicity of sycamore leaves to horses ('Atypical myopathy') is often cited as a reason to remove adjacent sycamores.

To assess this application we require an Arboricultural Impact Assessment (AIA) prepared following the guidance in BS5837:2012 Trees in relation to design, demolition and construction. If planning permission is subsequently granted, conditions will need to require an Arboricultural Method Statement (AMS) with Tree Protection Plan (TPP). These items could be included with the initial AIA document if that helps to clarify impact.

23. High Peak Borough Council: No comments received at the time of writing the report.

Representations

24. One letter of support has been received in respect of the application. It confirms support for the application as the applicant's miniature horses cannot easily be exercised on Hope's busy roads particularly with heavy quarry traffic. The fields can be very wet and suitable for exercising and the ménage is an excellent solution which will not impinge on other properties.

Statutory Framework

25. National Park designation is the highest level of landscape designation in the UK. The Environment Act 1995 sets out two statutory purposes for national parks in England:
- 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
26. 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.
27. 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.

28. This application must be determined in accordance with the development plan unless material considerations indicate otherwise.

Core Strategy Policies: GSP1, GSP3, L1, L2, L3, DS1

Development Management Policies: DMC3, DMC4, DMC5, DMC6, DMC11, DMC12, DMC13, DMR4

National Planning Policy Framework (NPPF)

29. The NPPF is a relevant factor for the purposes of the regulations. 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.
30. Paragraph 189 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.

Development Plan Policies

Core Strategy

31. GSP1 requires all development is consistent with the National Parks legal purpose and duty, to conserve and enhance the natural beauty, wildlife and heritage of the Park.
32. GSP3 states development must conserve and enhance all valued characteristics of the site, paying particular attention to siting, landscaping and scale appropriate to the character and appearance of the National Park. Amenity is also a consideration.
33. DS1 confirms development that is acceptable in all settlements and the countryside includes that for agriculture, forestry, other rural enterprises, extensions to existing buildings, recreation and tourism, conversion or change of use for housing, community facilities and business uses, utilities infrastructure and renewable energy infrastructure.
34. L1 requires development to conserve and enhance valued landscape character, as identified in the Landscape Strategy and Action Plan, and other valued characteristics.
35. L2 states development must conserve and enhance any sites, features or species of biodiversity importance.
36. L3 requires development to conserve and where appropriate enhance or reveal the significance of archaeological or historic assets and their settings, including statutory designations and other heritage assets of importance or special interest.

Development Management Policies

37. DMC3 requires development to have a high design standard, paying attention to siting, scale, orientation in relation to existing buildings, settlement form and character and landscape setting. The use of landscaping and degree to which this makes use of boundary treatments and species suited to the locality is a consideration, as is amenity.

38. DMC4 states planning applications should provide sufficient information to allow proper consideration of the relationship between development and the settlement's historic pattern of development including the relationship of the settlement to local landscape character. Development siting should complement and not harm settlement character.
39. DMC5 confirms planning applications for development affecting a heritage asset, including its setting, must clearly demonstrate its significance and how any identified features of value will be conserved or enhanced. Supporting evidence must be proportionate to the asset's significance. Proposals likely to affect heritage assets with archaeological and potential archaeological interest should be supported by appropriate information that identifies the impacts or a programme of archaeological works to a methodology approved by the Authority. Applications failing to provide adequate information to show impact on a heritage asset and its setting should be refused.
40. DMC6 confirms that applications involving the setting of a Scheduled Monument will be determined in accordance with Policy DMC5.
41. DMC8 states applications for development that affects the setting of a Conservation Area should demonstrate how the character and appearance of the significance of the Conservation Area will be preserved or enhanced.
42. DMC11 states proposals should aim to achieve net gains to biodiversity. Reasonable measures should be taken to avoid net loss. Details of appropriate safeguards and enhancement measures for a site, feature or species of nature conservation importance which could be affected by development must be provided.
43. DMC12 states development will only be permitted where significance harm can be avoided to sites, features or species and the conservation status of the population of species or habitat concerned is maintained. The need for and benefits of development should clearly outweigh any adverse impact.
44. DMC13 requires applications to provide sufficient information to enable their impact on trees and other landscape features to be properly considered in accordance with BS 5837: 2012 Trees in relation to design, demolition and construction – recommendations or equivalent. Trees should be protected during the course of the development.
45. DMR4 confirms facilities for riding horses will be permitted provided the development is (i) specifically designed to accommodate horses, (ii) is constructed of a scale or design, utilising materials that are appropriate to the function of the building; and (iii) is located adjacent to existing buildings or groups of buildings; and (iv) does not alter the valued landscape character by changing the landform or in any other way have an adverse impact on its character and appearance; and (v) does cause road safety problems.

Assessment

Principle of Development

46. Policy DS1 allows for recreation development in the countryside in principle, including keeping of horses, Policy DMR4 confirms facilities for keeping and riding horses will be permitted provided the development is (i) specifically designed to accommodate horses, (ii) is constructed of a scale or design, utilising materials that are appropriate to the function of the building; and (iii) is located adjacent to existing buildings or groups of buildings; and (iv) does not alter the valued landscape character by changing the landform or in any other way have an adverse impact on its character and appearance; and (v) is not likely to cause road safety problems.

47. The installation of a menage is therefore acceptable in principle, subject to compliance with the criteria listed under DMR4 and compliance with other policies. Consideration of design, relationship with settlement form, impact on character and landscape and matters relating to highways are set out below.

Design & Landscape

48. The proposed menage measures 20m x 40m. It is proposed to be constructed by removing the top surface of the soil, installing a drainage system to connect with existing land drains, addition of a hardcore sub floor and membrane with 125mm of equestrian grade compacted silica sand. A specialist fibre additive would be installed for stability to make the surface suitable for carriage driving. A timber post and rail fence would contain the menage with 150mm kickboards around the base.
49. The applicant's supporting statement confirms they keep two miniature horses and donkeys and that they have taken up carriage driving. The donkeys and horses are also taken into the community for certain events. Due to poor weather they have been unable to work the horses as the ground has been too wet, and it has not been safe to take the carriage on the road. Both horses have experienced poor health due to lack of exercise and the applicant therefore seeks the menage to continue exercising the horses.
50. In respect of DMR4(i) the menage is considered to be designed to accommodate horses and it is recognised the applicant has a requirement for the menage.
51. Turning to DMR4(ii), it is recognised the menage is designed in respect of its function, although there are concerns regarding its scale, siting and visual impact, outlined below.
52. Addressing DMR4(v), the Highways Authority have confirmed there are no highway safety concerns.
53. DMR4(iii) and (iv) require facilities to be located adjacent to existing buildings or building groups, and to respect the valued character of the landscape. Compliance with those criteria is also considered alongside design policies GSP3 and DMC3 which require development to have a suitable siting, scale, relationship with settlement form and suitable landscaping, Policy DMC4 which relates to settlement limits, and Policy L1 which requires development to conserve or enhance the landscape character.
54. Whilst the menage adjoins the rear gardens of dwellings to the north, it is nonetheless considered to have a poor relationship with the existing settlement form and buildings. The boundary to gardens to the north forms a strong boundary to the southern edge of Hope, and the menage is distinctly separate from the properties to the north and does not share a functional relationship with them.
55. The menage is proposed in association with the keeping of donkeys and miniature horses, with there being existing small stabling structures roughly 35m to the east. Beyond those structures, the nearest dwelling to the east is Watergates which is occupied by the applicant and lies some 80-85m from the menage.
56. The menage therefore appears isolated and detached from buildings to the east with which it is associated, and as a result appears as a large and incongruous feature within the otherwise open fields, beyond the settlement edge to the south and detached from buildings to the east, where it would be served by a long track which would be extended by approximately 17m to reach the menage.
57. The menage is sited within the 'valley farmlands with villages' landscape character type which is defined as a low lying, gently undulating topography with a network of streams,

small to medium sized pastoral fields enclosed by hedgerows and dense streamline and scattered hedgerow trees.

58. This character is observed to the south of Hope, where the menage is proposed and the existing character is of agricultural fields with boundary planting to the north and the densely vegetated Peakshole Water further south.
59. Views towards the open agricultural fields can be viewed from public vantages to the south including the PRoW HP16/7. From here, the menage would be viewed beyond the existing landscaped edge of Hope, and some distance from buildings to the east.
60. Whilst the Authority's landscape Officer does not raise an objection to the installation of the menage and associated landscaping in the proposed location due to the filtered views afforded by trees lining the Peakshole Water and PRoW to the south and additional proposed landscaping, officers observed during a visit to site that the siting of the menage would be visible through trees bordering the PRoW to the south. Whilst the proposed hedgerow planting would help to filter views of the menage, this would thin during the winter and the menage would nonetheless be discernible as an isolated feature delineated by boundary planting located a distance from associated buildings to the east, with a long stretch of intervening track in between.
61. The menage would therefore be read as a somewhat isolated and incongruous large feature defined by a hedged boundary and likely glimpsed through the landscaped boundary particularly during the winter. This would be viewed within the existing landscape setting to the south of Hope, thereby altering and causing harm to the existing landscape character. Whilst the needs of the applicant and comments by the supporting representation are recognised, the siting is unfortunately considered to be inappropriate, raising conflict with relevant design and landscape policies.
62. During discussions with the applicant, Officers suggested there may be scope to locate a menage further to the east so that it has a better association with the building group and settlement pattern and appears as less of a separate and incongruous feature. However, this would involve re-siting the menage to a location outside of the application site boundary and would require a separate planning application. It would also need to be established if an amended location would be acceptable in respect of other matters such as relationship with Hope Motte, trees and the position of the oil pipeline route which passes across the fields.
63. Based on the application submitted, the scale and siting of the menage are considered to have a poor relationship with the established settlement pattern and form of Hope and surrounding building groups. The menage would appear as a somewhat isolated, incongruous form of development and would encroach into the more open landscape character to the south of the settlement.
64. The development is therefore considered to have an unacceptable design, relationship with the settlement and impact on landscape character, contrary to Policies GSP1, GSP3, L1, DMC3, DMC4 and DMR4(iii).

Amenity

65. The menage is sited close to the boundary of residential gardens to the north. Whilst there have been no objections from neighbouring properties in relation to the proposed menage, Officers consider the development could be improved in respect of residential amenity through introducing improved landscaping between the menage and neighbouring gardens, in order to reduce visibility from the menage into those gardens. Such details could be secured by condition. It is noted there is some suggestion to improve planting on this boundary by the accompanying Ecological Report.

66. Subject to the above, the proposed development is not considered to conflict with Policies GSP3 and DMC3 with regards to amenity.

Trees

67. The menage is sited close to existing trees which separate the proposal from neighbouring gardens to the north. The Authority's Tree Officer has confirmed an appropriate tree survey is required due to the proximity of the development to nearby trees, to include an appropriate Arboricultural Impact Assessment (AIA). Any development if approved would also likely require an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) to ensure the development does not harm neighbouring trees.
68. Whilst the Tree Officer notes the proposal could likely be achieved without harming trees, this would most likely be achieved by relocating the menage at a further distance from existing trees. As outlined earlier, re-locating the menage would require the menage to be moved to a location outside of the application boundary, which would therefore need to be considered as part of a separate application. Moving the menage further south from its current siting, would also exacerbate the poor relationship with surrounding buildings.
69. In the absence of an appropriate tree survey, it is not possible to establish the potential impact of the menage proposed as part of this application on existing trees, contrary to Development Management Policy DMC13.

Historic Environment

70. The site lies west of the Hope Motte Scheduled Monument and outside of the Hope Conservation Area boundary. The Authority's Archaeologist has been consulted and has confirmed a suitable Desk Based Assessment is required to consider an assessment of the setting of the Scheduled Monument, and the potential archaeological interest of the site, as the response confirms at this stage that activity beyond the Motte and natural landform offered by Peakshole Water and its tributary cannot be ruled out.
71. At this stage, it is therefore not possible to understand whether the site possesses any archaeological interest and its relationship with the Hope Motte Scheduled Monument, and therefore the impact of the development on such assets is unclear, contrary to Policies L3, DMC5 and DMC6 of the development plan and the NPPF.

Ecology

72. The application is supported by an Ecological Survey and Biodiversity Net Gains Assessment. The report confirms there are no nearby ecological sites affected by the proposals and no sensitive protected species are present on site. The site habitat is comprised of modified grassland and native hedgerow in poor condition. There is potential for breeding birds to nest in hedgerows.
73. The development is subject to the statutory 10% Biodiversity Net Gain (BNG) requirement.
74. The Authority's ecologist has accepted the submitted BNG proposals which would achieve a 14.39% net gain through retention of certain habitats and the creation and enhancement of 0.02ha of poor-condition modified grassland to moderate-condition other neutral grassland, planting of 0.0186ha of new mixed native scrub around the menage and enhancement of 0.049ha of native hedgerow with trees from poor to moderate condition.

75. The Authority's Ecologist has confirmed the BNG measures are acceptable and are not considered of a significant scale, such that it would not be proportionate to require management and monitoring of the BNG measures for 30 years. The enhancement measures outlined by Section 6 and Appendix 2 of the submitted report can be secured by conditions if permission were granted.
76. The Ecologist has confirmed all recommendations at Section 6 and Appendix 2 of the report should be conditioned and that photographs should be submitted once planting has been completed and then again in Year 3.
77. Subject to the above the application would be considered to comply with the Authority's Policies L2, DMC11 and DMC12 in respect of ecology and would be able to achieve a sufficient Biodiversity Net Gain.
78. It is recognised the Parish Council are in support of the proposed development due to the biodiversity proposals. Whilst it is recognised the proposals would not unacceptably harm biodiversity and would exceed the required 10% Biodiversity Net Gain, this does not automatically override other policy requirements and it is not considered that this would outweigh the harm identified in respect of the siting and scale of the menage and relationship with existing development.

Conclusion

79. The proposed menage is considered to have an inappropriate design and landscape impact by virtue of its scale, siting and relationship with the settlement form and existing buildings, contrary to Policies GSP1, GSP3, L1, DMC3, DMC4 and DMR4.
80. The application also provides insufficient information to enable an assessment of the impact on trees contrary to Policy DMC13, and to enable an understanding of the potential archaeological significance of the site and relationship with the setting of Hope Motte, contrary to Policies L3, DMC5 and DMC6.
81. The application is therefore recommended for refusal.

Human Rights

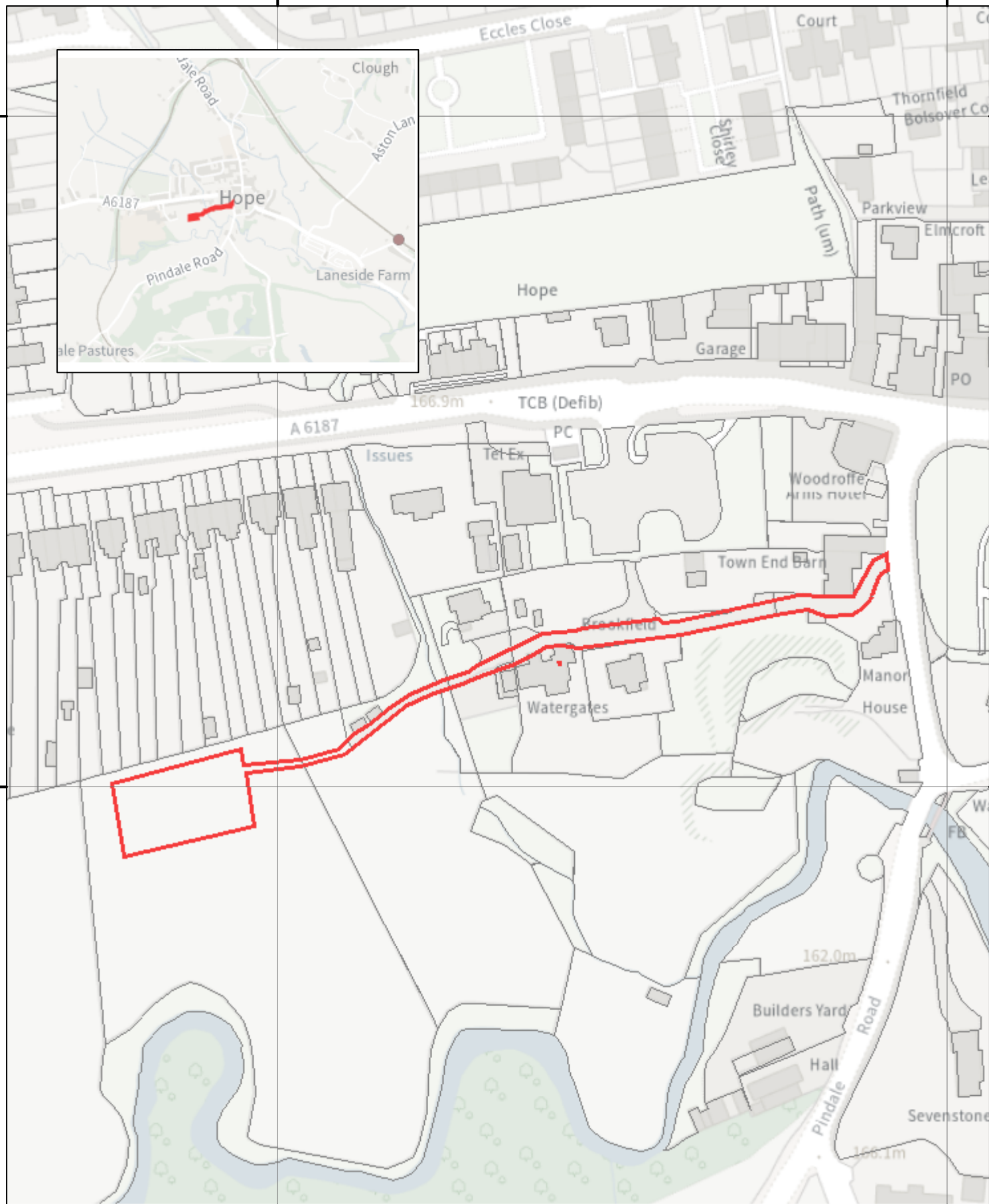
82. Any human rights issues have been considered and addressed in the preparation of this report.
83. Report Author: Hannah Freer, Planner, North Area Planning Team.

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Watergates, Pindale Road, Hope

Item no. 7
 Application no. NP/HPK/1124/1184
 Committee date: 17/01/2025

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8. FULL PLANNING APPLICATION – PROPOSED CONVERSION AND EXTENSION OF HISTORIC BARN FOR ANCILLARY DOMESTIC USE AT WHEAT HAY FARM, SHATTON LANE, SHATTON (NP/HPK/0924/1004, WE)

APPLICANT: JOHN BRYAN

Summary

1. This application seeks planning permission for the conversion of a gritstone barn to form an ancillary gym/studio. It also seeks permission for the removal of the timber stable which adjoins the barn to the east and the construction of a new extension to the barn connected through a glazed-link.
2. This application has been supported by a Heritage Statement which confirms that the barn is dated from the early 19th century and possess a medium heritage significance. It is therefore recognised as being a non-designated heritage asset.
3. The conversion of the barn for uses ancillary to Wheat Hay Farm is acceptable in principle. However, the proposed extension, with associated glazed link, would have an unacceptable impact on the setting of the traditional building and the wider setting of Wheat Hay Farm.
4. The application is recommended for refusal.

Site and Surroundings

5. The application site is located in the settlement of Shatton on the north side of Shatton Lane where there is a group of older, traditional buildings. Wheat Hay Farm comprises a range of mostly traditional buildings grouped around the old farmhouse. The buildings adjoining the farmhouse have previously been converted to residential uses.
6. Immediately to the south of the main farmhouse directing fronting onto Shatton Lane there is a small walled courtyard featuring a 19th century cowshed with an adjoining timber stable block and a detached timber stable block.

Proposal

7. This application seeks planning permission for the conversion and extension of the 19th century barn into an incidental use to Wheat Hay Farm comprising of a bedroom / gym, W.C. and studio. The conversion itself would be contained within the shell of the existing structure and utilise the existing openings with the exception of turning one of the rear windows into a doorway.
8. The existing adjoining stable would be demolished. An extension is proposed in this location constructed from natural stone set under a natural stone slate roof. The front elevation of the outbuilding would be largely solid, featuring one full-height glazed doorway. On the rear, the building features a large 4-panelled glazed section set beneath a zinc canopy. The extension would be connected to the barn with a glazed link.

RECOMMENDATION:

That the application be REFUSED for the following reason;

1. **The proposed extension would harm the character, appearance and significance of the existing barn, a non-designated heritage asset and harm the setting of Wheat Hay Farm contrary to Core Strategy policies GSP1, GSP3**

and L3, Development Management policies DMC3, DMC5 and DMC10 and the National Planning Policy Framework.

Key Issues

- Principle of development;
- Design and impact on heritage assets;
- Other matters.

History

9. May 2005 – (NP/HPK/1104/1216) Conversion of barn and tack room to holiday home – Granted conditionally
10. October 2006 – (NP/HPK/0706/0628) Conversion of barn and stables to holiday house – Refused

Consultations

11. Highway Authority – No response to date
12. High Peak Borough Council – No response to date
13. Brough and Shatton Parish Council – No response to date
14. Natural England – No objection

Representations

15. Five letters of support have been received. They raised the following matters:
 - The proposed development would restore the historic barn and preserve its character and heritage;
 - The proposed extension would be a significant improvement on the dilapidated stables which would preserve the quiet, rural nature of the area;
 - The proposed outbuilding would not increase the footprint or massing of the built-form and would therefore conserve the barn's proportions and overall feel of the area;
 - The proposed ancillary use would not intensify the use of the site;
 - The development would enhance the village as a whole.

National Planning Policy Framework (NPPF)

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: 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.
17. Paragraph 189 of the NPPF 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.

18. 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.

Relevant Development Plan Policies

Core Strategy

19. 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.
20. 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.
21. 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.
22. 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.
23. L3 – Cultural heritage assets. Seeks to ensure all development conserves and where appropriate enhances the significance of any heritage assets.
24. Policy CC1 states that development must make the most efficient and sustainable use of land, buildings and natural resources.

Development Management Policies

25. 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.
26. 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.
27. Policy DMC10 – *Conversion of a heritage asset*. Conversion of a heritage asset will be permitted provided that it:
- 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.

It goes on to state that attention will be paid to the impact of domestication and urbanisation brought about by use on the landscape character and built environment.

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

29. 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.

30. 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 development

31. The gritstone barn is dated from the early 19th century. The submitted Heritage Statement advises that the barn possesses a medium heritage significance, owing from its

architectural interest as an example of a vernacular cowhouse. Accordingly, the barn possesses sufficient historical interest to be considered a non-designated heritage asset.

32. Policies DS1 and DMC10 allow for conversion of heritage assets to ancillary domestic use in principle. The following section of this report will assess whether the proposed conversion and extension complies with the detailed criteria set out in policy DMC10 and detailed guidance in the Conversions Supplementary Planning Guidance.
33. Accordingly, the pertinent consideration in the determination of this application will be whether the proposed conversion and extension, conserves or enhances the significance of the barn and wider farmstead.

Design and impact on heritage assets

34. As noted, the proposed conversion of the 19th century barn would be contained within the shell of the existing building. The plans show that the windows would be replaced with like for like units, which include a mix of hit and miss boarded windows, hopper and casements. The exception would be the western window on the rear elevation of the building which would be altered to a doorway. In addition to this, the application proposes two rooflights on the rear north facing roof slope.
35. Policy DMC10 requires conversions to comply with four main criteria. Working through these sequentially, it is acknowledged that the existing barn is capable of accommodating the new use in principle without changes which adversely affect its character. The proposed enlargement of the rear window would not be inappropriately domestic in appearance, and it would enable the barn to still be read as a traditionally and vernacular building amongst the built-form of Wheat Hay Farm.
36. While a Structural Survey has not been provided, the evidence submitted with the application suggests that the barn is solidly built and capable of conversion. If this application were to be recommended for approval, a condition would be recommended to prohibit re-building of the barn as this would result in the unjustified total loss of the heritage asset.
37. The barn is located on an existing courtyard and is in close proximity to the main built-form of Wheat Hay Farm. The application does not propose any changes to the curtilage of the barn. Accordingly, the changes brought about by the new use of the building would not have a harmful impact on the heritage significance of the barn, nor the valued landscape character and valued built-form.
38. The proposed conversion in isolation would not be intrusive in the landscape, nor have an impact on the tranquillity, dark skies or any other valued characteristic.
39. Accordingly, the proposed conversion of the barn is acceptable. It would conserve the historical significance of the barn and its setting, and would find a viable use for the building. Therefore, this aspect of the proposed development is in compliance with policies L3, DMC5, DMC10 and the guidance contained within the Conversion of Historic Buildings SPD.
40. Notwithstanding the above, this application also proposes the removal of the adjoining timber stables and the erection of an extension in the form of a stone building connected to the barn and accessed through a glazed link.
41. The existing timber stables are a detracting feature of the site by virtue of its condition, materials. Therefore, there is no objection to the demolition of the stables which would enhance the setting of the barn and wider farmstead.

42. The proposed extension would be single-storey and therefore subservient to the main structure. It would feature a narrow gable and low eaves with simple detailing. It would be finished in traditional building materials, including stone walls and natural stone roof. The footprint of the extension would be comparable to the existing stables and with the exception of the glazed link be higher to eaves and ridge compared to the stables.
43. The extension would be wider than the main barn and pushed away by the glazed link. Therefore, while the extension would be subordinate in height it would not be in width. However, the footprint would be comparable to the existing stables. Therefore, on balance the massing and form of the extension is acceptable in general terms.
44. Notwithstanding the above, there is significant concern with the detailed design of the proposed extension.
45. Officers acknowledge that the principle of connecting a larger extension to a building through a glazed link can be successful way enabling larger extensions to be constructed. In essence allowing the extension to be read as an outbuilding linked to the main building. However, in this case, the proposed link would be visible from the street-scene and would measure 3m in length. At this scale, the link would be interpreted as a feature itself, as opposed to a small linking structure. The fully glazed feature would be visually strident when compared to the adjacent solid, vernacular barn. Officers consider that this element would appear incongruous in the historic environment at Wheat Hay Farm.
46. In addition to the glazed link, Officers also have concerns with the proposed detailing on the rear elevation. In the centre of the rear elevation, the submitted drawings show a 4-panelled bifold door set within a zinc canopy. It is acknowledged that this feature would be on the rear facing elevation, and therefore not visible from the street-scene; however, it would still be a discordant feature in the historic grouping of Wheat Hay Farm by virtue of its form and material.
47. Accordingly, the proposed extension would not conserve or enhance the character, appearance or significance of the barn or the setting of Wheat Hay Farm. It is therefore in conflict with relevant policies.

Other matters

48. This application has been supported by a Protected Species Survey which assessed the barns potential for bats and birds. During the survey, no bats were observed emerging from or entering the building. It found evidence of bats using the wider site and therefore recommended appropriate artificial lighting. With respect to hibernating bats, is recommended that no pointing work is carried out between November and May as a precautionary measure. It also suggested habitat enhancement measures through the provision of roosting facilities across the site.
49. The report concluded that no specific bird surveys were necessary, but recommended the conversion take place outside of bird nesting season.
50. Subject to conditions to secure the mitigation and enhancement measures, the proposed development is acceptable with regard to protected species. It is therefore compliant with policies L2, DMC11 and DMC12.
51. The proposed development is exempt from statutory Biodiversity Net Gain (BNG).

52. The closest neighbour would be Nether Shatton House approximately 20m to the south across Shatton Lane. Due to the separation distance and the scale of development, it would not have a harmful impact on residential amenity.
53. This application has been submitted with a Sustainability Statement. It states that the development would be constructed using high efficiency fixtures and insulation, and would also use breathable materials in the barn. This is considered commensurate to the proposed development, particularly when the mitigation of climate change needs to be balanced against the impact on a heritage asset. It is therefore compliant with CC1.

Conclusion

54. This application proposes the conversion of a 19th century barn into an incidental studio and gym. The proposed scheme of conversion of the barn itself is acceptable and would conserve the significance and setting of the barn; however, the proposed extension would have a harmful impact on the significance of the barn and wider setting.
55. The proposed glazed link, bifold doors and zinc canopy would be incongruous features next to the vernacular and utilitarian barn.
56. The proposed extension would therefore have a harmful impact on the character, appearance and historic significance of the 19th century barn and farmstead. The proposed development is therefore in conflict with policies GSP1, GSP3, L3, DMC3, DMC5 and DMC10.
57. The proposed conversion of the barn to ancillary domestic use is acceptable in principle. However, the barn is in good repair and therefore there is no overriding public benefit in finding a viable use for the building. The removal of the existing stables would enhance the setting of the buildings and contributes to the justification for an extension of this scale. However, there is no evidence to suggest that the design could not be amended to avoid the harm identified above. Therefore, there are no public benefits that outweigh the harm to the non-designated heritage asset. The proposed development is therefore contrary to the NPPF.

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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Wheat Hay Farm, Shatton Lane, Shatton

Item no. 8
 Application no. NP/HPK/0924/1004
 Committee date: 17/01/2025

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 Scale: 1:500 at A4 pagesize
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9. ADVERTISEMENT CONSENT APPLICATION – FOR AN INTERPRETATION BOARD FREE STANDING LECTERN STYLE AT MARSH FARM, CASTLETON ROAD, HOPE (NP/HPK/1024/1143, LC)

APPLICANT: MS VIRGINIA PRIESTLEY

Summary

1. The application seeks advertisement consent for the erection of an interpretation board to inform members of the public of a Farming in Protected Landscapes (FiPL) project regarding restoration of The Brian Morley Building at Marsh Farm.
2. The proposed development is considered acceptable with regards amenity and public safety and in accordance with relevant policies.
3. The application is recommended for approval, subject to conditions.

Site and Surroundings

4. Marsh Farm is situated on the northern side of the A6187 road to the west of Hope, between Hope and Castleton. There is access off the A6187 through the building group leading to open agricultural land to the north.
5. The Farm is a mixed group of buildings, comprising both traditional limestone buildings and more modern structures.
6. The interpretation board would be sited on agricultural land on the rear boundary of the farmyard.
7. To the west of the site is a public footpath which runs directly adjacent to the proposed siting of the interpretation board.

Proposal

8. The installation of a lectern style interpretation board to inform members of the public of a Farming in Protected Landscapes (FiPL) project regarding restoration of The Brian Morley Building at Marsh Farm.
9. The height from the ground to the base of the advertisement is 1.1m on which would sit the board measuring 0.89m x 0.64m.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions:

- 1 Any advertisement displayed and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the local planning authority.**
- 2 Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.**
- 3 Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the local planning authority.**

- 4 No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
- 5 No advertisement shall be sited or displayed so as to obscure or hinder the ready interpretation of, any road traffic sign, railway signal and to navigation by water or air, or so as otherwise to render hazardous the use of any highway railway, waterway or aerodrome (civil or military).
- 6 The development hereby approved shall not be carried out otherwise than in accordance with the submitted plans and specifications received by the Local Planning Authority 19th November 2024.
- 7 No part of the advertisement hereby permitted shall be sited within 1m of the stile or public footpath.

Key Issues

10. The impact of the proposed advertisements upon amenity and public safety.

Relevant History

11. NP/HPK/0919/1018- Renovation and alteration of existing yard barn.

Consultations

12. Highway Authority – No material impact on the public highway, therefore no comments.
13. Parish Council – No objections
14. PDNPA Archaeology – Have no comments to make.
15. High Peak Borough Council - No comments received at the time of writing the report

Representations

16. One letter of support has been received commenting that the information board will be a good idea that will enhance people's appreciation of the Natural beauty of the area.

(The writer also suggests that a gate would be preferable than the stile to give better access to view the information board, however that is a matter outside the scope of this application and for the applicants to consider independently.)

Statutory Framework

17. 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
18. 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.

19. In considering this application the Authority must exercise its powers in the interests of amenity and public safety, taking into account the provisions of the development plan, as far as they are material and any other relevant factors.
20. In taking account of factors relevant to amenity, the Authority may disregard any advertisement that is being displayed. Unless required in the interests of amenity or public safety, an express consent for the display of advertisements shall not contain any limitation or restriction relating to the subject matter, content or design of what is to be displayed.

Core Strategy Policies: GSDP1, GSP3, L1

Development Management Policies: DMC3, DMS5

National Planning Policy Framework (NPPF)

21. The National Planning Policy Framework (NPPF) is a relevant factor for the purposes of the regulations. 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.
22. Paragraph 189 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.
23. Paragraph 141 of the NPPF states: The quality and character of places can suffer when advertisements are poorly sited and designed. A separate consent process within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient and effective. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

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. Core Strategy Policy GSP3 states that development must conserve and enhance all valued characteristics of the site and buildings, paying particular attention to siting, materials and the scale of development appropriate to the character and appearance of the National Park. Amenity is also a consideration.
26. L1 requires development to conserve and enhance valued landscape character, as identified in the Landscape Strategy and Action Plan, and other valued characteristics.

Development Management Policies

27. Development Management Policy DMC3 confirms development that is acceptable in principle will be permitted provided its detailed treatment is of a high standard. Particular attention will be paid to siting and scale. Other considerations include

amenity.

28. DMS5.A 'Outdoor Advertising' states adverts will be granted consent provided they are (i) as near as possible to the business or activity concerned, (ii) do not result in a proliferation of signs inappropriate to the building or locality, (iii) do not pose a hazard to public safety or unduly harm amenity, (iv) are of a high standard of design, (v) a scale that does not detract from the valued characteristics of the area, and (vi) conforms to the Authority's SPD on Shop Fronts.

Assessment

Principle of the development

29. The proposed interpretation board is acceptable in principle in accordance with policies DS1, DMS5 and the NPPF provided that the location, scale and design does not harm amenity or public safety.

Amenity

30. The National Planning Practice Guidance on Advertisements confirms that 'amenity' is a matter of interpretation by the Authority as it applies in any particular case, however that in practice it usually covers the effect on visual and aural amenity in the immediate area.
31. The proposed sign is positioned adjacent to the farmyard, close to a public footpath. This is considered to be in the best location to perform its function of informing members of the public, in close proximity to the subject of the interpretation panel but without locating it directly within the farmyard.
32. There are no proposals for the sign to be illuminated or animated. The siting is adjacent to existing boundary treatments and therefore it will not look obtrusive in the landscape. No other signs are located in close proximity.
33. The design of the sign is such that it blends well with the landscape, the frame being a recessive anthracite grey colour - RAL 7016 and the board having a dark green background.
34. The scale is also proportionate to the information requirements without being overbearing or incongruous. Therefore, the proposed advertisement would not harm the amenity of the area in accordance with relevant policies.

Public Safety

35. The Highway Authority have been consulted and raise no objection to the proposal. No objection has been received from the Borough Council.
36. The sign is not anticipated to pose a hazard to public safety. It is sited to the side of the public footpath on agricultural land and is large enough to attract attention without being an obstruction to footpath users.
37. Being sited close to the public footpath and stile within the stone wall, a condition is recommended that the interpretation board should not in any way impede free movement on the public footpath.
38. 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.

39. Therefore, the proposed advertisement would not harm the public safety in accordance with relevant policies.

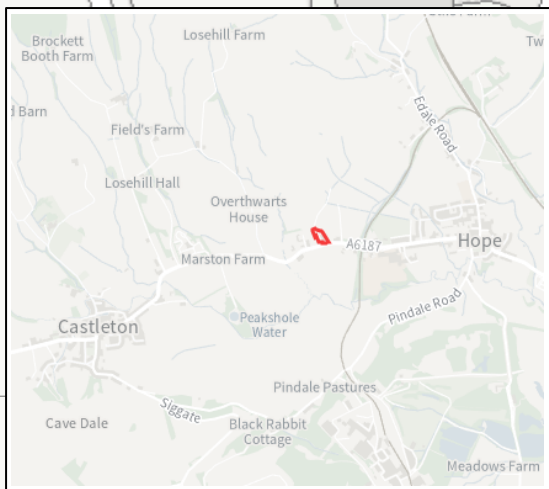
Conclusion

40. The proposal is in accordance with the relevant policies and guidance, therefore the application is recommended for approval subject to the statutory conditions imposed by the regulations and two additional conditions to secure the approved plans and to ensure that the advertisement does not interfere with use of the footpath.

Human Rights

41. Any human rights issues have been considered and addressed in the preparation of this report.
42. Report Author: Liz Coleman, Assistant Planner North Area.

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Marsh Farm, Castleton Road, Hope

Item no. 9
 Application no. NP/HPK/1024/1143
 Committee date: 17/01/2025

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 Scale: 1:900 at A4 pagesize
 Map centre grid ref: 416,326 383,546



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10. FULL APPLICATION – PROPOSED REPLACEMENT OF TWO TIMBER EXTERNAL DOORS TO THE CAMPSITE AMENITIES BUILDING AT NORTH LEES CAMPSITE, BIRLEY LANE, HATHERSAGE (NP/DDD/1124/1207, WE)

APPLICANT: PEAK DISTRICT NATIONAL PARK AUTHORITY

Summary

1. The application seeks planning permission for the replacement of doors at the North Lees Campsite amenity building.
2. The design of the proposed alterations is acceptable.
3. The development would not have a harmful impact on the landscape character, residential amenity nor the ecological interest of the locality.
4. The application is recommended for approval.

Site and Surroundings

5. North Lees Campsite is located in open countryside approximately 1.5km north of Hathersage. The campsite is owned and operated by the National Park Authority and comprises the existing single storey office / amenity building, camping pods and tent pitches.
6. Access to the property is off Birley Lane. The nearest neighbouring properties are North Lees Hall to the north of the site, Bronte Cottage to the west, Cattis Side to the east and Cow Close Farm to the south.

Proposal

7. This application proposes to replace the double-doors on the east-facing elevation and the single door on the west-facing elevation of the amenity building.
8. The existing louvred doors on the west elevation would be replaced with two timber door-leafs separated by a new stone mullion. There would be two aluminium transfer grilles at the bottom of the doors.
9. The existing timber door on the eastern elevation would be replaced with a timber door with glazed upper half.

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.**

Key Issues

- Design and materials;
- Other matters.

Relevant History

10. 2014 – (NP/DDD/0614/0627) - Installation of 4 camping pods in a small plantation woodland within the existing campsite. Installing 2 new showers in the campsite building including one designed for families/disabled use. Changing the location of the reception area within the campsite building. Replacing 5 existing metal framed windows with double glazed stained wood units to match the existing windows. – Granted.
11. 2015 – (NP/NMA/1115/1051) - Non-material amendment to planning permission NP/DDD/0215/0112 for the replacement of fully glazed double doors with half glazed doors. – Amendments accepted.

Consultations

12. Highway Authority – No comments
13. Hathersage Parish Council – No response at the time of writing the report.
14. Derbyshire Dales District Council – No response at the time of writing the report.

Representations

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

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, CC1, RT3

Development Management policies: DMC3

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.
21. In particular Para: 189 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.

Development Plan Policies

Core Strategy

22. 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.
23. GSP2 states that opportunities for enhancing the valued characteristics of the National Park will be identified and acted upon.
24. 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.
25. DS1 supports the development of renewable energy infrastructure in principle.
26. L1 seeks to ensure that all development conserves and enhances valued landscape character and sites, features and species of biodiversity importance.
27. 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.
28. RT3 states that development that would improve the quality of existing sites, including improvements to upgrade facilities, access, landscaping or the appearance of existing static caravans will be encouraged.

Development Management Policies

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

Assessment

Principle of the development

30. Policy RT3 states that development that would improve the quality of existing sites, including improvements to upgrade facilities, will be encouraged. These minor alterations to the building form part of a wider scheme of enhancements to the site,

including upgrades to the wash-up facilities, installation of a public access deliberator and the installation of a new gate. These other works can be carried out by the applicant as permitted development and therefore do not require a planning application.

31. Accordingly, the proposed alterations are acceptable in principle.

Design and materials

32. Policy DMC3 states where development is acceptable in principle, the detailed treatment should be of a high standard that respects, protects and where possible enhances the natural beauty, quality and visual amenity of the landscape.

33. The proposed replacement doors on the eastern elevation would be vertically boarded timber doors separated by a central stone mullion with metal grilles at the bottom. At present, the doors are timber and feature horizontal louvres. The proposed solid, vertically boarded doors would be an improvement on the current doors which have a poorer quality appearance by virtue of the horizontal louvres. The proposed mullion is acceptable. The finish of the doors would match the other doors on the building. Accordingly, the proposed door on the eastern elevation are considered acceptable on design grounds.

34. The proposed replacement door on the western elevation would be half vertically boarded, half glazed. The design of this door would reflect the doors on the front elevation which are similarly subdivided between timber and glazing. The finish of the timber section of the door would match the existing doors on the building. Accordingly, there would be a consolidated design for the doors on the building.

35. Therefore, the proposed development is acceptable on design grounds and in accordance with the adopted design guide in detail and materials.

Other matters

36. The proposed development would result in a small increase in glazing on the building; however, the site is well-screened by mature tree coverage and the minimal increase in glazing would not result in a proliferation of light on the landscape. Therefore, the proposed development would not harm the valued landscape character.

37. The proposed development would not have an impact on the ecological interest of the site, nor would it harm residential amenity given the distance to neighbouring properties.

38. The building currently features high sustainability credentials, including solar PV solar panels and air source heat pumps. Given this, and the scope of proposed development, no further sustainability and climate change mitigation is required to demonstrate compliance with policy CC1.

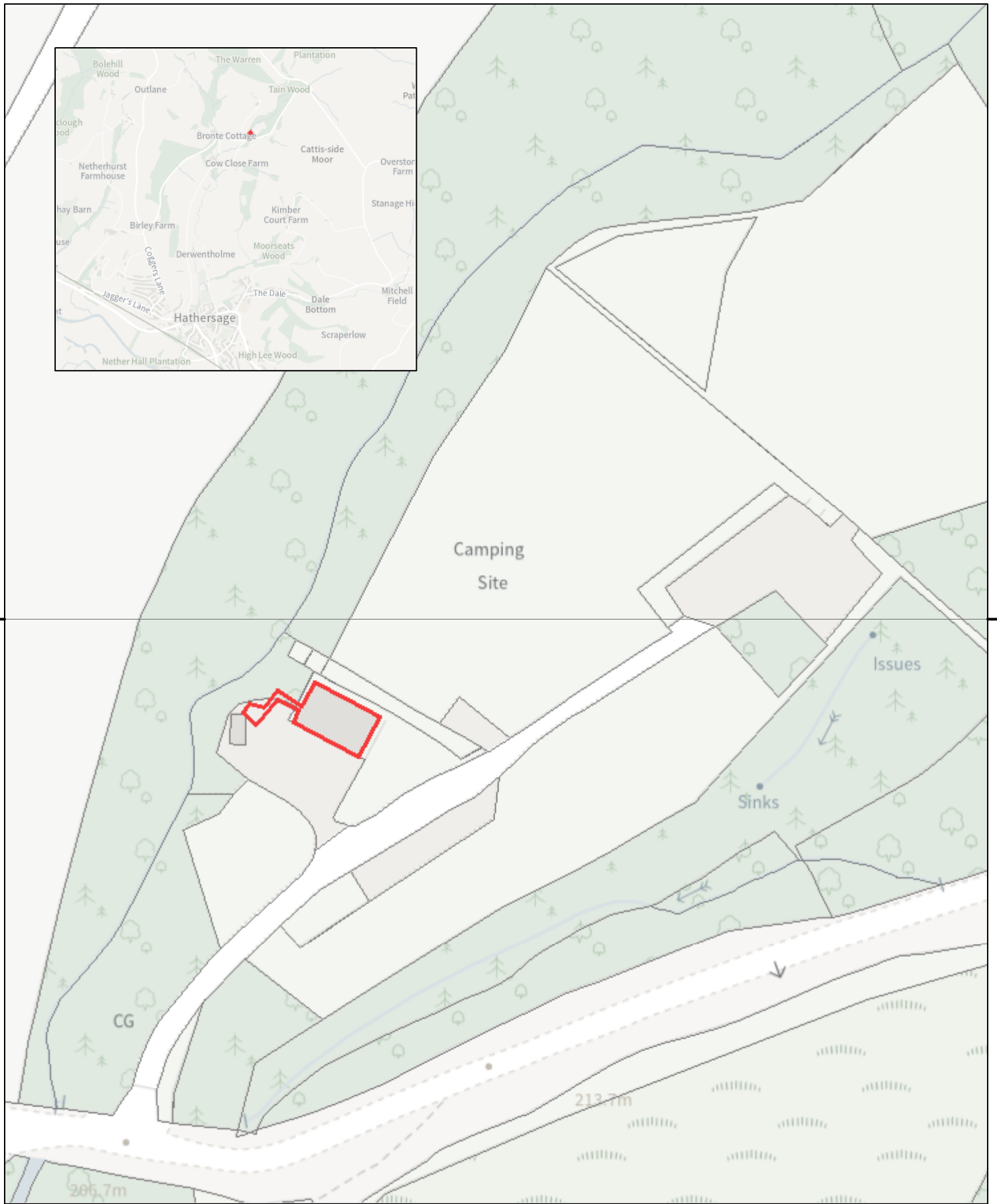
Conclusion

39. This application seeks planning permission for the replacement of doors on the reception/amenity building at North Lees Campsite. The proposed design of the replacement doors would not have a harmful impact on the character and appearance of the building. It would also not have a detrimental impact on the landscape, ecology, and amenity of the locality. Accordingly, the proposed development is in compliance with policy DMC3. It is recommended for conditional approval on this basis.

Human Rights

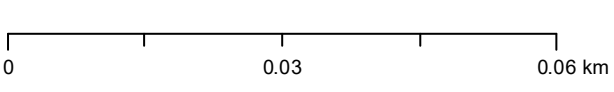
40. Any human rights issues have been considered and addressed in the preparation of this report.
41. List of Background Papers (not previously published)
42. Nil
43. Report Author: Will Eyre, North Area Planning Team.

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North Lees Campsite, Birley Lane, Hathersage

Item no. 10
 Application no. NP/DDD/1124/1207
 Committee date: 17/01/2025

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11. APPROVAL OF THE HARTINGTON TOWN QUARTER NEIGHBOURHOOD DEVELOPMENT PLAN FOR CONSULTATION AND EXAMINATION (EF)

1. Purpose

- 1.1** To provide information to enable the taking of a decision authorised under the Standing Orders of the Authority in accordance with Neighbourhood Planning (General) Regulations 2012.
- 1.2** To determine that the submitted Hartington Town Quarter Neighbourhood Plan (Regulation 15 submission draft) meets statutory requirements and can be subject to Consultation and Examination.

2. Context

- 2.1** Hartington Town Quarter Neighbourhood Area was designated on 8th February 2013, following an application by the Parish Council to the Peak District National Park Authority (PDNPA).
- 2.2** Hartington Town Quarter Parish Council is the qualifying body and the PDNPA is the responsible local planning authority.
- 2.3** Hartington Town Quarter Parish Council has submitted a neighbourhood plan and supporting documents to the Authority, who must determine whether this submission complies with statutory requirements and if so, initiate the subsequent phases of Consultation and Examination.
- 2.4** The Localism Act 2011 enabled parish and town councils and neighbourhood forums to write neighbourhood plans for defined neighbourhood areas. Once 'made' (brought into force) neighbourhood plans become part of the statutory development plan for that neighbourhood area and are used to determine planning applications.
- 2.5** For clarity, the neighbourhood area boundary and the Hartington Town Quarter Parish boundary are the same.
- 2.6** The Authority has a statutory duty to give advice and assistance to the Parish Council, and in fulfilling this has:
 - commented on draft neighbourhood plan policies.
 - made formal comments on the neighbourhood plan policies during the Regulation 14 statutory consultation.
 - met with representatives of the Parish Council.
- 2.7** On 13th December 2024 Hartington Town Quarter Parish Council submitted the following documents (available to view as background documents) as required by Regulation 15 for consideration by the Authority:
 - Reg 15 Draft Hartington Town Quarter Parish Neighbourhood Plan (05/06/2024).
 - A map showing the Neighbourhood Plan area (Page 6).
 - A Basic Conditions statement (19/11/2024).
 - A 'consultation statement' (13/12/2024).

- HRA Screening Report (28/11/2024).
- SEA Screening Report (28/11/2024).

2.8 The Plan contains 21 policies. These are listed in Appendix 1. The Authority is not at this stage required to consider whether the submitted neighbourhood plan meets basic conditions (one of which is general conformity with PDNPA strategic policies) or make formal comments on the policies. The Authority is able to make formal comments in the Regulation 16 consultation and consider basic conditions post Examination. See para 2.10.

2.9 The Authority's role at this stage is to determine if the submitted Regulation 15 Draft Plan (with supporting documents) complies with legal requirements to enable it to proceed to the next stages. This analysis is set out in Section 3.

2.10 If it does meet the requirements, the Authority must then undertake or facilitate the following steps to enable the 'making' of the Neighbourhood Plan:

- Statutory notification of the Authority's decision
- Regulation 16 consultation
- Independent examination. This will usually be in the form of written representation unless the examiner determines otherwise. He or she will consider whether the draft plan: (i) meets basic conditions, (ii) complies with definitions and provisions, (iii) is compatible with Convention rights, and whether the referendum should extend beyond the neighbourhood area. The examiner will then report that the draft plan is either (i) submitted to referendum, (ii) modified and then submitted for referendum or (iii) refused.
- Consider examiners recommendations and come to a formal view about whether the draft plan (or the plan as modified): (i) meets basic conditions, (ii) is compatible with Convention rights and (iii) complies with the definition of a neighbourhood plan.
- Publish a decision notice and the examiner's report. Make modifications to plan if needed.
- Referendum. A vote in favour (50% plus one of those voting) means that the Authority must 'make' the plan and it becomes part of the statutory development plan for the neighbourhood area.

3. Proposal

3.1 The key issue at this stage is to determine whether the submitted documents satisfy legal tests so that the Plan can proceed to Regulation 16 Consultation and Examination. The tests are set out below with statements that set out whether and how the submitted documents satisfy them.

3.2 Neighbourhood Planning (General) Regulations (2012) Part 5 (15) require that where a qualifying body submits a proposal to the local planning authority it must include:

- A map or statement which identifies the area. *This is included on page 6 of the Neighbourhood Plan.*
- A Consultation Statement. *The Consultation Statement submitted contain details of the people and organisations that were consulted and how they were consulted, and summarises the main issues and concerns and how they were addressed.*
- The proposed neighbourhood development plan. This is submitted and dated 5th June 2024.
- A statement explaining how the proposed neighbourhood development plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Act. *This is submitted as ‘The Basic Conditions Statement’.*
- An environmental report prepared in accordance with paragraphs (2) and (3) of regulation 12 of the Environmental Assessment of Plans and Programmes Regulations 2004, or a statement that sets out the reasons for determining that the plan would not have significant environmental effects. *A Strategic Environmental Assessment (SEA) is submitted undertaken on the pre-submission draft Neighbourhood Plan. The report concluded that the impact of Hartington Neighbourhood Development Plan will not result in significant environmental effects.*
- Historic England, Natural England and the Environment Agency have expressed no objections following consultation.

The requirements of Neighbourhood Planning (General) Regulations (2012) Part 5 (15) have been met. The submitted documents can be viewed as background documents.

3.3 The Conservation of Habitats and Species Regulations (2017) S106 requires that where a qualifying body submits a proposal to the local planning authority it must include sufficient information for the authority to make an assessment concerning the likelihood of significant effects on a European site. A Habitats Regulations Assessment (HRA) screening was undertaken on the Reg 14 draft plan prior to public consultation and submitted to the Authority on 29th July 2024. The report concludes that ‘it can be concluded that where the HRA for the Local Plan has determined that a particular policy is ‘unlikely to have an adverse effect on the integrity of a relevant European Sites, any (neighbourhood plan) policy that conforms with it, similarly, is unlikely to have an adverse effect.’ Natural England agree with the conclusion of the HRA Screening that there is likely to be no significant effect of the Hartington Neighbourhood Development Plan on European sites.

The requirements of the Conservation of Habitats and Species Regulations (2017) S106 have been met.

3.4 In accordance with the Town and Country Planning Act (1990) Schedule 4B para (5), the Authority must decline to consider a submitted neighbourhood plan if it is a repeat proposal. A repeat proposal occurs if, within 2 years, the Authority has already refused the same or similar proposal, or it was refused at a referendum.

The proposal is not a repeat proposal.

3.5 Paragraph 6 Schedule 4B of the Town and Country Planning Act requires the Authority to consider whether:

- the qualifying body is authorised to act. A Parish Council is authorised to act in relation to a neighbourhood area if that area consists of, or includes the whole or any part of the

area of the Parish. Hartington Town Quarter Parish Council is named as the qualifying body under the 2011 Localism Act. The whole of the parish has been designated in this case, and Hartington Town Quarter Parish was designated as the Neighbourhood Area on 8th February 2013.

- the proposals and accompanying documents comply with the rules for submission to the Authority. These are set out in paragraph 12 and do comply with the rules for submission.
- the proposals meet the definition of a neighbourhood development plan. This is set out in Section 38 A (2) of the Planning and Compulsory Purchase Act 2004 as 'a plan which sets out policies (however expressed) in relation to the development and use of land in the whole or any part of a particular neighbourhood area specified in the plan'. The submitted Plan contains planning policies for the use and development of land in Hartington Town Quarter Parish Council area.
- the proposals meet the scope of neighbourhood development plan provisions as set out in Section 38 B (1) of the Planning and Compulsory Purchase Act 2004. These are that a neighbourhood development plan:

(i) must specify the period for which it is to have effect: The Hartington Town Quarter Parish Neighbourhood Plan specifies a period following 2024 – 2039.

(ii) may not include provision about development that is excluded development as defined by Section 61K of the 1990 Town and Country Planning Act. Accordingly, the submitted Neighbourhood Plan does not include provision for 'County Matters' development (i.e. minerals), waste development or development requiring an Environmental Impact Assessment.

(iii) may not relate to more than one neighbourhood area. The Hartington Town Quarter Parish Council Neighbourhood Plan applies to this area alone, and no other neighbourhood area.

3.6 The Parish Council has undertaken the correct procedures in relation to consultation and publicity in accordance with Neighbourhood Planning Regulation 14. The Consultation Statement demonstrates that correct procedures were undertaken.

The requirements of Paragraph 6 Schedule 4B of the Town and Country Planning Act have been met.

3.7 A neighbourhood plan must also meet the 'Basic Conditions' required by Paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990. A local planning authority has to be satisfied that a Basic Conditions Statement has been submitted but it is not required at this stage to consider whether the draft plan meets basic conditions. It is only after the independent examination that the planning authority comes to a formal view on whether the draft plan meets basic conditions.

3.8. In order to meet Basic Conditions, the Hartington Town Quarter Parish Neighbourhood Plan must demonstrate that it:

- has regard to national policies and guidance issued by the Secretary of State
- achieves sustainable development
- is in general conformity with the strategic policies contained in the development plan

- does not breach and is otherwise compatible with EU obligations and human rights requirements.
- the making of the neighbourhood plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017, which set out the habitat regulation assessment process for land use plans, including consideration of the effect on habitats sites.

The requirements of Paragraph 8 Schedule 4B of the Town and Country Planning Act have been met.

4. Recommendations

4.1 That Committee approves the submitted Regulation 15 Hartington Town Quarter Neighbourhood Development Plan for Regulation 16 Consultation and Examination.

4.2 To grant delegated authority for the Head of Planning, in conjunction with the Local Plan Steering Group, to agree our response to the Reg 16 consultation.

5. Corporate Implications

5.1 Legal

This is a legal obligation under the Localism Act 2011. The law requires that the National Park Authority to carry out two 'statutory purposes'. While carrying out these purposes it also has a duty to seek to foster the economic and social well-being of the communities within the National Park.

No legal risks are identified but any defects in procedure can be challenged by application to the High Court.

5.2 Financial

The cost of the Regulation 16 public consultation, independent examination and referendum will be met by us as lead authority. There will be costs for the Authority in staff time to support this process.

Local planning authorities can claim £20,000 from Central Government when they issue a decision statement detailing their intention to send the plan to referendum (as set out under Regulation 18 of the Neighbourhood Planning (General) Regulations 2012).

5.3 National Park Management Plan and Authority Plan

This proposal contributes to the PDNPA Management Plan Aim 4: Thriving Communities. Particularly Objective 10 to “To support sustainable communities by improving opportunities for affordable housing and connection to services.” A measure of success are actions under TC.1; TC.2; TC.3, to implement policies and programmes that impact positively on local communities.

5.4 Risk Management

It is considered the steps that the Authority is taking, as described, to respond to the submission of the Hartington Town Quarter Parish Neighbourhood Plan, means that the risk of failure to meet Government standards or legal obligations is low.

5.5 Net Zero

Not applicable.

6. Background papers (not previously published)

Appendix 1 – Basic Conditions Statement 19th November 2024

Appendix 2 – Consultation Statement 13th December 2024

Appendix 3 – Hartington Town Quarter Parish Neighbourhood Development Plan v.10 Final
5th June 2024

Appendix 4 – HRA Screening Report 28th November 2024

Appendix 5 – SAE Screening Report 28th November 2024

7. Appendices

Appendix 1: Draft policies.

Report Author, Job Title and Publication Date

Ellie Faulder, Community Policy Planner, 9 January 2025

Responsible Officer, Job Title

Adele Metcalfe

Policy and Communities Team Manager

Appendix 1:

**APPROVAL OF THE HARTINGTON TOWN QUARTER PARISH
NEIGHBOURHOOD DEVELOPMENT PLAN FOR CONSULTATION AND
EXAMINATION**

Draft Policies

Landscape and Ecosystems

E1 – Every application must contain measures that will be undertaken to deliver a net gain in biodiversity and landscape within the Parish. This can include measures to reinstate or add to locally significant habitats including native trees, native hedgerows, grassland and dry-stone walls and measures to improve the connectivity of existing fragmented habitats.

E2 – Proposals will only be acceptable where they will not fragment or disrupt existing habitat networks.

Climate Change

C1 – In seeking to address the causes and impacts of climate change future developments must comply with the following:

- All proposals that seek to increase the volume of an existing building by more than 15% must include measures for microgeneration of energy where compatible with heritage and landscape interests.
- All proposals to build new buildings or extend existing buildings or change their use must include grey water recycling.
- The use of locally sourced building materials will be required for all development.
- Subject to it being viable within the electricity infrastructure available in the village:
 - a) all new houses, and residential annexes will be required to deliver an EV charging point.
 - b) new business or commercial development will be required to deliver at least 1 EV charging point per three car parking spaces delivered, with a minimum of one EV charging point for each development.
- If it is demonstrated that the electricity infrastructure is not available to deliver EV charging points, then the on-site infrastructure to enable EV charging points to be installed in future must be provided.

Development Boundary

DB1 – New development will be limited to within the Development Boundary, protecting the surrounding landscape and historic field patterns.

DB2 – Outside of the Development Boundary no new development will be supported except under policy HC1 where it addresses proven local need to provide a home for a local person in perpetuity, essential housing for a worker employed in agriculture or forestry, or new agricultural buildings where there is a compelling case for their need.

Housing

H1 – The provision of a wider mix of tenure for new affordable housing, including rental, shared ownership and private ownership will be encouraged.

H2 – Affordable housing should not be readily differentiated from open market housing by its design, quality, location, or distribution within a site.

H3 – If a building is a heritage asset and the conversion of the building to an open market home is necessary to deliver its conservation, this will be supported subject to a legal agreement which specifies that it must be the occupant's primary residence.

Economic Development

ED1 - Change of use of the public toilet facilities in Mill Lane will not be supported.

ED2 – Business uses should primarily be directed to existing buildings. If a new building is proposed for a business use, an assessment of the availability and suitability of existing buildings in the Development Boundary must first be undertaken.

ED3 - Given the number of existing touring camping and caravan sites, yurts, shepherd

huts and pods within the Dove and Manifold valleys the development of any new sites will not be supported. The extension or improvement of facilities at existing sites will not be supported unless the development offers landscape, ecological and amenity improvements.

ED4 - To ensure the viability of existing retail services in Hartington, new shopping and catering facilities on existing camping and/or caravan sites will not be supported.

Transport

T1 – Proposals for development must:

- a) demonstrate how the development will be served by sustainable and active travel.
- b) require provision of cycle parking and storage.

T2 – Proposals for the provision of an off-road link between the centre of Hartington village and the Tissington Trail will be supported, provided that it does not compromise the valued characteristics of the area. Cycle parking facilities in Hartington village should be an integral feature.

T3 - Proposals for development that would lead to a loss of public parking in Parsons Croft car park on Mill Lane will not be supported.

T4 – Development proposals which deliver off-street parking for existing residents will be supported. Any domestic garages that are permitted will include planning conditions

requiring that they remain available for the parking of vehicles in perpetuity.

T5 – Commercial development proposals, including agricultural diversification projects, which involve the movement of customers or clients to the site must provide a travel plan with the planning application addressing how the travel needs will be met and how sustainable travel will be promoted.

Community, Health, Social and Cultural Well Being

S1 – The areas listed on Appendix A and shown together on Map 5 are designated as Local Green Spaces, where new development is not supported other than in the exceptional circumstances set out in policies S2 and S3.

S2 – The provision of a children’s outdoor play area will be supported as an exception in Local Green Space LGS2. Provision of outdoor, communal green spaces will be supported in both LGS2 and LGS6.

S3 - Any proposal for development of a graveyard extension in LGS3 as shown on Map

5) will be supported as an exception to policy S1.

S4 – Proposals for change of use of a community facility to accommodate flexible working space for business use will be supported provided the community use is not lost and the business use remains ancillary to community use.

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12. MONITORING & ENFORCEMENT QUARTERLY REVIEW – JANUARY 2025 (A.1533/AJC)

Introduction

1. This report provides a summary of the work carried out over the last quarter (October – December 2024).
2. Most breaches of planning control are resolved voluntarily or through negotiation without resorting to formal enforcement action. Where formal action is considered necessary, this can be authorised under delegated powers.
3. The Authority has a duty to investigate alleged breaches of planning control, but formal enforcement action is discretionary and must only be taken where it is 'expedient' to do so, having regard to policies in the development plan and any other material considerations. This means that the breach must be causing unacceptable harm to the appearance of the landscape, conservation interests, public amenity or highway safety, for example. When we take formal action it must be proportionate with the breach of planning control and be clear that resolving the breach would be in the public interest.

Outstanding Enforcement Notices

4. At the October 2024 Planning Committee, when the previous quarterly review was considered, it was resolved that cases where compliance with an enforcement notice is outstanding for more than 3 months would be reported to Planning Committee each quarter. A list of these cases and a brief explanation of the current position is provided in paragraph 12 of this report. Officers have carried out an initial review of the cases and agreed the next steps. Further updates will be provided in subsequent reports to this Committee.

RECOMMENDATION:

That the report be noted.

Summary of Activity

5. Notices issued

24/0132 Land off Oldfields Farm Lane Grindon	Excavations, laying of imported material and alterations to access	Temporary Stop Notice issued 1 October 2024 – works ceased – planning application submitted for erection of stable
21/0002 4 Greenhead Park Bamford Hope Valley	Erection of fence	Enforcement Notice issued 2 October 2024 – appeal submitted – awaiting start letter from PINS
21/0054 Hallfield Farm Strawberry Lee Lane Sheffield	Erection of implements store and horse training building and laying of a hard-surfaced track	Enforcement Notice issued 3 December 2024 – due to come into effect 7 January 2025

6. As we have been fully staffed since early May we have continued to improve our performance on casework over the last quarter. We resolved 45 breaches in the latest quarter which means that we have resolved 139 breaches in the first three quarters of the year and have already exceeded our annual target of resolving 120 cases per year. The number of outstanding breaches at the end of the quarter has also further reduced from 438 to 430.
7. We received 71 enquiries and investigated 102 enquiries in the quarter, resulting in the number 'on hand' being reduced from 148 to 114. The number of enquiries on hand at the end of December 2023 was 249. Following investigation of enquiries, we found 39 new breaches.
8. The table below summarises the position at the end of the quarter (31 December 2024). The figures in brackets are for the previous quarter.

	Received	Investigated/Resolved	Outstanding
Enquiries	71 (102)	109 (158)	114 (148)
Breaches	39 (61)	45 (47)	430 (438)

9. Breaches resolved

24/0024 New Close Farm Weags Bridge Road Grindon	Installation of sewage treatment plant	Retrospective planning permission granted
21/0049 Site adjacent The Depot Land at Ashford in the Water	Erection of agricultural building	Immune from enforcement action
24/0119 The Castle Inn Castle Street Bakewell	Display of three advertisement signs	Advertisement signs removed
24/0043 Underedge Farm Beggaway Lane Great Longstone	Erection of gates and gate posts	Gates and gate posts removed

24/0057 South View Farm Washhouse Bottom Little Hucklow	Use of land as campsite and siting of portable toilets	Use ceased and portable toilets removed
24/0053 4 Market Close Hope Hope Valley	Erection of summerhouse	Retrospective planning permission granted
24/0005 Woodeaves Cottage Bradbourne Road Fenny Bentley	Alteration of stables and garage to facilitate use as studio/gym incidental to the dwelling	Not expedient to take enforcement action
14/0015 The Candle House Greaves Lane Ashford-In- The-Water	LISTED BUILDING UPVC windows to rear (west) elevation, and satellite dish on rear wall.	Satellite dish removed and windows replaced with approved design
20/0108 Newhaven Lodge Farm Hartington	Siting of camping pods	Camping pods removed
24/0063 Side Nook Plantation Friden Road Middleton By Youlgrave	Change of use of land to paint balling, including moveable structures	Use less than 28 days per year so permitted development.
24/0003 Westrels Cottage West End Elton	Installation of eaves dormers	Eaves dormers removed
24/0139 Wolfscote Grange Holiday Cottages Hartington	Shepherds hut used as holiday accommodation	Duplicate record – see 24/0138

14/0069 Spring House Farm Castleton Hope Valley	LISTED BUILDING Installation of UPVC windows	UPVC windows removed
14/0185 George Hotel Castle Street Castleton Hope Valley	LISTED BUILDING Installation of satellite dish	Satellite dish removed
24/0008 The National Trust Longshaw Estate Car Park	Non-compliance with condition on NP/DDD/0621/0637 (requiring removal of temporary ranger information building) and change of use of building to bookshop	Building removed
16/0116 Junction of New Road and Briers House Lane Dungworth Green Sheffield	Display of advertisement signs	Advertisements have deemed consent
14/0583 Bottle Croft Main Street Chelmorton	Retention of temporary dwelling in breach of condition	Temporary dwelling removed – Enforcement Notice complied with
14/0608 Wheston House Farm Tideswell Moor Tideswell	Use of accommodation as independent dwelling in breach of condition 11 of application NP/DDD/0111/0052 requiring approved accommodation to remain ancillary.	Use ceased
18/0059 Lime Tree Farm The Brund Sheen	Extension of residential garden onto agricultural land, erection of garage, greenhouse, oil tank and creation of pond	Use appears to be lawful, garage and pond immune from action, oil tank relocated, greenhouse is permitted development
22/0057 Boulder Field Cabin Rocking Stone Farm Rowtor Lane Birchover	Erection of timber building and associated structures and use as holiday accommodation	Planning permission granted on appeal

24/0137 Field to north east of Biggin Hall Biggin	Erection of field shelter	Not expedient to take enforcement action
22/0051 Manor Farm Pown Street Sheen	Siting of portacabin and use as a farm shop, use of land as picnic area with shepherds hut and tables/benches for use in connection with farm shop	Portacabin and shepherds hut removed – planning permission granted for use of barn as farm shop - not expedient to pursue enforcement action on picnic area
15/0039 Keepers Cottage Heathcote Hartington	Use of agricultural land as residential garden	Use ceased
21/0013 Greenhead Cottage Pot Hooks Lane Butterton	Change of use of agricultural building to gym/storage	Retrospective planning permission granted
23/0054 Cragg Cottage Smalldale Bradwell	Extension of garage	Extension altered to within permitted development limitations
24/0142 Land at Hilly Lees Farm Swythamley Rushton Spencer	Creation of pond	Works are repair/reinstatement of existing pond so no breach of planning control
19/0113 The Hut Wilshaw Bottom Hollinsclough	Erection of dwelling	Dwelling removed and land reinstated - Enforcement notice complied with
15/0088 Starr House Main Street Taddington	Non-compliance with conditions on NP/DDD/0814/0894 (Erection of dwelling, conversion of building to dwelling and erection of outbuilding)	Not expedient to pursue enforcement action
20/0023 New Lodge Farm Quarnford	Erection of building	Immune from enforcement action

24/0149 Derbyshire Wildlife Trust Shop 16 Matlock Street Bakewell	LISTED BUILDING Internal alterations	No evidence of breach of listed building control
13/0152 Booth Farm Hollinsclough	Erection of chalet and use as dwelling, storage of scrap vehicles, use of land/buildings as concrete business and sub-division of dwelling to form holiday let	LDC granted for chalet, scrap removed, concrete business ceased and planning permission granted for holiday let
14/0577 Hartington Creamery Pike Hall farm Pikehall	Breach of conditions 2, 12, 15, 17 & 18 on planning permission NP/DDD/0711/0714 - change of use of agricultural buildings to cheese making (B2), ancillary offices and training room (D1)	Combined with 14/0574
09/0032 New Mere Farm Flagg	Siting of static caravan and use for residential purposes, conversion of agricultural building to residential use and use of land as campsite	Static caravan removed, planning permission granted for residential use of agricultural building and campsite use ceased
22/0031 Mulberry Cottage Main Street Youlgrave	LISTED BUILDING Replacement windows and door	Door replaced with agreed design – no action to be taken against windows
21/0116 Land adjacent to 3 Hurst Waterworks Sheffield Road Glossop	Erection of building	Combined with 21/0117
24/0097 Holme Lea Reapsmoor Longnor	Erection of outbuilding	Planning permission granted
23/0072 20 Woodside Close Bakewell	Untidy property	Not expedient to pursue enforcement action

19/0192 Derwent Water Arms Calver	Siting of a converted shipping container (used for storage) and erection of fencing	Container and fencing removed – Enforcement Notice complied with
21/0115 Jonlendenan Minn End Lane Bosley	Erection of polytunnel	Polytunnel removed
24/0096 Land at Condliff Road Tideswell	Non-compliance with approved plans on NP/DDD/0616/0483 (Conversion and extension of existing workshop/store to ancillary residential accommodation for a dependent relative.)	Amendments approved under section 73 application
19/0052 Church Cott. Main Road Stanton-in-the Peak	LISTED BUILDING Removal of part of staircase partition	Partition reinstated
24/0069 Land opposite Staffordshire Knott Inn Pown Street Sheen	Groundworks and partial erection of walls	Planning permission granted for erection of local needs dwelling
21/0028 Holly Grove Farm Newtown Longnor	Extension to timber storage area in connection with existing wood cutting and drying business	Planning permission granted
24/0066 Snelslow Farm Hernstone Lane Peak Forest	Change of use of land from agriculture to residential garden	Use ceased
19/0168 Old Well Barn Hernstone Lane Peak Forest	Non-compliance with approved plans for NP/GDO/0419/0394 – Erection of agricultural building	Combined with 24/0021

10. **Outstanding Enforcement Notices**

The list of outstanding enforcement notices is below. Some of the notices have been complied with in whole or part but must remain in place, for example in the event of a use re-commencing. Where enforcement notices are not complied with we continue to contact owners, carry out further site visits to collect evidence and where appropriate pursue appropriate legal action.

Case Reference	Location	Description
04/0098	Land west of Crossgates Farm Wheston Tideswell Buxton	Hardstanding on agricultural land EN issued 2008 - took effect 2009
05/0003	Land at Riverdale Main Road Grindleford	Use of land and buildings for the storage of vehicles and other items. EN issued/took effect 2008 EN almost complied with - not withdrawn as use may re-occur.
05/0102	Land at the Forge, Damflask, Bradfield, Sheffield	Use of land for the storage of vehicles. EN issued 2003 - took effect 31 October 2003
05/0113	Higher Heys Farm, Highgate Road, Hayfield, High Peak,	Siting of portacabin (within agricultural building) and its use for the storage and operation of computer equipment and associated items for business purposes. EN issued 2000 - took effect 2001 Retrospective planning application refused 11 May 2004
05/0126	Tor Farm Middleton by Youlgreave Nr Bakewell Derbyshire	Removal of two timber windows and section of stonework and replacement with UPVC window and UPVC window and door LBEN issued/took effect 2003
06/0012	Midfield Macclesfield Road Kettleshulme	Siting and storage of a residential caravan and use of land for storage purposes, including the storage of building materials and equipment, vehicles and vehicle parts. EN issued/took effect 1996 - land mostly cleared
07/0042	Hurdlow Grange Farm Hurdlow Buxton	1. Erection of portal framed agricultural building; 2. Erection of a lean-to building and timber car port; 3. Change of Use of land for storage and the siting and residential use of a static caravan EN issued re item 1 2011 - took effect 2012 EN issued/took effect re items 2 and 3 2015

07/0084	Five Acres Farm, Narrowgate Lane, Wardlow	Change of use of land/buildings to parking and maintenance of lorries and trailers EN issued/took effect 2013
08/0021	Land off Smith Lane, Rainow (Corner of Smith Lane & B5470)	Erection of building. EN issued/took effect 2013 Building largely removed
08/0063	Beech Croft Sheldon Bakewell Derbyshire	Chimney on converted barn. EN issued/took effect 2010
08/0069	Bent Farm Tissington	Siting and residential use of static caravan EN issued/took effect 2017
08/0072	Land at Gun Quarry Farm Heaton Rushton Spencer	Erection of a building EN (variation) issued/took effect 2013
08/0104	Fernhill Cottage Ronksley Lane Hollow Meadows Sheffield	Engineering operations and partial erection of building EN issued 2009 – took effect 2010
09/0066	Land north of Home Farm Little Hucklow Derbyshire	Erection of buildings EN issued/took effect 2012
10/0177	Hurstnook Farm Cottage Derbyshire Level Glossop Derbyshire	Erection of two-storey and single-storey extensions (not built in accordance with NP/HPK/0602/085) EN (Variation) issued/took effect 2016
09/0074	Land and buildings east of Lane End Farm Abney	Breach of holiday occupancy condition. EN issued 2009 – took effect 2010
10/0189	Foxholes Farm Top of Mill Lee Road Low Bradfield	Use of premises for wedding events EN issued 2017 – took effect 2019

11/0154	Land north of Lapwing Hall Farm Meerbrook	Change of use of agricultural land to domestic use, siting of caravan and erection of extension to caravan EN issued/took effect 2014 Planning permission granted for dwelling 2015
11/0119	Shop Farm Brandside Buxton Derbyshire	Change of use of the land from agriculture to use for storage of caravans, derelict vehicles, scrap and refuse and siting and residential use of a caravan. EN issued 1984 - took effect 1985 – land cleared following direct action – use subsequently recommenced
11/0222	Land off Stanedge Road Bakewell	Erection of building and use of building and land for storage of building materials. EN issued/took effect 2014
12/0040	Wigtwizzle Barn Bolsterstone Sheffield	Erection of unauthorised building EN issued/took effect 2015
12/0113	The Barn Mixon Mines Onecote	1.Cladding existing building and extension to existing building to create new building; and 2.Erection of a portal framed building Two ENs issued/took effect 2016
13/0051	Land north east of Holly House Farm Flagg	COU siting of static caravan on the land to provide residential accommodation EN ISSUED JUNE 2016
14/0098	Pilough Farm Pilhough Rowsley Matlock	Various alterations including timber panelling EN issued/took effect 2007 but agreement to defer until property sold
15/0028	The Stone Yard Stanedge Road Bakewell	Material Change of Use of the Land from a B8 Storage to B2 Industrial EN issued 2021 - took effect 2022
15/0036	Field opposite Grayling Hope Road Edale Hope Valley	Residential caravan EN issued/took effect 2019 EN complied with but caravan returned September 2020
15/0057	Midhope Moor/ Cutgate/ Lost Lad	Creation of track EN issued 2018 - took effect 2021
15/0083	Maynestone Farm Hayfield Road Chinley High Peak	Erection of extension EN issued 2015 - took effect 2016 PP granted for amended scheme Jan 2023

16/0118	Brackenburn Riddings Lane Curbar Calver Hope Valley	Erection of gates and gate posts in breach of conditions on NP/DDD/0913/0809 (construction of replacement dwelling) EN issued May 2020 - took effect October 2020 - gates removed - application for retention of gate posts and installation of gates refused 13 August 2024
16/0163	Five Acres Fields Edge Top Road Longnor	Unauthorised building used for storage, workshop and welfare EN and s215 Notice issued/took effect 2020 Recent contact with owner
17/0044	Woodseats Farm Windy Bank Bradfield Dale Sheffield	Unauthorised works to Listed Building and engineering works in the setting and wider farmstead EN issued/took effect 2019
17/0095	Blues Trust Farm Marnshaw Head Longnor	Erection of a building and the siting and residential use of a touring caravan. Construction of an access track EN issued/took effect 2019 SV 5/12/2024 – EN partially complied with
18/0062	Cartledge/Rushy Flat Bradfield Moors Grid ref: 2113 9238	Creation of track EN issued/took effect May 2019
19/0189	Land adjacent to Black Harry House Main Road Wardlow Buxton	Erection of dwelling (not in accordance with planning permission ref: NP/DDD/0217/0130) EN issued/took effect 2020 - permission granted for amended scheme 9 July 2024
19/0218	Home Farm Main Street Sheldon	Excavations and building operations to rear of guest house EN issued 2020 - took effect 2021 Monitoring compliance with injunction order
21/0060	Home Farm Main Street Sheldon	Construction of track and widening of gateway onto road EN issued 2008 - took effect 2009 - complied with but track subsequently reinstated Monitoring compliance with injunction order
21/0085	New Vincent Farm Parsley Hay	Camping pods EN issued/took effect 2022

Report Author: Andrew Cook, Principal Enforcement Planner

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13. AUTHORITY SOLICITOR REPORT – PLANNING APPEALS REPORT (A.1536/AE)

1. APPEALS LODGED

The following appeals have been lodged since the last report.

<u>Reference</u>	<u>Details</u>	<u>Method of Appeal</u>	<u>Committee/Delegated</u>
NP/HPK/0224/0141 3353256	Retrospective planning permission for change of use of existing agricultural land to facilitate a timber log business, internal access track, widened vehicular access to public highway and associated landscaping on land adjacent to How Lane, Castleton	Written Representations	Delegated
NP/DDD/0524/0534 3352304	Change of use of The Old School to dwelling a The Old School, Main Street, Great Longstone	Written Representations	Delegated
ENF 24/0081 3348877 3348883	Breach of Planning Control at Milldam Mine, Great Hucklow	Written Representations	Delegated
NP/HPK/0224/0169 3353578	Proposed conversion of existing redundant barn to dwelling at Pyegreave Farm, Combs	Written Representations	Delegated
NP/DDD/1223/1530 3354072	Proposed Aparthotel to create 13 self-catering units for holiday use at Deepdale Business Park, Bakewell	Written Representations	Committee
NP/DDD/0624/0624 3354957	Proposed alterations and extension at The Gables, Greaves Lane, Ashford in the Water	Householder	Delegated
NP/SM/0624/0578 3350153	Application for Certificate for proposed Lawful Development for the installation of roof mounted solar pv on non-domestic building at Waterfall Parochial Hall, Waterfall Lane, Waterhouses	Written Representations	Delegated
NP/DDD/0324/0308 3355186	Application for Change of Use of the public house to a mix-use comprised of café, retail, office/light industrial and accommodation at Plough Inn, Flagg	Written Representations	Delegated
NP/SM/0824/0849 3355121	S.73 application for the removal of condition 3 on NP/SM/1192/113 at Thornyleigh Green Farm, Meerbrook	Hearing	Delegated

NP/HPK/0324/0314 3355940	Retention of two water storage tanks and construction of associated building at Cop Farm, Old Dam Lane, Peak Forest	Written Representations	Delegated
NP/S/0523/0530 3335116	Retrospective planning application for a timber, open fronted implements store and a circular horse training centre at Hallfield Farm, Strawberry Lee Lane, Sheffield	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/HPK/0922/1194 3316512	Installation of a solar panel to garage roof at Chapelsteads Farm, Wormhill	Householder	Allowed	Delegated
The Inspector considered that the appearance of the solar panels would not result in any protrusion, and would not harm the setting of the listed building or the character and appearance of the conservation area. The Inspector was also satisfied that the proposal would not conflict with the aims and objectives of the NPPF. The appeal was allowed.				
NP/S/0708/0571 3338478	Removal of Planning Condition 24 attached to NP/S/1123/1421 to remove permitted developments rights at Norfolk House, Manchester Road, Sheffield	Householder	Allowed	Delegated
The Inspector considered that the condition was overly onerous and not reasonable or necessary in the interest of the character and appearance of the building or the area, and therefore did not meet the relevant test set out in the Framework. The Inspector also found no conflict with DMC3 or DMH& of the Development Management Policies, and from the evidence provided, found that the limited extension or alteration of the property allowed by permitted development rights, would not have a harmful effect on the composition of the building or its valued features within the landscape. The appeal was allowed.				
NP/HPK/0723/0869 3340823	Refurbishment of the disused stable block to form self-contained holiday accommodation at Round Meadow Barn,	Written Representations	Dismissed	Delegated

	Parsons Lane, Hope			
<p>The Inspector considered that the appeal building would not harm the landscape setting or character of the building or the area, it did not meet the definition of a traditional building as set out in the Development Plan due to its age and use of concrete roof tiles. The proposal would also conflict with RT2 of the Core Strategy, which seeks to control the conversion of buildings to holiday accommodation. The appeal was dismissed.</p>				
NP/HPK/0723/0810 3343611	Development of one dwelling at disused quarry at Chunal, Glossop	Written Representations	Dismissed	Committee
<p>The Inspector considered that the appeal site was not an appropriate location for the proposed development, and the harm would be long lasting. The development would also be in conflict with policies DS1, HC1, L1, GSP1 and GSP2 of the Core Strategy as well as DMC1 and DMC2 of the Development Management Plan. The appeal was dismissed.</p>				
NP/SM/0324/0238 3344884	Single storey side extension at Ferny Knoll, Sheen	Householder	Dismissed	Delegated
<p>The Inspector considered that the development would cause harm to the character and appearance of the host dwelling, and thereby it would fail to conserve or enhance the National Park. It would therefore be contrary to GSP1, GSP2 and GSP3 of the Core Strategy as well as DMC3 and DMH 7 of the Development Management Plan. The appeal was dismissed.</p>				
NP/DDD/1221/1376 3343917	S.73 application for the removal or variation of condition 4 on NP/DDD/0918/0870 at Newburgh Engineering Works, Netherside Bradwell	Written Representations	Dismissed	Delegated
<p>The Inspector considered that the proposal conflicts with the development plan as a whole and there are no other considerations which indicate that a decision should be made other than in accordance with it. Removing condition 4 would result in harm to the living conditions of neighbouring residential occupiers and thus would conflict with Policy GSP3 of the Peak District National Park Core Strategy and Policy DMC3 of the DMP. The appeal was dismissed.</p>				
NP/DDD/1023/1269 3347367	Erection of new low energy house to replace existing garage at land to the side of Spire View, Monyash Road, Bakewell	Written Representations	Dismissed	Delegated
<p>The Inspector considers that the proposal fails to accord with Core Strategy policy HC1 relating to new housing in the Peak District. In addition, the proposal would cause significant harm to the character and appearance of the area, and the scheme does not provide sufficient amenity space for the proposed dwelling house. The appeal was dismissed.</p>				
NP/DDD/0623/0604 3343453	New forestry building at Land off A625, Froggatt Bridge	Written Representations	Dismissed	Committee
<p>The Inspector considered that the functional need for the building had not been satisfactorily</p>				

demonstrated, and would conflict with DME1 of the Development Management Plan. The Inspector considered that although the surrounding tree cover would offer some screening, it would not make the appeal scheme acceptable, and would not make up for the negative effect it would have on the character of the area. The appeal was dismissed.

NP/SM/0723/0844 3344495	Change of use of the existing pub and residential accommodation to C1 use holiday accommodation and café use class E at The Staffordshire Knott, Sheen	Written Representations	Dismissed	Delegated
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The Inspector considered that the appeal scheme would result in the unacceptable loss of a community facility, it would also conflict with policies GSP1 and HC4 of the Core Strategy as well as DMS2 of the Development Management Policies. Policy HC4 specifically requires that for the proposals to change the use of such buildings which provide community facilities, it must be demonstrated that the facility is no longer needed or available elsewhere within the settlement; this had not been demonstrated. The appeal was dismissed.

4. RECOMMENDATION:

To note the report.