

# Public Document Pack

**Peak District National Park Authority**

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



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

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Our Ref: A.1142/5013

Date: 3 April 2025



## NOTICE OF MEETING

Meeting: **Planning Committee**

Date: **Friday 11 April 2025**

Time: **10.00 am**

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

PHILIP MULLIGAN  
CHIEF EXECUTIVE

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## AGENDA

1. **Apologies for Absence**
2. **Minutes of previous meeting held on 14 March 2025** *(Pages 5 - 12)*
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. **Policy Referral for Full Application - For the proposed change of use of former chapel to create ancillary living accommodation for Lawson Cottage and short stay holiday accommodation use at Elton Methodist Church, West End, Elton (NP/DDD/0125/0071/SW)** *(Pages 13 - 32)*  
Appendix 1  
  
Site Plan
7. **Policy Referral for Full Application - Proposed siting of 24 static holiday caravans with additional landscaping in lieu of 28 touring caravans and two tented camping areas at Newhaven Holiday Park, Newhaven (NP/DDD/1024/1137, AM)** *(Pages 33 - 44)*  
Appendix 1  
  
Site Plan
8. **Full Application - Rear/side extension and internal alterations. New Glasshouse at Old Hall, Creamery Lane, Parwich (NP/DDD/0125/0057, LB)** *(Pages 45 - 56)*  
Site Plan
9. **Full Application - Conversion of barn to a dwelling (part retrospective) at Cornfield Barn, Cornfield Road, Lyme Handley (NP/CEC/0125/0095, HF)** *(Pages 57 - 68)*  
Site Plan
10. **S.73 Application - For the variation of conditions 2 and 4 on NP/HPK/0921/1048 at Newfold Farm, Coopers Caravan Site and Cafe, Unnamed Road from Stonecroft to Grindslow House, Grindsbrook Booth, Edale (NP/HPK/1123/1343, HF)** *(Pages 69 - 80)*  
Site Plan
11. **Monitoring & Enforcement Annual Review - April 2025 (A1533/ (AJC)** *(Pages 81 - 94)*
12. **Planning Appeals Monthly Report (A.1536/BT)** *(Pages 95 - 98)*

## **Duration of Meeting**

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

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

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

### **Agendas and reports**

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

### **Background Papers**

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

### **Public Participation and Other Representations from third parties**

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

### **Written Representations**

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

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

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

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

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

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

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**To: Members of Planning Committee:**

Chair: P Brady  
Vice Chair: V Priestley

M Beer	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
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Constituent Authorities  
Secretary of State for the Environment  
Natural England

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



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## MINUTES

Meeting: **Planning Committee**

Date: Friday 14 March 2025 at 10.00 am

Venue: Aldern House, Baslow Road, Bakewell

Chair: P Brady

Present: V Priestley, M Beer, R Bennett, M Buckler, M Chaplin, L Hartshorne, D Murphy, K Potter, K Richardson and K Smith

Apologies for absence: B Hanley, A Hart, I Huddleston and J Wharmby.

### **25/25 MINUTES OF PREVIOUS MEETING HELD ON 14 FEBRUARY 2025**

The minutes of the last meeting of the Planning Committee held on 14 February 2025 were approved as a correct record.

### **26/25 URGENT BUSINESS**

There was no urgent business.

### **27/25 PUBLIC PARTICIPATION**

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

### **28/25 MEMBERS DECLARATIONS OF INTERESTS**

#### Item 6

All Members had received an email from the applicant.

G Priestley declared a personal interest as a member of Bamford Parish Council, so would leave the room when this item was discussed.

#### Item 8

M Buckler declared an interest as he was the Ward District Councillor for Elton.

#### Item 9

P Brady declared a personal interest as a member of Taddington Parish Council, but was not present at the parish council meeting when this item was discussed.

Item 10

P Brady declared a personal interest as he was acquainted with one of the objectors, but confirmed that he had not discussed the item with them.

Some of the Members knew Cllr D Chapman, who had made a representation on the application, as he was a former Member of the Authority.

**29/25 FULL APPLICATION - DEMOLITION OF DERELICT OUTBUILDING AND CONSTRUCTION OF TWO-BEDROOMED DETACHED DWELLING WITH FRONT GARDEN TO STREET AND SMALLER PRIVATE AMENITY SPACE TO REAR AT SITE OF FORMER NATWEST BANK, BAMFORD (NP/HPK/0125/0061 WE)**

G Priestley left the room while this item was discussed.

Some Members had visited the site the previous day.

The Planning Officer presented the report and informed Members that since the report was written, a further seven representations had been received, four of which were objections and three that were in support, bringing the total number of representations to 17.

The Officer then went onto outline the reasons for refusal as set out in the report.

The following spoke under the public participation at meetings scheme:

- Kathryn Sather, Supporter – Statement read out by Democratic Services
- Ben McIntyre, Objector
- Daniel Hale, Applicant
- Chris Barnes, Architect

Members agreed that although the site was an eyesore at present they were concerned that the current proposal appeared over-development on what was a small site and would have a harmful impact on the amenity of the neighbouring property, and that a better solution and design could be found.

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

**RESOLVED:**

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

- 1. The design, scale, form, and massing of the proposed development would erode the setting of The Green and Fidlers Well and harm the significance of the Bamford Conservation Area. The proposal is therefore contrary to Core Strategy policies GSP2, GSP3, L3 and HC1 and Development Management policies DMC3, DMC5, DMC8 and DMH6. The harm identified would be less than substantial but would not be outweighed by public benefits and therefore contrary to the National Planning Policy Framework.**
- 2. The proposed development would be overbearing and have an unacceptable harmful impact upon the residential amenity of occupants of neighbouring properties contrary to Core Strategy policy GPS3 and Development Management policy DMC3.**

**30/25 FULL APPLICATION - PROPOSED SITING OF 24 STATIC HOLIDAY CARAVANS WITH ADDITIONAL LANDSCAPING IN LIEU OF 28 TOURING CARAVANS AND TWO TENTED CAMPING AREAS - NEWHAVEN HOLIDAY PARK, NEWHAVEN (NP/DDD/1024/1137)/MN**

G Priestley returned to the meeting.

Some Members had visited the site the previous day.

The Planning Officer informed Members of a correction to the report at paragraph 39, which suggested there was a seasonal restriction on the touring caravans within this area of the holiday park, which was not the case as the pitches could be used year round for up to 28 days per calendar year by any one person.

The Officer then went onto present the report and outlined the reasons for approval as set out in the report. The Officer informed Members that the application, which was for the siting of static caravans, represented a departure from policy RT3, which says that static caravans would not be permitted, with the supporting text only allowing them in exceptional circumstances, which would be sites where they would have a very low impact in the landscape, so if Members were minded to approve the application, then a referral back to a future Planning Committee would be needed to consider the impact on the adopted policy.

The following spoke under the public participation at meetings scheme:

- David Middleton, Agent

Members considered that the site was extremely well hidden in the landscape, and that it could be regarded as a positive move in this specific location. Members also asked if an additional condition could be added regarding electric vehicle charging points? The Agent agreed that this was something that they could look at providing near the reception building or sales office as it would not be practical for each static unit to have one.

Members were minded to approve subject to referral to the next Planning Committee in accordance with standing order 1.48 in order to consider impact to adopted policy, as an approval in this case would represent a departure from strategic policies, and subject to an additional condition regarding an electric vehicle charging unit being installed.

**RESOLVED:**

**That subject to referral of the application under Standing Order 1.48, Members are minded to APPROVE the application subject to the following conditions:-**

- 1. Statutory 3 year time limit for implementation**
- 2. In accordance with submitted and amended plans**
- 3. 28-day holiday occupancy restriction**
- 4. Colour range of units to be approved and implemented**
- 5. Biodiversity Net Gain plan to be implemented**

6. **Habitat creation and management plan to be approved and implemented**
7. **In accordance with the recommendations of the protected species report**
8. **In accordance with the recommendations of the tree report**
9. **Programme of monitoring and site supervision of arboricultural measures to be approved**
10. **Final Tree Protection Plan (TPP) and Arboricultural Method Statement (AMS) to be approved and implemented**
11. **Planting to be carried out as approved**
12. **Woodland management plan to be approved and implemented**
13. **Parking plan to be approved**
14. **Travel Plan to be approved if approved parking plan includes provision of more than 28 spaces**
15. **A scheme of EV charging points to be approved.**

**31/25 AUTHORITY SOLICITOR REPORT - PLANNING APPEALS (A.1536/AE)**

This item was brought forward on the agenda, as the speakers had not arrived for the next item.

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

A discussion took place regarding one of the appeals that had been allowed at Booth Farm, Hollinsclough, where it was felt that the Planning Inspector had not referred to the Development Management Policy which sets out the exceptions for pods and shepherds huts etc, but had made a view that they were acceptable in that location, which is contrary to our exceptions. It was agreed that greater clarity in this area was needed when the Local Plan is rewritten.

**RESOLVED**

**To note the report.**

**The meeting was adjourned from 11:10 until 11:25 following consideration of this item**

**32/25 FULL APPLICATION - FOR THE PROPOSED CHANGE OF USE OF FORMER CHAPEL TO CREATE ANCILLARY LIVING ACCOMMODATION FOR LAWSON COTTAGE AND SHORT STAY HOLIDAY ACCOMMODATION USE AT ELTON METHODIST CHURCH, WEST END, ELTON (NP/DDD/0125/0071/GG)**

The Planning Officer informed Members that the previous application in 2015 to convert the chapel into holiday accommodation was refused as it had not been demonstrated that there was no longer a need for the chapel as a community service or facility and the development would have impacted on the neighbouring property. Since then, the chapel



had been purchased by the owners of the neighbouring property, who now wish to convert it to ancillary accommodation. The Officer then presented the report and outlined the reasons for refusal.

The following spoke under the public participation at meetings scheme:

- Michele Cartwright, Supporter
- Nick Marriott, Agent

Members considered that if the Chapel was put to a community use then it could have a considerable impact on the applicants own property. The Planning Officer responded that the applicants would have bought their property in the knowledge that it was adjacent to a church which is its lawful use so the situation was existing.

Members agreed that there was a need to protect a community asset, however, the chapel hadn't been used as a community asset for some time and the Parish Council were clear that they didn't need another community facility.

Members were minded to approve subject to referral to the next Planning Committee in accordance with standing order 1.48 in order to consider impact to adopted policy, as an approval in this case would represent a departure from strategic policies.

**RESOLVED:**

**That subject to a referral of the application under Standing Order 1.48, Members are minded to APPROVE the application subject to the following conditions:-**

- **Standard Time Limit**
- **In accordance with plans submitted**
- **To agree the type, colour and position of the solar panels**
- **Detail of replacement windows and doors to be submitted**
- **Replacement colour of render to be agreed**
- **Car parking space to be removed**
- **Building to remain ancillary accommodation to Lawson Cottage**
- **Occupancy condition of 28 days**
- **Archaeology requirement**
- **Removal of PD Rights**

**33/25**

**FULL APPLICATION - CONVERSION OF THE STONE FIELD BARN TO CREATE A FIVE BEDROOM PROPERTY WITH INTEGRATED 1 BEDROOMED ANNEXE OFF BROADWAY LANE, NR PRIESTCLIFFE, TADDINGTON (NP/DDD/1224/1324, MN)**

The Planning Officer informed Members of a correction to paragraph 10 of the report, which stated that the application was for a 3 bedroomed open market dwelling, when it should have said a 5 bedroomed open market dwelling. The Officer informed Members that an application for conversion of the barn to a dwelling was considered by the Planning Committee approximately 12 months ago, but the Officers still had similar concerns to last time. The Officer then went on to present the report and outline the reasons for refusal.

The following spoke under the public participation at meetings scheme:

- Ellie Hensby, Applicant

Members were concerned that there were not enough changes to the previous refused application, and there was good policy reason for not allowing the application.

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

**34/25 FULL APPLICATION - ALTERATIONS, EXTENSION AND DETACHED GARAGE AT JOLLY FIELD FARM, CHELMORTON (NP/DDD/1024/1161 PM)**

Some Members had visited the site the previous day.

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

The following spoke under the public participation at meetings scheme:

- Robert Dearman, Objector
- Jade Collins, Objector
- Richard Mundy, Agent
- Julie Collins, Objector

Members noted that there was an insufficient heritage assessment provided, which didn't provide the information required to make an informed decision. Although there were elements of the proposal that were acceptable, there was some concern by Members on the size of the garage, impact upon the conservation area and the potential impact on the tree.

A motion the refuse the application was moved, seconded, put to the vote and carried.

**RESOLVED:**

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

- 1. The application includes insufficient heritage assessment of the site, or of the impacts of the proposed development on its significance, character and appearance, and setting, contrary to Development Management policy DMC5 and paragraph 207 of the NPPF. Due to the lack of sufficient heritage assessment it is not possible to conclude that the heritage significance of the site would be conserved by the development, contrary to Core Strategy policy L3 and Development Management policies DMC3 and DMC5.**

- 2. By reason of its proposed design and materials, the proposed 'glazed link' extension would detract from the character and appearance of the existing building and its setting as a former agricultural barn contrary to Core Strategy policies GSP3 and L3 and Development Management policies DMC3, DMC5 and DMH7.**
- 3. By reason of its siting and scale the proposed garage does not conserve or enhance the setting of the former barn (a non-designated heritage asset) or the valued characteristics of the Chelmorton Conservation Area contrary to Core Strategy policies GSP3 and L3 and Development Management policies DMC3, DMC5 and DMH8.**
- 4. The proposed garage would fall within the Root Protection Area (RPA) of T1 (lime tree). This tree makes a significant positive contribution to the character of the Chelmorton Conservation Area by reason of its prominence and good condition and life expectancy. Further built development within the RPA of T1 would harm its long-term life expectancy resulting ultimately in its loss. As such the proposal is contrary to Core Strategy policies GSP3 and L3 and Development Management policies DMC3, DMC5, DMC8 and DMC13.**

The meeting ended at 12.45 pm

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**6. FULL APPLICATION - FOR THE PROPOSED CHANGE OF USE OF FORMER CHAPEL TO CREATE ANCILLARY LIVING ACCOMMODATION FOR LAWSON COTTAGE AND SHORT STAY HOLIDAY ACCOMMODATION USE AT ELTON METHODIST CHURCH, WEST END, ELTON (NP/DDD/0125/0071/SW)**

**APPLICANT: T HEARNDEN & M CARTWRIGHT**

**Background**

The application was originally considered at the meeting of the Authority's Planning Committee on the 14<sup>th</sup> March 2025 (to be referred to here as "the first report"). The application was recommended for refusal but members of the Planning Committee were minded to approve. Approval of this scheme would be a departure from policy.

The Authority's Standing Orders (Section 1.48) state that where a Committee is proposing to make a decision which would be a departure from policy and/or the officer recommendation, final determination shall be deferred until the next meeting.

The Head of Planning authorised such a deferral in order that the Planning Committee can consider a further paper to explore the policy implications and risks. This report sets out those implications and risks:

1. Policy implications in relation to HC4 and DMS2 of the Local Plan, including matters set out in Standing Orders.
2. Comparisons and consistency with previous decisions.

**1. Impact on adopted planning policies HC4 and DMS2**

- 1.1. The National Planning Policy Framework (NPPF) promotes a presumption in favour of sustainable development (para 11). To do this it advocates approving development proposals that accord with an up-to-date development plan, but clarifies in para 12 that:

*'Where a planning application conflicts with an up-to-date development plan, permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.'*

- 1.2. The first report recommended that the application be REFUSED because the application failed to demonstrate the property had been marketed as a going concern and incapable of being utilised as a community asset going forward and is in conflict with Core Strategy policy HC4 and Development Management Policy DMS2.

- 1.3. Core Strategy policy HC4.C states:

Proposals to change the use of buildings or sites which provide community services and facilities including shops and financial and professional services to non-community uses must demonstrate that the service or facility is:

- I. no longer needed; or
- II. available elsewhere in the settlement; or
- III. can no longer be viable.

- 1.4. Development Management Policy DMS2 A states:

- A. Where an applicant is seeking change of use from a shop or a community service/facility to a non-community use, evidence of reasonable attempts to sell or let the shop or community service/facility as a going concern must be provided

including:

- (i) evidence of a thorough viability assessment and a marketing exercise with a commercial property agent, sustained over at least 12 months, to sell or let the building for alternative community uses or facilities including local needs affordable housing; and
- (ii) evidence of marketing of the property through the Economic Development Team of the appropriate local authority for at least 12 months; and
- (iii) details of contact made with the Town Council, Parish Council or Meeting and other adjacent Parishes to establish the needs existing in the local area and an assessment of the local affordable housing needs in the Parish or adjoining Parishes with reference to an up to date Housing Needs Survey prepared by or in consultation with the district authority as Housing Authority.

- 1.5. The purpose of Core Strategy policy HC4, is to enable or retain community-focused services that are considered vital to maintaining vibrant and sustainable communities. These include those that have a D1 or D2 use class. Since the change to the Use Class Order in 2020, churches now come under F use class, but the purpose and intent of HC4 remains as written; that a church is a community-focused service. The Core Strategy (para 12.27) states that the Authority will continue to strongly resist the loss of any facility or service which meets an essential community need that is not available or reasonably accessible elsewhere. And, if coming to an understanding that that particular use is no longer needed and not viable, that the property be marketed for other community uses before its loss is considered. This policy approach is based on a history of losing community services/facilities and the need to protect thriving and sustainable communities, as once lost, that type of space is unlikely to ever return.
- 1.6. Policy HC4 states that the applicant must demonstrate that the service or facility is: no longer needed; or available elsewhere in the settlement; or can no longer be viable.
- 1.7. Evidence in support of the Core Strategy found that there had been a decline in community services over the last ten years (evidence from 2000-2010), particularly of shops, post offices, healthcare facilities and public houses. More recent policy monitoring has continued to highlight such losses from the settlements named in our spatial strategy. As such the Authority continues to strongly resist the loss of any facility or service which meets an essential community need that is not available or reasonably accessible elsewhere. In all cases, another beneficial community use should be sought before permission is granted for removal of these facilities. Clear evidence of non-viability will be required, such as marketing the building or facility for a period of time to test whether another community interest, operator or owner could be found. Detailed requirements are included in Development Management policy.
- 1.8. The applicant has not provided details of alternative available (religious) facilities in the proximity within their planning application but the Elton and Gratton Parish Statement does.
- 1.9. Elton Parish was involved in the writing of their Parish Statement (2019). Parish Statements are an informal overview of the parish community in terms of the history of the settlement, population statistics and housing stock, settlement amenities, accessibility, and community activities that occur. Elton has a functioning church (All Saints), primary school, village hall, and pub (The Duke of York).
- 1.10. The Parish Council supports the proposal and has stated that *'Elton already has ample community buildings which compete for a small number of users'*.

- 1.11. Development Management Policies (DMP) policy DMS2 builds on the policy approach of HC4. In the policy preamble setting out the approach (7.13), it states that only where it can be shown that the facility is no longer needed by the community, that there is a facility available elsewhere in the settlement that will satisfy the same community need or that the facility where the change of use is proposed can no longer be viable, will change of use be permitted. It goes on to state that any new use should, wherever possible, provide for another local community need or offer alternative community benefit such as affordable housing.
- 1.12. The officer report to Planning Committee (14 March 2025), accepted that affordable housing would not be appropriate here based on the material consideration that a previous application for a holiday let was deemed unacceptable on the amenity of the residents of Lawson Cottage. Therefore, the focus remains on exploring and potentially meeting another local community need.
- 1.13. The DMP goes on to state in its approach to protecting community facilities/services (7.15), that reasonable attempts should be made to find another community use and that the Authority should be satisfied that viability and marketing exercises have been carried out in accordance with policy DMS2. No evidence has been forthcoming, has the lack of conformity with policy in this case.
- 1.14. It goes on to state that, where reference is made to the availability of another building, available elsewhere or reasonably accessible, that will satisfy the same community need, the National Park Authority will need to make a judgement about whether the same need will be satisfied. DMP (7.16) clearly states, in the case of community facilities such as schools and religious buildings, information to support a planning application will be required about alternative available facilities in the proximity, user numbers and other supporting information which adequately demonstrates that the building is no longer needed by the community. This aligns with policy HC4 with regards to demonstrating alternative provision. No such evidence was submitted in this regard.
- 1.15. The purpose of policy DMS2 is to set out what the Local Plan considers to be 'reasonable attempts' to meet another community need and sets out the marketing requirements for proposals that seek a loss of community service/facility.

## **2. Comparisons and consistency with previous decisions in similar locations.**

NP/HPK/0523/0578 Proposed conversion of redundant former Methodist Chapel, Thornhill to form a single residential dwelling and associated works. Approved. Delegated officer report did not consider policies HC4 or DMS2 in the assessment. The fact that Thornhill is not a named settlement in our spatial strategy may have been a strong factor in this case.

NP/DDD/0619/0663 Residential conversion and minor extension to former Primitive Methodist Chapel, East Bank, Winster. Approved at Planning Committee. Committee report did consider policy HC4 and the applicant demonstrated they had made reasonable attempts to find an alternative use and market the property appropriately.

## **Conclusion**

The policy requirement to protect community uses and explore alternative community is a strong policy objective which supports our commitment to thriving and sustainable places. Without clear evidence in support of the application to market or explore alternative uses a decision to approve this application could represent a departure from the development plan.

Members are urged to carefully consider the strength of other evidence and weigh these in the balance against the strong policy requirements set out. Contextual evidence is referred to from

the Parish Council and within the Elton Parish Statement, plus there are material amenity issues which have indicated that a separate dwelling (including via holiday occupancy) would not be appropriate.

If members through their judgement, carefully consider the policy tests in HC4 and DMS2, and determine that the same need will be satisfied elsewhere within the settlement or is accessible to residents, and that there are sufficient buildings in community use within the settlement that satisfy the needs of the local community to maintain and support a thriving and sustainable community then a decision to grant permission for the current application is not considered to be a significant departure from the Development Plan.

### **Human Rights**

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

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

Report [Report](#)  
Minutes [Minutes of Planning Committee 14 March 2025](#)

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

Sarah Welsh – Senior Policy Planner, Policy and Communities



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**8. FULL APPLICATION - FOR THE PROPOSED CHANGE OF USE OF FORMER CHAPEL TO CREATE ANCILLARY LIVING ACCOMMODATION FOR LAWSON COTTAGE AND SHORT STAY HOLIDAY ACCOMMODATION USE AT ELTON METHODIST CHURCH, WEST END, ELTON (NP/DDD/0125/0071/GG)**

**APPLICANTS: T HEARN DEN & M CARTWRIGHT**

**Summary**

1. The application seeks planning permission to convert the Chapel, to create accommodation ancillary to Lawson Cottage which can also be used for short stay visitor accommodation. The application proposes that the Chapel would become part of the single dwelling planning unit that is Lawson Cottage.
2. The chapel is a community facility and there is a general presumption that such buildings shall be safeguarded in named settlements such as Elton. Where a change of use is sought, evidence of reasonable attempts to sell or let the community facility as a going concern must be provided and it should be demonstrated that the building is incapable of being utilised as a community asset going forward.
3. Without such a justification having been submitted with the application, the proposal fails to comply with Core Strategy Policy HC4, Development Management Policy DMS2 and the National Planning Policy Framework.
4. The application is recommended for refusal.

**Site and Surroundings**

5. As detailed in the Applicant's Heritage Statement, the building is a former Methodist Chapel with a date stone of 1843. Externally the building is traditional in form, being rectangular on plan under a pitched slate roof. The walls have been rendered and embossed with 'tramlines' to give a vague effect of masonry coursing. The gables are topped with raking gritstone copings with cement 'flaunching' to the junction with the natural blue slate roof tiles.
6. The principal elevation contains a central doorway accessed by stone steps with symmetrical arched windows either side. Above the door there is an inset stone plaque which reads "Primitive Methodist Chapel 1843." All window and door openings have full 'tooled and dressed' gritstone surrounds and the windows are timber with textured glass.
7. Internally, the building consists of a single room space. Given its age, function and appearance, the building is a non-designated heritage asset that contributes to the character and appearance of the village and the Elton Conservation Area within which it is located and which is a designated heritage asset.
8. The premises are also adjacent to Lawson Cottage. This dwelling has windows in the gable at right angles to the chapel and outbuildings in close proximity to the chapel. These have glazed openings facing, and also at right angles to, the Chapel.

**Proposal**

9. Conversion of the Chapel to create accommodation ancillary to Lawson Cottage, which can also be used for short stay visitor accommodation. On completion, the Chapel

would become a single planning unit with Lawson Cottage.

10. This application follows recent planning application (ref: NP/DDD/0824/0814) which was refused permission. This application is being presented to the Planning Committee as Elton Parish Council have advised of their full support for the application and the Applicants have submitted a letter from the Parish Council to that effect.
11. In terms of alterations to the Chapel, these would retain the form and fenestration of the original Chapel. It is proposed to provide a solar panel array. The external appearance will be otherwise unchanged except for general repairs and upgrading of the building fabric where necessary to prevent deterioration.
12. The existing main entrance would retain its function and provide access to an open plan living and kitchen space, with a mezzanine bedroom space proposed above the kitchen area. It is proposed that an attached outbuilding to the rear will be converted to form a bathroom and utility for the proposed accommodation.
13. With respect to parking, one off street car parking space is proposed to be provided adjacent to the existing parking area to the front of Lawson Cottage. Access into the building is via steps from the main road but level or ramped access is proposed via a new access to the rear. It is proposed that bin storage and collection would coordinate with Lawson Cottage and continue unaffected as currently managed.

### **RECOMMENDATION:**

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

1. **The chapel is a community facility and there is a general presumption that such uses shall be safeguarded in named settlements such as Elton. Where a change of use is sought, evidence of reasonable attempts to sell or let the community facility as a going concern must be provided and it should be demonstrated that the building is incapable of being utilised as a community asset going forward. Without such a justification having been submitted with the application, the proposal fails to comply with Core Strategy Policy HC4, Development Management Policy DMS2 and the National Planning Policy Framework.**

### **Key Issues**

- Whether the principle of conversion of the building to a residential use is acceptable in policy terms
- The impact of the proposed development on the character and appearance of the Chapel
- Whether the proposals impact on amenity
- Whether the proposals impact on parking provision

### **History**

14. 2024 - NP/DDD/0824/0814 - Proposed change of use of former chapel to create ancillary living accommodation for Lawson cottage and Short Stay Holiday Accommodation use. The new accommodation would remain within the planning unit of Lawson Cottage – Refused.
15. 2015 - NP/DDD/0115/0018 - Change of use from a (now un-used) place of worship to a wheelchair accessible holiday let – Refused.

## **Consultations**

### 16. Highway Authority:

- Refer to previous comments and note that proposed parking remains the same but an electric car charging point and bicycle storage are now detailed in Drawing no. 2313-03 Rev. G - a condition can be attached to any permission with regard to being undertaken in accordance with this drawing
- Provide informative notes regarding dropped curb and drainage in the highway.

### 17. Parish Council:

- Fully support the application
- Will make good use of the building, enhance its appearance and improve the general street scene
- As previously stated, Elton already has ample community buildings which compete for a small number of users.

### 18. PDNPA Archaeologist:

- building is a non-designated heritage asset of historical, architectural and archaeological interest
- supporting heritage information meets the requirements of NPPF
- the chapel does have some archaeological interest because, with specialist study, the building has the potential to reveal currently concealed and unrecorded evidence of its construction, development and use within its fabric
- this interest is of local level only and secondary to its historic and architectural interest
- proposed development is to take place within the shell of the building with minimal changes that will affect its archaeological interest (minor harm) and will leave the Built Environment team to comment in more detail on matters of historic and architectural interest
- as a non-designated heritage asset, a balanced planning decision that has regard to this harm and the significance of the heritage asset is required (NPPF para.216)
- recommend that, should this balance be favourable, taking into account the advice of the building conservation officer, that a conditioned programme of building recording is secured by condition to secure a basic record of the building, its form, character and spaces prior to conversion
- a level 2 survey, in accordance with Historic England's 2016 guidance would be proportionate and secure the basic record required and needs to be carried out by a suitable qualified and experienced contractor in accordance with a written scheme of investigation approved by the Authority, and in accordance with the standards and guidance of the Chartered Institute for Archaeologists
- suggest wording of a condition.

### 19. PDNPA Ecologist (comments on previous planning application):

- National Park Protected Species Form ticked to indicate the proposed development is not a type listed in Box 1 or 2 and no information regarding impacts on protected species has been included within the application
- However, the building meets criteria A and B in Box 1 as it was built before 1939 and is a traditional building (as stated within the Design and Access Statement)
- Advise that a building of this type, in this setting, would require an assessment of impacts on protected species

- However, there appears to be negligible-low potential for bats with sealed brickwork, roof etc. and suggest a bat survey is not required
- Applicant should be advised that if they do find bats to be present during the course of work, it is illegal to disturb them without a license and they should seek advice
- Recommend incorporating wildlife enhancements as per NPPF such as bat features, swift bricks, bee bricks and/or house martin nest boxes.

## **Representations**

20. The Authority has received four representations supporting the proposals. The following reasons are given:

- building is unused and has been so for many years
- it is unkempt and the interior and windows need attention
- believe the property will be enhanced and maintained rather than being neglected and left to ruin
- provides short term holiday accommodation alongside ancillary accommodation
- far better alternative to larger homes in the village being purchased for investment purposes which is a trend which negatively impacts on the community
- not large enough to serve as a permanent residence or community facility
- no shortage of community spaces, with excellent provision already available through the Church, Village Hall, Jubilee Fields and Pavilion
- will ensure long term viable sustainability of the building
- appearance will be enhanced and benefit the streetscene of West End
- everything the applicants have done to Lawson Cottage has been sympathetically completed to the highest standard.

## **Main Policies**

21. Relevant Core Strategy policies: GSP1, GSP2, GSP3, CC1, CC2, L1, L2, L3, HC1, HC4, RT2 & T7

22. Relevant Local Plan policies: DM1, DMC3, DMC5, DMC8, DMC10, DMC11, DMS2 & DMT8

23. Supplementary Planning Documents

- Design Guide
- Conversion of Historic Buildings
- Residential Annexes
- Climate Change and Sustainable Building

24. National Planning Policy Framework

## **Wider Policy Context**

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

- Conserve and enhance the natural beauty, wildlife and cultural heritage
- Promote opportunities for the understanding and enjoyment of the special qualities of national parks by the public
- When national parks carry out these purposes they also have the duty to: Seek to foster the economic and social well-being of local communities within the national

parks.

#### National Planning Policy Framework

26. The National Planning Policy Framework (NPPF) replaced a significant proportion of central government planning policy with immediate effect. The Government's intention is that the document should be considered as a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date.
27. In the National Park the development plan comprises the Authority's Core Strategy 2011 and policies in the Peak District National Park Development Management Policies document 2019. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and more recent Government guidance in the NPPF.
28. Paragraph 189 of the NPPF states that '*great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in all these areas, and should be given great weight in National Parks and the Broads.*'

#### Peak District National Park Core Strategy

29. GSP1 & GSP2 - *Securing National Park Purposes and sustainable development & Enhancing the National Park*. These policies set out the broad strategy for achieving the National Park's objectives, and jointly seek to secure national park legal purposes and duties through the conversion and enhancement of the National Park's landscape and its natural and heritage
30. GSP3 - *Development Management Principles*. This states that all development must respect, conserve and enhance all valued characteristics of the site and buildings, paying particular attention to, amongst other elements, impact on the character and setting of buildings, scale of the development appropriate to the character and appearance of the National Park, design in accordance with the National Park Authority Design Guide and impact on living conditions of communities.
31. CC1 – *Climate change mitigation and adaptation*. This requires all development to make the most efficient and sustainable use of land, buildings and natural resources to achieve the highest possible standards of carbon reductions.
32. DS1 - *Development Strategy*. This sets out what forms of development are acceptable in principle within the National Park.
33. L1 - *Landscape character and valued characteristics*. This states that all development must conserve and enhance valued landscape character and valued characteristics, and other than in exceptional circumstances, proposals in the Natural Zone will not be permitted.
34. L2 - *Sites of biodiversity or geodiversity importance*: this states that development must conserve and enhance any sites, features or species of biodiversity importance and where appropriate their setting.

- 
35. L3 - *Cultural heritage assets of archaeological, architectural, artistic or historic significance*: This states that development must conserve and, where appropriate, enhance or reveal the significance of archaeological, architectural, artistic or historic assets and their settings, including statutory designations.
36. HC1 – *New housing*. This states that provision will not be made for housing solely to meet an open market demand, and sets out the exceptional circumstances where new housing can be accepted in open countryside.
37. HC4 - *Provision and retention of community services and facilities*: This states that proposals to change the use of buildings or sites which provide community services and facilities to non-community uses must demonstrate that the service or facility is no longer needed, is available elsewhere in the settlement or can no longer be viable. Wherever possible, the new use must either meet another community need, or offer alternative community benefit such as social housing. Evidence of reasonable attempts to secure such a use must be provided before any other use is permitted.
38. RC2 - *Hotels, bed and breakfast and self-catering accommodation*: This states that the change of use of a traditional building of historic or vernacular merit to serviced or self-catering holiday accommodation will be permitted, except where it would create unacceptable landscape impact in open countryside.
39. T7 - *Minimising the adverse impact of motor vehicles....*: This advises that residential parking will be the minimum required for operational purposes, taking into account environmental constraints and future requirements.

#### Local Plan Development Management Policies

40. DM1 - The presumption of sustainable development in the context of National Park purposes: This advises that the Authority will take a positive approach, that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework and will work proactively with applicants to find solutions that are consistent with National Park purposes to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park and to promote opportunities for the understanding and enjoyment of the valued characteristics of the National Park. Planning applications that accord with the policies in the Development Plan will be approved without unnecessary delay, unless material considerations indicate otherwise.
41. DMC3 - *Siting, design, layout and landscaping*. This states that where development is acceptable in principle, it will be permitted provided that its detailed treatment is of a high standard that respects, protects and where possible enhances the natural beauty, quality and visual amenity of the landscape, including the wildlife and cultural heritage that contribute to the distinctive sense of place.
42. DMC5 - *Assessing the impact of development on designated and non-designated heritage assets and their settings*: This states that planning applications for development affecting a heritage asset, including its setting, must clearly demonstrate its significance, including how any identified features of value will be conserved and where possible enhanced, and why the proposed development and related works are desirable or necessary. Development of a designated heritage asset will not be permitted if it would result in any harm to, or loss of, the significance, character and appearance of a heritage asset unless clear and convincing justification is provided that the loss of significance is necessary to achieve substantial public benefits that outweigh that harm or loss or, in the case of a non-designated heritage asset, development is considered by the Authority to be acceptable following a balanced

judgement that takes into account the significance of the heritage asset.

43. DMC8 – *Conservation Areas*: This states that applications for development in a Conservation Area should assess and clearly demonstrate how the character or appearance and significance of the Conservation Area will be preserved or enhanced.
44. DMC10 - *Conversion of a heritage asset*: This states that conversion of a heritage asset will be permitted where the building is capable of conversion, the extent of which would not compromise the significance and character of the building, it can be demonstrated that conversion to a market dwelling is required in order to achieve the conservation and attention will be paid to the impact of domestication and urbanisation brought about by the use on landscape character and the built environment.
45. DMC11 - *Safeguarding, recording and enhancing nature conservation interests*: This states that proposals should safeguard species of nature conservation importance and aim to achieve net gains to biodiversity as a result of development.
46. DMS2 – *Change of use of shops, community services and facilities*: This states that where a change of use is sought from a community service/facility to a non-community use, evidence of reasonable attempts to sell or let the community service/facility as a going concern must be provided.
47. DMR3 - *Holiday occupancy of self-catering accommodation*: This states that within a settlement listed in Core Strategy policy DS1 a holiday occupancy condition will be applied to self-catering accommodation if the property being converted has inadequate indoor or outdoor living space or is so closely related to adjoining properties that the introduction of residential use would cause unacceptable harm to their amenity.
48. DMT8 – *Access and design criteria*: This advises that development which includes a new or improved access onto a public highway will only be permitted where safe access that is achievable for all people, can be provided in a way which does not detract from the character and appearance of the locality and, where possible, enhances it.

#### Supplementary Planning Guidance

49. The PDNPA Design Guide refers to the principles of good design and designing in harmony with the local building tradition. However, this must only be applied where a development is otherwise justified by other policy criteria.
50. Climate Change and Sustainable Building SPD
51. Conversion of Historic Buildings SPD: Solar panels may be incompatible with the character of the building or surroundings. Exceptions may be where they can be located on a hidden elevation or roof valley.

#### Assessment

##### Background

52. This planning application is a resubmission of planning application NP/DDD/0824/0814 which was refused last year. The reasons for refusal were:
  1. *The building is a community facility and there is a general presumption that such buildings shall be safeguarded in named settlements such as Elton. Where a change of use is sought, evidence of reasonable attempts to sell or let the*

*community facility as a going concern must be provided and it should be demonstrated that the building is incapable of being utilised as a community asset going forward. Without such a justification having been submitted with the application, the proposal fails to comply with Core Strategy Policy HC4, Development Management Policy DMS2 and guidance in the National Planning Policy Framework.*

- 2. The building is considered to be a non-designated heritage asset and the introduction of a flue to the roof of this former place of worship would be an anomalous feature that would detract from the historic character and appearance of the building and the character and setting of the Conservation Area. In addition, the introduction of a mezzanine floor, which could be evident through the windows of the building, would serve to harm the building's historic character and appearance as a former chapel within Elton. As such, the proposals fail to comply with Policies GSP3 and L3 of the Core Strategy and Policies DMC5, DMC8 and DMC10 of the Development Management Plan with no overriding public benefits identified.*

## Principle

53. The building is a former chapel and that appears to remain the lawful use of the building. The building has more recently been used by the applicant but there is no evidence to demonstrate that this change of use has become lawful. Therefore, from a policy perspective the use of the building remains as a community facility as defined by relevant policies.
54. To this end, Paragraph 98(c) of the NPPF guards against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs. This is reflected upon with Policy HC4 which sets out a general presumption that community facilities should be safeguarded and encourages the improvement of community facilities and services in named settlements.
55. Policy DMS2 is also directly relevant and states that, where a change of use from a community facility to a non-community use is sought, evidence of reasonable attempts to sell or let the community facility as a going concern must be provided. This includes evidence of a thorough viability assessment and a marketing exercise with a commercial property agent, sustained over at least 12 months, to sell or let the building for alternative community uses or facilities, including local needs affordable housing.
56. It appears that the applicants acquired the Chapel from the Trustees of Elton Chapel further to the refusal of planning application NP/DDD/0115/0018 in 2015 to convert the building into a wheelchair accessible holiday let. To this end, no evidence has been provided as to how the building was marketed for other community uses at that time or since.
57. In addition, no details of any contact made with the Parish Council and adjacent Parish Councils, to establish the needs existing in the local area, have been submitted. It is evident that the Parish Council do not consider that the building is needed to provide for the community as they support the proposals for conversion to ancillary accommodation/holiday let. However, there is no evidence that use for other community purposes or affordable housing have been explored.
58. However, as the use of the building as an independent holiday let to Lawson Cottage was considered previously to be of potential harm to amenity, it should be conceded that the use as a permanent affordable dwelling would have similar impacts.



59. The Applicant's Agent advises that, further to the update of the Use Classes Order, a place of worship is now categorised as a Class F1 use, and alternative community uses no longer share the same as they fall into Class E. The Agent considers that, as a result, many uses which may have been feasible beforehand now also face the need to obtain planning permission and that the potential for viable uses within the new use class are greatly reduced.
60. This is of little weight as this does not override policy principle. The fact that planning permission may be required for an alternative community use does not make that unrealistic or unviable. Indeed, this planning application has been made to change the use of the building to ancillary accommodation/holiday let where it could have otherwise have been submitted to change the use from a place of worship to other uses within Class E which could be policy compliant.
61. No evidence has been submitted by the applicants to demonstrate that they have made any attempt to use the space for alternative community use, or to market the building for sale or rent, for those purposes. The applicant has advised that advertising the site as a going concern presents two challenges:
- (i) it has long ceased operation

Officers acknowledge that the use as a Methodist Church is advised to have ceased at least 13 years ago. However, the reason why the building has ceased any form of community operation is that it was purchased by the applicant after the refusal of planning permission in 2015 to change its use to a holiday let. The building has not been marketed for any alternative community facility use since purchase by the applicant. It is therefore unsurprising that former use has not re-commenced.

- (ii) as a place of worship, it cannot be sold on a commercial basis and that the Planning Inspector considering an appeal in 2019 advised that commercial and financial viability are not relevant to the resale of a place of worship.

This appeal related to a Methodist Church in Darley Dale which was considered having regard to policies contained in the Derbyshire Dales Local Plan and so carries very limited weight in relation to the application subject of this report. As an aside, the Inspector in that appeal ref: APP/P1045/W/19/3241930) did go on to conclude:

*'However, no further evidence is provided to demonstrate that the building's use as a place of worship is not needed by other groups within the community. Moreover, the appellant has not explored alternative community uses that may otherwise be appropriate for the building'.*

That Appeal was dismissed.

62. The Applicants refer to Paragraph 7.27 of the Development Management policies which states:

*The loss or change of use of existing public services, including existing health facilities, will be acceptable if it is shown that this forms part of a wider estate reorganisation programme to ensure the continued delivery of services. Evidence of such a programme will be accepted as a clear demonstration that the facility under consideration is neither needed nor viable and that adequate facilities are or will be made available to meet the ongoing needs of the local population. In such cases policy DMS2A would not apply and no viability or marketing information will be required.*

63. No evidence of a wider estate reorganisation has been provided which explains the closure of the chapel which after all happened some 13 years ago. Policy HC4 (c) is clear that evidence of reasonable attempts to secure such a community use must be provided before any other use is permitted and this has not been provided.
64. Therefore, in summary, despite the Parish Council being supportive of the application, it has not been clearly demonstrated that the community use of the building is no longer needed and that the building can no longer be viably used for community use. There is no evidence that reasonable attempts have been made to secure an alternative community use.
65. Officers are sympathetic of the views of the Parish Council. However, without evidence and serious marketing for alternative community uses there can be no objective decision this community facility is no longer required. To take such an approach would risk the loss of facilities which remain in need. Consequently, the principle of the conversion is not acceptable as the requirements of Core Strategy Policy HC4 and DMS2 of the Development Management Plan have not been fully met.

#### Character and appearance and impact on the Conservation Area

66. Few alterations are proposed to the external appearance of the building. There is however concern with respect to the introduction of the solar panels to a former place of worship; this addition would result in harm to the significance of the building and the character of this part of the Conservation Area. However, this has to be balanced with the public benefit derived from the generation of sustainable energy for the building.
67. The windows are currently of timber construction. The proposal to replace the windows could have a harmful impact on the character and appearance of the building, where other uses of the building may not require such alteration. Nevertheless, it is considered that appropriate replacement window details could be secured as a condition on any grant of planning permission.
68. The previous proposals included the insertion of a mezzanine floor and concerns were raised previously as this would cut across the windows and therefore be evident from outside of the building. There would be therefore a degree of harm from this intervention, however, this would be limited and if a new use was demonstrably required to secure the building would be acceptable in the balance.
69. In these respects, the proposals are considered to be in accordance with Core Strategy Policies GSP3 and L3 and Development Management Plan Policies DMC5, DMC8 and DMC10. However, as highlighted in the Policy section of this report, the conversion of the building would result in the loss of a community facility and insufficient evidence has been provided to justify this loss..

#### Amenity

70. Concerns were raised with the previous planning application with regard to the then proposed use as a holiday let having the potential to impact on the occupiers of Lawson Cottage. However, this has now been resolved, given that the building is now owned by the owners of Lawson Cottage and that the proposal is for ancillary accommodation to that property. This could be controlled by planning condition if permission were granted.
71. It is considered that other residents in the locality would not have their amenity

impacted upon by the proposed change of use given the nature of the proposals and distance / relationship to neighbouring properties.

### Archaeology

72. The Authority's Archaeologist has advised that the Chapel has some archaeological interest because, with specialist study, the building has the potential to reveal currently concealed and unrecorded evidence of its construction, development and use within its fabric. This interest is of local level only and secondary to its historic and architectural interest.
73. The proposed development is to take place within the building with minimal changes that will affect its archaeological interest (minor harm). It is advised that, as a non-designated heritage asset, a balanced planning decision, that has regard to this harm and the significance of the heritage asset, is required. If permission were granted a programme of building recording could be secured by condition to secure a basic record of the building, its form, character and spaces prior to conversion.

### Protected Species

74. The Authority's Ecologist has assessed the submitted information and advises that there appears to be negligible-low potential for bats with sealed brickwork, roof, etc. In this case, it is suggested that a bat survey is not required, but the Applicant should be advised that, if they do find bats to be present during the course of work, it is illegal to disturb them without a license and they should seek advice.
75. If permission was to be granted, the Ecologist recommends incorporating wildlife enhancements as per NPPF such as bat features, swift bricks, bee bricks and/or house martin nest boxes as a condition of any planning permission.
76. The proposed development is exempt from statutory Biodiversity Net Gain (BNG).

### Highway Matters

77. The Highway Authority, has advised there are no objections but point out that the vehicle dropped crossing will require extending to accommodate the additional vehicle that would relate to the use of the Chapel building as a holiday let or guest accommodation. They recommend conditions that the development shall not be occupied/brought into use until the access, parking and turning facilities, and sheltered, secure and accessible bicycle parking, have been provided.
78. However, it is considered that the additional parking space would cause harm to the streetscene and the setting of Lawson Cottage by requiring the removal of the historic boundary wall to the dwellinghouse and, if the proposals are considered acceptable, it is considered reasonable to require that the space is not provided in this instance as a condition on any grant of planning permission.
79. Whilst the normal requirement would be to provide off-street parking, the use as a Methodist Church, independent of Lawson Cottage, would have generated a degree of parking requirement in the area, as would a re-use as a community facility. There is the ability to park on West End in the event that the building is used as a holiday let and, in its use as ancillary accommodation, additional off-street parking provision may not be required.
80. To this end, given the harm that would be caused to the wall of the former listed building, it is considered an exception is reasonable in this case. Overall, the

development would be deemed to comply with DMT8 of the Development Management Plan document.

81. With regard to bicycle storage, the applicant has advised that this would be provided in an existing outbuilding. It would be expected that the applicants would provide such for visitors, as this would add to the facilities available to the holiday let, and it is not considered necessary to attach a specific condition to any grant of planning permission in this respect.

### **Sustainability**

82. Policy CC1 requires development to make the most efficient and sustainable use of land, buildings and natural resources in order to build in resilience to and mitigate the causes of climate change. To this end, the conversion of the building to ancillary accommodation/ holiday let would need to be compliant with current Building Regulations. In addition, the applicants now propose to install an array of solar panels on the rear roofslope of the building.
83. Whilst this would cause harm to the traditional character and appearance of this non-designated heritage asset, set within a Conservation Area which is a designated heritage asset, this has to be balanced with the public benefits associated with mitigating the carbon footprint of the development and providing for a sustainable energy source.
84. The array would be on the rear roofslope of the building and not visible from the street scene. However, it would be visible from the public footpath (Footpath WD33/3) which runs to the south (rear) of the building. Nevertheless, this array would be read contextually with those on the rear roofscape of Lawson Cottage, and it is considered that the proposed array is acceptable in the balance of the considerations.

### **Conclusion**

85. It has not been demonstrated by evidence that a community use is no longer needed and there is no evidence that reasonable attempts have been made to secure an alternative community use.
86. It is appreciated that the Parish Council have identified no community need for the building and that they consider the village has adequate facilities for such. In addition, it is noted that the use of the chapel as an affordable dwelling would be unlikely to be acceptable on amenity grounds.
87. However, it remains the case that no marketing evidence to demonstrate that the chapel is no longer required or that the building could not be put to a different community use has been submitted. This evidence is explicitly required by policies HC4 and DMS2 and in the absence of this the Authority is not able to conclude that the proposal is in accordance with the development plan. Local and national policies seek to protect such facilities for our communities.
88. In the absence of any other material considerations the proposal is contrary to the development plan. The application is therefore recommended for refusal.

### **Human Rights**

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

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

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Nil

**Report Author and Job Title**

Gareth Griffiths – Planner – South Area

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Elton Methodist Church, West End, Elton

Item no. 6

Application no. NP/DDD/0125/0071

Committee date: 11/04/2025

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**PEAK  
DISTRICT**  
NATIONAL  
PARK

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**7. FULL APPLICATION – PROPOSED SITING OF 24 STATIC HOLIDAY CARAVANS WITH ADDITIONAL LANDSCAPING IN LIEU OF 28 TOURING CARAVANS AND TWO TENTED CAMPING AREAS AT NEWHAVEN HOLIDAY PARK, NEWHAVEN (NP/DDD/1024/1137) AM**

**APPLICANT: M PURDOM**

**1. Background**

- 1.1. The application was originally considered at the meeting of the Authority's Planning Committee on the 14<sup>th</sup> March 2025 (to be referred to here as "the first report"). The application was recommended for approval and members of the Planning Committee were minded to approve.
- 1.2. Approval of this scheme is a departure from Policy RT3B of the Core Strategy.
- 1.3. The Authority's Standing Orders (Section 1.48) state that where a Committee is proposing to make a decision which would be a departure from policy, final determination shall be deferred until the next meeting so that a further report on the provisional views can be prepared.
- 1.4. The Head of Planning authorised such a deferral.
- 1.5. Standing Orders state that a deferral report should consider:
  - i. the policy implications e.g. whether the decision is a major departure from the development plan or other key policy
  - ii. the budget implications
  - iii. a risk assessment
  - iv. an assessment of the robustness of the provisional reasons, including recommendations on any conditions.

**2. Assessment**

- 2.1 This assessment relates to Standing Order deferral reports points (i), (iii) and (iv) above. There are no budget implications (point ii).
- 2.2 The policy presumption against static caravans is longstanding. The 1994 Structure Plan and the Current Core Strategy at Policy RT3B set out that static caravans (alongwith other permanent structures) will not be permitted. The recent local plan review *Issues and Options* statutory consultation set out that 'new policy will retain a restrictive approach to all types of permanent structures used as holiday accommodation'.
- 2.3 The reason for this long-standing restrictive approach is because it is necessary to deliver the National Park's first purpose. Unlike touring caravans and campsites, where the impact is temporary and seasonal, static caravans are permanent. Even if the structures are moveable, planning permission is a permanent change to the use of the land. Their impact can be highly detrimental to valued landscape and special qualities, especially when accompanied by infrastructure such as access tracks, parking spaces and garden areas.
- 2.4 Reasoned justification to the Core Strategy, while acknowledging that there may be exceptions to the development plan, does also warn against the type of all-inclusive 'holiday park' where visitors have all the facilities and entertainment they need and do not venture out to enjoy the area is not in line with the second national park purpose.

2.5 As such the first report sets out that there are exceptional reasons for approval in this case:

- the site is well screened from wider views by mature planting
- the site is already in use for the siting of touring caravans and tents
- additional planting and landscaping, and securing of existing screening provide an opportunity to materially reduce the whole site landscape impact.

2.6 For the reasons set out in the first report, and at para 2.4 above, the application is not considered to be a major departure from the development plan.

2.7 There is a risk that, despite the exceptional circumstances in this case, long-standing policy that seeks to prevent static caravans, because of their potential to cause harm to landscape and special qualities, is undermined.

2.8 However it is considered that this risk is low, taking into account the operation of strategic policies that must be read in combination and give greatest weight to the conservation and enhancement of valued landscape character.

### **Human Rights**

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

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

None.

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

Adele Metcalfe – Policy and Communities Team Manager

**7. FULL APPLICATION – PROPOSED SITING OF 24 STATIC HOLIDAY CARAVANS WITH ADDITIONAL LANDSCAPING IN LIEU OF 28 TOURING CARAVANS AND TWO TENTED CAMPING AREAS – NEWHAVEN HOLIDAY PARK, NEWHAVEN (NP/DDD/1024/1137) MN**

**APPLICANT: M PURDOM**

**Summary**

1. The application seeks full planning permission for the use of land within an existing holiday park from touring pitches to the stationing of static caravans.
2. The proposal is an exception to the policy presumption against static caravans and represents a potential departure from the development plan.
3. The site is well-established and this part of the site is well-screened. The proposals also bring with them an opportunity to enhance the screening of the existing site and provide for biodiversity enhancement.
4. The application is therefore recommended for approval.

**Site and Surroundings**

5. Newhaven Holiday Park is situated at the junction of the A515 and the A5012, opposite the former Newhaven Hotel. The site is bounded on two sides by the A roads, and by open fields to the south and east. Much of the site is largely screened from public vantage points because a 2m high earth embankment runs along the northern and most of the western side, which together with a wide belt of mature trees restricts views from the two nearby A roads. Approved access to the site is from the A5102.

**Proposals**

6. Proposed siting of 24 static holiday caravans with additional landscaping in lieu of 28 touring caravans and two tented camping areas. This is within the northern camping field of the holiday park.

**RECOMMENDATION:**

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

1. **Statutory 3 year time limit for implementation**
2. **In accordance with submitted and amended plans**
3. **28-day holiday occupancy restriction**
4. **Colour range of units to be approved and implemented**
5. **Biodiversity Net Gain plan to be implemented**
6. **Habitat creation and management plan to be approved and implemented**
7. **In accordance with the recommendations of the protected species report**
8. **In accordance with the recommendations of the tree report**

9. **Programme of monitoring and site supervision of arboricultural measures to be approved**
10. **Final Tree Protection Plan (TPP) and Arboricultural Method Statement (AMS) to be approved and implemented**
11. **Planting to be carried out as approved**
12. **Woodland management plan to be approved and implemented**
13. **Parking plan to be approved**
14. **Travel Plan to be approved if approved parking plan includes provision of more than 28 spaces**

### **Key Issues**

- The principle of development
- Impact on the landscape character and special qualities of the National Park
- Tree impacts
- Ecological impacts
- Travel and transport

### **History**

7. The site has been in operation since the 1960's and has a complex planning history. However, permission granted under NP/DDD/1009/0860 consolidated and rationalised the previous permissions and lawful use certificate into one single overarching permission that provides clarity on the 'lawful' use of the site in terms of planning controls.
8. Subsequently, conditions 2 and 7 on NP/DDD/1009/0860 were formally discharged under Planning Application NP/DIS/0212/0143.
9. In 2015 a section 73 application was approved which sought to remove condition no. 6 from planning application ref NP/DDD/1009/0860. That condition stated that 'No touring caravan or tent shall be placed or retained at the site (other than in the designated winter storage area) for a continuous period exceeding 28 days.'
10. In 2017 a section 73 application was approved which sought to vary the same conditions no's 6 and 10 from planning approval ref NP/DDD/1009/0860. The application was approved but a additional condition was re- appended to limit touring caravans to no more than 28 days occupancy in order to prevent touring caravans from becoming permanent dwellings.
11. In 2019 permission was granted for the relocation of 16 static caravans to the central area of the site, together with the siting of a further 10 static caravans within this area.

### **Consultations**

12. Highway Authority – No objection
13. District Council – no response
14. Parish Council – Support the proposals, on the basis of limited landscape impacts and improvements to highway safety that would arise from reducing the number of towing vehicles coming and going from the site.

15. Natural England – No objection
16. PDNPA Policy – Note that the application proposes parking for the proposed units in excess of the maximum provision set out by adopted parking standards, and request that a Travel Plan be secured to minimise traffic movements and to promote sustainable transport. The full response can be viewed on the Authority's website.
17. PDNPA Ecologist – No objections subject to conditions to secure ecological mitigations and enhancements alongside the required BNG plan and measures. The full response can be viewed on the Authority's website.
18. PDNPA Tree Officer – Initially raised concerns regarding a lack of information in relation to drainage runs and foundations, and more general tree protection. Further details have been submitted and the tree officer is now satisfied that subject to securing tree protection measures and a woodland management plan, the development would conserve the tree interest of the site. The full response can be viewed on the Authority's website.

### **Representations**

19. None received at time of writing.

### **Main Policies**

20. Relevant Core Strategy policies: GSP1, GSP2, GSP3, GSP4, DS1, L1, RT3, T1, T2, T7, CC1
21. Relevant Local Plan policies: DMC3, DMC12, DMC13

### **National Planning Policy Framework**

22. 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.
23. 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.

### **Core Strategy**

24. Policy DS1 sets out the Development Strategy for the National Park. Agricultural development is acceptable in principle in the open countryside outside of the natural zone.
25. Core Strategy policy GSP1 requires development to be consistent with the Parks purposes. GSP2 sets out that opportunities for enhancing valued characteristics will be acted upon, and GSP3 states that development must respect, conserve and enhance all valued characteristics of the site and buildings that are subject to the development proposal. GSP4 seeks to secure all of the above through planning conditions and obligations where appropriate.

26. Core Strategy policy L1 states that development must conserve and enhance valued landscape character, as identified in the Landscape Strategy and Action Plan and other valued characteristics.
27. L2 states, amongst other things that development must conserve and enhance any sites, features or species of biodiversity importance and where appropriate their setting.
28. Core Strategy policy RT3 states that static caravans, chalets or lodges will not be permitted. However, the supporting text says that, exceptionally, static caravans, chalets or lodges may be acceptable in locations where they are not intrusive in the landscape.
29. Core Strategy policy T1 states that conserving and enhancing the National Park's valued characteristics will be the primary criterion in the planning and design of transport and its management, and that sustainable access for the quiet enjoyment of the National Park, that does not cause harm to the valued characteristics, will be promoted.
30. Core Strategy policy T2 sets out that Travel Plans to reduce traffic movements and safeguard transport infrastructure will be required on appropriate new developments and encouraged on existing developments.
31. Core Strategy policy T7 sets out that residential parking and operational parking for service and delivery vehicles will be the minimum required for operational purposes, taking into account environmental constraints and future requirements, and that non-residential parking will be restricted in order to discourage car use, and will be managed to ensure that the location and nature of car and coach parking does not exceed environmental capacity.
32. Core Strategy Policy CC1 states that development must make the most efficient use of land, buildings and natural resources and take account of the energy hierarchy.

#### Development Management Policies

33. Policy DMC3 expects a high standard of design that respects, protects and where possible enhances the natural beauty, quality and visual amenity of the landscape.
34. Development Management policy DMC12 requires development to protect the interests of protected species and sites, and states that for all other species, features, and sites of ecological value development will only be permitted where significant harm can be avoided and the conservation status of the population of the species or habitat concerned is maintained – and where the benefits of an arising harm are outweighed by other benefits.
35. DMC13 requires applications to be accompanied by sufficient information for their impacts on trees to be established, and states that development should incorporate existing trees, hedgerows or other landscape features within the site layout. It also states that trees, woodlands and other landscape features should be protected during the course of the development.

#### Assessment

##### Principle of development

36. The proposed development would result in the loss of 28 touring caravan pitches and their replacement with 24 static caravan pitches which would be on site all year round.

They would be permanent structures, with their own facilities, although they would also have access to the wider site facilities.

37. Policy RT3 B explicitly states that static caravans, chalets or lodges will not be permitted. However, the supporting text says that, exceptionally, static caravans, chalets or lodges may be acceptable in locations where they are not intrusive in the landscape. RT3 therefore makes a general and strong presumption against this type of development. However, there is acknowledgement in the supporting text to this policy that there may be sites suitable for such development in exceptional circumstances.
38. The proposal is therefore in conflict with policy RT3 unless it can be demonstrated that there are exceptional reasons for approval.
39. This part of the caravan and camping site is well screened from wider view by mature planting. The site is already in use for the siting of touring caravans and tents, with conditions on the existing permissions at the site preventing their siting in this area in the months of November, December, and January. The Authority has no control over the colour or more general appearance of these units.
40. It is also pertinent that the current application includes additional planting and landscaping proposals that would serve to further screen the area of the site, as well as an opportunity to secure existing screening related to the proposed development – providing an opportunity to materially reduce the impact that the site as a whole in the landscape.
41. Further, the approval of this application would not set a precedent for further approvals that might extend the site because it forms part of the existing site with a lawful use for 28 touring units over which the Authority has limited control.
42. On this basis, it is concluded that the development would not be intrusive in the landscape. Furthermore, the development offers an opportunity to further reduce the landscape impacts of the site. As such, subject to consideration of the details of the scheme, it is concluded to represent a case where an exception to policy RT3 B may be appropriate.
43. The application does not propose a 28 day occupancy restriction. Instead the proposal is to restrict occupancy of the static units to the extent that each cannot be a permanent residence for any single person.
44. Whilst the submission suggests a further planning condition that allows occupation “for holiday purposes only”, ‘holiday purposes’ is undefined and in practice the conditions proposed by the applicant would allow occupation of the units by any one person for up to 11 months a year. This would be tantamount to a permanent dwelling or second home and wholly contrary to housing policy in the National Park.
45. The proposed occupancy conditions would not comply with current adopted planning policy. Policy DMR2 addresses occupancy for touring caravans rather than statics (because there is a presumption against support for such development in the first place), but the supporting text does more broadly and very clearly define what the Authority consider to represent holiday occupancy:  
  
*“The National Park Authority defines holiday use as occupation for no more than 28 days per calendar year by any one person. Anything over 28 days occupation by any one person is classed as full-time residential use and will be prevented where necessary by the enforcement of conditions or legal agreements.”*
46. In the absence of a precise and enforceable holiday occupancy condition the proposed

development would not be acceptable in principle. As such, the proposed occupancy conditions would not make the development policy compliant. It is therefore recommended that a 28-day occupancy restriction is imposed on the units in accordance with policy DMR2 and to prevent occupancy as permanent dwellings contrary to adopted housing policy.

47. This matter has been discussed with the applicant who has advised that they would, without prejudicing their right to appeal, accept this planning condition for the benefit of securing a permission overall.

#### Landscape

48. As this report sets out above, the site is well established, and the Authority's landscape officer advises that the scheme has the potential to reduce the visual impacts of the site if properly controlled.
49. As noted by the tree officer, the tree planting currently screening the site from the adjacent highway would benefit from proper long-term management. Given that the decline of this woodland would increase the visual impacts of the development, and because the development is being considered as an exception to adopted policy, it is considered that securing a woodland management plan as recommended by the tree officer would be appropriate, and add weight to an argument for supporting the development in the planning balance.
50. There is also scope to control the colour of the proposed units; a control that the Authority does not currently have in relation to the use of this field by touring caravans and tents.
51. Taking these issues into account, and the specific circumstances of this site, it is concluded, that the replacement of the seasonal touring units on part of the site with permanent, but seasonally occupied, units is acceptable, subject to conditions to secure additional planting, woodland management, and the colour of new units brought to site as part of the development. With those safeguards, the development would conserve and enhance the landscape of the locality as required by policies GSP1, GSP3, L1, RT3, and DMC3.

#### Tree impacts

52. The Authority's Tree Officer raised initial concerns regarding a lack of information in relation to drainage runs and foundations, and more general tree protection. Further details have since been submitted by the applicant and the tree officer is now satisfied that subject to securing tree protection measures and a woodland management plan through condition, the development would conserve the tree interest of the site, complying with the requirements of policy DMC13.
53. The woodland management plan would conserve and enhance trees that are not directly impacted by the development. This is considered necessary in this case; as established earlier in this report, the development is contrary to adopted policy in principle and is only acceptable as an exception due, in part, to this area of the site being well screened from public views. Were that screening to decline, such justification would also decline, changing the planning balance. It is therefore reasonable and necessary to ensure that the woodland management is secured throughout the lifetime of the development.

#### Biodiversity Net Gain (BNG) and other ecological considerations

54. The proposals are subject to BNG requirements, and the completed metric and design report have been submitted. These give rise to no objections from the Authority's



Ecologist, subject to details of how the habitat creation and management measures set out in the report will be achieved. This can be secured by condition along with implementation.

55. A preliminary ecological appraisal is also included with the application, and having regard to advice from our Ecologist we are satisfied that the development will not give rise to other adverse ecological impacts providing that its recommendations are followed. That could also be secured by condition.
56. On this basis the proposals comply with policy L2 and DMC12, which require the ecological interests of the site to be protected.

#### Highway Safety, Parking, and Transport impacts

57. The proposed development includes 2 parking spaces per unit. In their consultation response the Authority's policy team state:
58. *The number of parking spaces is contrary to the Peak District National Park Parking Standards, which set a maximum of 1 space per plot. This approach is aimed at providing sufficient parking whilst not providing an oversupply. Our approach is based on an emphasis in encouraging sustainable transport as set out within Core Strategy Policy T1: Reducing the general need to travel and encouraging sustainable transport. This approach focusses on making best use of the limited amount of land available for any development within the National Park.... There may be justification for the provision of additional visitor parking to serve the units. There may also be scope to justify the need for the 10 twin lodge units to have two parking spaces. However, these are holiday accommodations rather than permanent residencies. Therefore, any deviation from the maximum parking standards will require robust and detailed justification.*
59. No justification has been put forward to deviate from adopted parking standards. It is therefore recommended that if permission is granted a condition be imposed for final levels of parking provision to agreed, notwithstanding the approved plans.
60. The policy team response also notes that the provision of 2 parking spaces per unit challenges the assumptions around traffic movements that are set out in the submitted transport statement. The current 38 touring pitches (including tents) would typically be expected to attract a single vehicle. If each of the 24 proposed static units was to attract 2 vehicles then this would result in 48 vehicles in total. As such, an increase of 10 vehicles at the site would arise during peak occupancy.
61. On this basis, given the nature and scale of development, it would be appropriate to secure a Travel Plan by condition to ensure accordance with policy T2, which seeks to reduce traffic movements and promote sustainable travel. Whilst the recommendation of the policy team for this to apply to the site as a whole is noted, and it might be that this is a logical approach that the developer adopts, a Travel Plan could only be reasonably required by condition insofar as it relates to the proposed development, given that the remainder of the site would be unaffected in terms of traffic generation.
62. Should the application be approved and the outcome of the condition regarding the amount of parking provision result in the development not giving rise to an increased level of parking provision, it would not then be reasonable or necessary to require a Travel Plan; therefore, any condition requiring the submission and approval of a Travel Plan should be framed with that caveat.

#### Climate Change Mitigation

63. The nature of the development limits the extent of measures that can be incorporated in to the development. Tree planting is the only measure beneficial to carbon reduction that is proposed, but given the type of development proposed it is concluded that further measures could not be reasonably required to further compliance with policy CC1.

#### Amenity

64. The site is sufficiently removed from any neighbouring property that the development would have no bearing on residential amenity; and in any case, noise disturbance from occupation and vehicle movements would be reduced by the development, whilst the overall screening around the site edges would be increased. As such, the development would comply with policy DMC3 insofar as it relates to protecting the amenity of other properties.

#### Other Matters

65. In terms of continuing to provide access for a range of visitor types to the National Park the site would still offer a range of accommodation and pitches on the site, with the field south of the area subject to development being available for short season touring and camping. The proposals would therefore not prejudice access to this area of the National Park in this regard.

#### Conclusion

66. It is concluded that the proposal is acceptable as an exception to the normal policy presumption against permanent static caravans and lodges. The site is relatively large and this part of it is generally well screened. The site as a whole would still offer a range of accommodation and pitches on the site, thus continuing to contribute to the enjoyment of the National Park. The approval of this application would not set a precedent for further approvals on the site because this part of the site already has a lawful use for a long season for touring units, and its further development would not impact the landscape. The recommendation also takes account of, and gives weight to, the related additional landscape and biodiversity enhancements that the development would deliver if secured by condition.

#### Human Rights

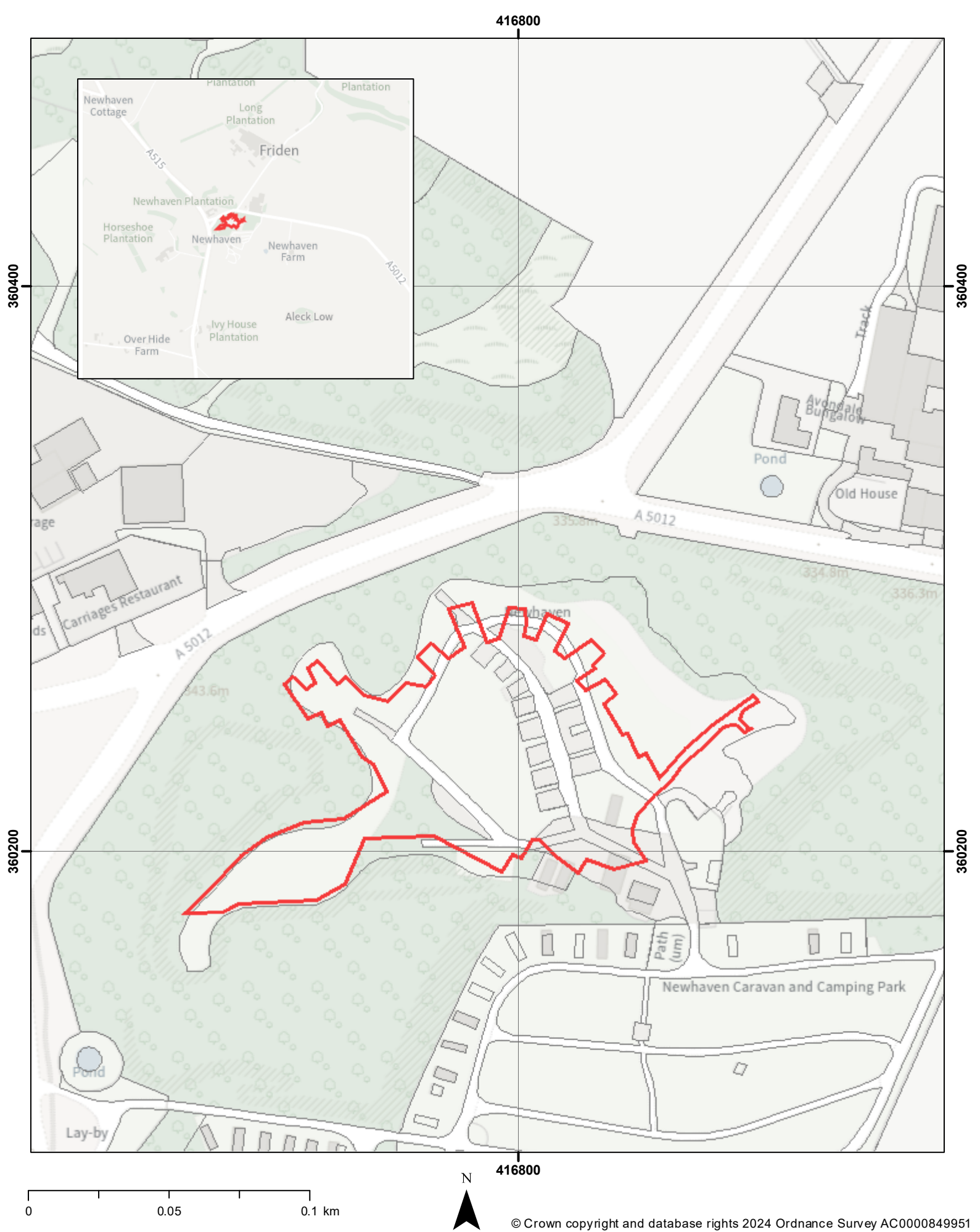
Any human rights issues have been considered and addressed in the preparation of this report.

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

67. Nil

#### Report Author and Job Title

68. Mark Nuttall – Principal Planner - South



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## Newhaven Holiday Park, Newhaven

Item no. 7

Application no. NP/DDD/1024/1137

Committee date: 11/04/2025

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**8. FULL APPLICATION – REAR/SIDE EXTENSION AND INTERNAL ALTERATIONS. NEW GLASSHOUSE AT OLD HALL, CREAMERY LANE, PARWICH (NP/DDD/0125/0057, LB)**

**APPLICANT: HARVEY**

**Summary**

1. The application site comprises of a Grade II listed dwelling located in the village of Parwich, north of Tissington.
2. Planning permission is sought for an extension, external boiler and new glasshouse.
3. The application fails to adequately establish the significance of the Listed Building or the effect of the proposals on upon its significance, those of its setting, or of the Conservation Area. This is contrary to policy DMC5 and paragraph 207 of the NPPF.
4. The lack of heritage assessment means it is not possible to conclude that the development could conserve the significance of the listed building or conservation area, contrary to policies L3, DMC5 and DMC7.
5. The application is therefore recommended for refusal.

**Site and Surroundings**

6. Old Hall is a Grade II listed building located within the northern area of Parwich and its Conservation Area.
7. The three-storey dwelling, dates mid-17<sup>th</sup> century, (but was restored in 1925 when the stairwell extension was added), comprises of coursed rubble limestone with sandstone dressings under a plain and fish scale tiled roof with stone coped gabled, moulded kneelers and ball finials.
8. The dwelling sits within a large curtilage in an elevated position overlooking Parwich. A glasshouse is located to the north east within the curtilage and outbuildings located immediately to the north. Creamery Lane, and access, bounds the curtilage to the south west.
9. The nearest neighbouring property is Barn Cottage located 20 metres to the north.

**Proposal**

10. Planning permission is sought for a side extension, an external boiler and new glasshouse.
11. Plans propose a single storey extension under a stone parapet flat roof with glazed lantern, located on the north east corner of dwelling. The extension would measure 5 metres x 3.7 meters, by 1.6 metres in height and would provide a kitchen, relocated from within the dwelling. Double glazed doors are proposed in the eastern elevation and two single windows in the north elevation.
12. A replacement boiler is proposed on the east elevation adjacent to the existing single storey projection.
13. Plans also propose a glass house located within the north eastern corner of the site. The glass house would measure 3.5 meters x 1.7 meters, 1.2 metres to eaves and 2.1 metres to ridge. The structure would sit on a plinth. Elevations would comprise of slim vertical glazing panels which would be reflected within the roof structure. A decorative pitch is proposed with finial on the apex of each gable elevation.

14. Internally, alterations are proposed to amend the ground floor layout, relocating the dining room and kitchen. However, these works do not comprise development requiring planning permission because they are internal. They do however require listed building consent; a listed building application was submitted in parallel to this planning application but has been withdrawn prior to its determination.

### **RECOMMENDATION:**

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

- 1. The application fails to provide adequate heritage assessment to allow an understanding of the significance of the listed building to be reached, or for the impacts of the development on the significance, architectural or historic interest of the listed building or conservation area to be understood, contrary to Development Management policies DMC5 and DMC7 and the NPPF.**
- 2. The application fails to demonstrate that the development would conserve the significance of the listed building and conservation area, or that arising harm would be outweighed by public benefits, contrary to policies Core Strategy policy L3, Development Management policies DMC5 and DMC7, DMC8, and the NPPF.**
- 3. The proposals would require and facilitate internal alterations to the building which would require listed building consent. No such consent has been granted at this time. Approval of the application could be deemed prejudicial to the consideration of any future listed building consent application. It would also not be appropriate to grant a planning permission that would not be capable of implementation.**

### **Key Issues**

15. The impact of the proposed works upon the significance of the Grade II listed building, its setting and wider Conservation Area.

### **Relevant Planning History**

16. 2025 – NP/DDD/0125/0058 – Listed Building consent – rear / side extension and internal alterations. New Glasshouse. Application withdrawn based on officer advice that insufficient heritage information was submitted to fully assess the proposals.
17. 2023 – NP/DDD/0723/0831 – Listed Building consent - replacement rear / side extension, 1925 stairwell extension, internal alterations and standalone garden room. Application withdrawn as officers advised insufficient information to fully assess the proposal as a detailed heritage statement is required.
18. 2023 – NP/DDD/0723/0829 – Planning permission – replacement rear / side extension, 1952 stairwell extension, internal alterations and standalone garden room. Application withdrawn as officers advised insufficient information to fully assess the proposals as a detailed heritage statement is required.

### **Consultations**

19. Parwich Parish Council – *‘Supports this application. The sympathetic treatment of the historic fabric of the building was appreciated’.*
20. Derbyshire County Council Highways: No objection as there appears to be no material impact on the public highway.

21. Derbyshire Dales District Council: No response to date
22. PDNPA Archaeology: No archaeological comments
23. PDNPA Conservation Officer – Object to the application on grounds of insufficient information to assess impact of proposal.

They note that the application provides only a half-page summary of the background and significance of the building, largely restating the contents of the list description. They also note that the document makes almost no mention of the Conservation Area, or what impact the development would have upon it.

As the proposed extension would both obscure a large part of one elevation, and result in the removal of wall, they advise that the heritage statement should, as a minimum, assess the age of the fabric removed and set out the contribution this makes towards the significance of the building and conservation area, and the impact of the development upon it in order to accord with policies DMC5 and DMC7.

Because this information has not been provided they advise that there is insufficient information to assess the impact of the proposals, noting that advice on what is required to allow the application to be adequately assessed has previously been provided to the applicant.

### **Representations**

24. During the course of the Application the Authority has not received any letters of representation.

### **Main Policies**

25. Relevant Core Strategy policies: GSP1, GSP3, L3, CC1
26. Relevant Development Management policies: DMC3, DMC5, DMC7, DMC8, DMH7

### **National Planning Policy Framework**

27. 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.
28. Paragraph 189 of the NPPF states that great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads.
29. Paragraph 207 states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. It notes that the level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. It advises that as a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.

30. Paragraph 208 states that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.
31. Paragraph 212 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
32. Paragraph 213 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of Grade II listed buildings should be exceptional.
33. Paragraph 214 states that where a proposed development will lead to substantial harm (or total loss of significance of) a heritage asset consent should be refused unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or that all of the following apply:
  - a) the nature of the heritage asset prevents all reasonable uses of the site; and
  - b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
  - c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
  - d) the harm or loss is outweighed by the benefit of bringing the site back into use.
34. Paragraph 215 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

#### Peak District National Park Core Strategy

35. Policy L3 states that development must conserve and enhance cultural heritage assets.

#### Development Management Policies

36. DMC3 covers siting, design, layout and landscaping. Sets out that where developments are acceptable in principle, Policy requires that design is to high standards and where possible enhances the natural beauty, quality and visual amenity of the landscape. The siting, mass, scale, height, design, building materials should all be appropriate to the context. Accessibility of the development should also be a key consideration.
37. DMH7 notes extensions and alterations to dwellings will be permitted provided the proposal does not detract from the character, appearance or amenity of the original building, its setting or dominate the original building. Any addition must not create an adverse effect on, or lead to undesirable changes to the landscape or any other valued characteristic.
38. Policy DMC5 provides detailed criteria relevant for proposals affecting heritage assets and their settings, requiring new development to demonstrate how valued features will be conserved, as well as detailing the types and levels of information required to support such applications.



39. Policy DMC7 provides detailed criteria relating to proposals affected listed buildings and states that;
- a. Planning applications for development affecting a Listed Building and/or its setting should be determined in accordance with policy DMC5 and clearly demonstrate:
    - (i) how their significance will be preserved;
    - (ii) why the proposed development and related works are desirable or necessary.
  - b. Development will not be permitted if applicants fail to provide adequate or accurate detailed information to show the effect on the significance and architectural and historic interest of the Listed Building and its setting and any curtilage listed features.
  - c. Development will not be permitted if it would:
    - (i) adversely affect the character, scale, proportion, design, detailing of, or materials used in the Listed Building; or
    - (ii) result in the loss of or irreversible change to original features or other features of importance or interest.
  - d. In particular, development will not be permitted if it would directly, indirectly or cumulatively lead to (amongst other things):
    - (i) removal of original walls, stairs, or entrances or subdivision of large interior spaces
    - (ii) removal, alteration or unnecessary replacement of structural elements including walls, roof structures, beams and floors.
40. DMC8 states that development within a Conservation Area, should assess and clearly demonstrate how the character or appearance and significance of the Conservation will be preserved.

## **Assessment**

### **Principle**

41. In principle extensions and alterations to dwellings are supported within the National Park. Policy DMH7 states extensions will be permitted provided the original proposal does not detract from the character, appearance or amenity of the original building, its setting or dominate the original building. DMC3 also states that siting, design, layout and landscaping is also key and should be appropriate to the context.
42. DMH8 also supports new outbuildings within the curtilage of dwelling houses provided the scale, mass, form and design of the new outbuilding conserves or enhances immediate dwelling and curtilage and any valued characteristics of the adjacent built environment and landscape, including listed buildings.
43. Therefore, as plans propose a single storey extension to the north west corner of the dwelling to extend the property relocating the kitchen, the principle of the extension is clear and therefore accepted. In addition, the principle of a new glass house within the curtilage of the dwelling house also raises no objection.

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

44. Old Hall is a Grade II listed building positioned in a large curtilage, and located in a prominent elevated position within the northern area of Parwich and its Conservation Area. The list description dates the house to the mid seventeenth century, but restored in 1925.
45. As noted above, the application proposes a single storey extension, (relocating the kitchen at Old Hall), an external boiler, located against the north east elevation and a glasshouse, to be located within the curtilage, in close proximity to the dwelling.
46. In assessing the proposal relevant policies in the development plan and the NPPF make it clear that the Authority must have special regard to the desirability of conserving the heritage asset, and its setting, as well as the character and appearance of the conservation area.
47. In particular, Development Management Policy DMC7 addresses development affecting listed buildings, advising that applications for such development should be determined in accordance with policy DMC5 and should address how their significance, character and appearance will be conserved, and why the proposed development and related works are desirable or necessary. It makes clear that if applicants fail to provide adequate or accurate detailed information to show the effect of the development on the significance of the heritage asset and its setting, the application will be refused.
48. Part B of DMC7 also states that development will not be permitted if it would directly, indirectly or cumulatively lead to: the removal of original walls; removal, alteration or if the application fails to provide adequate or accurate detailed information to show the effect on the significance of the listed building.
49. DMC5 also requires detailed advice relating to proposals affecting heritage assets and their settings, requiring new development to demonstrate how valued features will be conserved, as well as detailing the types and levels of information required to support such proposals. L3 of the core strategy reiterates this.
50. Further, chapter 16 of the NPPF requires local planning authorities to put great weight on the conservation of designated heritage assets; the greater their significance, the greater the weight.
51. Both the NPPF and the PDNPA's local policies state that if a development were to cause less than substantial harm the application should be refused unless the harm is outweighed by the public benefits arising from the proposals, if any.
52. In this case, the application has been submitted with a Design, Access and Heritage Statement which provides a summary of the background and significance of the dwelling, largely reiterating the contents of the official listing description and makes almost no consideration of the Conservation Area.
53. The single storey extension is proposed to project from the north east elevation of the main dwelling and wrap around onto the recessed north-east elevation of the single storey cat slide projection which houses the staircase. At ground floor the scheme would obscure a substantial amount of the original north east elevation, resulting in the loss of 4 ground floor windows, and require the physical intervention of the removal of a large amount of external wall / fabric, alongside the overlapping of quoins, to allow internal access to be achieved. Externally the proposed flat roof overlaps the sill of a first-floor window and would be further obscured by the lantern roof.

54. The application also proposes the addition of a new external boiler. The application does not provide any detail of the appearance, size and scale of the boiler or if it is to be screened in any way. No explanation for its proposed external positioning is detailed either.
55. The removal of the historic fabric is likely to be harmful to the significance of the building and the position, form, and design of the extension and other proposed works could also potentially impact upon the significance and setting of the building. However, the application provides no information regarding the significance of the building beyond its listed status, of its fabric, of the affected elevation of the building, or of the impact that the development would have on such significance or that of the conservation area.
56. In more general design terms, the flat roofed form of the extension would not reflect or complement the form of the existing building, and the extent of projection would complicate the massing of the building because it would result in a staggered rear elevation across the dwelling.
57. In addition to the extension a free-standing greenhouse is also proposed, within the property's garden. There is an existing greenhouse on the site, which is not shown on the submitted plans. The proposed block plan identifies the location of the proposed greenhouse; however, it is not clear if the proposed greenhouse is intended as a replacement or as an additional greenhouse. The proposed structure may impact the setting of the house and the conservation area, but again no supporting assessment has been submitted.
58. In summary, the heritage statement does not sufficiently assess the significance of the building, or the impacts of the proposed development upon it. Based on what information is available, it is very likely that a degree of harm would arise. The NPPF and policy DMC5 require any harm to a designated heritage asset arising from planning proposals to be weighed against the public benefits of the development. To do so however, it must first be possible to establish the significance of the asset, and the impacts of the development upon it. Without this, a balanced judgement cannot be made. The need for this information was established with the applicant when applications for similar proposals were submitted, and ultimately withdrawn, in 2023.
59. It is therefore particularly regrettable that this information is still missing and that as a result the impact of the proposals on the significance and architectural and historic interest of the Listed Building, its setting, and the Conservation Area cannot be fully established, contrary to the requirement of paragraph 207 of the NPPF, and to those of policies DMC5 and DMC7.
60. Further, the listed building consent application that was originally submitted in parallel with this planning application has been withdrawn prior to its determination. As currently put forward the proposed development would require and facilitate internal alterations to the building which would require listed building consent. No such consent has been granted at this time. It cannot therefore be determined whether any permission granted would be capable of implementation, because an assessment of whether those works could be supported has not yet been carried out, and because they are not yet otherwise authorised or lawful. It would be unreasonable to grant planning permission for a development that may not be capable of being implemented.
61. Additionally, a favourable decision on this planning application could be deemed prejudicial to the consideration of any future listed building consent application; this view was shared by the Inspector dealing with APP/M9496/W/24/3342623 (Scaldersitch Farm, Sheen) when dismissing an Appeal that paralleled this scenario in terms of a planning application preceeding the grant of listed building consent.

62. The lack of listed building consent for works related to the current proposals therefore represents a further reason that the application is recommended for refusal.

#### Climate change and sustainable building

63. Policy CC1 sets out that in order to build in resilience to and mitigate the cause of climate change all development must work towards climate change.
64. An Environmental Performance and Mitigation statement has been submitted within the Design, Access and Heritage Statement. Details state the proposed extension would be highly insulated significantly improving the thermal performance of the property whilst reducing its carbon footprint. Materials from the existing stone from the demolition will be retained and reused in the extension. All additional materials are proposed to be from local sustainable sources.
65. Given the scale and type of development proposed these measures are considered sufficient to accord with CC1.

#### Amenity

66. Policy DMC3 and DMH7 states that particular attention will be paid to the amenity, privacy and security of the development of nearby properties.
67. In this case, the nearest neighbouring properties are Barn Cottage, 20 metres to the north and Bluebell Cottage approximately 20 metres to the north east. The site itself is bounded by a high mature dense hedge, and taken together with the sloping nature of the site and the window positioning on the proposals, the location and design of the extension would not result in any adverse impact upon the amenity of any nearby residents.
68. Therefore, in these regards the proposal accords with DMC3 and DMH7.

#### Highways Safety

69. DMT3 Access and design criteria states that a safe access should be provided in a way that does not detract from the character and appearance of the locality and where possible enhances it.
70. The highway authority have concluded the proposal would not result in any material impact on highways grounds and we agree with that assessment.
71. As such, the proposal would not impact on highway safety or amenity, in accordance with DMT3.

#### Archaeology

72. The Authority's Archaeology officers have reviewed the application and advised the proposal does not result in any archaeological concerns.

#### Conclusion

73. The submitted heritage statement has not provided the information required to fully assess the significance of the listed building, or the heritage harm that would arise from the development, in conflict with policies DMC5 and DMC7 and the NPPF at section 16.
74. As such, the proposals fail to demonstrate that the development would conserve the significance of the affected heritage assets, or that any harm arising would be outweighed by public benefits, contrary to policies L3, DMC5, DMC7, DMC8, and paragraph 213 of the NPPF.

75. Further, it would be prejudicial for a planning application to be approved prior to listed building consent having been granted for the works requiring this.

76. Subsequently, the application is recommended for refusal.

### **Human Rights**

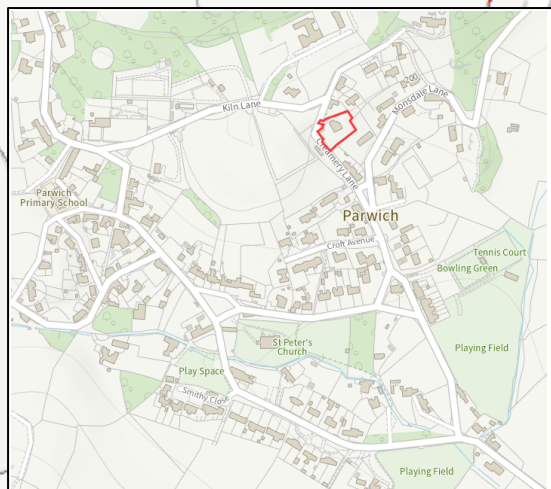
77. Any human rights issues have been considered and addressed in the preparation of this report.

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

78. Nil

Report Author: Laura Buckley – Assistant Planner – South Area

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## Location Plan - Old Hall Parwich

Item no. 8

Application no. NP/DDD/0125/0057

Committee date: 11th April 2025

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Scale: 1:413 at A4 pagesize  
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**9. FULL APPLICATION – CONVERSION OF BARN TO A DWELLING (PART RETROSPECTIVE) AT CORNFIELD BARN, CORNFIELD ROAD, LYME HANDLEY (NP/CEC/0125/0095,HF)**

**APPLICANT: MR & MRS J & C WARR**

**Summary**

1. The application site relates to Cornfield Barn, a traditional gritstone roadside barn located on Cornfield Road approximately 1.2km north of Kettleshulme.
2. Planning permission was granted to convert the barn to holiday accommodation and stabling / storage in 2009. That permission was implemented, however the majority of works were not carried out until 2019, when a Section 73 application to vary the 2009 permission was submitted. That application was approved in 2020.
3. Both the 2009 permission and 2020 Section 73 permission restrict the occupation of the building to short-term holiday let with a condition stating the property shall not be occupied by any one person for a period exceeding 28 days in any calendar year.
4. It is understood the development was completed in March 2021 and from April 2021, the property was permanently occupied by the applicants, in breach of that condition.
5. This application seeks planning permission for use of the building as a market dwelling. The building has been recently converted and is in good condition. Its conservation has therefore already been achieved and the proposed market dwelling is not considered to be necessary to secure the conservation of a non-designated asset.
6. The application is therefore recommended for refusal.

**Site and Surroundings**

7. Cornfield Barn is a traditional barn of 19<sup>th</sup> Century construction or earlier. It has gritstone walls and slate roof and is considered to be a non-designated heritage asset.
8. The building is set over two levels with catslide aspect to the rear. Internally, the eastern part of the building has been converted to residential accommodation over two floors, whilst the western part of the building has been converted to stabling with void space above. The stabling use is understood to have ceased.
9. The building is accessed from the highway to the north. It has a small curtilage to the south with parking to the east. A steel container and wooden pod are located to the south of the barn within the curtilage. Both of those structures are unauthorised.
10. The nearest neighbouring property is Cornfield Farm to the north west of the site. A public right of way (PRoW) is to the south west of the site. 2ha of land to the south east is within the same ownership as the barn.

**RECOMMENDATION:**

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

1. **The proposed market dwelling is not acceptable in principle as it is not required to achieve the conservation and / or enhancement of a non-designated heritage asset. The development is therefore contrary to Core Strategy Policy HC1 and Development Management Policy DMC10.**

**2. The application provides insufficient information to enable an understanding of the impact of the development on protected species, contrary to Core Strategy Policy L2 and Development Management Policies DMC11 and DMC12.**

**Key Issues**

11. Whether the proposed market dwelling is required to achieve the conservation and / or enhancement of a non-designated asset, and whether the development is acceptable in relation to impact on character and appearance, neighbouring amenity and ecology.

**History**

12. NP/M/0109/0055: Conversion of redundant shippon and barn to mixed use of stabling/storage and holiday accommodation – Approved 19<sup>th</sup> March 2009.
13. The permission was implemented in 2011.
14. NP/GDO/0518/0400: GDO Notification - Proposed conversion of building from agricultural to B1 studios – Prior Approval granted 7<sup>th</sup> June 2018. Permission not implemented.
15. NP/CEC/0619/0646: Removal or variation of conditions 2, 17, 19 and 20 on NP/M/0109/0055 – Approved 31<sup>st</sup> January 2020.
16. That application confirmed it was the applicant's intention to continue the conversion for holiday accommodation.
17. The Section 73 application sought changes in relation to patio area, access track, parking layout, boundary treatment and landscaping. Minor changes were also proposed to window and door openings and changes to internal stud wall positions.
18. 24/0148: Enforcement case opened due to the reported breach of NP/CEC/0619/0646, with the building being lived in and unauthorised siting of steel container and timber pod.

**Consultations**

19. Cheshire East Council Highways: Pedestrian and vehicular access remain unchanged and sufficient space to accommodate car parking demand. No objection.
20. Cheshire East Council Public Rights of Way Team: The development is unlikely to affect Public Footpath No.36. Informatives recommended.
21. Peak District National Park Authority Ecology: The existing permission requires bat mitigation to be carried out in accordance with the Bat and Barn Owl Report and Assessment (dated December 2008), which included that 'the stables will be open to the roof void'. It is understood this will no longer be the case given the proposed installation of a ceiling. The previous development mitigated for brown long eared bats. This species requires a larger area to 'warm up' in prior to emerging; therefore the area available to bats will be reduced. Ecological addendum required to understand current potential impacts on bats; and depending on findings, additional mitigation plans may be required.
22. Further response provided on receipt of a Protected Species Survey (March 2025). The Survey advises multiple emergence surveys are to be undertaken between May – August due to 'moderate' potential of the building to support bats. The survey results are required to enable a full assessment of impact on bats prior to determination.

## **Representations**

23. A total of 16 letters have been received in support of the application. The letters of support raise the following material considerations:

- The applicants have sensitively converted and conserved the barn which was previously in disrepair. The work has been done to a high standard in keeping with the character of the area and positive to see the building in use again;
- The proposals will continue to be sympathetic to the area and enhance the visual amenity of the heritage of the area;
- Support for preservation, upkeep and continued use of historic barn rather than allowing it to fall into disrepair;
- Support for conversion of the stable space to provide necessary living space;
- Applicant is an asset to conserving the countryside and care to land, paths and planting of trees and wildflowers has positive impact on the area and on wildlife;
- The application will allow a local family with strong ties to the area to continue living here;
- No reason why a permanent residence should now be allowed rather than holiday-let;
- Permanent residential use provides a potentially better neighbour than uncertainty of holiday-let tenants;
- There is limited housing for the younger generation available in Kettleshulme;
- Original owner (applicant's parent) moved away due to need for support. Had previously applied for planning permission and only holiday let accepted.

## **Main Policies**

Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L2, L3, HC1, CC1

Relevant Local Plan policies: DMC3, DMC5, DMC10, DMC11, DMC12

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

24. 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: 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 they carry out these purposes they also have the duty to; seek to foster the economic and social well-being of local communities in National Parks.
25. The NPPF is a material consideration and carries particular weight where a development plan is absent, silent or relevant policies are out of date. Paragraph 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.
26. In the National Park, the development plan comprises the Authority's Core Strategy (2011) and the Development Management Policies (DMP) (2019). The development plan provides a clear starting point consistent with the National Park's statutory purposes for the determination of this application. In this case, it is considered there are no significant conflicts between prevailing policies in the development plan and the NPPF.

## **Relevant Development Plan Policies**

### **Core Strategy**

27. GSP1, GSP2: 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.
28. 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.
29. DS1: In all settlements and in the countryside forms of acceptable development include conversion or change of use for housing, preferably by re-use of traditional buildings.
30. L2: Development must conserve and enhance any sites, features or species of biodiversity importance and where appropriate their setting.
31. L3: Seeks to ensure all development conserves and where appropriate enhances the significance of any heritage assets. In this case the building is a non-designated asset.
32. CC1: Development must make the most efficient and sustainable use of land, buildings and natural resources.
33. HC1: 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:  
C. In accordance with core policies GSP1 and GSP2:
  - i. it is required to achieve conservation and / or enhancement of valued vernacular; or
  - ii. it is required to achieve conservation or enhancement in settlements listed in DS1.

### **Development Management Policies**

34. DMC3: A high standard of design is required which 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.
35. DMC5: Planning applications affecting a heritage asset must demonstrate: (i) its significance including how any features of value will be conserved and where possible enhanced; and (ii) why the development and related works are desirable or necessary.
36. DMC10: A. Conversion of a heritage asset will be permitted provided it can accommodate the new use without changes that adversely affect its character and the changes conserve or enhance the significance of the asset and its setting.  
B. Proposals under HC1.C(I) will only be permitted where the building is a designated heritage asset or non-designated asset, and where it can be demonstrated that conversion to a market dwelling is required to achieve the conservation and, where appropriate, enhancement of the significance of the asset and contribution of its setting.
37. DMC11: Proposals should achieve net gains to biodiversity. In considering if a proposal conserves and enhances sites, features or species of wildlife importance all reasonable measures must be taken to avoid net loss by demonstrating the following matters in the below order have been considered: (i) enhancement proportionate to the development; (ii) avoidance of adverse effects; (iii) the 'do nothing' option and alternative sites causing less harm; (iv) appropriate mitigation; and (v) as a last resort, compensation measures.

38. DMC12: A. For European Protected Species, the exceptional circumstances where development may be permitted are those where it can be demonstrated 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**

39. Cornfield Barn is a non-designated heritage asset. Planning permission was granted for its conversion to a holiday-let and stables in 2009. That permission was implemented in 2011, although the majority of works to convert the building were undertaken between 2019 – 2021.
40. Condition 18 of the permission restricted the occupation of the barn to short-term holiday let in line with the Authority's policies at the time:
- "This permission relates solely to the use of the premises hereby approved for short-let holiday residential use. The property shall not be occupied by any one person for a period exceeding 28 days in any calendar year. The existing house and the approved holiday accommodation shall be maintained as a single planning unit. The owner shall maintain a register of occupants for each calendar year which shall be made available for inspection by the National Park Authority on request."*
41. It is noted the agent has raised concern over the enforceability of the above condition, as the condition requires Cornfield Barn to remain in the same planning unit as the 'existing house' however no other house was included in the application boundary (including blue line ownership boundary) under that application.
42. The agent states the condition places an obligation on the owner of another residential property (Cornfield Farm) who was not the applicant and who was unrelated in planning terms, with the condition therefore considered to be unenforceable, unreasonable and unnecessary. They state the condition does not meet the 6 tests of planning conditions set out by paragraph 57 of the NPPF. They also reference Planning Practice Guidance which outlines that conditions requiring works on land that is not controlled by the applicant will often fail the tests of reasonableness and enforceability.
43. Whilst it is acknowledged the reference to the existing house to be maintained in the planning unit appears to have been an error in the condition wording, the remainder of the condition which required occupation of the barn for holiday-let only does meet the 6 tests and that element of the condition is therefore remains valid and enforceable. It is therefore not considered that the entire condition is unenforceable, a view that is shared by the Authority's legal team.
44. In 2020, a Section 73 application was approved to vary the 2009 permission to reflect a number of changes from the original approval.
45. The application indicated the applicant was intending to carry out the works to provide the holiday accommodation approved in 2009. The application did not seek to vary condition 18, which therefore continues to apply under the 2020 approval.

46. It is understood works to convert the barn were completed in March 2021. In April 2021, the building was permanently occupied by the applicants and their family, representing a breach of condition 18. An enforcement case (24/0148) was consequently created.
47. Although the application states that the barn was never used as a holiday-let, case law has established that actual use is not a legally necessary pre-requisite to a material change of use occurring, and that a change of use can take place before that 'use' commences provided the building has been fitted out and completed to a point where it is capable of accommodating its intended use.
48. Photographs of the barn taken at the time of the 2020 application indicated much of the external work had been undertaken including fitting of doors and windows, in line with the original permission. There also appear to have been roof repairs and re-pointing undertaken. The 'existing' layout shown with this application is also reflective of the layout that was approved under the original application, with the only change being to the ground floor layout of the building which as built has an additional bedroom. Whilst this reflects a minor internal change to the approved plans, it is not considered to represent a different development to that which was approved and clearly implemented.
49. Given the existing planning permission was implemented and those physical works carried out to a point where the building was capable of occupation, officers consider that the 2020 permission has been implemented and the use of the barn reflects that permission, for stabling and a holiday-let.
50. The planning use class order does not distinguish between most holiday-lets and a residential dwelling, both of which generally fall within Use Class C3. Whilst a C3 use was granted by the existing permission, in this case the building cannot operate as a permanent residential dwelling because condition 18 of the permission restricts the occupation of the barn by any one person for a period exceeding 28 days in any calendar year. Planning permission is therefore required for the proposed market dwelling.
51. This application seeks planning permission for the conversion of the barn to a market dwelling. The application also seeks conversion of the ground floor stables to create a study and additional bedroom with en-suite with loft space over. The applicant states stabling is no longer required with the horses now on rented land nearby.
52. Policy GSP1 states all policies must be read in combination and development shall be consistent with the National Park's legal purposes. GSP2 requires proposals intended to enhance the National Park to over a significant overall benefit to the natural beauty, wildlife and cultural heritage of the area with a design respecting character of the area.
53. Policy DS1 states development which is acceptable in the countryside includes conversion or change of use to housing, preferably by re-using traditional buildings.
54. Policy HC1 expands on new housing in the National Park further, stating that housing will only be permitted in exceptional cases where:
  - A. It addresses eligible local needs for homes that remain affordable with occupation restricted to local people in perpetuity;
  - B. It provides for key workers in agriculture, forestry or other rural enterprises in accordance with HC2;
  - C. In accordance with core policies GSP1 and GSP2:
    - I. It is required 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.

55. It is recognised that multiple letters have been received which offer support for the provision of a dwelling to accommodate a local family with strong ties to the area and who support the local community, with a response indicating a shortage of local homes.
56. Whilst the application submitted is for an open market dwelling, officers have nonetheless considered whether the dwelling could potentially be provided as an affordable dwelling for local needs under HC1.A.
57. The agent has indicated that whilst the applicant has a strong family connection to the area, they do not strictly comply with the requirements of Policies HC1.A and DMH1 in respect of a local connection, although should members be minded to support the application the agent has indicated there is a willingness for a personal consent for the family and legal agreement to secure the building as an affordable local needs dwelling in the future.
58. The applicant lived at the adjacent Cornfield Farm from 1975 onwards and their grandparents resided in Kettleshulme, with the Cornfield Barn (previously part of Cornfield Farm) previously subject to an application by the applicants mother for conversion to a local needs dwelling in 1993, however that application was unsuccessful due to concerns over the barn remaining affordable in the future. Cornfield Farm was sold in 2002.
59. The barn and adjoining land remained in the applicants ownership and construction work to the barn began in 2019. The applicants moved into the barn in 2021 due to personal reasons and difficulty in finding another house due to restrictions viewing houses during the Covid pandemic.
60. Whilst it is recognised the building has been in the applicants ownership for a significant period of time, it is unclear on the information available that the applicant satisfies the local needs test set out by the Authority's policies. The applicants agent indicates that the applicant would not meet with policy requirements.
61. Furthermore, the existing residential accommodation has an approximate internal floorspace of 110 sqm and the converted stable space has an internal floorspace of around 50sqm. This gives a combined area of around 160 sqm which is significantly above the maximum floorspace thresholds for new affordable housing set by Development Management Policy DMH1, which states the maximum house size for an affordable house with five bed spaces is 97sqm. Supporting paragraph 6.58 outlines the size limit helps to protect the affordability of accommodation in perpetuity.
62. Therefore, the dwelling proposed is too large to be considered as an affordable local needs dwelling under HC1.A and DMH1. Therefore, the proposed development could not be made acceptable by either planning condition or planning obligation.
63. The Authority are not aware of any case for a rural workers dwelling in respect of HC1.B.
64. It must therefore be considered whether a market dwelling is required to achieve the conservation / enhancement of the building under HC1.C(I) and DMC10.B(iii).
65. The supporting Planning Statement outlines that the proposed development complies with HC1.C(I) of the Core Strategy as the former stable use is no longer active and the vacant section of the barn would fall into disrepair and deteriorate over time.
66. Multiple letters of support have also been received which state the works carried out to the barn have been done to a high standard, and that future conversion of the stables would similarly be sympathetic and see the remainder of the barn conserved. The active use would also ensure the barn continues to be maintained.

67. Whilst the stable use may no longer be active, officers observed during a visit to site that the section of the barn used for stabling appeared to be in good condition, with external sections of the building having been re-pointed, new window and door openings fitted (in accordance with the 2009 / 2020 permission) and the roof in good condition.
68. Officers also requested photos showing the existing condition of the internal stable space, as access into the building was not possible during the visit to site. Photos provided by the agent show the building to be in good condition internally, with solid floor, blockwork to the gables and relatively recent roof frame and internal walls. The protected species survey photos also appear to show the space is used for some domestic storage (albeit this is unauthorised, in connection with the unauthorised use of the barn as a dwelling).
69. The space has been converted relatively recently to stables and is in good condition. Whilst it is recognised the proposed bedroom and study could be accommodated sensitively, the proposed market dwelling is not necessary to achieve conservation of the asset, as its conservation has already been achieved.
70. Even if it were, the approximate area of the stables is 50sqm, with the remainder of the barn measuring around 110sqm. The conversion of a smaller section (approximately one third) of the building which is in good condition is not considered sufficient to justify the creation of a market dwelling across the entire building as is proposed.
71. The plans show the remainder of the barn has been fitted out with living room, kitchen, bedrooms and bathroom and it was observed during a visit to site that the building appears to be occupied and works to the exterior of the building had been completed. The conservation of the barn has therefore already been achieved and use as a market dwelling is not required for the building's conservation.
72. The proposed market dwelling is therefore not required to achieve the conservation or enhancement of the barn and the use would be contrary to HC1.C(I) and DMC10.B(iii).
73. The application states it would comply with paragraph 84 of the NPPF, which supports the re-use of redundant or disused buildings and enhancement to their settings.
74. This broad principle is already covered by DS1 and HC1 and the application has been assessed against the criteria which apply in relation to conversion / re-use of buildings and is contrary to those policies. This being is neither disused or redundant and could lawfully be occupied as holiday accommodation.
75. In any case, the building represents a single building which is clearly in occupation with only a small part now vacant. It is not clear what enhancement to the building setting would be provided by the addition of the bedroom and study. Whilst the application proposes to remove the steel container and pod in the barn curtilage, those structures are unauthorised and their presence (and removal) is not afforded weight in this assessment.
76. The above assessment has concluded that the barn is in good condition and its conservation has already been achieved through its recent conversion, as part of a lawful implementation of planning permission which was granted to convert the building to a holiday-let and stables.
77. The proposal for a market dwelling therefore does not comply with Policies HC1 and DMC10 and there is no exceptional requirement for the creation of a market dwelling. The development is therefore not acceptable in principle and would result in the creation of a market dwelling in an unsustainable location.



78. The Authority's housing policy is long established and the position in relation to the application of policy HC1 to buildings already converted and conserved has consistently been supported at Appeal by the Planning Inspectorate.

#### Impact on Character and Appearance

79. No physical works are required to accommodate the market dwelling in the eastern part of the barn, with those works already carried out in implementing the 2020 permission for holiday-let.
80. Minor external changes are proposed to the west part of the barn comprising re-purposing of the north elevation opening to a window and a door on the south elevation to allow more daylight to the building. Those changes are minor and subject to a condition requiring details of the new door and window, the works would be sympathetic to the appearance of the barn.
81. Internally, the development proposes internal partition walls to create the additional rooms and insertion of a ceiling to create loft space over the study. Whilst the Conversions SPD advises against installing ceilings and states spaces should be left open to the roof (5.66) the ceiling only appears to relate to a small area over the study and on balance the works are considered to be acceptable in respect of impact on the building's heritage, character and appearance, and in terms of design.
82. The proposals are not considered to conflict with Policies GSP3, L3, DMC3 and DMC5.

#### Ecology

83. The Authority's ecologist advised the development had the potential to impact on protected species, particularly bats. The existing permission for the conversion of the barn required mitigation measures to be carried out in accordance with Section 6 of the Bat and Barn Owl Report and Assessment undertaken by NLG Ecology Ltd (dated December 2008) which states the stables would remain open to the roof void as mitigation for bats. The application proposes installation of a ceiling and has the potential to impact bats if present.
84. A Protected Species Survey undertaken after the application was submitted in March 2025 has been provided and advises that whilst no signs of bats were observed, the building has moderate potential for bats and that the possibility of non-breeding roosts or low numbers of bats cannot be discounted. Further survey work is recommended comprising multiple dusk emergence surveys undertaken in the optimal survey season May – August.
85. The Authority's ecologist has advised this information is required prior to determination of the application to understand the potential impact of the development on protected species. In the absence of such information, the application does not comply with Policies L2, DMC11 and DMC12 of the development plan.
86. The Protected Species Survey also advises on mitigation relating to nesting birds should works be undertaken between March to August. This could be secured by condition.

#### Other Matters

87. Due to the nature of the use proposed and distance and intervening landscaping between the application site and neighbouring properties, the nearest of which is Cornfield Farm to the west, it is not considered the development would harm residential amenity. The proposal therefore complies with Policies DMC3 and GSP3 in this respect.

88. Whilst responses received suggest a permanent residential use would provide a more preferable neighbouring use to a holiday-let with the uncertainty over tenants, the permitted use is nonetheless considered to be compatible with the area, contributes to the statutory purpose of the National Park and is acceptable in amenity terms.
89. The Highways Authority have confirmed the development will not alter the site access and that there is sufficient parking space available to accommodate the use. The development is acceptable in respect of highways.

### **Conclusion**

90. Cornfield Barn has recently been converted. That conversion has achieved the conservation of the building which is in good condition. It is therefore not considered that conversion of the building to a market dwelling is required in order to achieve the conservation and / or enhancement of the non-designated barn. The proposed development is therefore contrary to Policies HC1.C(I) and DMC10.B(iii).
91. In the absence of the bat emergence surveys recommended by the submitted Protected Species Survey, the application contains sufficient information to understand the impact of the development on protected species. The application is therefore also contrary to Policies L2, DMC11 and DMC12.
92. The application is therefore recommended for refusal.

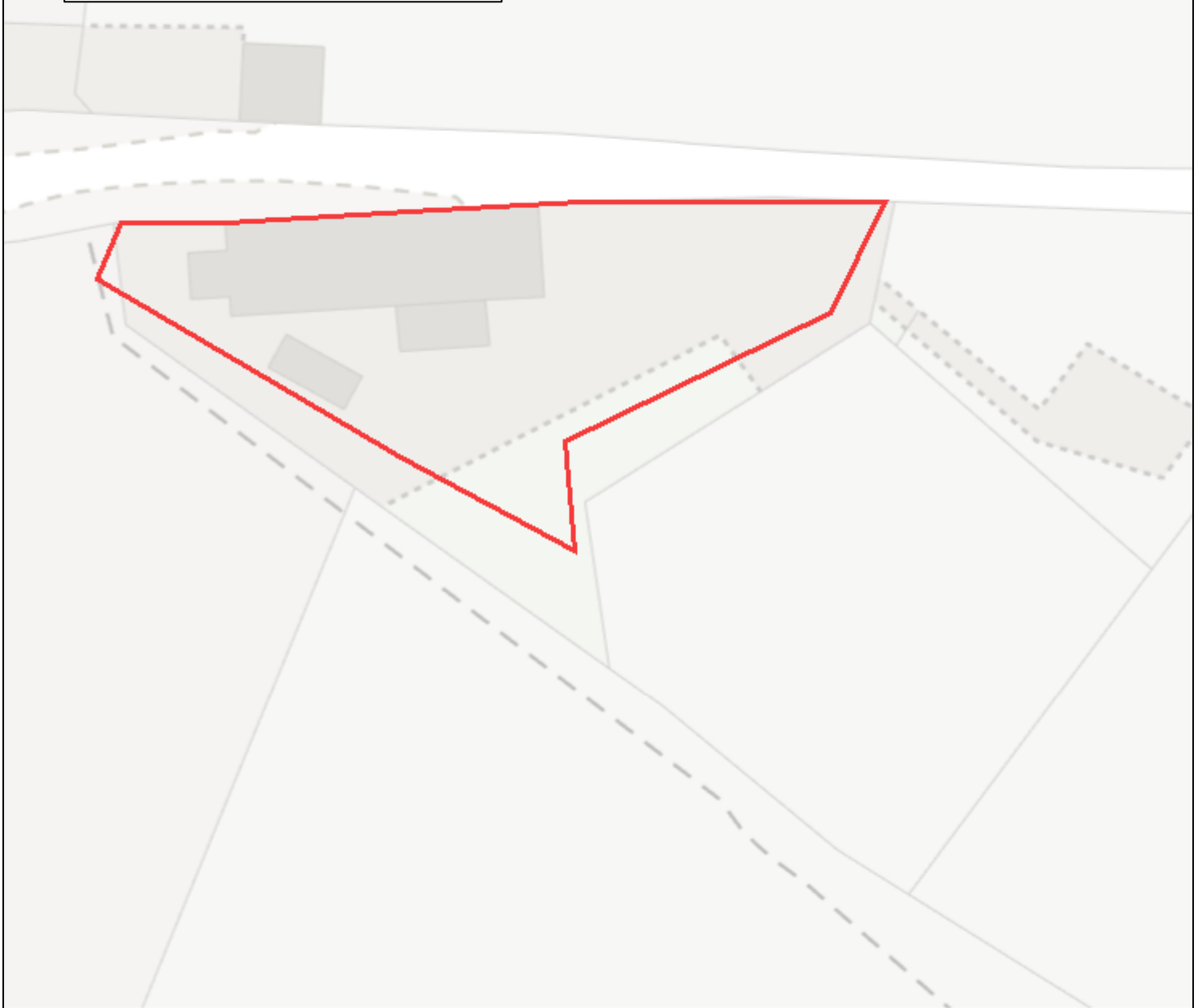
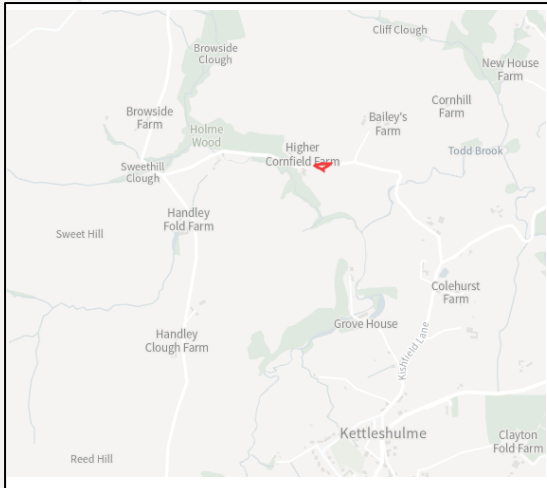
### **Human Rights**

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

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

Nil

Report Author: Hannah Freer, Senior Planner



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Cornfield Barn, Cornfield Road, Lyme Handley

Item no. 9

Application no. NP/CEC/0125/0095

Committee date: 11/04/2025

Page 67

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**10. S.73 APPLICATION - FOR THE VARIATION OF CONDITIONS 2 AND 4 ON NP/HPK/0921/1048 AT NEWFOLD FARM, COOPERS CARAVAN SITE AND CAFÉ, UNNAMED ROAD FROM STONECROFT TO GRINDSLOW HOUSE, GRINDSBROOK BOOTH, EDALE (NP/HPK/1123/1343, HF)**

**APPLICANT: MR MORGAN JACKSON**

**Summary**

1. The application seeks to vary conditions 2 (approved plans) and 4 (landscaping) of an existing planning permission NP/HPK/0921/1048 which was granted for alterations to the existing camp site with associated landscaping, access and parking arrangements.
2. That planning permission was implemented however works relating to new car parking spaces on the southern edge of field 3 have not been carried out in accordance with the approved plans, in part due to an error identified on the approved drawings where landscaping and parking was shown in the same location on separate drawings.
3. This Section 73 application seeks changes to the parking layout and a number of additional car parking spaces, along with changes to landscaping in this part of the site.
4. Having regard to the existing site context and approval, the amendments are not considered to harm the character and appearance of the site, landscape or Conservation Area or result in unacceptable highway impacts. The proposals are considered to accord with the development plan and the application is recommended for approval.

**Site and Surroundings**

5. Newfold Farm Campsite is located in Edale, just south of the start of the Pennine Way. The campsite includes a café building at the eastern edge near to the access into the campsite from Mary's Lane. A recreation area and reception are located to the east of the site close to the campsite entrance.
6. The wider campsite covers four fields. Field 1 (north east) comprises tents with touring and camper van pitches. Field 2 (north west) has further camping and has permission for camping pods. Fields 3 (south west) and 4 (south east) accommodate tent pitches.
7. Public Right of Ways (PRoW) HP11/18 & 31 extend along the north edge of the campsite, whilst PRoW HP11/20 extends along the south edge along the route of an existing track.
8. The campsite is within the Edale Conservation Area. There are a number of Listed Buildings to the east of the campsite, however the location and nature of works being considered under this Section 73 application are not considered to affect their settings.
9. The nearest residential properties include The Meads and The Hermitage approximately 115m to the south, and properties on Marys Lane 80m to the south east. Properties close to the site entrance include The Limefield to the east, and Western House and Lea House (which is listed) to the north and north east.

**RECOMMENDATION:**

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

1. **Accordance with amended plans**

2. **Development carried out in accordance with tree report.**
3. **Development to be carried out in accordance with amended landscape plans, to be carried out in first available planting season following completion or substantial completion of the development.**
4. **Details of any new lighting being installed to be approved prior to installation.**
5. **Details of any new entrance gates to be approved prior to installation.**
6. **New parking spaces within the fields to be surfaced with a grow through material such as 'grasscrete' prior to their first use.**
7. **Development to accord with the details contained in the document 'Measures to Combat Climate Change', including the details of the Travel Plan.**
8. **Revised parking arrangement and surfacing for field 3 and directional signage to be installed within specified timescale.**

### **Key Issues**

10. The impact of the proposed amendments on the valued character and appearance of the site and its landscape setting, including impact upon the significance of the Conservation Area. Impact on neighbouring residents and highway safety.

### **History**

11. NP/HPK/0620/0539: Extensions to shop and cafe, and erection of facilities building at campsite – Approved 2<sup>nd</sup> March 2021.
12. NP/HPK/0921/1048: Alterations to camp site provision, reception building and associated landscaping, access track and parking arrangements – Approved 14<sup>th</sup> April 2022.
13. NP/HPK/1222/1567: Section 73 application to alter condition 3 on planning approval No NP/HPK/0393/035 for the Erection of new café and coffee shop with kitchen and toilets to allow extended opening until 10pm every evening – Approved 25<sup>th</sup> April 2023.

### **Consultations**

14. Derbyshire County Council (Highways & PRow): Initial objection. Concerns about increased vehicle journeys along PRow and safety issue associated with reversing of vehicles. Concerns with management of use of parking spaces by campsite users.

Response to amended plans recognised efforts made to mitigate public safety along the PRow provided signage is clear and vegetation maintained at appropriate height.

Final response confirmed the PRow officer is satisfied with the compromise on parking on field 3 and no objection to the development.

15. Edale Parish Council: Support the application.
16. High Peak Borough Council (Planning): No response.
17. Peak District National Park Authority Archaeology: No objections.
18. Peak District National Park Authority ARow: No response.

19. Peak District National Park Authority Landscape: No response.

### **Representations**

20. 9 letters of objection have been received from 4 objectors, raising the following matters:

#### Highways, Car Parking & PRow

- Concerns with number of vehicles accessing the campsite. Main village road is not suited to volume of vehicles and is unsafe. Vehicles also continue into village if they miss the turning. Cars use footpath on south edge of campsite and park on edge of footpath and by agricultural barns to the south west of the site;
- PRow is not fit for vehicle activity and is used by other users including walkers and those travelling to school and should remain free of vehicles;
- Cars need to be kept out of the village;
- Core Strategy requires the safeguarding of Rights of Way and the proposal would be contrary to that; Conflict with CST1.E.
- Reference to Policies T1, T7 and DMT6.A;
- Photographs provided to illustrate volume of vehicles using footpath along south of campsite, along footpath to south and by agricultural barns and potential housing of staff in caravans. Photographs also show parking in field 4;
- Non-compliance with the Travel Plan in respect of discounts for rail users;
- Request for investigation of village pedestrian safety;
- EV charging to be made conditioned and operational within set time frame;
- Query whether Open Space Society, Rambler's Association or CPRE consulted. Note - these are not statutory consultees and are therefore not consulted on this application.

#### Landscape & Heritage

- Removal of trees and hedgerows has exacerbated parking and number of vehicles along a PRow / historic footpath, harming the landscape, character and significance contrary to Policies L1 and L3;
- Development harming the significance of any cultural heritage asset and its setting will only be permitted in exceptional circumstances;
- The development has altered the character and appearance of the PRow visually and audibly and it feels as though the campsite has extended on to the footpath;
- Hedgerows are part of the landscape and should be preserved. The applicant has removed a historic hedge. Comments raised around special connections with landscaping (such as Sycamore Gap). The hedge was loved by tourists and locals, and people associate significance and value to the cultural landscape and trees and hedgerows in the area;
- The removal of trees in Plymouth and Sheffield should not be emulated;
- Visibility of the parked vehicles from Ollerbrook Footpath and Scheduled Monument 'Mam Tor Iron Age Fort'. Visibility of car parking harms views of Grindsbrook from those locations;
- Important for those visiting Edale for their enjoyment and mental health to be able to do so without anxiety of meeting and seeing cars;
- Request for the number of car parking spaces to remain as approved and for all landscaping to be re-instated as it was and for no car park or cars permitted up the heritage public footpath, for safety and landscape purposes;
- Request for ground surface of car parking to be replaced with grass membrane;
- Heritage layout of the five Booths making the Edale landscape should be viewed together as a whole landscape linked via heritage footpaths. A change to any

footpath between booths servers links and divides the booths, harming the landscape;

- More needs to be done to increase and protect hedgerows and trees in Edale;
- Request for Historic England's whole landscape approach to be taken into consideration to conserve footpaths and booths;

#### Other Matters

- Unclear which condition the application seeks to vary;
- There have been multiple applications on the campsite and they should be considered together cumulatively.

### **Main Policies**

Relevant Core Strategy policies: GSP1, GSP2, GSP3, L1, L3, RT3, T1, T6

Relevant Local Plan policies: DMC3, DMC5, DMC8, DMR1, DMT5, DMT6

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

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: 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 they carry out these purposes they also have the duty to; seek to foster the economic and social well-being of local communities in National Parks.
22. The NPPF is a material consideration and carries particular weight where a development plan is absent, silent or relevant policies are out of date. Paragraph 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.
23. In the National Park, the development plan comprises the Authority's Core Strategy (2011) and the Development Management Policies (DMP) (2019). The development plan provides a clear starting point consistent with the National Park's statutory purposes for the determination of this application. In this case, it is considered there are no significant conflicts between prevailing policies in the development plan and the NPPF.

### **Relevant Development Plan Policies**

#### **Core Strategy**

24. GSP1, GSP2: These policies jointly seek to secure national park legal purposes and duties through the conversion and enhancement of the National Park's landscape and its natural and heritage assets.
25. GSP3: 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, including in respect of access, traffic levels and landscaping.
26. L1: Development must conserve and enhance valued landscape character, as identified in the Landscape Strategy and Action Plan, and other valued characteristics.



- 27. L3: Development must conserve and where appropriate enhance the significance of historic assets and their settings. Other than in exceptional circumstances, development will not be permitted where it is likely to harm the significance of any heritage asset.
- 28. RT3: Proposals for caravan and camping sites must conform to the principles set out under the policy criteria. Part C. states provision of improved facilities on existing caravan and camping sites must be of a scale appropriate to the site. Part D. states development that would improve the quality of existing sites, including improvements to access and landscaping, will be encouraged.
- 29. T1: Impacts of traffic within environmentally sensitive locations will be minimized.
- 30. T6: The Rights of Way network will be safeguarded from development. Where a proposal affects a Right of Way, every effort will be made to accommodate the definitive route. Non-residential parking will be restricted to discourage car use and will be managed to ensure the location and nature of car parking does not exceed environmental capacity.

#### Development Management Policies

- 31. DMC3: Development will be permitted provided it is of a high standard that respects, protects and where possible enhances the natural beauty, quality and visual amenity of the landscape and cultural heritage, with attention paid to siting, scale, impact on landscape features and the wider landscape setting which contribute to the valued character and appearance of the area. Attention will also be paid to vehicle parking.
- 32. DMC5: Planning applications for development affecting a heritage asset must clearly demonstrate its significance and why the proposed development and related works are desirable or necessary. Supporting evidence should be proportionate to the significance of the asset. Development resulting in harm to a heritage asset will not be permitted unless, where less than substantial, the harm is weighed against the public benefits.
- 33. DMC8: Applications should clearly demonstrate how the character or appearance of the Conservation Area will be preserved and enhanced, and should provide information to demonstrate the effect of development on the Conservation Area.
- 34. DMR1: The development of a new touring camping or caravan site, or small extension to existing site, will not be permitted unless its scale, location, access, landscape setting and impact on neighbouring uses are acceptable, and it does not dominate surroundings.
- 35. DMT5: Development that would increase vehicular traffic on footpaths to the detriment of their enjoyment by walkers will not be permitted unless there are overriding social, economic or environmental conservation benefits arising from the proposal.
- 36. DMT6: New or enlarged car parks will not be permitted unless there is a clear, demonstrable need. Where planning permission is required, additional parking should be of a limited nature, whilst being appropriate to the size of development and accounting for its location and visual impact.

#### Assessment

##### Impact on character and appearance of the area

- 37. Planning permission was granted for alterations to the campsite at Newfold Farm, reception building and associated landscaping, access track and parking arrangements under NP/HPK/0921/1048. That permission has been implemented, with works undertaken including use of field 1 for touring and campervans, introduction of car

parking in fields 1 and 2, and introduction of car parking to field 3, albeit the work to parking at the edge of field 3 is not fully in accordance with the approved plans.

38. The deviation has arisen in part due to what is understood to have been an error on the approved drawings for NP/HPK/0921/1048. The approved site plan shows parking along the edge of field 3 on the verge to the PRoW and shows a one-way in and one-way out system round the site, with vehicles exiting along the track on the south edge of the site.
39. The landscape plan that was approved under NP/HPK/0921/1048 shows verge, tree and hedge planting in the location of the parking spaces on the approved site plan. Parking spaces shown on the landscape plan are located to the north of the planting, preventing vehicles from exiting along the track to the south. The car parking and landscaping positions on the approved plans conflict with one another and are not compatible.
40. Whilst it is understood the applicant no longer wishes to pursue a one-way system of vehicles around the campsite, this is nonetheless shown on the approved plans. Car parking has already been provided in the location shown by the approved site plan under NP/HPK/0921/1048, albeit a greater scale of parking is provided and the surfacing is not in accordance with the approval which requires grass mesh.
41. This Section 73 application seeks to resolve the errors on the plans that form part of the existing approval, and seeks to reflect the intended access arrangements for the site and provision of a number of additional parking spaces.
42. The latest plan for the site no longer shows a one-way access system around the site. The main change relates to the car parking arrangement on the southern edge of field 3.
43. The number of car parking spaces has increased from the approved 14 spaces to 22, in the same position as shown on the approved site plan along the edge of the PRoW to the south. The spaces would be accessed from the north east corner of the row of parking, with a sign directing vehicles to turn right through a break in landscaping. Vehicles would then turn left into parking spaces which they could exit in a forward gear. Parking bays and manoeuvring space would be finished in a grass mesh.
44. The accompanying landscape addendum shows that soft landscaping would be moved to the rear (north) of the parking spaces, separating the car parking spaces from the camping field to the north with space at the north west corner left to access the field.
45. It is recognised the siting of car parking spaces along the edge of the PRoW is not ideal, as there would be some change to the character and appearance experienced along the footpath. However, this must be considered within the context of the existing permission NP/HPK/0921/1048 and the approved site plan, which shows car parking spaces in the same position. That change is therefore already established. Officers consider that it would be unreasonable to resist the siting of car parking in the position proposed, given that notwithstanding the conflict with the approved landscape plan, parking in that position is shown on the approved site plan.
46. Whilst the additional vehicles would increase the presence of cars to the south of the campsite, the existing permission already allows for the parking of vehicles in this location and the increase in parking spaces at the scale proposed is not considered to unacceptably alter the character and appearance of the area compared with that approval, particularly if finished with a grass mesh and proposed landscaping as is proposed. As outlined below, this change is also experienced in a more intimate setting.

47. As the car parking spaces have already been laid out, it would be necessary to condition that the spaces are finished with a grass mesh or similar within a set timescale, to ensure a timescale for completing the work in a manner which accords with the permission. The grass mesh finish would provide a softer edge to the PRow, particularly once vegetation is established and is therefore important to respect character and appearance.
48. The Section 73 application proposes a landscaping scheme that could be implemented around the location of the car parking spaces. It proposes an area of soft landscaping to the east of the row of parking, similar to the existing approval, with provision made for an access through the landscaping to allow cars to access and egress parking spaces in a forward gear. This access arrangement has been considered necessary by the County Council's PRow officer for safety reasons, discussed further below.
49. There would also be some intervening planting between the parking spaces in addition to the existing retained tree. This would help to soften the overall appearance of vehicles along the track.
50. It is recognised the change between the approved landscape plan and proposed would see less landscaping directly along the edge of the PRow, and that change is regrettable. However, the car parking has already been set out in the location of the spaces shown on the approved site plan under the existing permission (albeit at a greater scale and without the grass cell surfacing).
51. In exploring a solution, officers requested a similar solution to what is now proposed, but with a row of landscaping between the car parking spaces and PRow rather than behind the car parking and manoeuvring area. This would afford screening along the PRow.
52. However, this suggestion was not taken up as this would require vehicles to reverse in the direction of camping pitches creating potential safety issues within field 3. There were also concerns with alternate configurations as this would require a larger area of field 3 to be utilised for parking and manoeuvring. It is recognised both solutions would require car parking spaces to be moved from the location from which they are currently approved under NP/HPK/0921/1048 and given that permission is extant, it would be unreasonable to insist upon this.
53. The plans therefore show soft landscaping planting to the rear (north) of the parking spaces comprising a mix of native trees and understorey shrub planting, reflecting the landscaping mix approved across the site under the original permission. The planting would have the benefit of screening the main camping field from the PRow, and providing screening of the car parking from higher views of the campsite from the north.
54. There is existing tree planting along the south edge of the PRow, which affords screening of the southern edge of the field where parking would be located when viewed from the south on Mam Tor and the Great Ridge walk. The location of parking on the southern edge would also remove the need for cars to park in the main field as was the previous arrangement, where they would be more visible in the landscape.
55. Meanwhile, the planting of trees to the rear of the parking spaces would afford screening of the car parking from views from higher ground to the north, from views from the Open Access Trail in the vicinity of Ringing Roger, The Nab and the Kinder Scout plateau.
56. The amendments are therefore considered to be acceptable in terms of impact within the wider landscape, including impact from the Mam Tor Scheduled Monument, and once the landscaping is established represent an improvement over the original consent when considering views from the north.

57. Experience of the car parking would be in a more intimate setting along the PRoW and would be well screened from wider vantages by the existing and proposed landscaping. The increase in car parking over the existing approval is therefore on balance considered to be acceptable.
58. Taking the above into account, the proposals are considered to accord with Policies GSP1, GSP2, GSP3, L1 and DMC3 of the development plan.
59. The proposals are also acceptable in respect of impact on the Conservation Area, having regard to the existing character of the campsite, existing approval and resultant character along the PRoW, and consideration to the wider historic landscape character and connectivity between booths, as raised by a number of respondents, as the development would be confined to a more intimate area. On balance, the additional car parking with revised landscaping scheme is considered to be acceptable, and the proposals include additional landscaping to be planted with the species mix appropriate to the character of the area. The introduction of a treed boundary to the field would reflect the presence of woodland along boundary edges elsewhere in the area and around the campsite. The proposals therefore accord with Policies L3, DMC5 and DMC8 of the development plan.
60. The additional car parking is a minor increase proportionate to the scale of the wider campsite and the scale, location and associated landscaping is considered to be acceptable in respect of Policies RT3 and DMR1.

#### Highways

61. An objection was initially raised by the County Council's PRoW officer, due to the increase of vehicle activity along the PRoW and as the parking arrangement as submitted required vehicles to reverse onto the PRoW, creating safety concerns for PRoW users.
62. A number of objections have also been received which raise concerns over the safety of users of the PRoW, due to the arrangement of parking and increase in vehicles.
63. However, officers have had regard to the fact the site plan as approved technically allows for a one-way access around the campsite, and that it was also intended for vehicles accessing fields 3 and 4 to use the track. The existing approval therefore allows for vehicles to utilise the track. There is also access along the track to buildings to the west.
64. The applicant has provided revised plans which show a right-hand turn into the parking area, meaning vehicles can access and egress the car parking spaces in a forward gear. The plan confirms a directional sign would be provided to inform vehicles to turn right. Such a sign can be provided under deemed consent, provided it complies with the relevant criteria under Class 2 of the Town and Country Planning (Control of Advertisements) Regulations 2007.
65. The applicant has also confirmed that all visitors to the campsite are required to report to reception on arrival, where they will be advised of where to park and that they must do so in accordance with the directional sign, allowing them to exit spaces in forward gear.
66. Based on the amended plan and arrangement, the PRoW officer has confirmed they are now satisfied the arrangements would be acceptable in respect of impact on the PRoW. The Highways Authority have consequently confirmed they have no objection to the revised arrangements on the site.

67. The proposed arrangement would not encroach onto the PRow and officers do not consider the enjoyment of the PRow would be altered detrimentally over the existing situation, both in respect of the existing approval and access to land to the west. The amendment is considered to comply with Policies T6 and DMT5.
68. Officers consider a condition is required for the revised parking arrangement and sign to be provided within a specified timeframe given the works have already commenced, and to be maintained for the lifetime of the development, to ensure the parking remains safe.
69. In respect of Policies T1 and T6, there is already traffic associated with the campsite in the area and the increase of 8 car parking spaces is not considered to unacceptably alter that relationship within the area or exceed environmental capacity.
70. In respect of DMT6, it is recognised there is a need for campsite parking with overspill parking having occurred further west by the agricultural buildings. Concerns with parking in that location have been raised, although that location is outside of the application boundary and beyond the scope of this application. The additional parking is considered to be of a limited nature, appropriate to the size of the campsite and visually appropriate.
71. It is recognised there are concerns raised in respect of the level of vehicular traffic in the area, however the existing campsite use is long established and the amendment considered as part of this proposal is not considered to unacceptably alter that position.
72. Whilst the permission included a condition for a Construction Management Plan, the Highways Authority have advised this could be dealt with through an informative advising on considerate construction and that the PRow remains unobstructed. Given the scale, nature and location of works, it is not necessary to make the development acceptable.
73. An objector has raised concerns over the content of the approved Travel Plan. Officers have clarified with the applicant that the arrangement offers discounted camping rates for those who arrive by train and that arrangement is considered to be acceptable.

#### Other Matters

74. The proposed amendments relate to the parking area at the south edge of field 3, which is a sufficient distance from the nearest dwelling (including those on the campsite) such that the arrangements are not considered to impact on amenity. The development complies with Policies GSP3 and DMC3 in this respect.
75. The amendments are not considered to raise new issues in respect of trees or ecology.

#### Conclusion

76. On balance, having regard to the existing site context and approval, the proposed amendments and associated landscaping are not considered to harm the character and appearance of the site, landscape or Conservation Area or result in unacceptable impacts in respect of highways or other matters.
77. The application is therefore recommended for approval.

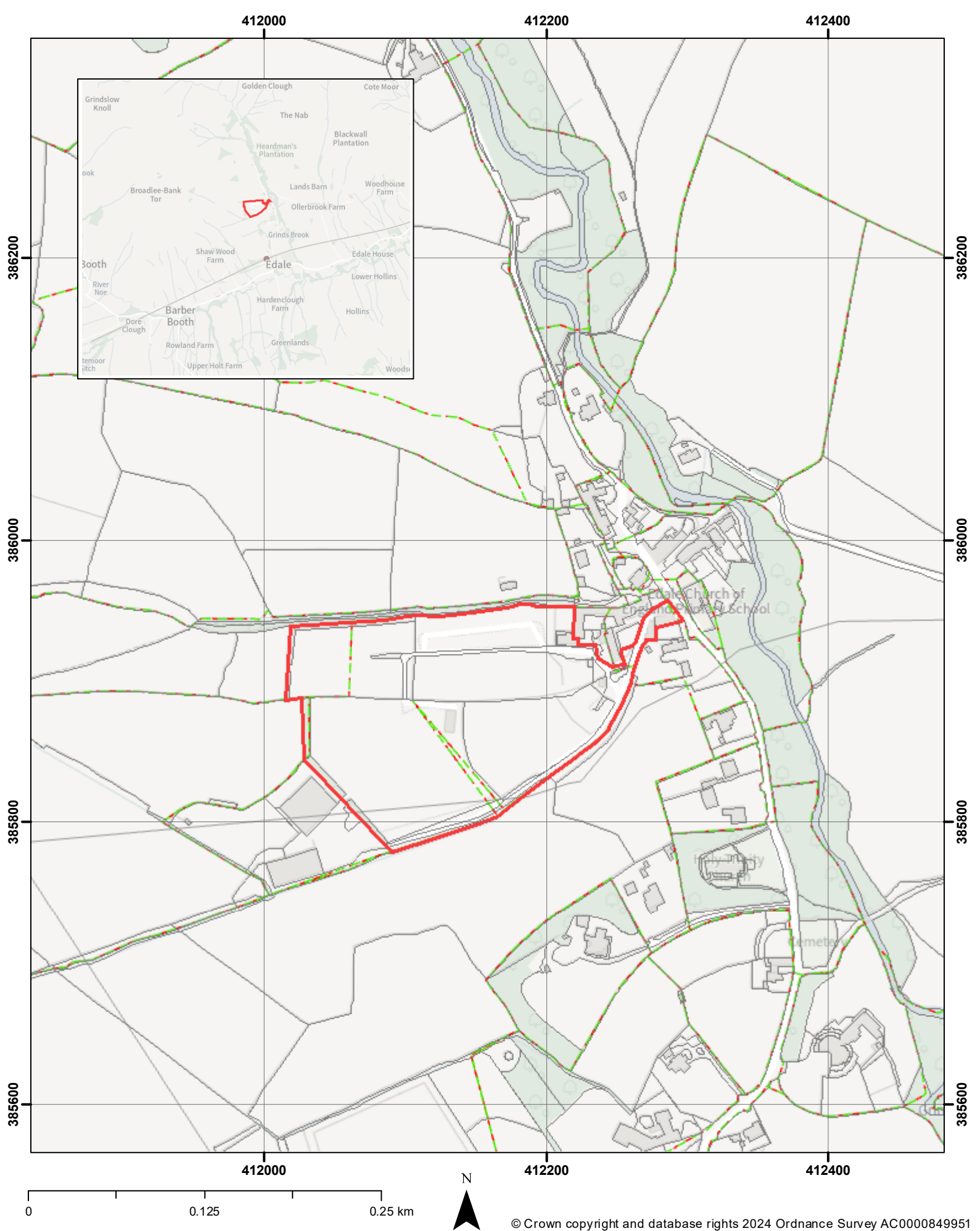
#### Human Rights

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

List of Background Papers (not previously published)

Nil

Report Author: Hannah Freer, Senior Planner



## Newfold Farm, Edale

Item no. 10

Application no. NP/HPK/1123/1343

Committee date: 11/04/2025

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## **11. MONITORING & ENFORCEMENT ANNUAL REVIEW – APRIL 2025 (A.1533/AJC)**

### **Introduction**

1. This report provides a summary of the work carried out over the last year (April 2024 – March 2025) as well as information about the breaches of planning control we have resolved in the latest quarter (January – March 2025).
2. Most breaches of planning control are resolved 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.

### **RECOMMENDATION:**

**That the report be noted.**

### **Legislative Changes**

4. A number of planning enforcement changes were included in the Levelling Up and Regeneration Act 2023 ("LURA") and came into force in April 2024. The most significant of these was the change in the periods after which enforcement action could not be taken, commonly referred to as the immunity periods. Previously, there were two periods - 4 years, for operational development and change of use of a building to a single dwellinghouse, and 10 years, for all other changes of use and breaches of conditions. From April 2024 the period for all breaches is 10 years.
5. Other changes include:
  - Enforcement Warning Notices, which can be issued where there has been a breach of planning control and there is a reasonable prospect that planning permission would be granted.
  - An increase from 28 days to 56 days for Temporary Stop Notices to be in effect.
  - Temporary Stop Notices can now be used for listed building breaches.
  - Less scope for appeals against Enforcement Notices on ground (a) – that planning permission should be granted

### **Summary of Activity 2024-25**

#### **6. Notices issued**

20/0061 Bank House Bar and Restaurant Main Road Hathersage	Building operations comprising construction of a timber structure inserted into metal post holders which are bolted into concrete pads.	EN issued 25 April 2024 – appeal dismissed and EN came into effect on 17 January 2025 – compliance period ends on 17 April 2025
20/0089 Manor House Little Hucklow	Installation of three air source heat pumps	EN issued 30 April 2024 – appeal allowed and EN quashed 21 January 2025

21/0065 Johnsons Cottage Main Street Taddington	Building operations, being the construction of an extension to create a covered seating area	EN issued 19 July 2024 – came into effect 2 September 2024 – 3-month compliance period expired 2 December 2024 – development almost entirely removed – correspondence ongoing in respect of removal of remaining section
24/0132 Land off Oldfields Farm Lane Grindon	Excavations, laying of imported material and alterations to access	Temporary Stop Notice issued on 1 October 2024 – works ceased – planning permission granted on 12 February 2025 for erection of stable with condition requiring remediation works within 3 months
21/0002 4 Greenhead Park Bamford Hope Valley	Erection of fence	EN issued 2 October 2024 – appeal submitted – awaiting decision
21/0054 Hallfield Farm Strawberry Lee Lane Sheffield	Erection of implements store and horse training building and laying of a hard-surfaced track	EN issued 3 December 2024 – appeal submitted but subsequently withdrawn on 25 February 2025 – EN came into effect on that date – compliance period ends on 25 August 2025
24/0148 Cornfield Barn Lyme Handley Whaley Bridge	Building or other operations comprising the installation of a steel container and construction of a timber building	EN issued 19 March 2025 – due to come into effect 30 April 2025
18/0112 Land on SW side of B6054 Owler Bar Holmesfield	Siting of former mobile library and use for residential purposes, construction of compost toilet, construction of field shelter and construction of building	EN issued 28 March 2025 – due to come into effect 9 May 2025

## 7. Appeals determined

22/0057 Rocking Stone Farm, Rowtor Lane, Birchover	Building operations comprising installation of a holiday let cabin and associated structures; and material change of use to independent residential use/use as holiday accommodation.	EN issued 14 December 2023 – appeal allowed and enforcement notice quashed 24 October 2024
20/0061 Bank House Bar and Restaurant Main Road Hathersage	Building operations comprising construction of a timber structure inserted into metal post holders which are bolted into concrete pads.	EN issued 25 April 2024 – appeal dismissed and EN came into effect on 17 January 2025 – compliance period ends on 17 April 2025
20/0089 Manor House Little Hucklow	Installation of three air source heat pumps	Enforcement Notice issued 30 April 2024 – appeal allowed and EN quashed 21 January 2025

## Workload and performance

8. This section of the report summarises our performance over the last year. We have resolved 181 breaches in the past year, which is a significant improvement on the figure of 103 for the previous year – and well in excess of our target of 150 in the Service Delivery Plan.
9. We have also continued to address the backlog of enforcement cases which had built up over the last four years or so, including a number of cases where enforcement notices had been issued but had not been complied with. As a result of this, the overall number of outstanding cases has been reduced from 528 (at the end of March 2024) to 414. In March 2023 this figure was 640, so the number of outstanding cases has been reduced by 35% in the last two years.
10. At the Planning Committee in October 2024 it was resolved that at least once per year officers report to the Planning Committee on the length of time that enforcement cases have been outstanding. It is intended that this information be included in the annual report. Of the 414 current cases just over 300 have been outstanding for less than 5 years. Of the remaining 100 or so cases, approximately half are between 5 and 10 years old and the remainder have been outstanding for more than 10 years.
11. The number of enquiries received has fallen slightly compared to the previous year (339 compared to 350). The number investigated/resolved has increased markedly from 353 to 477 resulting in the number of enquiries outstanding at the end of the year being reduced from 244 to 113. The focus on investigating enquiries has revealed far more breaches – 173 in total over the past year compared to only 63 in the previous year.
12. The table below summarises the position at year end (31 March 2025). The figures in brackets are for the previous year (2023/24).

	Received	Investigated/Resolved	Outstanding At Year End
Enquiries	339 (350)	477 (353)	113 (244)
Breaches	173 (63)	181 (103)	414 (528)

13. Breaches resolved in the latest quarter (January – March 2025)

17/0049 The Long Rake Spar Company Limited Long Rake Middleton-By- Youlgrave	Enlargement of storage area.	Storage use ceased
24/0075 Hollow Farm Mawstone Lane Youlgrave	Siting of caravan	Caravan removed
24/0048 Quiet Woman Inn Main Road Earl Sterndale	Breach of condition 2 (to be carried out in accordance with submitted plans) on NP/DDD/0823/0949	Section 73 application granted
14/0225 Hall Hill Newtown Longnor	LISTED BUILDING – satellite dish	satellite dish removed
22/0004 Unit 1 (Store And Premises) Horsecroft Court Matlock Street Bakewell	Alterations to shop front	Not expedient to pursue enforcement action
24/0091 Nields Farm Swythamley Rushton Spencer	Breach of condition 2 on NP/SM/0821/0876 - Side extension not in accordance with approved plans and log store erected	Not expedient to pursue enforcement action
24/0098 Land adjacent to Waterloo Hotel Taddington	change of use of agricultural land to equestrian including erection of stable	Planning permission granted

20/0120 Mossy Mere Barn Bank Top Winster	Conversion of barn to dwelling, extension of garden and erection of sheds/polytunnel	Conversion granted on appeal. Other breaches immune from enforcement action.
21/0046 Land adjacent Stafford Close How Lane Castleton	Change of use from agricultural to log storage business, widening of vehicular access and laying of track	Planning permission granted on appeal.
24/0170 Camp Site Old Lane Crowden	Erection of two 'tent' structures/buildings	Structures/buildings removed
24/0079 Barn Close Farm Cross Lane Monyash	Portacabin used as farm shop	Planning permission granted
23/0035 Newhaven Caravan & Camping Park Newhaven	Breach of conditions 5, 7 & 9 of NP/DDD/0819/0924	Section 73 application approved – varied conditions complied with
24/0045 Druid Inn Main Street Birchover	Erection of gazebos and siting of tables/chairs	Developments removed
19/0048 4 Rutland Terrace Buxton Road Bakewell	Listed building – replacement of rainwater goods	No breach of listed building control
24/0033 25 North Church Street Bakewell	Erection of outbuilding	Planning permission granted
20/0089 Manor House Main Road Little Hucklow	Listed building – three air source heat pumps and erection of fencing	Enforcement Notice issued - planning permission granted on appeal

24/0172 17 Main Street Birchover	Replacement windows	No breach of planning control
24/0054 Bibury Riddings Lane Curbar	Dwelling largely demolished in breach of NP/DDD/0823/0907	Planning permission granted
24/0049 Sycamore Farm Mill Lane Hulme End	Breaches of condition on NP/SM/0520/0407 and NP/SM/0623/0700 and erection of building	Planning permission granted – conditions discharged – building removed
21/0030 Land At Haggside Snake Road Bamford	Breach of condition on NP/HPK/0217/0118	Condition complied with
24/0141 Highfield Farm Main Road Flagg	Alterations to barn	Works in accordance with existing planning permission
19/0148 Church Farm Creamery Lane Parwich	Listed building – demolition of wall	Wall rebuilt
14/0418 and 21/0083 Booth Farm Kinder Road Hayfield	Listed building – various alterations including installation of rooflights and replacement windows and doors	LBC granted
24/0158 Land adjacent A5012 East of Pikehall	Display of advertisement	Advertisement removed
24/0159 Mompesson Cottage The Square Eyam	Listed building – satellite dish	Not expedient to pursue action

23/0014 Oak Moor Farm Parsons Lane Grindon	Creation of vehicular access, laying of track and hardstanding	Access closed, surfacing removed
24/0062 Torgate Farm Old Buxton Road Macclesfield Forest	Erection of building and residential 'chalet' with decking	Planning permission granted for building – 'chalet' approved for 18 month temporary period – decking to be removed
24/0104 Land off Blakelow Lane Bonsall	Siting of former horsebox and use for residential purposes	Former horsebox removed – use ceased
25/0011 Earles Sidings Bowden Lane Hope	Siting of former shipping containers and use in connection with railway	Use confirmed as pd – no breach
23/0005 Barton Hill Old Chapel Main Street Birchover	Extension to garage and use of ground floor in breach of condition on NP/DDD/0211/0075	Extension to garage approved on appeal – use of ground floor in compliance with condition
22/0080 Land at The Junction of Whitelow Lane and Shorts Lane Sheffield	Change of use of land to wildlife garden and erection of various structures	Use ceased – structures removed
24/0112 1 Hall Bank Hartington	Erection of wall and gates	Not expedient to pursue enforcement action
20/0083 Trickett Gate House Mill Bridge Castleton	Change of use of dwelling to 'party venue'	Use ceased
14/0554 Greencroft Farm Middleton-by-Youlgrave	Breach of condition 5 on NP/DDD/0513/0433 (landscaping scheme)	Condition discharged but superseded by later planning permission – not expedient to pursue enforcement action

14/0174 Beeley Old Hall School Road Beeley	Listed building – satellite dish	Satellite dish removed
20/0098 Ecton Lee House Back Of Ecton	Conversion of building to holiday unit and siting of two shepherds huts	Immune from enforcement action
14/0327 Flatts Stile Parwich	Listed building – satellite dish	Satellite dish removed
24/0028 1 Station Cottage Tissington	Erection of shed	Immune from enforcement action
25/0020 Lilac Cottage Lees Road Stanton In Peak	Addition of chimney to stone outbuilding	Not expedient to pursue enforcement action
18/0168 Toll Bar Fish and Chip Shop The Dale Stoney Middleton	Listed building – External lights, canopy and replacement door	Lights and canopy removed – door replaced with approved design
21/0066 Crag Inn Clough Road Wildboardclough	Levelling of yard, creation of ramp and erection of fence	Planning permission granted

14. **Current High Priority Cases**

15/0057 Land at Mickleden Edge, Midhope Moor, Bradfield	Laying of geotextile matting and wooden log ‘rafts’ to form a track	EN in effect – initial compliance period expired – Natural England granted SSSI consent for works 30 May 2023 – appeal pending against NE consent
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17/0044 Woodseats Farm, Windy Bank, Bradfield Dale	External and internal alterations and extension to listed building, erection of lighting and CCTV columns and engineering works (including construction of hardstandings and tracks)	EN in effect with regard to engineering works, extension and erection of lighting and CCTV columns – applications seeking regularization of other works refused – officers considering further enforcement action
18/0062 Land at Cartledge Flat, Bradfield Moors	Creation of a track	EN in effect – compliance period expired - officers seeking compliance
19/0064 Alstonefield Hall, Church Street, Alstonefield	External and internal alterations to grade II* listed building	PP and LBC granted on 9 November 2023 for works to regularize and remediate breaches – conditions relating to submission of details etc not complied with
21/0060 Home Farm Main Street Sheldon	Various developments, including construction of track and hardstanding, erection of building, construction of timber sheds/structures, siting of caravans and conversion of building to residential dwellings	High Court injunction granted and court order issued and served December 2023 – Planning application refused May 2024 – court order not complied with by 15 February 2025 – evidence has been collected and is currently being analysed by the Legal Team with a view to enforcement, and a more detailed update will be provided in due course when it is appropriate to do so.

#### 15. **Outstanding Enforcement Notices**

The following is a list of cases where compliance with enforcement notices has been outstanding for more than three months. 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
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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 – land mostly cleared
05/0102	Land at the Forge, Damflask, Bradfield,	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
05/0126	Tor Farm Middleton by Youlgreave	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	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	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	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/took effect 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	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
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 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	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
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
21/0065	Johnsons Cottage Taddington	Building operations, being the construction of an extension to create a covered seating area EN issued 19 July 2024 – came into effect 2 September 2024 – development almost entirely removed
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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## 12. **PLANNING APPEALS MONTHLY REPORT (A.1536/BT)**

### 1. **APPEALS LODGED**

The following appeals have been lodged during this month.

<b><u>Reference</u></b>	<b><u>Details</u></b>	<b><u>Method of Appeal</u></b>	<b><u>Committee/ Delegated</u></b>
NP/DDD/0324/0312 3360574	Remove old existing wooden conservatory and propose a stone-faced garden room extension with a tiled roof to match the house at Suidhe Ban, The Nook, Eyam	Householder	Delegated
NP/DDD/1024/1142 3361602	Demolition of existing ingle storey mono-pitched side extension containing the kitchen and a workshop, and erection of a two storey dual pitched extension and replacement of the existing green house at Sunnybank House, Wensley Road, Winster	Householder	Delegated

### 2. **APPEALS WITHDRAWN**

There have been no appeals withdrawn during this month.

### 3. **APPEALS DECIDED**

The following appeals have been decided during this month.

<b><u>Reference</u></b>	<b><u>Details</u></b>	<b><u>Method of Appeal</u></b>	<b><u>Decision</u></b>	<b><u>Committee/ Delegated</u></b>
NP/SM/1123/1403 3350201	Full application for change of use of barn to holiday let, and erection of single storey lean-to extension on northern gable at barn to the south of Hole Carr Farm, Longnor	Written Representations	Dismissed	Committee

The Inspector found that the proposal would be contrary to the development plan considered as a whole and that there was limited weight given to the benefits of the scheme. The proposal would cause some harm to the buildings heritage significance and the proposal would have an urbanising impact on the site that would be apparent across a wide area. On that basis, given its prominent isolated position, it would cause significant harm to the character of the landscape. Consequently the appeal was dismissed.

NP/DDD/0224/0148 3348548	Proposed 2-storey and single storey extension at 1 Horsedale, Bonsall	Written Representations	Dismissed	Delegated
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The Inspector considered that the proposed extension would result in the creation of a complex plan form with two long sections running parallel to one another and would appear incongruous

within the street scene. Although part of the proposed extension would be screened by the existing dwelling, it would still be prominent in views from the east, and the level of screening would not mitigate the identified harm to the conservation area and the non-designated heritage asset. The appeal was dismissed.

NP/S/0324/0250 3350470	Proposed demolition of existing garage and outbuilding and erection of a new linked garage, extensions and alterations to the existing dwelling, hard and soft landscaping and associated works at Uplands, Sugworth Road, Sheffield	Householder	Dismissed	Delegated
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The Inspector considered that the proposed extension would significantly increase the scale and massing of the dwelling, and would appear as a bulky addition which would compete with the dominance of the main section of the dwelling. The Inspector also considered that the development would have a harmful effect on the character and appearance of the area and would be contrary to GSP1, GSP2 GSP3 and L1 of the Core Strategy as well as DMC2, DMC3 and DMH7 of the Development Management Policies. The appeal was dismissed.

NP/SM/0224/0229 3350258	Proposed construction of an agricultural barn and an additional roadside gated access to Blues Trust Farm, Marnshaw Lane, Longnor	Written Representations	Dismissed	Delegated
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The Inspector considered that the proposed development would be prominent in local views and would appear isolated from other modest structures within the landholding. The siting would be contrary to the guidance with the Agricultural Development SPG where it advises it to reduce the visual impact, isolated buildings should be set in dips or set against a hillside. The Inspector also considered that the proposal would have a harmful effect on the character and appearance of the area as well as being contrary to GSP1, GSP3 and L1 of the Core Strategy and DMC1, DMC3 and DME1 of the Development Management Policies. The appeal was dismissed.

NP/DDD/1024/1047 3358361	The application sought planning permission for extensions and alterations to existing dwelling without complying with a condition attached to planning permission at The Beeches, 15 Eaton Drive, Baslow	Written Representations	Allowed	Delegated
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The Inspector considered that the main issue was the effect of the revised proposal on the character and appearance of the host property and street scene. The Inspector considered the surrounding context and visibility of the site and felt that the horizontal emphasis of the proposal would reflect that of the south elevation of the building and its simple, glazed



appearance would be uncluttered. He noted that several other properties in the road had undergone remodelling or modernisation resulting in a mix of forms incorporating a contemporary appearance alongside traditional forms and materials. In that context, the Inspector felt the development would not be inappropriate and considered the design to be a significant improvement over the mix of additions currently in existence. Moreover, the extension, considered as a whole would have a contemporary character that would not be at odds with the suburban appearance of the existing house. As such, the extension would complement rather than compete with the character and appearance of the building. The appeal was allowed.

NP/SM/0624/061 9 3352218	The application sought planning permission for the change of use of existing agricultural land to facilitate off-street parking without complying with conditions attached to planning permission at Lower Damgate Farm, Stanshope	Written Representations	Dismissed	Delegated
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The main issue was whether Condition Nos 4 and 6 were reasonable and necessary in the interests of protecting the character and appearance of the site and surrounding landscape. The Inspector accepted that parking provision was likely to be substandard depending upon the occupancy of the buildings on site. Nevertheless, the intensification in the use of the field, in respect of both the number of vehicles and days in use, would materially change the character and appearance of the surrounding area to one of a more urbanised nature. Due to the presence of low boundary walls, and its location proximate to the adjacent narrow rural road, the appeal site is prominent and the greater spread of vehicles, and for a greater period of time, would be conspicuous within the landscape. This would erode, and be detrimental to, the intrinsic value and character of the rural landscape. Furthermore, the landscape surrounding the application site is a peaceful rural environment with open distant views to surrounding higher ground. Parked vehicles would be visible even if additional planting were to be provided. Consequently, the proposal would affect the wider landscape character.

The proposal would therefore conflict with policies E2, GSP2, GSP3, L1, L3 and T7 of the Peak District National Park Local Development Framework: Core Strategy Development Plan Document – Adopted October 2011 and policies DMC3 and DMT6 of the Development Management Policies Part 2 of the Local Plan for the Peak District National Park – Adopted May 2019. Collectively, amongst other things, these policies seek to manage parking to ensure the location and nature of parking does not exceed environmental capacity and support development where they conserve and enhance the valued landscape character. The proposal would also conflict with the Framework, which requires the protection of valued landscapes, and states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks. The appeal was dismissed.

NP/SM/0824/0849 3355121	The application sought the removal of condition 3 on planning permission NP/SM/1192/113 which was for the construction of a new farmhouse at Thornyleigh Green Farm, Meerbook.	Written Representations	Allowed	Delegated
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The inspector felt that the main issue was whether the disputed condition restricting occupancy of the existing farm dwelling as an agricultural or forestry worker's dwelling was necessary and reasonable to ensure that there is adequate provision of accommodation for agricultural/forestry workers in the area. The appeal centred on opposing views and evidence of the valuation of the property. The Inspector considered that the appeal property was of a similar if not higher value than other similar properties in the area and therefore the condition was not necessary in order to constrain value and allow it to remain available to agricultural/forestry workers. The Inspector felt it was therefore arguable that the appeal property was not strictly needed to meet the needs of agriculture/ forestry workers in the area, as irrespective of the appeal dwelling, as any potential purchaser would not be short of alternative options for new homes, with or without an occupancy tie. A similar restrictive condition would also be retained on the new dwelling approved by application SM1192113. That condition was not the subject of this appeal. On that basis the Inspector concluded that the appeal should be allowed and granted a new planning permission omitting the disputed condition but retaining the non-disputed conditions from the previous permission which remained relevant, including the agricultural occupancy condition relating to the occupation of the new farm worker's dwelling approved under application SM1192113. The appeal was allowed.

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**4. RECOMMENDATION:**

**To note the report.**