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Peak District National Park Authority

Tel: 01629 816200

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

Web: www.peakdistrict.gov.uk

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

1951 - 2026



Our Values: Care – Enjoy – Pioneer

Our Ref: A.1142/5179

Date: 8 January 2026



NOTICE OF MEETING

Meeting: **Planning Committee**

Date: **Friday 16 January 2026**

Time: **10.00 am**

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

PHILIP MULLIGAN
CHIEF EXECUTIVE

AGENDA

1. **Apologies for Absence**
2. **Minutes of previous meeting held on 5 December 2025** (*Pages 5 - 20*)
3. **Urgent Business**
4. **Public Participation**
To note any questions or to receive any statements, representations, deputations and petitions which relate to the published reports on Part A of the Agenda.
5. **Members Declarations of Interests**
Members are asked to declare any disclosable pecuniary, personal or prejudicial interests they may have in relation to items on the agenda for this meeting.
6. **Full Application - Dewatering Pipeline and New Outfall from Ballidon Quarry to Bletch Brook (NP/DDD/0125/0066) RB** (*Pages 21 - 48*)
Site Plan
7. **Full Application - Erection of Local Needs Dwelling (Self-Build) at Land Adjacent 25 Hernstone Lane, Peak Forest (NP/HPK/1025/1040) HF** (*Pages 49 - 60*)
Site Plan
8. **Full Application - New Entrance Porch, Change of Use of Former Museum Space to Class E, Replacement Hardstanding and Installation of Two Rooflights at Castleton Visitor Centre, Castleton (NP/HPK/1225/1219) HF** (*Pages 61 - 72*)
Site Plan
9. **Full Application - Extension to Dwelling at Sweet Briar Cottage, Youlgrave (NP/DDD/0825/0825) LB** (*Pages 73 - 82*)
Site Plan
10. **Full Application - Resurfacing Existing Car Park With a Macadam Finish, Installation of New Drainage Channels, Installation of New Bollards, Installation of New Kerbs Between Car Park and Trail at Tissington Trail Car Park, Tissington (NP/DDD/1125/1130) SC** (*Pages 83 - 92*)
Site Plan
11. **Hartington Town Quarter Parish Neighbourhood Plan - Item postponed**
This item has been postponed and will be considered at a future meeting.
12. **Monitoring and Enforcement Quarterly Review - January 2026 (A.1533/AM)**
(*Pages 93 - 104*)
13. **Planning Appeals Monthly Report (A.1536/BT)** (*Pages 105 - 106*)

Duration of Meeting

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

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

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

Agendas and reports

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

Background Papers

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

Public Participation and Other Representations from third parties

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

Written Representations

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

Recording of Meetings

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

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

General Information for Members of the Public Attending Meetings

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

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

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

To: Members of Planning Committee:

Chair: P Brady
Vice Chair: V Priestley

M Beer	R Bennett
M Buckler	M Chaplin
B Hanley	A Hart
L Hartshorne	I Huddlestone
K Potter	K Richardson
K Smith	M Smith
J Wharmby	

Other invited Members: (May speak but not vote)

Prof J Dugdale C Greaves

Constituent Authorities
Secretary of State for the Environment
Natural England



MINUTES

Meeting: **Planning Committee**

Date: Friday 5 December 2025 at 10.00 am

Venue: Aldern House, Baslow Road, Bakewell

Chair: P Brady

Present: V Priestley, M Beer, M Buckler, M Chaplin, L Hartshorne, I Huddlestone, K Richardson, K Smith and J Wharmby

Apologies for absence: R Bennett, B Hanley, A Hart, K Potter and M Smith.

117/25 MINUTES OF PREVIOUS MEETING HELD ON 7 NOVEMBER 2025

Minute number 115/25 was amended to read “A motion to defer the application to allow **further consideration of a revised proposal and amended plans** was proposed, seconded, put to the vote and carried”.

The minutes of the last meeting of the Planning Committee held on 7 November 2025, with the above amendment, were approved as a correct record.

118/25 URGENT BUSINESS

There was no urgent business.

119/25 PUBLIC PARTICIPATION

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

120/25 MEMBERS DECLARATIONS OF INTERESTS

The following declarations of interest were made:

Item 6 – Conksbury Lane, Youlgrave

K Smith declared that one of the public speakers is known to him but no discussion had taken place regarding the application.

Item 7 – Church Farm, Parwich

The Chair of the Planning Committee declared that he had received an email from the applicant regarding progressing the application to the Planning Committee but the application itself and details were not discussed.

Item 10 – Holmesfield, Castleton

K Smith declared that one of the public speakers is known to him but no discussion has taken place regarding the application.

Item 12 – Post Office, Eyam

All Members of the Planning Committee had received an email from Eyam Parish Council.

Item 14 – Hurst Waterworks, Glossop

J Wharmby declared an interest as she attends the Parish Council meetings at Charlesworth but does not stay for the items which involve the Peak Park and this application falls within her DCC division.

Item 15 – Dennis Knoll Car Park

- All Members of the Planning Committee declared an interest in the application as this was an application submitted by the Authority itself.
- One of the public speakers is known to some of the Members of the Planning Committee.
- Additionally one of the speakers is known to K Smith but no discussion has taken place regarding the application.

121/25 FULL APPLICATION - ERECTION OF NINE DWELLINGS WITH ASSOCIATED ACCESS, PARKING AND GARDENS, ALONG WITH ALLOTMENTS, AND SOFT LANDSCAPING INCLUDING A MIXTURE OF GRASSLAND AND TREE PLANTING AT LAND ACCESSIBLE FROM HANNAH BOWMAN WAY OFF CONKSURY LANE YOULGRAVE (NP/DDD/0425/0354) JS

The Planning Officer presented the report and outlined the reasons for approval as detailed in the report. Since the publication of the report the Highways Authority has responded to the consultation and has no objections to the development.

The following spoke under the public participation at meetings scheme:

- Karen Shelly-Jones - Objector
- Peter Masheder - Objector
- Laura Mellstrom – Supporter – DDDC member for Youlgrave Ward
- Andrew McCloy - Supporter
- Anna Croasdell – Supporter – Community Land Trust (CLT)

Some Members had visited the site the previous day.

The following points were discussed:

- Concerns were raised that this development is just one phase of a larger development. Currently there are 21 empty properties in Youlgrave and a high number of holiday lets.
- It was noted that since the council tax has doubled on second homes the number of them within Youlgrave has decreased by 10% in the last 6 months.
- The vacant properties in the village do not provide the necessary affordable housing.
- The current scheme has 8 units occupied by local young families. There are core services in the village e.g. Doctors Surgery, school and nursery.
- Concerns about overlooking of current properties were discussed. Plots 1-5 have sufficient space so not to be over-bearing. Plots 6-9 do not have windows in

the end gable and there is a landscaping buffer which is 4m wide which would be planted with wild-flowers and small shallow root trees.

- It is considered that 17 parking spaces for 9 homes is sufficient parking. To provide additional parking would be to sacrifice the landscaping which softens the impact of the car-parking.
- The benefits of the solar panels were discussed.
- There would be a continuous hedge along the parking spaces with no gap.
- Bin storage was considered and bin stores have been incorporated in the conditions and collection points discussed.
- Members felt there was insufficient information provided regarding surveys and the impact on wildlife.
- There was concern expressed regarding creeping development and future infill in neighbouring land.

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

RESOLVED:

That the application be APPROVED subject to prior entry into a S.106 planning obligation to secure affordable housing, the maintenance and management of open space and subject to the following conditions:

In accordance with specified approved amended plans:

1. **Statutory time limit for implementation**
2. **In accordance with specified approved amended plans**
3. **Submission, approval and implementation of Archaeological Written Scheme of Investigation**
4. **Submission, approval and implementation of scheme to deal with ground contamination**
5. **Stability assessment to be submitted and any necessary remedial measures to be agreed before the development commences.**
6. **Submission, approval and implementation of surface and foul water drainage scheme**
7. **Submission, approval and implementation of Construction Management Plan (to include details of noise/dust management and hours of operation)**
8. **Submission, approval and implementation of method statement for amphibians and reptiles**
9. **Submission, approval and implementation of site parking plan**
10. **Submission, approval and implementation of a Landscape and Ecological Management Plan (LEMP)**
11. **Submission, approval and implementation of finished ground and floor levels**

12. Submission, approval and implementation of scheme of enhancement measures for bats, birds and hedgehogs
13. Submission, approval and implementation of scheme of measures to mitigate the effects of and adapt to climate change
14. Submission, approval and implementation of detailed hard and soft landscaping scheme
15. Submission, approval and implementation of secure bicycle parking and bin storage areas.
16. Implementation of biodiversity gain plan. The biodiversity gain plan shall include additional enhancements to compensate for the loss of terrestrial habitat for GCN, other amphibians (such as common toad) and reptiles.
17. Implementation of mitigation measures detailed in Section 6.2 of the Preliminary Ecological Appraisal
18. Implementation of access, parking and turning facilities
19. Approve samples of external materials
20. Approve sample panels of limestone walling
21. Approve details of windows and doors
22. Approve details of any external meter boxes
23. Approve details of solar panels
24. Rainwater goods and verge details
25. If Great Crested Newts or Reptiles are encountered at any time during the works operations shall cease and a suitably qualified ecologist and/or Natural England to be consulted for further advice as to whether a license is required for the works to proceed
26. Prior to the erection of any external lighting on the site, a lighting plan shall be submitted to and approved in writing by the Local Planning Authority
27. Remove permitted development rights for alterations, extensions, hard surfaces, ancillary buildings, means of enclosure and solar panels.

122/25 FULL APPLICATION - CONSERVATION REPAIRS AND ALTERATIONS TO CHURCH FARM. NEW ATTACHED GREENHOUSE ON THE EAST ELEVATION TO REPLACE MODERN OUTBUILDINGS. INTEGRATION OF SOLAR PANELS AND AIR SOURCE HEAT PUMP. NEW OUTBUILDINGS AND ALTERATIONS TO EXISTING SEPARATE GARAGE (NP/DDD/1124/1291) SC

Item 7 was presented and discussed at the same time as Item 8 but the votes were taken separately with the vote for Item 7 being taken first.

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

The following spoke under the public participation at meetings scheme:

- Tom Crooks - Agent

Some Members had visited the site in November 2025.

The following areas were discussed:

- The re-instatement of the internal wall and relocation of the kitchen.
- The greenhouse and how appropriate the design is for an 18th century farmhouse.
- It was felt that it would be an enhancement to the property to remove all of the existing outhouses.
- There was clarification provided as to why an oil tank and air-source heat pump was necessary.
- Potential conditions were discussed should the committee be minded to approve this application.

A motion to approve the application, contrary to officer recommendation, with the conditions detailed below, was proposed, seconded, put to the vote and carried.

RESOLVED:

That the application be APPROVED subject to the following conditions:

- 1. Statutory time limit for implementation**
- 2. In accordance with specified approved/amended plans**
- 3. Stonework shall be natural limestone to match the existing dwelling**
- 4. Details of repointing to be submitted, approved and implemented**
- 5. New rooflights to be conservation type**
- 6. All pipework other than rainwater goods to be internal**
- 7. Method of fixing and mounting of the Solar panels to be submitted, approved and implemented**
- 8. Full details of the joint work and fixing method of the glasshouse to the gable elevation of the dwelling to be submitted, approved and implemented**
- 9. Methodology of the re-roof of the garage to be submitted, approved and implemented**
- 10. Written Scheme of Investigation to be submitted, approved and implemented**
- 11. Mitigation and enhancement measures identified in Section 6.2 of the submitted Nocturnal Bat Survey Report (2024) and Appendix 4 of the submitted Preliminary Bat Survey Report shall be followed and implemented.**

12. The submitted climate change mitigation measures shall be fully implemented before the extensions and alterations are first brought into use and then retained.

123/25 LISTED BUILDING CONSENT - CONSERVATION REPAIRS AND ALTERATIONS TO CHURCH FARM. NEW ATTACHED GREENHOUSE ON THE EAST ELEVATION TO REPLACE MODERN OUTBUILDINGS. INTEGRATION OF SOLAR PANELS AND AIR SOURCE HEAT PUMP. NEW OUTBUILDINGS AND ALTERATIONS TO EXISTING SEPARATE GARAGE (NP/DDD/1124/1292) SC

Item 8 was presented and discussed at the same time as Item 7 but the votes were taken separately with the vote for Item 7 being taken first. See minute number 122/25 for details of the discussion.

- Members requested that should this application be approved then an additional condition be included to cover the removal and re-instatement of the thrawl and sink.

A motion to approve the application, contrary to officer recommendation, with the conditions detailed below was proposed, seconded, put to the vote and carried.

RESOLVED:

That the application be APPROVED subject to the following conditions:

- 1. Statutory time limit for implementation**
- 2. In accordance with specified approved/amended plans**
- 3. Stonework shall be natural limestone to match the existing dwelling**
- 4. Details of repointing to be submitted, approved and implemented**
- 5. New rooflights to be conservation type**
- 6. All pipework other than rainwater goods to be internal**
- 7. Method of fixing and mounting of the Solar panels to be submitted, approved and implemented**
- 8. Full details of the joint work and fixing method of the glasshouse to the gable elevation of the dwelling to be submitted, approved and implemented**
- 9. Methodology of the re-roof of the garage to be submitted, approved and implemented**
- 10. Methodology for the removal and reinstatement of the historic salting trough and thrawls to be submitted, approved and implemented**

11:40am the meeting adjourned for a short break and reconvened at 11:50am

124/25 FULL APPLICATION - PROPOSED CONVERSION OF DISUSED BUILDING TO ONE BEDROOMED DWELLING WITH CREATION OF OFF-ROAD PARKING SPACE AT THE WASH HOUSE, GAULEDGE LANE LONGNOR (NP/SM/0925/0958) GG

The Planning Officer presented the report and outlined the reasons for approval as detailed in the report. It was noted that following further review with the Authority Conservation Officer an extra condition has been recommended to add to the list of conditions, the condition would require the applicants to record the building to Level 2 of Historic England's Guidance on understanding historic buildings prior to commencing works.

- 4 letters of rejection received so this has been referred to committee as contrary to officer recommendation.
- The Highways Authority have not raised any objection and support the principal of a designated parking space to serve the dwelling.
- The building is a non-designated heritage asset within the Longnor conservation area
- It was noted that correct notice has been served regarding the ownership of the land, paragraphs 105-107 of the officers report detail this.
- Members recognised that this is a useful way of conserving the building and bringing it back into use.

A motion to approve the application with the conditions outlined below with an additional condition requiring the applicants to record the building, was moved, seconded, put to the vote and carried.

RESOLVED:

That the application be APPROVED subject to the following conditions:

- 1. Statutory time limit for implementation**
- 2. In accordance with specified approved/amended plans**
- 3. Conversion and not rebuild and conversion works to be in full accordance with the recommendations in Section 5 of the Structural Condition Report R3391-001 Rev. A (Peak Engineers) unless otherwise agreed in writing by the LPA.**
- 4. A full method statement setting out how the front wall will be repaired and made sound is required, including how the existing structure will be supported while the work is undertaken.**
- 5. Details of the new support to the first floor external landing**
- 6. Details of any replacement materials**
- 7. Precise drawn details of the new roof structure**
- 8. Details of the mortar mix to be used for repointing**
- 9. Window and door details**

- 10. The external door to the lower ground floor shall open inwards only**
- 11. Details of obscured north facing, first floor window shall be submitted, approved and implemented**
- 12. A sample of replacement stone for window surrounds and stone walls**
- 13. Details of rainwater goods and external pipework**
- 14. Details of highway edge restraint to be submitted, approved and implemented**
- 15. Details of car park provision and surfacing to be submitted and approved prior to the development being first brought into use**
- 16. Details of a boundary treatment above the retaining wall**
- 17. Handrail details to serve external steps on north elevation**
- 18. Hard and soft landscaping**
- 19. Details of bin storage to be submitted, approved and implemented. Any door to the bin store shall open inwards**
- 20. Adhere to all mitigation measures detailed in Section 5.1, 5.2 and 5.3 of the Preliminary Bat Roost Assessment & Bat Emergence Surveys**
- 21. Nesting birds**
- 22. In accordance with the details contained in the supporting document with respect to addressing climate change and sustainable development**
- 23. PD rights removed for alterations, extensions, ancillary building, satellite dishes and means of enclosure.**
- 24. Prior to commencement of works, the building shall be recorded to level 2 of the Historic England's guidance 'Understanding Historic Buildings'**

125/25 FULL APPLICATION - PROPOSED CREATION OF 35 MOTORHOME PITCHES AT HOLMESFIELD, MILL BRIDGE, CASTLETON (NP/HPK/0625/0541) WE

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

Since the publication of the report a revised landscape assessment and strategy has been received which, due to time constraints, has not yet been consulted on. An updated response has also been received from the Environment Agency who have removed their objections to this application. The Applicant has also confirmed that the main business of the farm would remain as agriculture and therefore this application is an enhancement/diversification to farms primary business.

The following spoke under the public participation at meetings scheme:

- Kate Stanyon – Objector
- Ed Proctor – Objector
- Angela Darlington – Castleton Parish Council - Objector
- Joe Oldfield – Agent

Some Members had visited the site the previous day.

The following points were discussed:

- The site is outside of the Castleton conservation area.
- Over 200 representations have been received regarding this application which mainly cover the principal of the development and the impact on the conservation area.
- Regarding the flood risk the area of the site is in Zone 3b, which is a functional flood plain.
- The area covered by the application is slightly larger than the guidance which is up to a maximum of 41 pitches, this application is for 20-30 pitches.
- The BNG of this development is 17.23% which is in excess of the guidelines.
- It was noted that the local community is overwhelmingly opposed to this development and has set out clear reasoning why.
- It was acknowledged that the village of Castleton is experiencing a number of visitor pressures.
- The Agent requested that this application be deferred to a future meeting to allow for new information to be included and digested. This information is almost ready and covers landscaping, addressing planning policy and farm diversification and the economic benefits and this information has not been considered by the Planning Officer.
- Currently the campsite is operating on 60 days permissive development.
- There were concerns that Members were asking to approve an application which was beyond the Castleton boundary and into the open land.
- Members felt that the size and scale of the vehicles provide a visual and landscape intrusion and the current landscaping proposal is not sufficient to mask the development. The current situation contains the camping to 60 days across the summer months when the trees are in leaf.

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

RESOLVED:

That the application be REFUSED for the following reasons:

1. **The proposed development would result in a form of development that would be visually prominent and harmful to the valued landscape character and scenic beauty of the National Park. The development would fail to conserve or enhance the valued characteristics of the landscape, contrary to policies GSP1, L1, RT3, and DMR1 and Chapter 15 of the National Planning Policy Framework.**
2. **The proposed development would harm the significance and setting of the setting of the Castleton Conservation Area, contrary to policies L3, DMC3, DMC8 Chapter 16 of the National Planning Policy Framework.**

3. The application has not been supported by a sequential test to demonstrate that the development cannot be located in an area of low flood risk. The proposed development would be classified as more vulnerable to flood risk and would not be a compatible use within Flood Zone 3b. The proposed development is therefore in conflict with policy CC1, paragraphs 170 and 173 of the National Planning Policy Framework and the Planning Practice Guidance.
4. The application has failed to demonstrate that the site access is safe for its intended use. The proposed development is therefore in conflict with policy DMT3.

12:45pm the meeting adjourned for a short break and reconvened at 13:15pm

126/25 OUTLINE APPLICATION - SITING OF 3 CABINS AT NEW HOUSE FARM, BEET LANE, THE WASH, CHAPEL-EN-LE-FRITH (NP/HPK/0725/0672) WE

The Planning Officer presented the report and outlined the reasons for refusal as detailed in the report. This is an Outline Application to consider the principal and layout and the scale of the development and not the detail of the structures at this stage.

The following spoke under the public participation at meetings scheme:

- Erica Leigh - Applicant

Some Members had visited the site the previous day.

The following points were noted:

- It was clarified that the cabins will be buildings and not caravans but would be easily removable.
- The application is set in open landscape and can be viewed by neighbours.
- A statement from the landowner was tabled at the meeting and passed to the Chair but not read out.
- The application includes a 35 year planting agreement of which requires 80% of the trees to be established by year 5, the average height of the trees to be 5 metres.
- Members felt that currently they do not have enough information on the size and type of chalets proposed for this site.
- The applicant was commended for looking at ways of achieving farm diversification but Members felt this was the wrong location for this development.

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

RESOLVED:

That the application be REFUSED for the following reasons:

1. The development of new building holiday accommodation, chalet or lodges on this site is not acceptable in principle and contrary to policies DS1, RT2, RT3 and DMR1.
2. The development would result in a significant adverse visual impact and harm the

scenic beauty and landscape of the National Park contrary to policies GSP1, GSP3, L1, DMC1 and the National Planning Policy Framework.

3. The development would result in less than substantial harm to the setting of New House farmhouse (Grade II listed) and Beet Farm (a non-designated heritage asset of local significance). The harm would not be outweighed by public benefits and therefore the development is contrary to policies L3, DMC5, DMC7 and the National Planning Policy Framework.
4. Insufficient information has been provided to demonstrate that the development would result in enhancement to biodiversity or that the development could be carried out without harm to protected species or their habitat contrary to policies L2, DMC11, DMC12 and the National Planning Policy Framework.
5. Insufficient information has been provided to demonstrate that foul drainage would be dealt with in a satisfactory manner without harm to the environment contrary to policies CC5 and DMC14.

127/25 FULL APPLICATION - PROPOSED DEMOLITION OF EXISTING COMMERCIAL BUILDING AND PROPOSED NEW 2 STOREY DOMESTIC 2 BEDROOM DWELLING AND ASSOCIATED LANDSCAPING AT POST OFFICE, MAIN ROAD, EYAM (NP/DDD/0625/0591) WE

The Planning Officer presented the report and outlined the reasons for approval as detailed in the report. The loss of the community facility is acceptable in principle if it can be demonstrated to provide enhancement. This application was marketed for over 12 months. The application has been supported by several viability appraisals demonstrating that the building is not suitable for alternative use. There have been 19 representations overall of which 11 are objections. A condition has been included requiring the building to be constructed in gritstone to better blend in with neighbouring properties. It is acknowledged that there would be some impact on the amenity of the existing properties. Although there is no parking included in this application no objection has been received from the Highway Authority based on safety.

The following spoke under the public participation at meetings scheme:

- Hugh Wright – Objector
- Ian Smith – Objector
- Will Thomas – Objector – Statement read out by Democratic Services Staff

Some Members had visited the site the previous day.

The following points were made and discussed:

- The road is narrow outside of this development and there is pavement only on one side. This development will result in additional permanent parking.
- Locals had not been made aware that the building was up for sale and therefore have not had the opportunity to retain the building for community use. This building was marketed for over 16 months with a commercial building company and this has been confirmed by the Planning Officer.
- The space between the downstairs windows and those of the house opposite is 10 metres, this would breach the approved standards however this occurs with other existing properties on this street, which is a public street.

- There was a discussion about the bin storage and electricity meter as there would only be a very narrow gap between the buildings.
- There are concerns that this will be a holiday let and not purchased by local people that need housing on a permanent basis. The principle of open market dwelling is acceptable for this application and there is no requirement to make it affordable housing.
- Members felt it appeared to be a positive approach to remove the current building and replace it with a more attractive building.
- The ownership of the wall and the boundary were discussed. Members would like clarification on who owns the land and the wall and the boundary line.
- There was concern expressed as to how this would be built and maintained given the constraints of space and access. There will be a construction management plan which dictates how the build would progress.
- Members felt there would be too much massing on such a small site and questioned if it would be possible to reduce the size of the building. The footprint of the building on the application is not allowing for the servicing of the building.

A motion to defer the application to allow further discussion regarding the boundary of this site and ownership, along with the size of the building, was moved, seconded, put to the vote and carried. If the issues can be resolved then the decision to be delegated to officers, if not then the application to be brought back to the committee for a decision.

RESOLVED:

That the application be DEFERRED to allow for further discussions between the Applicant and the Planning Officer regarding:

1. **How the boundary between this site and The Rookery next door shall be treated along with clarification on who owns the land, wall and boundary line.**
2. **The massing of the proposed building on a small site and if the size of the proposed building could be reduced as the current footprint does not allow for servicing of the building.**

128/25 FULL APPLICATION - ERECTION OF LOCAL NEEDS DWELLING (SELF-BUILD) AT LAND ADJACENT 25 HERNSTONE LANE, PEAK FOREST (NP/HPK/1025/1040) HF

The Planning Officer presented the report and outlined the reasons for refusal as detailed in the report. The location is acceptable in terms of the policies, local needs housing and local connection for the applicant. The housing needs to remain affordable. The need that has been demonstrated is for a single person property therefore policy dictates the size of the property, this application exceeds the size dictated by the policies. It was noted that the dwelling should be 97m² but is in fact 100m² (although a 97m² dwelling would still exceed the size thresholds for the identified need).

The following spoke under the public participation at meetings scheme.

- Andrew Rouke – Applicant

Some Members had visited the site the previous day.

The following points were discussed:

- It was logical and practical to allow a larger sized building.
- The Applicant is happy to reduce the size from 100m² to 97m².
- The application can only be considered on the grounds of the information presented, cannot approve a dwelling that is the size of a five person dwelling for one person. Members felt it was unrealistic to expect the applicant to build a 39m² house.
- The policy is responding to the local needs in the area. There is a requirement to be consistent in how the policy is applied and need to look at the characteristics of the area.
- This property would not be part of a housing association or the council.
- Members felt it was not practical to build such a small home as the Applicants circumstance may change in the future, should be more flexible and make reasonable provision for the future.
- There was a suggestion that the application be deferred to gain more information and compromise on the size of the house, perhaps reducing it to the size of a four person house.
- Members were requested to provide material reasons for departing from policy and also to respond to the harm the development would cause to the character and appearance of the Conservation Area.

A motion to approve the application with conditions was proposed and seconded but not voted on. This motion was then amended to defer the application to allow the applicant to amend the plans to alter the design of the dwelling and to bring it within 97m². This motion was proposed and seconded, put to the vote and carried.

RESOLVED:

That the application be DEFERRED for the following reasons:

1. **To allow the applicant to amend the plans to alter the design of the scheme and to bring it within 97m²**

129/25 FULL APPLICATION - CHANGE OF USE OF LAND TO GARDEN AND SITING OF TIMBER GAZEBO, TIMBER CABIN, CAT PEN, SUMMERHOUSE AND LOG STORE AND ASSOCIATED WORKS. SITING OF HEN HOUSE ON AGRICULTURE LAND AND ASSOCIATED WORKS AT 3 HURST WATERWORKS, DERBYSHIRE LEVEL, GLOSSOP (NP/HPK/1224/1334) HF

The Planning Officer presented the report and outlined the reasons for approval as detailed in the report. A further response has been received from the Environmental Health Officer regarding a condition they had recommended and a need to have a site investigation to establish potential contamination risk – this is a time controlled condition. This application is to regularise work and changes that have already taken place. There have been some changes to the application during the application process.

Some Members had visited the site the previous day.

A motion to approve the application with the amended condition and an additional condition from the Environmental Health Officer controlling imported soil on the site, was moved, seconded, put to the vote and carried.

RESOLVED:

That the application be APPROVED subject to the following conditions:

1. **Accordance with approved plans subject to conditions / modifications.**
2. **External finish of cabin to be provided prior to re-siting of cabin.**
3. **Cabin to remain ancillary to 3 Hurst Waterworks and within the same planning unit.**
4. **Hard and soft landscaping including boundary treatments to be implemented in first planting and seeding season following approval and thereafter to be permanently so maintained.**
5. **Condition to specify extent of residential curtilage of no 3 Hurst Waterworks.**
6. **Condition requiring site investigation to be carried out in accordance with approved scheme, and for a remediation strategy as necessary, to be secured within specified timescale.**
7. **Condition controlling imported soils.**

130/25 FULL APPLICATION - EXTENSION TO THE CAR PARK AT DENNIS KNOLL CAR PARK, HOLLIN BANK ROAD, HATHERSAGE (NP/DDD/0925/0951) WE

The Planning Officer presented the report and outlined the reasons for approval as detailed in the report. The application has been supported by data and monitoring information which showed under capacity of the site, for every car parked in the car park 2-3 cars were parked on the verge. Currently there is no mitigation for verge parking so there is an impact on the land. Verge parking could be limited by using byelaws to better enforce verge parking and to act as a deterrent along with increased liaison and education on site to encourage parking in the car park.

The tree protection plan has been viewed by the Conservation Officer and there has been a Landscape Visual Appraisal (LVA). The site would be visible throughout the year.

Some Members had visited the site the previous day.

The following points were discussed:

- There is a mature oak tree on the proposed site which would need chopping down, it was felt that to remove an oak tree to accommodate parking was not acceptable.
- Members agreed that there is currently a massive problem with road parking.
- The timeline for the Traffic Regulation Order was discussed. There is a reluctance to have a TRO due to the yellow lines however this is an effective way

of keeping cars off the verges. We own the verges around Dennis Knoll and therefore can use byelaws to enforce the parking.

- A section 101 agreement allows local authorities to transfer powers to each other; discussions are currently ongoing with DCC with a view to implementing an effective enforcement plan for the verges.
- The site is on elevated land so would be visible but this needs to be weighed against the current non-restricted parking which has no screening at all.
- Alternative layouts for the car park have been considered. The current layout does manage to protect some of the trees but it is not possible to save all of the trees so this needs to be properly mitigated.
- There was a request to see if it is possible to blur the back line of the car park so that it is not so linear.
- Members felt a management plan for the screening and planting at the Eastern End of the car park is required.
- Members felt the plans should be looked at to protect some of the larger trees on the site.

15:30pm K Richardson left the room and returned at 15:34pm

15:33pm L Hartshorne left the room and returned at 15:35pm

Members were minded to approve the application however new plans were requested to incorporate more landscaping at the eastern end of the car park along with plans to protect more of the larger trees on site.

A motion to defer the application to allow for amendments to the landscaping at the eastern end of the car park along with amendments to protect some of the larger trees on site, was moved, seconded, put to the vote and carried. The decision on the new proposals to be delegated to the Head of Planning in consultation with the Chair and Vice-Chair of the Planning Committee.

RESOLVED:

That the application be DEFERRED for the following reasons:

1. **To allow for amendments to the landscaping at the eastern end of the car-park.**
2. **To agree amendments to protect some of the larger trees on site.**

131/25 SADDLEWORTH NEIGHBOURHOOD PLAN (EF)

The Community Policy Planner presented the report. In paragraphs 4 and 23 of the report it should read Oldham Council and not Sheffield City Council.

The recommendations as set out in the report were proposed, seconded, voted on and carried.

RESOLVED:

1. **To determine that Saddleworth Neighbourhood Plan (Regulation 15 submission draft) meets statutory requirements and can be subject to Regulation 16 Consultation and Examination.**

2. Working with Oldham Council as lead authority to approve publication of and consultation on Saddleworth Neighbourhood Plan and following this to submit for Examination in accordance with The Neighbourhood Planning Regulations (2012).

132/25 PLANNING APPEALS MONTHLY REPORT (A.1536/BT)

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

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

RESOLVED:

To note the report.

The meeting ended at 3.41 pm

6. FULL APPLICATION - DEWATERING PIPELINE AND NEW OUTFALL FROM BALLIDON QUARRY TO BLETCH BROOK (NP/DDD/0125/0066) RB

APPLICANT: Tarmac Ltd

Proposal

1. The proposals are for the installation and operation of a dewatering pipeline. The pipeline will allow for the discharge of ground and surface water from Ballidon Quarry into the Bletch Brook, approximately 2.6km south of the quarry.

Installation and Restoration

2. The pipeline will be laid in a trench, which will be backfilled with the excavated materials once the installation process is completed. The trench will be approximately 700mm deep, and will house the 300mm diameter high density polyethylene pipe.
3. A series of 4 settlement lagoons will be installed on the quarry floor, which will hold the water prior to its discharge into the pipeline. A concrete apron will be built where the pipeline meets the brook, with a 10m course of riprap (bank erosion protection) being installed downstream of the outfall. Following the completion of the quarrying operations at Ballidon, the settlement lagoons, outflow apron and riprap will be removed, but the submerged pipeline will be left in situ underground.
4. Where the route travels along the highway, the surface of the existing asphalt will be removed and disposed of at an appropriate licensed waste facility. Once the installation process is complete, a new road surface will be laid in accordance with the Highway Authority's criteria. The road works will be undertaken in accordance with the Highway Authority's regulations and licence.
5. A restoration/landscaping scheme has been submitted as part of the application. The scheme provides details of how any disturbed grasslands, verges and hedgerows will be re-planted. The proposed routing gives a 5m stand-off for the hedgerow that runs south through the two fields closest to the Brook. Where possible, turves will be cut in the field for immediate replacement following the backfilling of the trench. Where it is not possible to cut turves, a seeding mix has been proposed.
6. The two fields closest to the Brook have well preserved examples of medieval ridge and furrow land forming. The proposals are for the excavation of this section of the pipelines route to be conducted under the supervision of an appropriately licenced archaeologist. Following the completion of the installation process, the ridge and furrow landforms will be reinstated using the excavated material.

Operation of the Pipeline

7. The water to be discharged by the proposed pipeline will be a combination of ground water and surface water run-off that has been collected in the bottom of the working area quarry void, which is located in the western portion of the main quarry. The water will be pumped out of the void, up to the proposed settlement lagoons that will be installed in the eastern portion of the quarry, close to the existing natural quarry sump. The water will then pass through the lagoons to allow any suspended solids to be removed from the water prior to its discharge.
8. Peak discharge rates from the pipeline will be 120 litres per second (l/s), which equates to 10,368 cubic metres per day (m³/d). There will be 3 separate pumps and valves that will give the operator full control over the rates at which the water is discharged. The pump

from the quarry void to the settlement lagoon, the valve at the top of the pipeline and the passively controlled one-way valve at the outfall of the pipe will ensure that the operator has complete control over the rates at which water is discharged into the Brook.

9. A water quality strategy and flood prevention strategy has been proposed which are designed to prevent contaminated water being discharged or quantities of water from being discharged at rates that would exacerbate flood risk during times of high rainfall and/or raised water levels in the Brook.
10. The proposed discharge of water requires an Environment Agency Discharge Consent under the Water Resources Act 1991, as amended by the Environment Act 1995. The operator already has the requisite licence, which has been submitted to the Authority in the course of determining this application. The licence has several stipulations relating to matters including water quality and flood risk prevention, *inter alia*, but ultimately allows for the discharge of up to 10,368m³ a day with limits on the pH balance and the levels of suspended solids in any discharged waters.
11. In order to operate in accordance with the requirements of the discharge licence, the operator is proposing to install a suspended solids and pH monitoring system that will provide real-time data relative to the quality of the water in the settlement lagoons. In the event that there is a breach of either the suspended solids or pH limits, the valve controlling discharge of water from the lagoons to the pipeline will be closed until remedial action is taken and water quality is compliant with the Discharge Consent limits before discharge resumes. An automated data logger will be installed at the Gorsehill Farm culvert to monitor water levels in the Brook downstream of the outlet. The data provided from this logger will ensure the outflow from the pipeline is reduced to greenfield run-off rates in times of flood and discharge will be stopped entirely at times of extreme flood.

Site and Surroundings

12. The route of the pipeline will run from the settlement lagoons on the quarry floor along the unnamed road that connects Ballidon village to the Parwich Road. It will then continue to travel south through a series of agricultural fields until it reaches the Bletch Brook. The area surrounding the site is generally undeveloped agricultural land, with gradually undulating topography.
13. The portion of the route closest to the Quarry and to Ballidon village is located within an Inner Zone Environment Agency Source Protection Zone, which is a designation designed to protect groundwater sources from contamination. A portion of the last field the pipeline is proposed to travel through is in Flood Zone 3, which is the highest risk level for flood events. The Flood Zone 3 designation continues downstream of the proposed outfall along the subsequent watercourses.
14. The pipeline travels along the road that passes through the Ballidon medieval settlement Scheduled Monument, which is a designation defined as being of the highest significance in the NPPF. The two fields at the southern end of the proposed route have well preserved examples of medieval ridge and furrow earthworks, which are reasonably prevalent in this area of the National Park but are scarcer on a national level.
15. The Bradbourne Mill Meadows SSSI is approximately 100m downstream at its nearest point from the proposed outlet. The Bradbourne Mill Meadows are a seasonally inundated floodplain grassland, and is a nationally important site because of the communities of species closely associated with regular hay meadow management on damp floodplain soils.

RECOMMENDATION:

- 16. That the application be approved subject to a Section 106 legal agreement. Permission is being sought for officers to agree a final schedule of conditions under the following headings:**
 - i. Compliance;**
 - ii. Timeframes;**
 - iii. Approved Plans;**
 - iv. Pre-commencement Conditions (covering construction management plan; ecology, arboriculture and archaeology);**
 - v. Highway safety and management;**
 - vi. Environmental & Amenity Controls**
 - Ecology;**
 - Biodiversity Net Gain, as per Schedule 7A of the Town and Country Planning Act (1990);**
 - ix. Archaeology;**
 - x. Water Quality and Discharge Management;**
 - xi. Restoration and aftercare;**
 - xii. Annual Site Monitoring.**

17. Key Issues

- 18. Is the proposed development in accordance with the policies of the Development Plan?**
- 19. Will the development have an unacceptable impact on the protected landscape of the National Park?**
- 20. Will the development have an unacceptable impact on the risk of flood events, or be detrimental to the water quality of the Bletch Brook and subsequent watercourses and dependant ecological receptors and designations?**
- 21. Will the proposals have an unacceptable impact on the well-being or amenity of local residents or visitors to the area?**

22. Background

- 23. Ballidon is a relatively large quarry in the context of the National Park. The site produces high-purity limestone that is an important material for a wide range of chemical and industrial products. The site currently has consent to keep operating until 2035, with the site to be restored no later than 2036. The site has an output limit of up to 1.1 million tonnes per annum.**
- 24. In recent years the site's operator has had a significant problem with ground water levels, which have remained consistently high despite efforts to de-water the working area of the quarry void. The current method used on site is to pump the water from the deepest areas of the western quarry working area to a natural fissure in the rock in the east of the quarry. The operator has recently undertaken an investigative programme of dye testing to establish where the water has been discharged to through the sump. The findings were that a portion of the water being discharged through the natural sump was being recirculated into the quarry void, thus making it very difficult to drain a sufficient volume of water to access the permitted reserves.**
- 25. The water levels in the quarry void naturally fluctuate with changes in the ground water table and with environmental factors like periods of high rainfall. This has meant that for a number of years, a significant portion of the deeper permitted reserves have been inaccessible because of the water levels. This has meant the operator has had to**

deviated slightly from the agreed phasing plans for the extraction process to access mineral that is higher in the working area.

26. The proposals are submitted as a potential solution to achieve the effective and efficient dewatering of the quarry to allow the deeper reserves to be won and worked within the remaining timeframe of the operation.
27. The Environment Agency have already granted the operator a license to discharge 10,368m³ a day into the Bletch Brook from the proposed outfall. Other relevant stipulations attached to the consent are:
28. A sample point is installed in the settlement lagoons, that all water to be discharged through the pipeline must pass through, and that the operator must provide safe access to the sample point at all times;
29. The operator must maintain records of flow-rates to a standard agreed by the Agency, and must make those records available to the Agency when requested;
30. Discharged waters must not contain more than 100milligrammes per litre of suspended solids;
31. Discharged waters must not have a pH balance of less than 6 or greater than 9;
32. The site and facilities must operate to prevent discharged water from containing any trace of visible oil or grease, so far as is reasonably practical;
33. The facilities and equipment will be maintained in good working order. In the event of an unavoidable mechanical or electrical breakdown, the Agency will be informed as soon as is practicably possible;
34. The facilities and equipment shall be “desludged” at sufficient frequency and in such a manner as to prevent excessive carryover of suspended solids;
35. The operator shall maintain records of all programmed maintenance and all non-routine actions undertaken that may have adversely affected the quality of the discharged water. These records shall be made available to the Agency upon request;
36. The discharge of water shall be done in such a way as to prevent any scouring of the banks or bed of the receiving watercourse.

History

37. This application is a re-submission of an application for a discharge pipeline that was approved by the Authority in 2009.
38. **NP/DDD/0708/0596** – Planning application for the discharge of ground water from the working area via a pipeline into the Bletch Brook. Conditionally Approved in 2009.
39. Conditions attached to this consent included, inter alia: A requirement for the reinstatement of the ridge and furrow earthworks in the fields adjacent to White Meadow Farm; No rising of ground levels within Flood Zone 3 areas; pre-commencement condition requiring the submission of detailed water monitoring and testing methodology.
40. **NP/DDD/0411/0315** – Application to amend the southern 390m stretch of dewatering pipeline permitted under NP/DDD/0708/0596 between Ballidon Quarry and the Bletch Brook. Conditionally approved in July 2012.

41. This application was required to remedy a discrepancy between the outfall location approved under NP/DDD/0708/0596 and the outfall location required by the Environment Agency's discharge consent. The new outfall location approved by this consent required a minor re-routing of the pipeline through the field south-west of White Meadow Farm.
42. This consent was not implemented within the 3-year timeframe imposed by Condition 1 of the permission. The consent for the pipeline has now lapsed.
43. **NP/DDD/0616/0542** – Application for installation of a dewatering pipeline to discharge into the Bletch Brook. Submitted in June 2016 but was then subsequently withdrawn in September 2016.
44. The quarry is currently operated under two consents: **NP/DDD/0715/0618** and **NP/DDD/0715/0619**. Both consents have a deadline of 31st December 2035 for the cessation of quarrying activities and a deadline of 31st December 2036 for the completion of the restoration process.

45. Consultations

46. Highway Authority – No objection providing: the pipeline is laid as close to the edge of the carriageway as possible; the highway is reinstated to the satisfaction of the Highway Authority; and, vehicular access is maintained along the road during the works. The response contains 5 informatics that the operator should note in the event that consent is granted for the development.
47. Derbyshire County Council Lead Local Flood Authority – No objection in principle. Conditions recommended to be included with a consent are: No development to take place until a detailed design and associated management and maintenance plan of the surface water drainage for the site is submitted and approved; No development to take place until a detailed assessment to demonstrate that the proposed destination for surface water accords with the drainage hierarchy set out in Paragraph 56 of the planning practice guidance has been submitted to and approved by the Authority; and, Prior to commencement of the development, the applicant shall submit for approval to the MPA details indicating how additional surface water run-off from the site will be avoided during the construction phase.
48. The LLFA also provided comments in response to concerns raised by members of the public for the safety and conservation of Listed Buildings downstream of the proposed outfall. The LLFA agreed with the conclusion of the Hydrological Assessment provided by the applicant that the velocity of the watercourse would not be increased as a result of the proposals and so therefore there will not be an enhanced risk of river bank erosion. The LLFA also replied to concerns raised by residents about the possible impact the proposals would have on the Tissington Ford that crosses the Bradbourne Brook, and agreed with the applicant's assessment that the proposed discharge of water into the brook would not have an unacceptable impact on the frequency with which the ford becomes unpassable.
49. Environment Agency – The application falls outside of Agency jurisdiction because the proposed outfall is located over 4km upstream of the head of a Main River and so deferred comment on flood risk to DCC LLFA. The Agency recommend an 8m easement is provided between the pipeline and the top of the bank of the water course. They also recommend that: the angle of the outfall should be between 45-60 degrees to the direction of flow; the headwall, wingwall and apron should be kept 1.5m away from the bank edge; ideally the height of the headwall should not be more than 75% of the height

of the bank; the gradient of the outfall pipe through the headwall should be less than 1:50; applicants to consider a swale like feature from the headwall to the river. These comments were later clarified by the EA as not being relevant to this ordinary watercourse, but would be relevant to developments affecting major rivers. The EA agreed that these requirements would not be practicable or necessary for this type of development in relation to a minor watercourse.

50. Natural England – No objection based on the clarification provided from the applicant's hydrological consultants that the levels of suspended solids and pH in the discharged water will not breach the limits set out in the EA's discharge permit.
51. PDNPA Built Environment – Responded with no comment.
52. PNDPA Ecology – Agreed that the updated BNG metric is acceptable. A condition to be attached to the consent must require the submission of a detailed BNG Plan, as per the requirements of Paragraph 13(1), Schedule 7A of the Town and Country Planning Act (1990). The off-site BNG uplift must be secured with a legal agreement and be registered with Natural England, which must happen before the BNG Plan can be discharged.
53. PDNPA Archaeology – Sufficient information has been provided to justify the permanent harm that would be caused to the heritage asset (ridge and furrow earthworks). Conditions required to mitigate harm and to secure the reconstruction and reinstatement of ridge and furrow earthworks. Conditions should cover:
 54. Archaeological mitigation: pre-commencement analytics of earthworks; Watching brief during installation process; Watching brief during reinstatement of affected sections of ridge and furrow; resurvey of earthworks following reinstatement to ensure accuracy; Provision for further surveys following any remedial works until successful restoration to baseline condition achieved.
 55. Construction Methodology: To include details of machinery required, how the excavation will take place, including use of lower impact methods where possible; Details of access routes and corridors to minimise wider impact; Soil separation; Construction timing and ground conditions to ensure work does not take place in wet conditions; How reconstruction and reinstatement will take place; How recreated earthwork profile will be achieved; methodology explain how remedial works will be carried out in the event of slumping, settlement or compaction; proposed seeding mix so vegetation on restored land matches; Monitoring scheme to be agreed with the Authority to ensure long-term restoration of earthworks is successful; Provision for further works should any remedial works be required.
56. DDDC Environmental Health – Responded with no comment.
57. Ballidon and Bradbourne Parish Council – Object to the proposals. Concerns centred around the impact on flood risk and the increased risk of high rainfall events due to climate change, impact on ecology, and concern that approving the application would set a dangerous precedent for other quarrying operations to override environmental protections.
58. Specific properties are named which are downstream of the outfall and have been flooded in the last 2-years. Concern is also raised about the impact the proposals would have on the Tissington ford, where three vehicles have become stranded since 2023.
59. Parwich Parish Council – Do not make comment on the acceptability of the application, but ask that the risk or impact of any diverted traffic through Parwich, either as a result of the installation process or as a result of flooding, is minimised.

60. **Representations**

61. The Authority has received six representations from members of the public, all of whom object to the proposals. The reasons for objecting are summarised as follows:
62. Flood risk. Several of those who have made representation live in properties close to the watercourses downstream of the proposed outfall. Concern is raised that recent changes in climactic conditions have resulted in several flood events which they are worried will be exasperated by the proposed discharge of water into the Bletch Brook.
63. Impact on historic fabric of listed buildings. Concern is raised that an increase in flow rates in the Brook could impact the foundations or historic fabric of Listed Buildings.
64. Water quality. Concern is raised that water discharged from the quarry will be contaminated and will have a detrimental impact on river habitats and the Bradbourne Meadows Mill SSSI.
65. River bank erosion.
66. Impact on highways downstream of outfall that would be impact by increased flood risk.
67. Unacceptable precedent for the over-riding of environmental considerations set to other quarry operations and industrial development.
68. Harmful impacts on business and tourism if holiday cottages flood and the Tissington Ford becomes unpassable.
69. Representations were also received from Fish Legal and Leek and District Fly Fishing Association. Both organisations object to the proposed development, citing the harmful impact that contaminated water and increased water flows could have on ecological receptors downstream of the proposed. Key species including Wild Brown Trout, Grayling, Otters, Water Voles and White Clawed Crayfish are listed as being at threat as a result of the proposals. Fish Legal recommended that if consent is granted for the development, conditions be attached that require: i) compressive metering of discharge levels; and, ii) a condition requiring any changes in quarrying practice to be subject to a further planning decision.
70. Concern is also raised for the works that have been undertaken to create supportive habitats for juvenile fish, including the installation of willow bunds and hinged marginal covers which provide shelter from predators and strong currents as well as encourage natural breeding. The organisations are concerned that any increase water flow as a result of the proposals could damage these delicate habitat structures.

71. **Main Policies**

72. Relevant Core Strategy policies: GSP1; GSP2; DS1; CC1; L1; L3;
73. Relevant Development Management policies: DM1; DMC1; DMC3; DMC6; DMC10; DMC12; DMC14; DMMW1; DMMW2; DMMW3; DMMW8.

National Planning Policy Framework

74. The National Planning Policy Framework (NPPF) was published on 27 March 2012 and replaced a significant proportion of central government planning policy with immediate effect. The Government's intention is that the document should be considered to be a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. The most recent version to the NPPF was published in December 2024.
75. The relevant paragraphs of the NPPF to this application are considered to be:
76. Paragraph 48 states that planning applications should be determined in accordance with the Development Plan, unless material considerations indicate otherwise.
77. Paragraph 164 states that new development should be planned for in ways that avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaption measures, including through incorporating green infrastructure and sustainable drainage.
78. Paragraph 170 states that inappropriate development in areas at risk of flooding should avoided by directing development away from areas at highest risk. Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.
79. Paragraph 173 states that a sequential risk-based approach should also be taken to individual applications in areas known to be at risk now or in future from any form of flooding.
80. Paragraph 174 states that within this context the aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The strategic flood risk assessment will provide the basis for applying this test.
81. Paragraph 177 states that having applied the sequential test, if it is not possible for development to be located in areas with a lower risk of flooding, the exception test may have to be applied. The need for the exception test will depend on the potential vulnerability of the site and of the development proposed, in line with the Flood Risk Vulnerability Classification set out in Annex 3.

82. Paragraph 178 states that the application of the exception test should be informed by a strategic or site-specific flood risk assessment, depending on whether it is being applied during plan production or at the application stage. To pass the exception test, it should be demonstrated that:

- i. The development would provide wider sustainability benefits to the community that outweigh the flood risk; and
- ii. The development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

83. Paragraph 179 states that both elements of the exception test should be satisfied for development to be allocated or permitted.

84. Paragraph 181 states that when determining any planning application, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood risk assessment. Development should only be allowed in areas at risk of flood where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:

- i. Within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
- ii. The development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;
- iii. It incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
- iv. Any residual risk can be safely managed; and
- v. Safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

85. Paragraph 182 states that applications which could affect drainage on or around the site should incorporate sustainable drainage systems to control flow rates and reduce volumes of runoff, which are proportionate to the nature and scale of the proposals. These should provide multifunctional benefits wherever possible, through facilitating improvements in water quality and biodiversity, as well as benefits for amenity. Sustainable drainage systems provided as part of proposals for major development should:

- i. Take account of advice from the Lead Local Flood Authority;
- ii. Have appropriate proposed minimum operational standards; and
- iii. Have maintenance arrangements in place to ensure an acceptable standard for the lifetime of the development.

86. Paragraph 187 states that planning decisions should contribute to and enhance the natural and local environment by (inter alia):

- i. Protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- ii. Recognizing the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services;
- iii. Minimizing impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species;
- iv. Preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water

quality, taking into account relevant information such as river basin management plans.

87. Paragraph 189 states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.

88. Paragraph 190 states that when considering applications for development within National Parks, the Broads and National Landscapes, permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:

- i. The need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- ii. The cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
- iii. Any detrimental effects on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

89. Paragraph 193 states that when determining planning applications, local planning authorities should apply the following principles (*inter alia*):

- i. If significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- ii. Development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;
- iii. Development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

90. Paragraph 202 states that Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outside Universal Value. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

91. 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. 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. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest,

local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

92. Paragraph 208 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.
93. In the National Park the development plan comprises of the Authority's Core Strategy 2011 and the Development Management Policies 2019. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. 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 with regard to the issues that are raised.

Assessment

94. Section 70(2) of the Town and Country Planning Act 1990 (as amended) states that planning applications should be determined in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
95. The NPPF is a material consideration in the determination of planning applications. The relevant paragraphs of the Framework have been included in the assessment below.

Major Development

96. The first issue to be considered in the determination of this application is whether the proposed development constitutes major development, as that would have a direct impact the principle of the development.
97. Policy GSP1 states that in securing National Park purposes major development should not take place within the Peak District National Park other than in exceptional circumstances.
98. The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) states that the definition of major development includes the winning and working of minerals and any development with a site area of 1 hectare or more.
99. Although the proposed pipeline is inextricably linked to the operation of Ballidon Quarry, the installation and use of a dewatering pipeline is not the direct operation of winning and working minerals, and the proposals would not result in any increase to the permitted volume of mineral that has previously been consented for extraction. Therefore, the proposed development does not qualify as major development in this regard.
100. The Authority agreed with the applicant that the site area covered by the red line of the Site Location Plan is 0.95ha, with the trigger for Major Development being at a threshold of 1ha. However, the legislation states that National Parks are a "sensitive area" and so the thresholds do not apply and Authorities need to make a decision on a case-by-case basis. The settlement lagoons would be located within the existing quarry complex and therefore not considered to represent a significant change to the landscape or amenity in that context. Impacts derived from the construction of the pipeline itself will be minor and short lived due to their temporary nature. Impacts that would arise can be suitably mitigated through the implementation of planning conditions. Given the consultation

responses from experts and specialists, the flood risk and water quality mitigation strategy is considered to suitably prevent and limit any wider potential impacts of the development such that they are not of a level which may be considered to constitute major development.

101. The Authority under-took a screening exercise when the application was submitted and concluded the proposals did not meet the threshold or criteria set out in the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, and so is not EIA development.
102. The proposal is therefore considered to be a minor development and the major development tests are not applicable in the determination of this application. The proposals therefore do not conflict with the strategic objectives of Policy GSP1.

103. Principle of the Development

The dewatering pipeline is required to facilitate the continued operation of the quarry in accordance with its approved working strategy to enable existing consented reserves to be extracted.

104. The development of the dewatering pipeline is not an ancillary operation in the sense that it is needed in order to process the mineral that is won and worked on site and as such Policy DMMW8 does not apply in that context. However, it is an essential ancillary development for the continued effective operation of the site. As the proposals would not increase the volume of permitted reserves or extend the life of the quarry beyond that which has already been consented, it is not necessary to assess the proposal in the context of Policy MIN1. The quantity of reserves and the life of the quarry have already been established by previous consents. Thus, it is pertinent to consider only the impacts of the proposed construction and operation of the pipeline as proposed by this application against the relevant policy criteria. Consequently, should those impacts be deemed acceptable, the quarry would be able to continue to operate under its existing consent.
105. The proposed installation and operation of the dewatering pipeline is inextricably linked to the continued quarrying of the high-purity limestone that is won and worked on site. Over recent years the site operator has had continued issues with surface and ground water levels essentially sterilising the lower benches of the permitted reserves, which the existing dewatering strategy has been not been capable of resolving. The current dewatering strategy is to pump water from the working void in the western quarry and the sump in the northern quarry (known as Woodbarn Quarry) into a soakaway drain in the eastern portion of the main quarry floor. Although the complete dispersal pattern of the soakaway is not known, a dye-testing exercise conducted in winter 2024 identified that some of the water being drained into the soakaway was being circulated back into the quarry sump. This has led to some minor deviation in the working strategy to access higher “dry” mineral while the water levels have been too high to access the reserves at depth.
106. Regardless of whether the soakaway is circulating water back into the quarry sump, it has been observed through officers regular monitoring of the site that the water levels in the lower portions of the working area are a significant and reoccurring problem, which is a clear indication that the current drainage strategy is not sufficient to allow for the effective operation of the site.
107. The installation and operation of the dewatering pipeline is considered to be a critical but ancillary development to the operation of the quarry. The proposals are for the surface level infrastructure (i.e. the settlement lagoons and outfall apron) to be removed during the restoration of the quarry, meaning there will be no visible legacy of the pipeline following the cessation of the winning and working of the mineral. The proposals are

therefore considered to accord with the principles and overarching objectives of Policy DMMW8, despite not neatly fitting into the scope of the policy.

108. Paragraph 222 of the NPPF states that it is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods the country needs, and that since minerals are a finite resource that can only be worked where they are found, best use needs to be made of them to secure their long-term conservation.

109. Paragraph 224 states in the determination of planning applications great weight should be given to the benefits of mineral extraction, including to the economy. In considering proposals for mineral extraction should consider, *inter alia*:

- i. As far as is practical, provide the maintenance of landbanks of non-energy minerals from outside National Parks;
- ii. Ensure that there are no unacceptable adverse impacts on the natural and historic environment.

110. Paragraph 227 states that MPA's should plan for a steady and adequate supply of industrial minerals by, *inter alia*:

- i. Co-operating with neighbouring and more distant authorities to ensure an adequate provision of industrial minerals to support likely use in industrial and manufacturing processes;
- ii. Encourage safeguarding or stockpiling so that important minerals remain available for use;
- iii. Maintaining a stock of permitted reserves to support the level of actual and proposed investment required for new or existing plant.

111. These three paragraphs of the Framework, when read in conjunction, clearly indicate that great weight should be afforded to the proposed development which will allow the complete extraction of important industrial grade limestone from the site. In the 2023 Aggregate Minerals Survey for Great Britain (AM2023), which is the most recent nationwide survey conducted on general quarry production rates including non-aggregate minerals which includes high-purity limestone, it was found that the East Midlands region accounts for 73% of permitted reserves of industrial grade mineral. The report also found that the Peak District National Park is a major exporter of crushed rock (which includes industrial grade limestone), providing *circa* 40% (2.9million tonnes) of crushed rock quarried from National Parks. The survey also highlights that Derbyshire in general is of strategic importance for the national supply of industrial grade limestone. The survey found that the East Midlands region sold 9 million tonnes of non-aggregate limestone in 2023, meaning that the Peak District National accounted for approximately 33% of the regions production. These figures demonstrate the strategic importance of high-purity limestone production from Derbyshire, which weighs heavily in favour of approving the proposed development to ensure a steady supply is maintained from Ballidon Quarry.

112. The objectives of the Framework, the strategic importance of Derbyshire in the supply of industrial grade limestone, and the fact this application seeks to make already permitted reserves accessible to the site operator all weigh heavily in favour of granting consent in principle for the development, subject to the satisfaction of environmental, heritage, landscape and amenity considerations.

Flood Risk

113. The Environment Agency have granted a license for the discharge of up 120 litres a second, which equates to 10,368 cubic metres a day, into the Bletch Brook. This means that it is incumbent on the Authority, in consultation with the Lead Local Flood Authority

(LLFA), to carefully assess the potential impact on the risk of flood events occurring downstream of the proposed outfall as a direct result of the proposals. The banks of both the Bletch Brook and the Bradbourne Brook (which is the water course after the confluence of the Bletch Brook and the Havenhill Dale Brook, downstream of the proposed outfall) have flood zones that are designated as high and medium risk of surface or fluvial flooding, as prescribed by the EA's data base.

114. Policy CC5 states that development which may have a harmful impact upon the functionality of floodwater storage, or surface water conveyance corridors, or which would otherwise unacceptably increase flood risk will not be permitted.
115. Derbyshire County Council are the LLFA for this application, and they have provided a consultation response on both the originally submitted documents and have provided a secondary response to some of the concerns raised by the community with regard to the validity or accuracy of the flood risk assessment provided by the applicant's hydrological consultants. The LLFA's expert advice is that the proposed discharge of water into the brook will not cause an unacceptable increase in the risk of flooding downstream, subject to the inclusion of the proposed monitoring and mitigation strategy.
116. The mitigation and monitoring strategy will see the installation of an automated data logger that will record the water level in the Gorsehill Farm culvert, approx. 100m downstream of the proposed outfall, which will provide the operator with real-time accurate bank flow levels. This means that the volume of water being discharged can be reduced to green-field run-off rates or stopped completely at times when the brook is experiencing a flood event. This means that the operation of the pipeline can be adaptively controlled during high-rainfall weather events, and will therefore not enhance flood risk.
117. The proposals are for the discharge from the pipeline to be slowed to greenfield run-off rates during events of flood and shut off completely in the event of an extreme flood. The LLFA have advised that flood events for this watercourse should be categorised as when the brook is at full capacity and begins to over-top, and extreme flood events are when there is a risk of property flooding. The LLFA have advised that they are satisfied that there will be no additional or unacceptable increase in flood risk provided this reduction in discharge rates is adhered to.
118. Should the Committee be minded to approve the application, a condition will be attached to the consent to ensure that the proposed instruments to monitor water levels downstream of the Brook are installed prior to the commencement of the dewatering process and are maintained in good-working order or replaced as a priority in the event of failure or breakage during the course of the de-watering operations. A condition will also be applied to require strict compliance with the discharge reduction/flood risk strategy approved by the LLFA.
119. The proposals are therefore assessed as not posing any additional threat of flood risk to sensitive receptors, buildings or communities downstream of the outfall, and so therefore compliant with policy CC5.
120. Paragraph 173 of the NPPF states that a sequential test should be undertaken for individual applications in areas known to be at risk now or in the future from any form of flooding. The Planning Practice Guidance (PPG) identifies water transmission infrastructure as "water-compatible" development (Annex 3: Flood Risk Vulnerability Classification), and Table 2 (Paragraph: 079 Reference ID: 7-079-20220825). Furthermore, the PPG states that the application of a sequential test should be proportionate to the vulnerability of the proposed development and the likelihood of it being impacted by surface or ground water flooding. This paragraph goes on to state that "Where a site-specific flood risk assessment demonstrates clearly that the proposed layout,

design, and mitigation measures would ensure that occupiers and users would remain safe from current and future surface water flood risk for the lifetime of the development (therefore addressing the risks identified e.g. by Environment Agency flood risk mapping), without increasing flood risk elsewhere, then the sequential test need not be applied" (Paragraph: 027 Reference ID: 7-027-20220825). Given the minimal surface level-built development that will be located in Flood Zone 2 and 3 next to the river (i.e. the concrete outfall apron), the expert advice from the LLFA and the recommendations made in the PPG, it is considered that the development would have a negligible impact on any potential future flood events and so a sequential test is not necessary in this instance.

121. Paragraph 181 of the NPPF states that development should not increase flood risk elsewhere and that where appropriate a site-specific flood risk assessment should be submitted to support applications. It is also stated that development should only be permitted where in light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that, *inter alia*:

- i. The development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;
- ii. It incorporates sustainable drainage systems;
- iii. Any residual risk can be safely managed;
- iv. Safe access and escape routes are included where appropriate.

122. Several of the representations received by the Authority have cited concerns on the impact the increased flow rates in the watercourse will have on the ford that crosses the Bradbourne Brook (which is the name of the watercourse after the confluence of the Bletch Brook and the Havenhill Dale Brook), approximately 650m downstream of the proposed outfall. The Hydrological Assessment submitted by the applicant identifies that the ford is regularly impassable to vehicles at times where the watercourse is not in flood elsewhere, which is a comment mirrored by many of the objectors that have submitted letters on the proposed development.

123. The Hydrological Assessment states that during normal summertime flow-rates, the additional water discharged from the proposed pipeline will raise the water-depth at the ford from its current average of 17cm to 21cm, an increase of 7cm. The recommended safe wading depths for vehicles are between 0.2m to 0.3m, meaning that the increased average water-depth in the ford will still be within an acceptable range.

124. It is the case that the ford is impassable to cars during times where the rest of the watercourse isn't in flood, as identified by the hydrological assessment. The reduction in discharge rates from the pipeline will only be triggered in flood events being reached in the Bletch Brook. This means that there is a possibility of the ford being made impassable more regularly as a result of the proposals. The LLFA agreed with the applicant's hydrological assessment that during the average summertime flow, the impact of the additional water discharged into the brook will not impact the possibility of the ford. The number of times the ford is impassable will be primarily impact by climatic and weather events, with the discharge from the pipeline being a minor contribution factor that will only occur when water levels in the brook are high but not in flood, which the LLFA have deemed to be acceptable.

125. The expert advice provided by the LLFA is that, subject to strict adherence to the monitoring and mitigation strategy, the proposed installation and operation of the pipeline will not increase the risk of flooding downstream of the outfall, and therefore satisfies the requirements of Paragraph 181.

126. It is concluded, therefore, that the proposals will not increase the risk of flooding downstream of the proposed outfall, the development site itself is not vulnerable to the risk of flooding, and that the proposals are in accordance with the requirements of Policy CC5

and the relevant paragraphs of the NPPF. The proposals are considered to be acceptable with regard to their impact on flood risk.

Landscape Impact

127. The National Park is a protected landscape and so the visual impact of development is a critical factor for the Authority to consider when determining planning applications. The protection of the landscape in the National Park is a priority objective in legislation, national policy and the Authority's Development Plan.
128. Paragraph 189 of the NPPF states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, which have the highest status of protection in relation to these issues. The scale and extent of development within designated areas should be limited, while development within the National Parks setting should be sensitively located and designed to avoid or minimise adverse impacts on designated areas.
129. Policy L1 of the Core Strategy states that development must conserve and enhance valued landscape character, as identified in the Landscape Strategy and Action Plan, and other valued characteristics. Policy GSP2 of the Core Strategy states, *inter alia*, that all development must be consistent with the National Park's legal purposes and duty and that where National Park purposes can be secured, opportunities must be taken to contribute to the sustainable development of the area.
130. When read in combination, it is clear that the national and local policy context and the legislative framework mean that the National Park's landscape has an extremely low threshold of sensitivity for harmful impacts by development.
131. The proposals are for the development of a below ground pipeline with the ground above it to be restored immediately after installation. Where the route of the pipeline runs under roads, the carriageway will be reinstated using materials that meet the Highway Authority's requirements. Where the pipeline runs through fields and hedgerows, the trench will be back filled using the excavated soils and will be re-seeded with an appropriate mix of native grassland species, which will mean that once the restored land has revegetated there will be no visual legacy of the installation process. The small 1m wide portion of hedgerow and bankside vegetation that will be removed during the installation process will be replaced with appropriate native species, which will mean that any visual impact will be temporary. For these reasons it is considered that the vast majority of the development will have no harmful landscape impact subject to adherence to an appropriate restoration scheme, notwithstanding the temporary impacts of the installation operation and the time it will take the restored land to revegetate.
132. There are two elements of the development that will be above ground level, which are the settlement lagoons on the eastern portion of the quarry floor and the concrete outfall apron which will be located on the river bank. These elements of the pipeline infrastructure are subject to a proposed restoration scheme and will be removed once no longer required to facilitate mineral extraction.
133. The settlement lagoons will be a series of 4 ponds, each with a 30m x 15m surface area and will be 5m deep. The lagoons will be surrounded by a 1.5m high perimeter bund built from waste mineral from within the quarry. This element of the development will be shielded from view from most public vantage points outside of the quarry due to the lagoons proposed position on the eastern side of the main quarry floor. The lagoons will only be seen within the visual context of the quarry. It is therefore considered that the lagoons will not have a detrimental impact on the wider landscape outside of the quarry during the operational life of the quarry and the pipeline. The lagoons will be dismantled

following the cessation of quarrying operations and will be restored in accordance with the final restoration plan approved under NP/DDD/0715/0618 and NP/DDD/0715/0619, which shows this portion of the quarry being restored to grassland with occasional scrub planting. The removal of the settlement lagoons following the cessation of quarrying operations can be conditioned to ensure they are removed as part of the restoration process.

134. The concrete outfall will be located on the bank of the Bletch Brook, which will require the removal of a small section of the scrub vegetation. The concrete outfall will be cut into the bank and the apron will be mostly submerged under the water course. A metal handrail will be installed around the lip of the outfall for safety reasons. The brook bank is a more visually sensitive location due to the undeveloped nature of the brook and its surroundings, and due to the fact that Bradbourne Public Footpath no.2 runs in close proximity through the field immediately north of the outfall.
135. Once the installation process has been completed, the surrounding bankside vegetation will start to reestablish in a matter of months, which will serve to lessen the visual impact. The metal handrail and the top of the concrete outfall will remain visible through the operational life of the quarry, up until the point that it is removed as part of the restoration process. Whilst the structure will be an alien structure in the otherwise undeveloped bank of the watercourse, it will be a very small-scale intrusion that will only be visible from the closest parts of the footpath, with only a small portion of the concrete apron and handrail visible. The concrete apron and handrail will be removed following the cessation of quarrying activities, which will be required by condition.
136. The overall installation process will have a minor, temporary and localised visual impact. The temporary nature of the impact will be mitigated by the immediate restoration of the pipeline route which will be required by condition. This aspect of development is considered to be operationally unavoidable in the delivery of a more effective de-watering strategy.
137. The small scale, localised and temporary harm of the proposed development is considered to be outweighed by the benefits provided by the application to allow the effective winning and working of the previously consented high purity limestone from within the quarry, which is given great weight by the NPPF.

Ecology and Biodiversity Net Gain

138. Policy L2 of the Core Strategy states that development must conserve and enhance any sites, features or species of biodiversity importance and where appropriate their setting. Development will not be permitted where it is likely to have an adverse impact on any sites, features or species of biodiversity importance or their setting that have statutory designation, other than in exceptional circumstances.
139. Policy DMC11 of the Development Management Policies states that development should aim to achieve gains to biodiversity. In considering whether proposals conserve and enhance sites, features or species of wildlife importance, all reasonable measures must be taken to avoid net loss by demonstrating that in the below order of priority, the following measures have been taken into consideration:
 - i. Enhancement proportionate to the development;
 - ii. Adverse impacts have been avoided;
 - iii. The “do nothing” option and alternative sites cause less harm;
 - iv. Appropriate mitigation; and,
 - v. In rare cases, as a last resort, compensation measures to offset loss.

140. The policy also goes on to say that details of appropriate safeguards and enhancements for sites, features or species of nature conservation importance must be provided. Development will not be permitted if applicants fail to provide adequate or accurate detailed information to show the impact of development on these receptors.

141. Finally, the policy requires for all sites, features and species, development proposals must consider the cumulative impacts of other developments or proposals, and the setting of development in relation to other features of importance.

142. Policy DMMW3 of the Development Management Policies relates to the impact of minerals development on the environment. Whilst the proposals aren't for the primary winning and working of mineral, the dewatering of the quarry is inextricably linked to the continuation of quarrying operations and so this policy is considered to be relevant. The policy states that minerals development will only be permitted where the impacts on the environment are reduced to an acceptable level or eliminated, particularly in relation to, *inter alia*:

- i. The risk and impact on environmental receptors, including from any pollution;
- ii. Any potential effects on groundwater, rivers or other aspects of the water environment.

143. When read in conjunction with the relevant paragraphs of the NPPF, it is clear that the policies of the Development Plan require this development to demonstrate that ecological receptors will not be adversely affected by the installation or operation of the pipeline, and that proportionate biodiversity enhancements are required in order for the proposal to be acceptable.

144. The impact of the installation phase of the development will only affect a very limited area of habitat along the route of the proposed pipeline. There will be no impact on ecology as a result of the works on and under the highway leading south from the quarry, subject to the careful storage and timely removal of waste materials which will be required by way of a condition. The fields the pipeline passes through are semi-improved agricultural grassland with limited ecological value, and there will be no meaningful long term ecological impacts on this portion of the route following the re-seeding process once the trench is back-filled. There will be a 5m stand off from the hedgerow and trees on the western side of the pipeline as it travels the northern portion of the field system, to prevent impact of plant and machinery during the installation process.

145. There are two sensitive habitat receptors that will be impacted by the installation, which include a the 1m wide portion of hedgerow at the southern end of the field system and the vegetation on the bank of the water course that will need to be cleared to make way for the concrete outfall.

146. An area of 10m x 10m of the bankside non-native scrub planting will need to be removed prior to the installation of the outfall. The ecological survey of the site identified this area as being non-native ornamental species which have a more limited ecological value than native species. The stripped vegetation here will be replaced by native riparian shrub planting in the first planting season following completion of the installation process. The rip-rap that will be installed downstream of the outfall will provide a section of rugged stream bed that will provide a selection of sheltered regeneration niches that will benefit a variety of aquatic species. These measures will ensure that an ecological benefit for the site is provided quickly after the installation process is completed. A detailed final plan and methodology relating to the removal of the concrete outfall following the cessation of quarrying activities will be required by way of a condition to ensure the bankside is restored in line with the objectives of nature recovery and ecological gains.

147. The portion of hedgerow that will be removed during the installation process is approximately 1m in width. The removed hedgerow will be replaced by native species planting following completion of the installation process. Should the committee be minded to approve the application, a condition will be applied to the consent preventing any works affecting the hedgerow taking place during breeding bird season.

148. The Authority's Tree Officer has recommended a condition be added to the consent which requires submission of an arboriculturally survey and method statement. There are several trees of value in close proximity to the route of the pipeline. The impact on these trees adjacent to the highway can be minimised by routing the pipeline on the other side of the road to the tree in question. The consultation response from the Tree Officer stated the 5m standoff from the vegetation on the western boundary of the southern fields should be sufficient to avoid any significant harm to the medium sized trees located close by. There is one specific tree in the southern fields that is larger and possibly is of higher arboricultural value. The protection of this tree may require a more specialist, low impact installation method to ensure its root network is protected. The requisite tree survey and method statement will be attached to the consent as a pre-commencement condition, if the Committee are minded to approve the application.

149. The proposed route of the pipeline is considered to minimise the amount of vulnerable or valued habitats that will be impacted as a result of the installation process, with any affected habitats being replanted with appropriate native species during the next available planting season. The replacement of the non-native species and creation of varied river-bed habitats is considered to be an ecological enhancement that is proportionate to the impact of this aspect of the development and so is considered to meet the relevant criteria of Policies L2, DMC11 and DMMW3.

150. The proposed development triggers the need to provide a statutory biodiversity net gain, as per the requirements of the Environment Act 2021 and the Town and Country Planning Act 1990 (as amended), and is not covered by the exemptions set out in the Biodiversity Gain Requirements (Exemptions) Regulations 2024. Therefore, a minimum of a 10% increase in biodiversity value above the site's pre-development state is required.

151. The applicant has offered a scheme of off-site gains, which is considered to be suitable given the limited floorspace the development covers and the need for the fields to be reinstated as agricultural grassland. The off-site gains will be provided on land that the operator controls, on the western boundary of the main quarry.

152. The gains will be provided by creating and managing a 2m wide strip of species rich tall herb conservation grassland on the western edge of an agricultural field, west of the main quarry, within the applicant's ownership. The submitted BNG metric calculations suggest an overall up-lift of 185.95% of habitat units through off-site provision, and an up-lift of 69.52% of watercourse habitat units.

153. For the reasons set out above, including the biodiversity net gains off-site provision, the proposals are considered to minimise ecological impacts on the most sensitive elements of the project and offers proportionate enhancements that will benefit the habitats on and around the site, in broad accordance with the requirements of Policies L2, DMC11 and DMMW3. The biodiversity gains will be secured through a Biodiversity Gain Plan (BGP) required by condition and a Section 106 legal agreement given the need for 'off-site' provision.

Water Quality

154. Policy DMMW3 relates to the impact of minerals development on the environment. The policy states that development will only be permitted where the impacts of the

development on the environment are reduced to an acceptable level or eliminated altogether, particularly in relation to, *inter alia*: The risk of and impact on environmental receptors including from any pollution; and, any potential effects on groundwater, rivers or other aspects of the water environment.

155. Paragraph 187 states that planning decisions should ensure that new development doesn't contribute to or cause unacceptable risk of water pollution.

156. The impact of pollution and contaminants on rivers and watercourses has been highlighted recently as a pressing national issue, and has been adopted as a priority issue for the Authority. The baseline of sensitivity for the watercourse is heightened by the fact the Bradbourne Mill Meadows SSSI is located approximately 100m downstream at its closest point to the proposed outfall. The Meadows are designated as a SSSI due to the collection of grassland species they support on the seasonally inundated floodplain, meaning the well-being of the SSSI is inextricably linked to the quality of the water in the Bletch Brook.

157. The threats posed by the discharge of water from an active quarry are two-fold: dust and suspended solids that are mobilised in the water collected from the quarry; and, any fuels, lubricants or any other chemical contaminants that are leaked on site entering the water to be discharged. Either of these outcomes could have a significantly harmful impact on the water quality in the Brook and subsequently on the habitats and species it supports.

158. The proposals are for the ground and surface water that collects in the working void in the western portion of the main quarry to be pumped up into the proposed settlement lagoons. The water will then slowly pass through the lagoons which will allow any suspended solids to settle to the bottom of the lagoon prior to the water being discharged through the pipeline. This forms the primary element of the mitigation strategy to ensure the discharged water is compliant with the suspended solids/contaminant levels set out in the EA's discharge permit. The EA discharge permit requires the lagoons to be de-silted periodically, meaning that the materials that build up in the bottom of the lagoons cannot over-time rise to a level where they would pose a contamination risk to the discharged water, the brook and subsequent watercourses.

159. Tarmac already operates the site in strict accordance with its own water management and contamination protocol which require spill kits to be installed around the site and next to any chemical storage facilities. The applicant has provided water discharge monitoring data since 2022 that water discharged through the existing sump, to have contained contaminants below detectable levels, a neutral pH balance and suspended solids within the acceptable range as per the EA's discharge permit. The operator is currently in the final stages of replacing the diesel pumps used to drain the working void with an electric system which will further reduce the risk of contaminants entering the water prior to discharge.

160. A detailed monitoring strategy has been proposed by the applicant which includes the following: Twice daily visual inspection of the settlement lagoons (with the purposes of identifying any oils/grease that would indicate contamination); the installation of a real time data logger in the lagoons to measure suspended solids and pH levels (the exact model to be agreed by way of a pre-operation condition); weekly visual inspections and annual full inspections of tanks, bunds and pipework.

161. The EA's discharge consent is, in and of itself, a binding document which the Agency have powers to monitor and take enforcement action against the operator in the event of a breach of the limits or requirements set out within it. The EA offered no objection to the proposed development through the consultation process. No objection was received from

Natural England following discussions on the practicality of including additional treatment methods for the water to be discharged from the pipeline.

162. In the Fish Legal representation, it is requested that two conditions are attached to a consent should the committee be minded to approve the development, which are that: i) compressive metering of discharge levels; and, ii) a condition requiring any changes in quarrying practice to be subject to a further planning decision. The installation and use of a flow measuring gauge is already included in the EA's discharge permit, and so a duplicate requirement attached to the planning consent would not meet the tests of planning conditions set out in Paragraph 55 of the NPPF. A condition relating to changes in quarrying practice requiring planning permission would also fail to meet the tests for conditions, as the site has had its permitted development rights removed and so any change in working practice will require express consent. A condition that affects working practice of quarrying operations would also fail to meet the test insofar as it would not be directly relevant to this development. The limits on pH and suspended solids imposed by the EA's discharge consent have been agreed by the Authority's ecologist as being acceptable in terms of its impact on the hydrological environment, and this will need to be maintained and adhered to even in the event that there is significant change to the operation of the quarry. It is therefore concluded that the recommendations made in the Fish Legal representation are not implementable or necessary given the existing controls relevant to the operation of the site and the discharge permit.

163. The Authority's ecologist has considered the comments made by Fish Legal and the representation received from Leak and District Fly Fishing Association, and has concluded that the proposed mitigation strategy and the limits imposed by the EA's discharge consent are sufficient to protect the sensitive species highlighted in these comments. The Authority's ecologist did recommend a condition requiring the submission of a strategy to prevent silts escaping into the Brook during the construction phase, which does meet the tests for planning conditions and is implementable should the committee be minded to approve the application.

164. The proposals are considered to include monitoring and mitigation strategies that are proportionate to the level of risk posed by the development to the water quality. In the event that unacceptable levels of suspended solids or contaminants are identified by the real-time data logger, the discharge pipeline will be shut off until remediation procedures are undertaken and the water quality is back within acceptable limits. This requirement will be stipulated through a planning condition appended to any approval the committee may be minded to grant. The EA will also be undertaking its own monitoring of the discharge process and will have the capacity to take enforcement action in the event of a breach of the limits set out in applicants permit. It is concluded that the proposals will not cause unacceptable pollution risk to the Bletch Brook or any subsequent watercourse and therefore meet the criteria and objectives of Policy DMMW3 and NPPF paragraph 187.

Cultural Heritage and Archaeology

165. The proposed route of the pipeline runs in close proximity of Listed Buildings and is truncated in part by a Schedule Ancient Monument, which are designated heritage assets. There are also Listed Buildings downstream of the outfall, namely Bradbourne Mill (located outside of the National Park boundary), which is located approximately 80m's south-east of the Bletch Brook at its closest point. The field system closest to the Brook has well preserved examples of ridge and furrow earthworks, which are a non-designated archaeological asset.

166. Policy L3 states that development must conserve and where appropriate enhance the significance of archaeological assets and their setting. Other than in exceptional circumstances development will not be permitted where it is likely to cause harm to the significance of any cultural heritage assets.

167. Policy DMC5 states that planning applications for development affecting a heritage asset must clearly demonstrate:

- i) its significance including how any identified features of value will be conserved and where possible enhanced; and,
- ii) why the proposed development and related works are desirable or necessary.

168. The policy goes on to state that proposals likely to affect archaeological assets should be supported by appropriate information that identifies the impact of the development, or by a programme of archaeological works containing a methodology to be approved by the Authority.

169. Development affecting a designated or non-designated heritage asset will not be permitted if it would result in any harm to, or loss of, the significance, character and appearance of the heritage asset unless, in the case of non-designated assets, the development is considered by the Authority to be acceptable following a balanced judgement that takes into account the significance of the heritage asset.

170. Paragraph 202 of the NPPF states that heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance.

171. Paragraph 207 of the NPPF states that in determining applications, local authorities should require an applicant to describe the significance of any heritage asset affected by the proposals. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact on the asset's significance. Where a development site contains assets of archaeological interest, a desk-based assessment must be submitted by the developer.

172. Paragraph 210 of the NPPF states that in the determination of planning applications, local planning authorities should take account of, *inter alia*:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the desirability of new development making a positive contribution to local character and distinctiveness.

173. Paragraph 212 of the NPPF 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 assets' conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

174. Paragraph 216 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining a planning application. A balance judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

175. The Desk Based Assessment (DBA) provided in-line with the requirements of the NPPF, by the applicant has been reviewed by the Authority's archaeologist who accepted the amended version was sufficiently rigorous to be acceptable. The DBA identifies 28 designated heritage assets within the wider study area comprising 5 Schedule Monuments and 23 Listed Buildings. The DBA also identifies the ridge and furrow earthwork as likely to be medieval.

176. The local policy context and relevant paragraphs of the NPPF clearly set the baseline sensitivity for designated assets to be very high, and requires exceptional circumstances to justify development that would result in the loss of significance of these assets. The installation process will see a temporary and limited impact on the setting of the Listed Buildings and Schedule Monuments that are closest to the proposed route of the pipeline. The limited timeframe of the installation process will mean that impact is limited to a short-term visual impact on the setting of the closest designated assets and, with the lack of any visual legacy impacts following the on-site restoration, will mean that there is no meaningful long-term impact or loss of significance on the designated assets.

177. One of the representations received by the Authority on this application raised an objection based on the impact of the proposed increase in flow-rates in the Brook on ground stability and its impact on the foundations of Listed Buildings downstream. The LLFA have commented as a direct response to these concerns and have stated that because the proposed discharge will not impact on the velocity of the watercourse and that the brook can accommodate the proposed flow rates, there will not be an enhanced risk of erosion. The risk of harm to the stability of the Listed Building is also negated by fact that the Brook is approximately 85m north-east of the property at its nearest point, meaning that even if there was an enhanced level of erosion as a result of the proposals, it is not a realistic possibility that it wash away that distance of land, which would include the highway, which would need to happen before there was a material impact on the foundations of the property.

178. Objection was also received based on the perceived increase in flood risk, which in turn could have a harmful impact on the historic fabric of the heritage assets downstream of the proposed outfall. As explained in the previous sections of this report, the proposals will not have an effect of increasing or enhancing the risk of flood downstream of the outfall and so there will be increased risk to the historic fabric of Listed Buildings as a result of the proposals.

179. The Authority's Conservation Officer provided a consultation response which was of no objection to the proposals. It is therefore considered that the proposed development will not have any long-term impact on the designated heritage assets and is therefore compliant with the requirements of Policy L3 and Policy DMC5 to conserve the significance of these assets.

180. There will be a more acute effect on non-designated heritage assets, namely the ridge and furrow earthworks in the fields at the southern end of the proposed route. Whilst non-designated, medieval ridge and furrow is reasonably rare asset on a national scale although there is a relative abundance locally. The significance of these assets is derived from the way they show how agricultural paddocks were managed. In this specific case, the ridge and furrow earthworks are well preserved and show that a historic field boundary was once located in the field immediately west of the proposed outfall. This significance means there is a high baseline of sensitivity related to the impact of development, and particularly in relation to the groundworks and excavations that are inherent in this application.

181. There are a series of factors that lessen the impact of the proposals that should be balanced against the impacts of the development. First and foremost is that the proposed pipeline will require the excavation of a trench 1m in width, which will run in relatively straight lines through the field system. This narrow strip will mean that the vast majority of the ridge and furrow will be unaffected, minimising the effect on the way the earthworks are read in the field and therefore also minimising the impact on significance. The second factor is that the applicant has agreed to the implementation of strict conditions relating to the recording of the earthworks prior to the development taking place, which in turn will inform the restoration strategy. Should the committee be minded to approve the

application, the Authority will impose a condition that requires 3D modelling of the earthworks prior to installation process to ensure the ridge and furrow is restored accurately. Ultimately, the narrow trench will be restored to reinstate the portion of earth works the pipeline runs through, which will allow the whole field system to be read in its original condition. A condition will also be added to the consent to ensure the operator meets with a representative of the Authority annually for the remaining operational life of the quarry to assess the restoration works. In the event that any slippage or deterioration of the restored earthworks are recorded during that time, then the operator will undertake any remediation required.

182. The proposed route is not the least impactful option in regards to the amount of ridge and furrow it travels across. An alternative route which would have lessened the amount of ridge and furrow earthworks affected would be for the pipeline to continue to travel southward in the field south-west of White Meadows farm, before turning east after the southern end of the ridge and furrow earthworks. The pipeline takes the sharp diagonal turn from the western edge of the field system, running south-east toward the outfall, cutting across many rows of ridge and furrow earthworks. The applicant has submitted a statement to justify the more impactful route. The proposed route provides a 6m drop in topographical levels allowing a more consistent flow of water to the outfall. The proposed route also allows for the pipeline to meet the outfall at an obtuse angle, again providing consistent flow and reduces wear on the pipeline itself. Reducing the amount of wear on the pipeline is an important consideration because any repairs would require re-excavation of a section of the trench, which would have additional impact on the heritage asset. The drop in levels and obtuse angle will also help prevent sediment building up in the pipeline, which risks causing a blockage that again would require re-excavation to address and could potentially have harmful ecological impacts due to elevated levels of sediment levels being discharged into the Brook. This justification has been accepted by the Authority's archaeologist as being sufficient to consider a mitigation strategy to remediate any heritage impact rather than to insist on a less impactful alternative route.

183. Officers conclude that there is a planning balance to consider with regard to the proposed developments impact on non-designated heritage assets. Ultimately it is concluded that the impacts are acceptable due to the narrow nature of the excavations required, the justification statement provided, and the careful process of recording and restoration that will be required by way of condition, the long-term monitoring of the restored earthworks, and the overarching benefit of allowing full extraction of the mineral reserves in the quarry, which are given great weight by the NPPF. The proposals are therefore considered to meet the requirements of conservation set out in Policy L3 and Policy DMC5, in as far as it is reasonably practicable to do so, and therefore meet the test of a balance judgement set out in Paragraph 216 of the NPPF.

Impact on Highways

184. There are no policies in the Development Plan that relate directly the temporary impacts of works on the operation of the highway, and so is considered to be silent on the matter. Paragraph 116 of the NPPF states that development should only be refused on highways grounds where there would be unacceptable impact on safety, or where the residual cumulative impacts on the road network would be serve.

185. The impact of the development on the highway will be limited to the duration of the installation process. The unnamed road that leads south of the quarry is not a main or arterial road, which is lightly trafficked. Providing the works are undertaken in accordance with best practice guidance for operations along a highway, the only meaningful impact of the development will be the potential for some moderate congestion while traffic is

controlled. Once the installation process is completed, the highway will return to normal operation without any legacy impact.

186. The Highway Authority offered no objection when consulted on the proposals, but did make a series of informative statements, which the operator should take account of in the event that development is commenced.

187. If the committee are minded to approve the development, the Authority will impose a condition that requires the pre-commencement submission of a construction management plan that will, amongst other things, set out in detail how the works will be undertaken in manner such as to reduce the impact of the installation on the operation of the highway.

188. The proposals are considered to be low impact with regard to the safe operation of the unnamed road the pipeline will be laid under, and are therefore acceptable from a highway safety and management perspective.

Impact on Amenity

189. Policy DMMW2 states that minerals related development will only be permitted where the adverse impacts on amenity can be reduced to an acceptable level or eliminated altogether.

190. The primary impact on amenity will be generated through the installation process, where machinery will be operating causing mild noise pollution and causing a temporary visual impact. The primary receptors of these impacts will be the residential properties in the hamlet of Ballidon, the residents of White Meadows Farm, and any walkers using the footpaths in the area.

191. These impacts will be limited due to the size and scale of the development, and will be geographically contained to a close proximity around each section of the pipeline route as the installation process progresses along the proposed route. Conditions will be attached to the consent to limit working hours and to ensure best working practices are implemented to minimise the impact on amenity.

192. These temporary and minor impacts on amenity are considered to be an unavoidable necessity of the installation process, will be minimised by way of condition and are not considered sufficiently harmful to be contrary to the requirements of Policy DMMW2. The proposals are therefore considered to be acceptable from an amenity perspective.

Restoration and Aftercare

193. The restoration of the development inside of the quarry itself will be covered by the approved restoration plan set out in the extant mineral's consents. The restoration of the area's outside of the quarry will be the subject of a restoration plan that will be required by way of condition. The restoration requirements for these areas will be minimal given the very small amount of surface level development (i.e. removal of the headwall, concrete apron and handrail from the brook bank).

194. Officers conclude that, subject to the approval of a restoration plan, there will be no visual legacy of the proposed development beyond the operational life of the quarry.

195. Annual site visits and monitoring along the route of the pipeline will be conducted with the site operator to identify any issues or deterioration of the restored ridge and furrow land forms.

196. A condition shall be attached to the consent to ensure the settlement lagoons are removed and restored in line with the wider restoration plan approved under the extant consents for the quarry. A condition will also be attached to ensure that the restored lagoon site is then subject to the same aftercare requirements as those of the approved aftercare management plan approved under the extant consents.

197. Subject to the operator's adherence with the proposed conditions and monitoring requirements, it is considered that the site can be restored in such a way as to ensure there are no long-term impacts on the valued characteristics of the National Park beyond the operational life of the quarry.

Conclusion

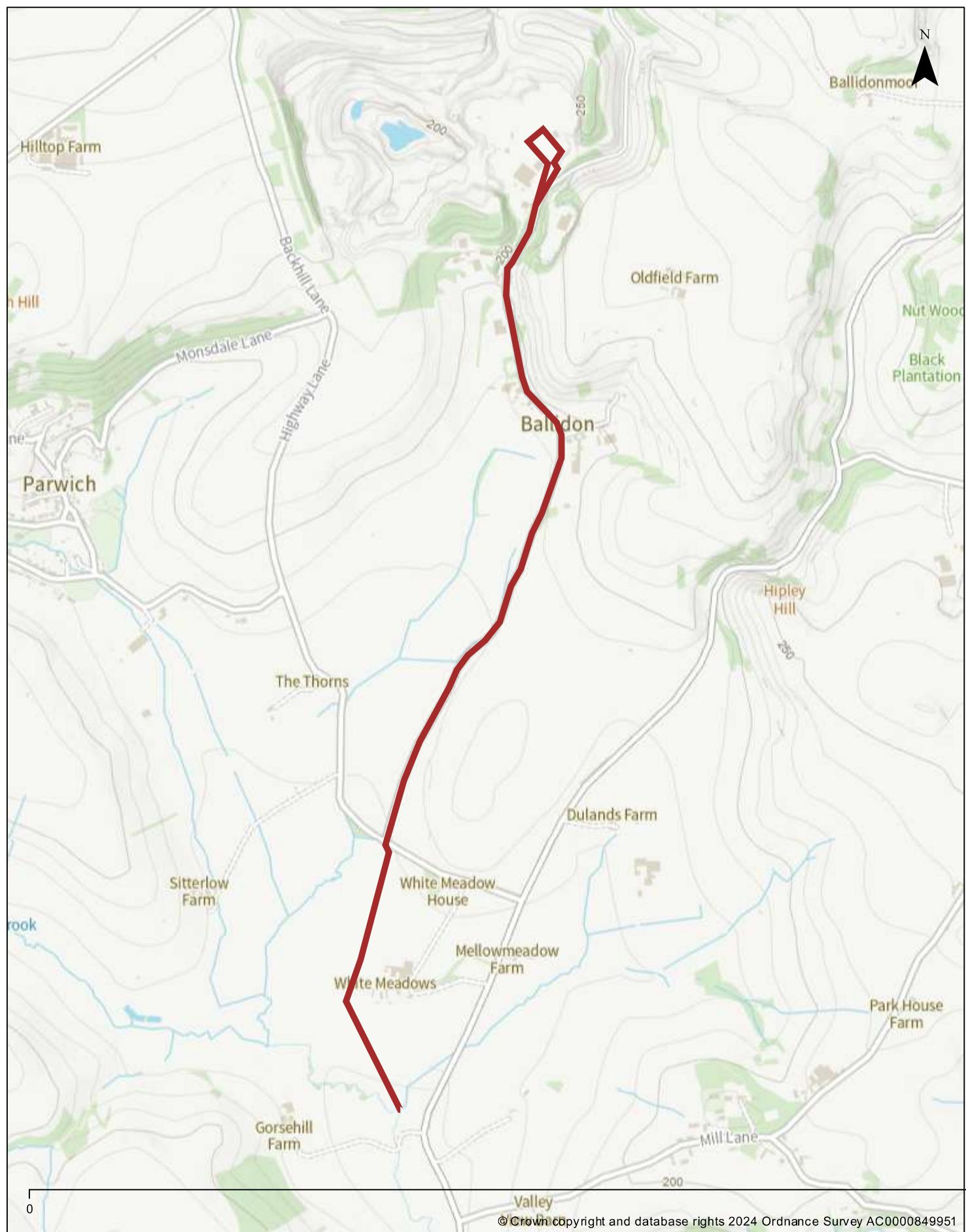
198. The overarching consideration for the Authority is that the NPPF gives great weight to the benefits of mineral extraction and states that mineral planning authorities should plan for a steady and adequate supply of industrial minerals. This is not an application for new mineral extraction but rather for ancillary development that will ensure that considerable volumes of already permitted reserves of high purity limestone can be won and worked within the existing footprint of the quarry. Consideration should also be given to the national and regional picture of the supply of industrial grade limestone, where it is clear that Derbyshire is a critical geographic region contributing to the overall supply of this important mineral to the UK market.

199. The proposed installation and subsequent operation of a dewatering pipeline is considered to be acceptable in principle. The proposals will not have an unacceptable impact on the landscape, environment, flood risk, amenity, ecology or cultural heritage, subject to the imposition of the appropriate conditions relating to mitigation and monitoring schemes.

200. It is officers' recommendation to Committee, following a rigorous assessment of the planning balance, that the application be **approved**, subject to officers' final agreement of conditions and a section 106 agreement to secure off-site biodiversity net gain.

Human Rights

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



NP/DDD/0125/0066

Item no. 6

Application no. 16/01/2026

Committee date: 16/01/2026

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7. FULL APPLICATION – ERECTION OF LOCAL NEEDS DWELLING (SELF-BUILD) AT LAND ADJACENT 25 HERNSTONE LANE, PEAK FOREST (NP/HPK/1025/1040, HF)

APPLICANT: MR A ROUKE AND MISS N ROUKE

Summary

1. This application was deferred at the December 2025 Planning Committee in order for the gross internal area (GIA) of the dwelling to be reduced to 97sqm, and to consider minor design changes to the submitted scheme. Revised plans have now been received.
2. The application proposes erection of a self-build local needs affordable dwelling on the edge of Peak Forest and within Peak Forest Conservation Area.
3. The proposed dwelling is for a single occupant who is in housing need and meets the local connection criteria. However, the dwelling (97sqm) significantly exceeds the size threshold for single occupancy affordable dwellings under Policy DMH1 (39sqm) and is larger than the size justified by the identified need, contrary to Policies HC1 and DMH1.
4. The proposed development results in less than substantial harm to Peak Forest and Old Dam Conservation Area. Due to the policy conflict identified, this harm is not outweighed by the public benefits of the development.
5. The application is therefore recommended for refusal.

Site and Surroundings

6. The application site comprises an area of grassed land associated with Hernstone Lodge which lies west of the site. The site is south of Hernstone Lane (A623), which runs through Peak Forest. It is within the Peak Forest and Old Dam Conservation Area and is considered to be on the edge of the settlement of Peak Forest. The site levels sit below that of the highway and the site is bound by an existing stone wall to the north. There is a Public Right of Way (PRoW) directly west of the site, and a further PRoW to the south.

Proposals

7. The application is for the erection of a two storey, 3-bedroom dwelling on land to the south of Hernstone Lane, and immediately east of Hernstone Lodge. The application sets out that the development is for a local needs dwelling and would be self-build.
8. The site layout confirms the dwelling would benefit from amenity space to the front and rear. Access to the site would be from Hernstone Lane, with a driveway and turning space shown to the east of the dwelling.

RECOMMENDATION:

That the application be REFUSED for the following reasons:

1. **The proposed dwelling is larger than the size justified by the identified housing need, and as a result the proposals are contrary to Core Strategy Policy HC1 and Development Management Policy DMH1.**
2. **The proposed development would result in harm to the character and appearance of the Conservation Area and this harm would not be outweighed by the public benefits of the development, contrary to Core Strategy Policy L3, Development Management Policies DMC5 and DMC8, and NPPF paragraph 215.**

Key Issues

9. The principle of the development and its impact on the character and appearance of the site, the Conservation Area, neighbouring amenity, highway safety and trees.

History

10. NP/HPK/0979/937: Barn conversion to living accommodation – Approved 1980.
11. NP/HPK/0588/079: Erection of dwelling – Refused 1988.
12. NP/HPK/1188/182: Erection of dwelling and garage – Refused 1988. Appeal dismissed 1989.

The Appeal decision concluded that whilst the occupants of the dwellings and farms in the building cluster would regard themselves as part of the Peak Forest community, in the physical and visual sense the scattered buildings to the south east of the village are physically separated from it by significant gaps of countryside. The development would unacceptably detract from the area and could not be regarded as an infill plot.

Consultations

13. Derbyshire County Council (Highways): Initially asked for visibility splays on the plan. The response confirmed the car parking provision was acceptable for the site. On receipt of an amended plan with visibility splays, the response confirms: With review of DCC and Manual for Streets national guidance, the splay representing the Y distance should be drawn to the nearside kerb edge. The plan shows the west splay drawn to the midpoint of the carriageway, likely drawn to avoid the tree and wall to the west.

It is understood the tree and wall are in control of the applicant and the tree could be removed by condition (wall appears lower than 1m (TBC) and so would not require amendment) to provide the required visibility splay. This would be an acceptable solution.

However, the Manual for Streets states at 7.7.5 “Some circumstances make it unlikely that vehicles approaching from the left on the main arm will cross the centreline of the main arm – opposing flows may be physically segregated at that point, for example. If so, the visibility splay to the left can be measured to the centreline of the main arm”

From review of Hernstone Lane there are two designated white lines (although painted not physical) with road studs segregating the lanes. On this basis the visibility splay which is shown to the midpoint – centreline – of the carriageway is considered acceptable.

14. High Peak Borough Council (Planning): No response.
15. Peak Forest Parish Council: Support the application. The Parish Council is aware there is a shortage of affordable homes in Peak Forest for young people who are employed in the local area. This new build is an excellent way of allowing someone raised in the village to live and work close to family and friends but also reduce the travel time to work.
16. Peak District National Park Authority (Policy): Whilst I acknowledge the applicant's daughter is in housing need, the size of dwelling proposed does not reflect their housing need as required by DMH1, which for one person supports a dwelling size of 39sqm. The DMH1 interim policy, 2021, provides some flexibility: *In cases where flexibility is required based on personal circumstances, or in locations where for reasons relating to valued*

landscape character or the style and traditions of the locality, and a 2-storey house is most appropriate, individuals can apply for homes up to a maximum of 58m2.

The applicant would need to demonstrate personal circumstances or a need for a two storey property to respond to valued landscape character or the style and traditions of the locality to build up to 58sqm. In its current form, the application could not be amended to address the DMH1 requirement and as submitted I object to the proposals.

17. Peak District National Park Authority (Trees): This site and its trees are within the Conservation Area. No tree survey information is provided. The Design and Access statement states the trees are to be retained. The development is sufficiently distant from the trees that this would be possible. The statement also notes the trees have early signs of Ash Dieback, and their removal may become inevitable. I agree with this assessment regarding Ash Dieback. I don't think the trees are likely to have a long-term future. They will almost inevitably be desired for removal due to risk to the road or to the new garden.

Our strong preference – and the approach recommended in BS5837:2012 (Trees in relation to design, demolition and construction) – is for the application to result in the replacement of these dying ash trees with appropriate new tree planting of species which are more viable for the long-term, the size of which should in time provide an increase in visual tree amenity. Permanent loss of trees would be very noticeable in the streetscape.

With this approach, the usual pre-decision BS5837 requirements of an Arboricultural Impact Assessment, and Method Statement with Tree Protection Plan could be avoided. There is no objection to the proposal subject to a condition for proposed tree planting.

Representations

18. None received.

Main Policies

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

Relevant Local Plan policies: DMC3, DMC4, DMC5, DMC8, DMC11, DMC12, DMC13, DMH1, DMH2, DMH3, DMH11, DMT3, DMT8

National Planning Policy Framework (NPPF)

19. National Park designation is the highest level of landscape designation in the UK. The Environment Act 1995 sets out two statutory purposes for National Parks in England: 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.

20. 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.

21. 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

22. GSP1, GSP2: Seek to secure National Park legal purposes and duties through conserving and enhancing the National Park's landscape and natural and historic assets.
23. GSP3: Requires that development respects, conserves and enhances the valued characteristics of sites and buildings with attention paid to impact on the character and setting of buildings, scale of development, siting, landscaping, building materials, design in accordance with the Authority's design guidance, form and intensity of proposed use, impact on living conditions, ground conditions and mitigating impact of climate change.
24. GSP4: The National Park Authority will consider the contribution that a development can make directly and/or to its setting, including, where consistent with government guidance, using planning conditions and planning obligations.
25. DS1: In named settlements such as Peak Forest there is additional scope to maintain and improve the sustainability and vitality of communities. In or on the edge of these settlements new building development for affordable housing is acceptable in principle.
26. L1: Development must conserve and enhance valued landscape character, as identified in the Landscape Strategy and Action Plan, and other valued characteristics.
27. L2: Development must conserve and enhance any sites, features or species of biodiversity importance and where appropriate their setting.
28. L3: Development must conserve and where appropriate enhance the significance of historic assets and their settings, including statutory designations and other assets.
29. HC1.A(I): Exceptionally, new housing can be accepted which addresses eligible local needs and would be for homes that remain affordable with occupation restricted to local people in perpetuity.
30. CC1: Development must make the most efficient and sustainable use of land, buildings and natural resources, taking into account the energy hierarchy and achieving the highest possible standards of carbon reductions and water efficiency.

Development Management Policies Document (DMP)

31. DMC3: Development that is acceptable in principle will be permitted provided its detailed treatment is a high quality and protects and where possible enhances the landscape, wildlife and cultural heritage of the area. Particular attention is paid to siting, scale, form, levels, height, orientation, landscaping, impact on landscape features, detail, materials and relationship with local traditions and other valued characteristics. Regard is required towards amenity and privacy, Strategy and the Authority's design guidance.

32. DMC4: Applications should provide sufficient information to allow proper consideration of the relationship between proposed development and the settlement's historic pattern of development including relationship of the settlement to local landscape. Development siting should complement and not harm settlement character. Development separated from the existing settlement to such a degree that it no longer forms part of the whole, or is likely to result in pressure to infill an intervening gap will not be permitted.
33. 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.
34. Development causing harm to a designated asset will not be permitted unless less than substantial harm to significance is outweighed by the public benefits.
35. DMC8: Requires development in a Conservation Area to assess and clearly demonstrate how the character, appearance and significance of a Conservation Area is preserved.
36. DMC11: In considering whether a proposal conserves and enhances sites, features or species of wildlife, geological or geomorphological importance all reasonable measures must be taken to avoid net loss, as outlined by the policy.
37. DMC12: For internationally designated or candidate sites, or European Protected Species, the exceptional circumstances where development may be permitted are where it can be demonstrated the legislative provisions to protect such sites or species are met.
38. DMC13: Development should incorporate existing trees, hedgerows or other landscape features. Where this cannot be achieved the onus is on the applicant to justify the loss of trees as part of the development. Trees should be protected during development.
39. DMH1: Affordable housing will be permitted outside of Core Strategy DS1 listed settlements by conversion of existing buildings provided that (i) there is a proven need for the dwelling(s) and (ii) any new build housing is within the policy size thresholds:

No. bed spaces	Max. Gross Internal Floor Area (sqm)
One person	39
Two persons	58
Three persons	70
Four persons	84
Five persons	97

Self-Build and Custom Build housing will be permitted on rural exception sites in accordance with Part A regarding proof of need and size thresholds.

40. Paragraph 6.45 states that where affordable housing is proposed, the size of housing is controlled to ensure they remain affordable and for local people in housing need.

41. DMH2: In all cases, new affordable housing must first be occupied by persons satisfying at least one of the following criteria:
 - (i) a person (and his or her dependants) who has a minimum period of 10 years permanent residence in the Parish or an adjoining Parish inside the National Park and is currently in overcrowded or otherwise unsatisfactory accommodation; or
 - (ii) a person (and his or her dependants) not now resident in the Parish but having lived at least 10 years out of the last 20 years in the Parish or an adjoining Parish in the Park, and is currently in overcrowded or unsatisfactory accommodation; or
 - (iii) a person who has an essential need to live close to another person who has a minimum of 10 years residence in a Parish inside the National Park, the essential need arising from infirmity.
42. DMH11: Sets out the need for a planning obligation to secure the affordability of the dwelling in perpetuity if the scheme were permitted.
43. DMT3: Development with new access to the public highway will only be permitted where having regard to the standard, function, nature and use of the road, a safe access that is achievable for all people, can be provided in a way which does not detract from the character and appearance of the locality and where possible enhances it.
44. DMT8: Off-street residential car parking should be provided in accordance with parking standards and should conserve the character of the area.

Development Management Practice Note Policy DMH1

45. Paragraph 6.38 of the DMP states the Authority will be flexible in its application of DMH1 for people addressing their own need. The practice note sets out how DMH1 should be applied when considering applications including for new houses by individuals seeking to meet their own housing needs. It sets out the approach agreed by members at a Local Plan Review Steering Group in 2021 to agree a pragmatic solution to applying DMH1.
46. The practice note states to ensure consistency in applying DMH1 and avoid compromising its purpose, increased size thresholds can be applied as follows:

“In all situations, the development shall address eligible local need in accordance with Core Strategy policy HC1 and DMP policy DMH2.

 - *Properties for individual people will continue to be subject to a maximum allowance of 39m². In cases where flexibility is required based on personal circumstances, or in locations where for reasons relating to valued landscape character or the style and traditions of the locality, and a 2-storey house is most appropriate, individuals can apply for homes up to a maximum of 58m².”*

Assessment

Principle of Development

47. Policy HC1.A(I) permits housing that addresses eligible local needs and that remain affordable with occupation restricted to local people in perpetuity.
48. Policy DMH1 adds to the above and states affordable housing will be permitted in or on the edge of settlements listed under DS1, which include Peak Forest. The application site is considered to be located on the edge of Peak Forest.

49. It is acknowledged there is a historic refusal (1989) on the site for housing, due to the location of the site comparative with Peak Forest and impact on character. However, and notwithstanding the planning history which is a material consideration, whilst there are agricultural fields separating the building group within which the application site sits and the main extent of the settlement further west, the proximity, relationship and character on the ground is such that the site is considered to be on the edge of buildings that form part of the settlement. The proposals therefore do not raise conflict with Policy DMC4.
50. It should be noted that development that is edge of settlement will not necessarily be acceptable in other respects, such as impact on the area character.
51. However, the location of the application site is considered to be suitable for affordable housing 'in principle' subject to impact on the character of the area and other matters.
52. The submission confirms that the applicant has lived in Peak Forest since birth and therefore satisfies the local connection for the purposes of DMH2.
53. DMH1 requires affordable housing to comply with the policy's size thresholds, which for a one person dwelling is a maximum of 39sqm. The DMH1 practice note states up to 58sqm can be accepted if required due to personal circumstances or local character.
54. In terms of housing need, the applicant currently lives in their family home and is seeking to form their own household for the first time. They have been accepted onto the Home Options scheme and are classed as being in Band C. The Home Options registration evidence outlines there is a bedroom need of 1 for a single person household. They are able to bid for 1 bedroom properties, or 2 bedroom properties where there is low demand.
55. The dwelling proposed is a 3-bedroom property and measures 97sqm. This is significantly larger than the 39sqm threshold under DMH1, and the maximum 58sqm threshold under the practice note, although the note does in any case require personal circumstances or reasons of local character to be demonstrated to justify larger size.
56. In this respect 'need' is an indicator of existing deficit, for example households that do not have access to accommodation that meets certain normative standards. It is different to demand, which relates to individual choice and affordability. HC1 and DMH1 require new housing to address need.
57. Whilst the application refers to the wish to build a larger property to negate the need to extend the property in the future and due to potential restrictions on extensions through any legal agreement, the application does not include any personal circumstances considered to justify the need for a larger dwelling above the 39sqm.
58. Whilst the applicant may be able to demonstrate they meet the local qualification and are in need of affordable housing, the dwelling size is in excess of a size that is affordable for an individual in order to meet their own need. In this case the identified need is for a one person household. The proposal therefore conflicts with Policies HC1 and DMH1.
59. Officers have asked if the applicant would wish to consider a smaller dwelling in light of the above, however the applicant wishes to proceed with the proposed size of 97sqm, which has been reduced from the originally submitted 100sqm at request of members.
60. A revision to a smaller sized dwelling circa 39sqm (or 58sqm if personal circumstances were demonstrated) would in any case likely be a significant material change requiring a new submission, although Officers do consider that in principle such a proposal could be acceptable based on the existing evidence. At 39sqm the building would typically be single storey.

Impact on Character and Appearance

61. The proposed dwelling is a traditional double fronted property that is considered to be acceptable in terms of its form, height and detailing and which reflects the character of existing buildings in the area. Materials are noted to be stone with off-white composite casement windows. Such details can be controlled by condition.
62. Officers have asked if the driveway could be shared with the existing driveway of Hernstone Lodge, given the common ownership. This would negate the need for a new large driveway with turning area. The applicant's agent states this is not an option as any Section 106 Agreement would need to overlap the curtilage of the adjoining market dwelling, creating future difficulties if there is no connection between property owners. It is also unclear if intensification of the driveway would impact the PRoW running along it.
63. The Peak Forest Conservation Area Character Appraisal identifies that within the built up areas of Peak Forest, pasture borders significant lengths of the roads frontage. The open form enables a visual connection with the countryside which is part of the settlement character, particularly along the south of the A623 at the eastern end of Peak Forest.
64. The application site forms an area of grassed land which although relatively large in size, has a reasonably close association with Hernstone Lodge. The site character, although grassed, has a more domestic character compared with larger surrounding field parcels. Development of those fields would be particularly harmful to the Conservation Area.
65. Nevertheless, development of the site would still result in less than substantial harm to the Conservation Area through loss of green space and disruption to the visual connection between the A623 across the site to the open agricultural landscape. This could be limited by keeping the built form as far west as possible to maximise views out to the open landscape. The proposed trees would also help to screen domestic garden.
66. Following discussion at the December 2025 committee, the dwelling has been moved approximately 1.5m closer to 25 Hernstone Lane to the west. The size of the turning area on the driveway has also been reduced. Officers have asked if a more meaningful re-siting could be considered, and if the turning stub could be reduced to the width of one vehicle, however it is understood the current proposal reflects the applicants wishes for the proposed scheme. The applicant's agent has expressed a request for the driveway / turning area not to be conditioned to be a grasscrete surface due to practicality.
67. Whilst the dwelling design respects the character of surrounding buildings with regard to GSP3 and DMC3, its siting and parking would result in some harm to the Conservation Area and views to more open landscape, and some conflict with Policies L1 and DMC8. Harm to the Peak Forest Conservation Area is required to be weighed against the public benefits of the development under Policy DMC5 and paragraph 215 of the NPPF.
68. Officers acknowledge the resulting harm towards the Conservation Area has the potential to be outweighed by the public benefits of providing a local needs affordable dwelling to meet housing need. However, the proposal has been found to conflict with HC1 and DMH1 as the dwelling size exceeds that required to meet the identified housing need. Due to the policy conflict, and notwithstanding the Parish Council support, it is not considered the public benefits of this application therefore outweigh the less than substantial harm.

Highways

69. The visibility splays confirm the required 45m in either direction can be achieved. Whilst the western splay is drawn to the centre of the highway rather than the kerb, the Highways Authority have confirmed this is acceptable due to the nature of the highway. 45m visibility would in effect be achieved at site egress when looking towards oncoming traffic to the west. The response confirms the parking provision is acceptable. The development achieves a suitable access and parking, compliant with DMT3 and DMT8.

Ecology

70. The application is for a self-build dwelling. It is therefore exempt from Biodiversity Net Gains as confirmed by the Biodiversity Gain Requirements (Exemptions) Regulations.

71. The site is within the catchment of the Unit 70 and 71 of the Wye Valley Site of Special Scientific Interest (SSSI), a component of the Peak District Dales Special Area of Conservation (SAC) which is in unfavourable condition.

72. Foul from the dwelling would drain to the main sewer. Evidence provided shows although Peak Forest is in the SSSI catchment, the main sewer which the site drains to discharges to Chapel-en-le-Frith Wastewater Treatment Works, outside of the catchment. As foul would discharge out of the catchment, it would not impact on designated sites.

73. A soakaway is proposed to accommodate surface water. Natural England standing advice confirms where all surface water is discharging to an appropriate soakaway, an insignificant amount of phosphorus and other pollutants is likely to reach the River Wye.

74. Subject to a condition to control the means of foul and surface water drainage the development would be unlikely to have an adverse impact on designated sites, as confirmed in an associated HRA report. There is no conflict with L2, DMC11 or DMC12.

Residential Amenity

75. The nearest residential properties to the proposal are 28 and 29 Hernstone Lane to the north, and 25 Hernstone Lane (Hernstone Lodge) to the west. The distance to no's 28 and 29 is approximately 18m with the A623 running in between. It is not considered the distance and relationship between the sites would harm neighbouring amenity, including in terms of privacy, overlooking and overbearingness.

76. The distance between Hernstone Lodge and the dwelling is around 17.5m. The west elevation of the dwelling is blank save for a glazed door and due to the distance and intervening driveway, it is not felt the relationship would harm either dwelling's amenity.

77. The site is a sufficient distance from other neighbouring dwellings such that its amenity impact would be acceptable, and it is concluded the development accords with policies GSP3 and DMC3 in respect of amenity.

Other Matters

78. The Authority's tree officer notes the proximity of development to two ash trees which the application seeks to retain. Although prominent, the trees are identified to have early signs of Ash Dieback and as their removal may become inevitable, the tree officer has requested replacement of the two trees with appropriate new planting as the loss of trees would be noticeable in the streetscape. This would negate the requirement for an Arboricultural Impact Assessment, Method Statement and Tree Protection Plan.

79. Tree planting is currently shown on the Site Plan, and it is possible that the final siting and species mix could be secured through planning condition to ensure appropriate tree replacement and to address the tree officer comments and requirements of DMC13.
80. The application indicates the intention to install solar panels on the rear roofslope, and an air source heat pump, which can be secured by condition, complying with CC1.

Conclusion

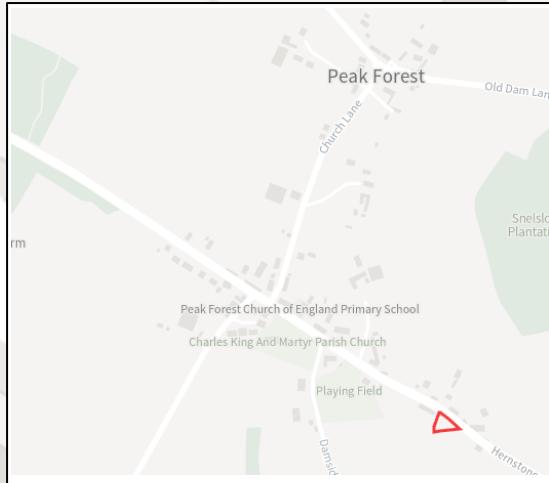
81. The proposed dwelling is located on the edge of Peak Forest, a DS1 listed settlement and the location is therefore considered to be acceptable for affordable housing ‘in principle’, subject to meeting eligible housing need and other impacts of development.
82. Whilst the applicant has demonstrated they have a local connection with Peak Forest and that they are in housing need, the size of the proposed dwelling (97sqm) is significantly larger than the identified need, which is for a one person household. The proposed dwelling is therefore in excess of a size that is affordable for an individual in order to meet their housing need, and is contrary to Policies HC1 and DMH1.
83. The development would result in less than substantial harm to the Conservation Area. This harm has not been outweighed by the benefits of the development, due to the issues identified around the size of dwelling proposed and the resulting policy conflict.
84. 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



Land adj. 25 Hernstone Lane, Peak Forest

Item no. 7

Application no. NP/HPK/1025/1040

Committee date: 16/01/2026



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8. FULL APPLICATION – NEW ENTRANCE PORCH, CHANGE OF USE OF FORMER MUSEUM SPACE TO CLASS E, REPLACEMENT HARDSTANDING AND INSTALLATION OF TWO ROOFLIGHTS (NP/HPK/1225/1219, HF)

APPLICANT: PEAK DISTRICT NATIONAL PARK AUTHORITY

Summary

1. The application proposes construction of a new entrance porch, change of use of museum space to a Class E unit, replacement hardstanding and installation of rooflights.
2. The Class E use is acceptable in principle due to the location with the centre of Castleton, whilst the reduction in existing museum space is accepted on balance having regard to the re-organisation of the building and introduction of new Class E unit to support the continued provision of a smaller area of museum / interpretation space and the visitor centre. The extension and alterations are also acceptable in principle.
3. The development is concluded to be acceptable in all other respects relating to design, heritage, flood risk, highways and residential amenity, subject to a number of recommended conditions.
4. The application is recommended for approval.

Proposal

5. The application proposes change of use of the existing museum space to create a new Class E unit. The floorplans state the unit would be a retail let. There would be internal reconfiguration to achieve this, including removal of the ceiling above the unit to create a double storey room. The unit would continue to be accessed via the main entrance of the main building. Storage space for the unit is provided at first floor.
6. An area to the north of the new Class E unit would be retained as interpretation space. The existing National Park Centre area is also to be retained.
7. A glazed entrance area is proposed on the south elevation of the building, in front of the existing entrance doorway into the building which faces towards Buxton Road.
8. Other works include replacement of existing hardstanding around the building with like-for-like materials, and installation of two rooflights on the lean-to roof of the Class E unit.

Site and Surroundings

9. Castleton National Park Centre is at the western end of Castleton, north of the road to Winnat's Pass, around 110m north west of St Edmund's Church and within the Conservation Area. The 'Town defences 270m north and 350m north east of Peveril Castle' Scheduled Monument is 16m to the east. The site is within Flood Zone 2 and 3.
10. The centre has a mixed-use comprising museum, retail and café with ancillary storage. The building is made up of a range of limestone and render buildings with pitched roofs clad with concrete tiles and natural stone slate. Windows and doors are grey aluminium.
11. There are public toilets attached to the northern end of the centre and the public car park adjacent to the site, with a shared access, operated by High Peak Borough Council. Orchard House is approximately 6.5m to the west of the centre. A further mixture of properties are located 13.5m to the south.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions:

1. **Statutory time limit.**
2. **Accordance with approved plans and specifications.**
3. **No external refuse storage other than in accordance with submitted details.**
4. **Rooflights to be installed flush with roofslope and in accordance with submitted details.**
5. **The external finish of any new door and window frames shall match the existing.**
6. **Green roof to be installed in accordance with the submitted details.**
7. **Scheme for archaeological monitoring and recording.**
8. **Restrict the following Class E uses within the new unit: health and educational establishments.**
9. **Details of extraction and ventilation prior to occupation of the new unit as a café / restaurant.**
10. **Details of noise and any necessary mitigation prior to occupation of the new unit as a light industrial use.**

Key Issues

12. The principle of the proposed development and its impact on the character and appearance of the site, historic environment, neighbour amenity, flood risk and highways.

History

13. 2001: Planning permission granted conditionally for conversion and extension of existing building to form visitor / heritage centre. The above planning permission was granted subject to a planning condition which prevented any change between the approved layout of uses within the building along with a condition which restricts hours of opening to between 08:00 – 20:00 Monday to Saturday and 09:00 – 20:00 on Sundays.
14. 2003: Planning permission granted to vary condition 4 imposed upon the 2001 to allow for public opening hours to extend to 23:00 hours for up to 15 days a year.
15. 2003: Planning permission granted for external alterations to erect three shelters, boundary wall, two pieces of artwork and the installation of security shutters.
16. 2016: External alterations and internal re-configuration of existing visitor centre for retail area, tourist and information services, museum, café, classroom and interpretation space granted conditionally. The permission includes restrictions on activity and openings on the west elevation, and restricts hours of opening to 09:00 – 17:00 on any day.
17. 2017: Non-material amendment to 2016 accepted for reorganisation of internal space and repositioning of main entrance doors.
18. 2019: Planning permission granted for provision of outside eating/drinking area containing no more than 25 covers (8 tables, 25 chairs) to existing Blueberry Café.

Consultations

19. Castleton Parish Council: No response received to date.
20. Derbyshire County Council (Highways): Site Access: It is noted that the red line boundary of applicant site does not include the car park to the rear of Castleton Visitor Centre. Therefore, please can the site access and egress point be confirmed on a scaled plan for both vehicles and pedestrians. Highway Safety: Please can a visibility splay drawing for both vehicles based on the legal speed limit and pedestrians be provided on a scaled plan from the proposed points of access. Internal Layout: Please can layout of the proposed parking provision be provided on a scaled plan with dimensions of parking bays. Trip Generation: Please can details of the predicted trip generation for the class E use be provided. This should be based on totals for the AM and PM peak periods, daily and weekly. Details of the existing trip generation from the visitor centre should also be provided. The trip generation can be utilised to demonstrate proposed parking demand and whether proposed parking provision is sufficient to accommodate the parking demand from the proposed use. It is also noted that the applicant site retains a number of other uses such as continued use as a visitor centre and community/visitor facility with café. Please can further clarity with regard to trip generation and parking availability/demand. Sustainable Travel: Please can details of the accessibility to public transport (including details of bus stops location/infrastructure and service information), local cycle routes and rail links be provided which can be utilised as opposed to reliance on single occupancy vehicle movements. Conclusion: In order to understand the full impact upon the local highway the information as detailed above is requested.
21. Environment Agency: The proposed extension sits within Flood Zone 3 and is impacted during the 0.1% AEP flood event from Peakshole water (the necessary proxy for the 1% AEP plus 30% climate change). While we are satisfied the stated depths of 300mm are representative, a 300mm freeboard allowance should be added to the proposed mitigation measures to account for real world uncertainty. The FRA should address the developments need for floodplain compensation due to the extension removing capacity from the floodplain during flood events, and how the proposed development will ensure it does not increase flood risk to third parties through its displacement of flood water. In the absence of an adequate flood risk assessment (FRA) we object to this application and recommend that planning permission is refused.
22. The FRA does not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 20 to 21 of the Flood Risk and Coastal Change Planning Practice Guidance and its site-specific flood risk assessment checklist. The FRA does not adequately assess whether the development will increase flood risk elsewhere. In particular, the FRA fails to consider the requirement for flood emergency planning including flood warning and evacuation of people for a range of flooding events up to and including the extreme event take the impacts of climate change into account.
23. Flood risk mitigation measures to address flood risk for the lifetime of the development included in the design are inadequate because they will not make the development resilient to the flood levels for 1% AEP plus 29% climate change flood event. Consequently, the development proposes inadequate flood storage compensation.
24. To overcome our objection, a revised FRA is required which addresses the points highlighted above. If this cannot be achieved, we are likely to maintain our objection.
25. High Peak Borough Council (Environmental Health): No response received to date.
26. High Peak Borough Council (Planning): No response received to date.

Representations

27. No representations have been received to date.
28. The consultation period on the application has not yet concluded and members will receive a verbal update at planning committee if any representations or responses from consultees are received before then.

Main Policies

Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L3, CC1, CC5, HC4, HC5

Relevant Development Management Plan policies: DMC3, DMC5, DMC6, DMC7, DMC8, DMC14, DMS1, DMS2, DMT3, DMT6, DMT7

National Planning Policy Framework (NPPF)

29. National Park designation is the highest level of landscape designation in the UK. The Environment Act 1995 sets out two statutory purposes for National Parks in England: 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.
30. 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.
31. 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.

Assessment

Principle of Development

32. Extensions and alterations to existing buildings are acceptable under Policy DS1, however will be subject to other policy considerations including design, impact on character and other constraints.

Class E Use

33. The submitted plans confirm the change of use of existing museum space to create a new commercial let (use class E) unit measuring 93sqm. Class E can include a mix of uses such as retail, financial and professional, café / restaurant, office, light industrial and indoor leisure. The applicant wishes to keep the nature of the use flexible as an occupier has not yet been identified.
34. Policy HC5 states shops, professional services and related activities must be in locations such as Castleton, and be of appropriate scale to serve the needs of the local community and the settlement's visitor capacity. Related activities such as professional services, and premises for sale and consumption of food and drink, will be permitted provided there is no harm to amenity or the role or character of the area, including vitality and viability.

35. Policy DMS1 indicates shops, professional services and premises for the sale and consumption of food and drink within Castleton will be encouraged provided there are adequate facilities and access for storage and disposal of goods, waste and deliveries.
36. The applicant has clarified that refuse for the commercial unit will be stored in the same location as the existing refuse area for the visitor centre and café. This is on the north elevation of the wider building, north of the public toilets. Breakout and store space for the commercial unit is proposed at first floor level as detailed on the floorplans.
37. As an occupier has not yet been identified, delivery details remain unclear. However, the applicant has indicated it is anticipated servicing and delivery will be to the east of the building.
38. The principle of providing a commercial unit for retail, food and drink, financial or professional uses, all of which fall within Class E, is acceptable under HC5 and DMS1. It is also considered indoor leisure uses (Class E) fall within the remit of the above, although for the avoidance of doubt the NPPF identifies indoor leisure as a main town centre use and paragraph 91 of the NPPF states such uses should be located within town centres. HC5 confirms uses such as retail (also a main town centre use) are directed to DS1 listed settlements such as Castleton.
39. Policy DS1 confirms community facilities and business uses are acceptable in settlements. The provision of health or education Class E uses would accord with Policy HC4 as the uses would be in settlement and achieved through change of use, replacing some of the existing museum space. A business use such as office or light industrial would accord with Policy E1 as the development comprises the change of use of a building in a settlement that is generally traditional in appearance.

Museum Space

40. Paragraph 20 of the NPPF states 'community facilities' include cultural infrastructure, and paragraph 88 states planning decisions should enable the retention of community facilities such as cultural buildings.
41. Policy HC4 states proposals to change the use of buildings which provide community services and facilities to non-community uses must demonstrate the facility is (I) no longer needed, (II) available elsewhere in the settlement; or (III) can no longer be viable.
42. Where possible, the new use must meet another community need or offer alternative community benefit. Evidence of reasonable attempts to secure such a use, such as marketing for a reasonable time period, must be provided before any use is permitted.
43. DMS2 states where an applicant is seeking change of use from a shop or 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 evidence of a viability and marketing exercise for a period of at least 12 months to use the building as an alternate community use, marketing with the relevant economic development team, and details of contact made with the Parish Council and adjacent parishes to establish the needs existing in the local area.
44. Notwithstanding the above, supporting paragraph 7.27 is relevant. It states the loss or change of use of existing public services will be acceptable if it is shown 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 clear demonstration 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, no viability or marketing information will be required.

45. The submission confirms the wider building will continue to be run as a visitor centre for the National Park. Regarding the museum / interpretation space, this will be reduced rather than removed completely. Submitted drawings clarify that a demise in the building will remain for the Castleton Historical Society including interpretation and storage space.
46. In the context of paragraph 7.27 and Policies HC4 and DMS2, the application states the introduction of the commercial let within the remainder of the existing museum space is required to support the long-term running of the wider visitor centre and interpretation offer, ensuring the building continues to provide a benefit to the area and contributes towards the National Park's second purpose (promoting understanding of the National Park's special qualities).
47. Whilst the reduction in museum space is regrettable, in light of the justification put forward, it is considered the re-organisation of space and uses in the building falls under appropriate re-organisation to support the ongoing provision of services as outlined under paragraph 7.27 of the DMP. The change in use is therefore considered to be acceptable on balance, as it would offer financial support for the continued provision of the visitor centre and an interpretation area for the Castleton Historical Society.
48. It is also a material consideration that the Authority previously granted planning permission for the reduction of the museum space in 2016. The area of public space remaining for interpretation reflects the previous approval granted in 2016.
49. In light of the justification put forward by the applicant and all material considerations, the proposals are not considered to unacceptably conflict with Policies HC4 and DMS2, and are considered to be acceptable on balance.

Impact on Character and Appearance

50. The site lies within the Castleton Conservation Area. The town defences Scheduled Monument is to the east. A number of Listed Buildings are further south east of the site, the nearest being the Grade II Listed Castle Hotel. Due to the scale of development proposed, the distance to the nearest Listed Buildings and intervening townscape, it is not considered the development would impact on the setting of any Listed Buildings.
51. A small extension is proposed to the south elevation of the building, creating a new entrance point into the building. The design comprises a glazed structure with aluminium framing and sedum flat roof. Whilst a pitched roof solution has been explored, the applicant has concluded this is not feasible as there is not an appropriate point on the existing glazing of the elevation to which the top of any pitched roof could attach.
52. The design of the roof on balance is considered to be acceptable due to the limited scale of the extension and its more contemporary glazed design, which responds to the appearance and materials of the existing large glazed opening on the south elevation of the building. The stone base responds to the stone base on the adjoining lean-to structure, and the aluminium framing would be coloured to match the existing.
53. On balance, having regard to the scale of the extension and the existing glazed character of the south elevation, the extension is considered to be appropriate in height, appearance, materials and detailing.
54. There are no objections to the rooflights, which are conservation style and the size of which has been reduced through discussion with the applicant. A condition requiring the rooflights to be fitted flush with the roofslope would be necessary to conserve the character of the building and all surrounding historic assets.

55. The resurfacing works are considered to be de minimus, although as like for like works they are considered to conserve the character of the area including historic assets.
56. It is concluded the development is appropriate in terms of form, height, materials, finishes and in all other aspects of design, and that it would conserve the character and appearance of the host building, the Conservation Area and the setting of the nearby scheduled monument. The development is compliant with Policies GSP3, L3, DMC3, DMC5, DMC, DMC7, DMC8 and DME8.

Archaeology

57. The site lies within an area of archaeological interest and close to the town defences Scheduled Monument. An archaeological desk based assessment (DBA) is submitted.
58. It confirms the site is within 25m of the scheduled remains of the former town walls, and within 50m of an anticipated extent of Saxon Cemetery. The site remained undeveloped up until the post-Medieval period when buildings were constructed. Following this it was subject to various adaptations during the 20th Century until it eventually became the museum and visitor centre present today. Whilst the site has been subject to some disturbance during the construction of the buildings and road surfacing, it is otherwise largely undisturbed.
59. The DBA concludes there is high potential for post-Medieval remains of low significance, and moderate potential for early-Medieval remains of up to moderate (regional) significance. There is low potential for Romano-British and Prehistoric period remains which could be of moderate significance.
60. Groundworks which encounter any surviving below ground archaeological remains presents a risk that the remains are wholly or partially destroyed by the proposed works. This would have a negative impact on their significance. The DBA therefore advises a programme of archaeological monitoring is undertaken to secure the appropriate recording of archaeological remains.
61. The Authority's archaeologist accepts the findings of the DBA and has recommended a condition to agree a scheme of archaeological monitoring and recording, noting that even the small scale groundworks required for this development could encounter and destroy archaeological remains within their footprint, resulting in potential permanent and irreversible harm to the archaeological interest of the site, although the harm would be relatively minor in scale in the context of the wider visitor centre and plot it occupies.
62. A condition for a scheme of archaeological monitoring is however still necessary to mitigate the harm identified. Although the suggested condition is pre-commencement, officers consider the condition trigger can be prior to any groundworks, as there are elements of the proposal such as installation of rooflights and the material change of use of the building which do not raise archaeological concerns.
63. Subject to recommended condition, it is considered the development can be achieved without unacceptable impact on archaeological remains and that the development would comply with Policies L2, DMC5 and DMC6.

Flood Risk

64. The submitted Flood Risk Assessment (FRA) confirms the site is located in an area of high flood risk (flood zone 3). An objection from the Environment Agency (EA) requested clarification around flood risk mitigation to the building to a flood depth of 600mm, details of how the development will prevent flood risk to third parties through displacement of water and what means of flood risk compensation is to be provided, based on the

proposed increase of built volume within the functional floodplain. Details of flood emergency planning are also requested.

65. A revised FRA has been received by the applicant which adopts the 600mm flood depth and flood risk mitigation measures accordingly. The FRA also outlines the increase in flood risk depth as a result of the volume ($4.2m^3$) of the development is 1.7mm, which it indicates would be a negligible change in terms of flood risk to the area.
66. A further response from the EA removes their objection, confirming the amended FRA addresses the previous comments. Details have been provided to understand the site constraints and capacity taken out of the floodplain for the new small porch, which is demonstrated to be negligible. Having regard to this, the land levels around the building and down to the car park, the response concludes the direction of any flood flow would be maintained. Museums and the majority of uses that fall within Class E are classed as being 'less vulnerable' uses for the purposes of flood risk. Therefore, there is not an increase in flood risk vulnerability as a result of the use.
67. It is however noted the Planning Practice Guidance classes health and educational services including nurseries as being 'more vulnerable' in terms of flood risk. As those uses fall within Class E, it is necessary to restrict these within the new Class E unit due to the increase in flood risk vulnerability that would arise.
68. The EA response confirms the development will only be acceptable in terms of flood risk if a condition is imposed requiring development to accord with the FRA and its mitigation measures, requiring the finished floor levels to match the existing building floor levels, electrics to be set above 185.94m Above Ordnance Datum, and the mitigation measures in section 4 of the FRA to be adopted prior to occupation. These include installation of 0.60m demountable barriers across the new entrance door and signing up to the EA flood warning system, prior to occupation of the development. The FRA also recommends a flood evacuation plan which it states can be dealt with by condition.
69. Subject to the recommended conditions, it is considered the development is acceptable with regard to flood risk and is compliant with Policies GSP3, CC1, CC5 and DMC3 and Section 14 of the NPPF in this respect.

Residential Amenity

70. Policy DMC14 requires development which poses unacceptable risks in terms of amenity (through impacts such as but not limited to noise and odour) to provide appropriate mitigation. Policies GSP3, HC5, DMC3 and DME8 also require consideration of residential amenity.
71. The nearest residential properties are Orchard House (approximately 6.5m west) and Watercroft (around 13.5m to the south). There are other residential properties in the area.
72. The proposal includes limited physical works and due to the distance and intervening features between the site and residential properties, which include the main building and watercourse to the west, and the highway to the south, it is not considered the physical changes would harm residential amenity of any surrounding residential uses by unacceptable impact of overshadowing, loss of privacy or by being overbearing.
73. Regarding the potential for noise impact, the uses falling within Class E within the proposed unit are not considered to present noise concerns over the existing use, particularly given the commercial context of the area. Those uses include general retail, financial and professional services, indoor sport (excluding motorised vehicles), nurseries, offices and research and development.

74. Also included in Class E are uses comprising food and drink for consumption on the premises. There is already a café in the north part of the wider building which is closer to the nearest residential property than the new proposed unit, and other food and drink uses in the vicinity. It is however recognised that details of any ventilation or extraction systems associated with such a use would need to be understood in order to limit the impact of such a use on neighbouring properties. A condition to control such details is considered to be necessary, in the event the unit is occupied for such a purpose.
75. Light industrial uses also fall within Class E where they can be carried out in any residential area without detriment to local amenity through noise, vibration, smell, fumes or other impacts. Given limited impacts of light industrial uses on amenity is a prerequisite for their inclusion within Class E, it is not anticipated a use would cause harm to residential amenity. For the avoidance of doubt, details of any light industrial use and associated noise or other impacts and how these will be minimised is required prior to occupation of the new unit for such a purpose, in the interests of neighbouring amenity.
76. Subject to the above, it is concluded the development would not conflict with Policies GSP3, HC5, DMC3, DMC14 or DME8.

Highways & Access

77. The site is located within the centre of Castleton within close distance of public car parking, and walking distance of a number of properties.
78. The Highways Authority has requested clarification regarding the visibility splays for the site access, and the level of trips that are expected for the proposed use along with associated car parking details. However, it is noted that the existing public car park in the centre of Castleton is well visited and it is not considered that trips associated with the minor scale unit proposed are likely to have a material impact on the use of the car park or vehicular access to the site.
79. The Authority's parking standards require a maximum of 5 car parking spaces for a general retail use, whilst uses such as museums are assessed on an individual basis. Given the presence of a public pay and display car park directly next to the site, and on the basis that the Class E unit is a change of use of existing floorspace currently accessible to the public, and is in a central location within Castleton meaning that visits to the unit are likely to be linked trips due to the proliferation of other commercial and public units within Castleton, it is not considered the proposed change of use raises material concerns in respect of car parking, trip generations or vehicular access.
80. The applicant has indicated that servicing of the site will be confirmed once an occupier for the site has been identified, however that this will take place to the east of the building.
81. It is also noted that Castleton can be accessed by public transport, with bus services operating through the settlement. Therefore, whilst the response from the Highways Authority is acknowledged, officers do not consider the proposals raise a concern in respect of highways matters or Policies DMT3, DMT6, DMT7 or Section 9 of the NPPF (promoting sustainable transport).

Other Matters

82. Due to the limited nature of physical works, it is not considered the development raises concerns regarding ecology or protected species.

Conclusion

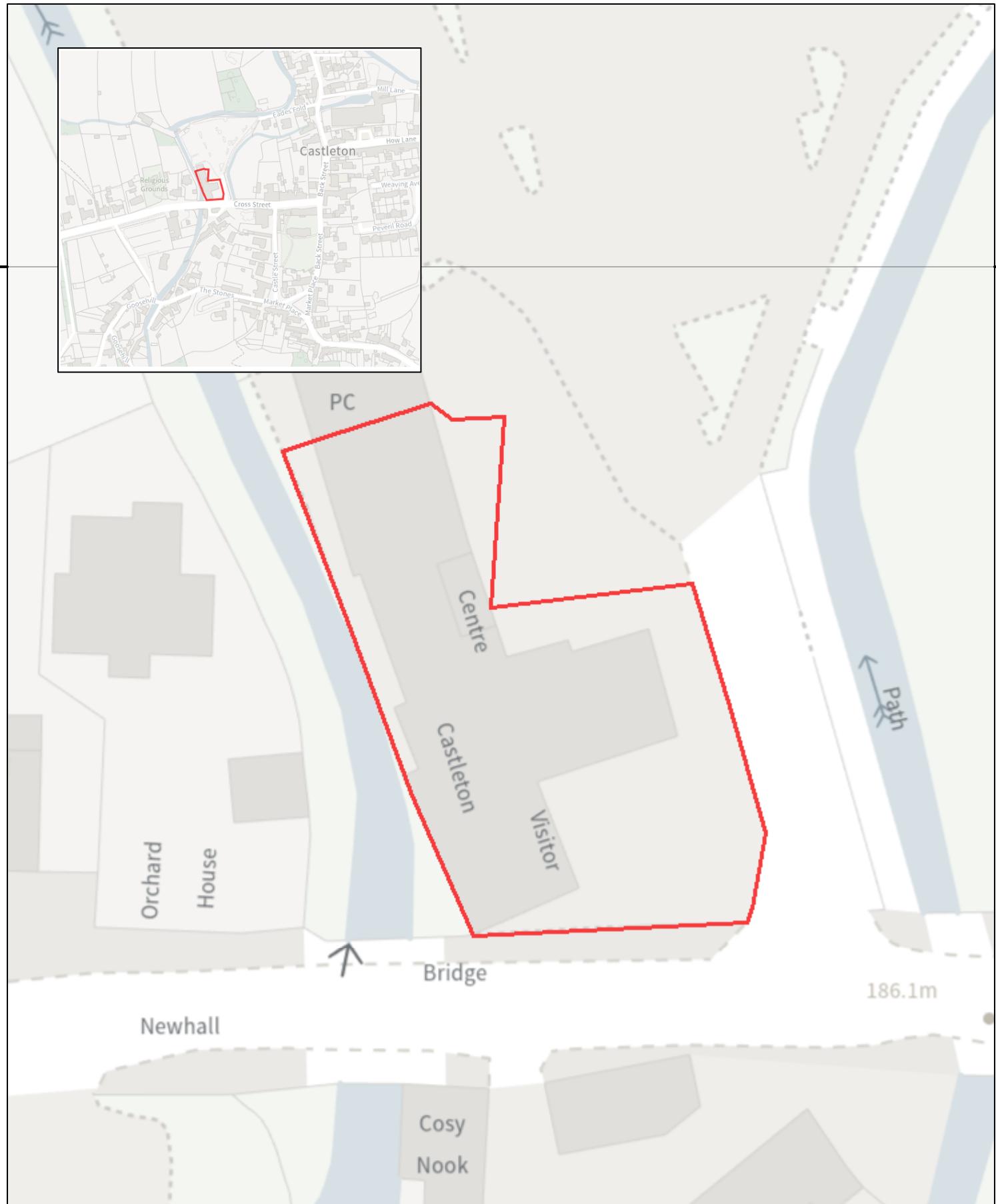
83. The proposed Class E unit within the centre of Castleton, which is a Policy DS1 listed settlement, is concluded to comply with Policies DS1, HC4, HC5, DMS1 and E1.
84. Whilst the reduction in museum space is regrettable, it is recognised the development seeks to achieve re-organisation of the existing space and uses within the building to support ongoing provision of a reduced interpretation / museum area and visitor centre. It is also a material consideration that planning permission was granted in 2016 for the reduction of the museum space and that the area of public space remaining for interpretation reflects the 2016 approval. In light of the justification provided and all material considerations, the proposals are not considered to unacceptably conflict with Policies HC4 and DMS2, and are considered to be acceptable on balance.
85. The development is concluded to have an acceptable impact in respect of design, heritage, flood risk, highways and residential amenity, subject to a number of conditions which are recommended by this report.
86. 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



Castleton Visitor Centre, Castleton

Item no. 8

Application no. NP/HPK/1225/1219

Committee date: 16/01/2026

Page 71 Scale: 1:413 at A4 pagesize
Map centre grid ref: 414,900 382,972

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9. FULL APPLICATION – EXTENSION TO DWELLING AT SWEET BRIAR COTTAGE, CONKSBURY LANE, YOULGRAVE (NP/DDD/0825/0825) LB

APPLICANT: MR & MRS SHIMWELL

Summary

1. The application is for a single storey extension to the north elevation of the converted residential barn.
2. The development would not conserve the character or appearance of the barn or its setting.
3. The application is recommended for refusal.

Site and Surroundings

4. Sweet Briar Cottage is a single storey converted barn located within the village of Youlgrave and its Conservation Area. The north elevation of the building forms part of the Conservation Area's boundary.
5. The building was converted after 1999 and is constructed from limestone and gritstone with gritstone quoins under a blue tiled roof, with dark stained timber windows and doors throughout. A yard area and garden over two levels is located immediately to the north and north west.
6. The nearest neighbouring dwelling is Corneia, one of the three dwellings within the converted two storey range of barns located immediately to the south west elevation of Sweet Briar.

Proposal

7. Planning permission is sought for a single storey extension. The application returns to planning committee after the proposal was discussed at the November 2025 planning committee and at which the decision was made to defer to '*allow consideration of a revised proposal*'.
8. The extension would be located on the northern elevation of Sweet Briar nearest the western gable end of the building. As the north elevation of Sweet Briar forms part of the boundary to the Conservation Area, the extension itself, would be located outside the Conservation Area.
9. The extension would be single storey with matching stonework under a pitched roof. Double glazed doors would serve the north (rear) elevation and west elevation of the extension. Full height glazing is also proposed to the north and west elevation.
10. The extension as now proposed differs from the one presented to committee in November with a glazed link connecting the existing dwelling to a pitched roof extension now removed. The full height glazing to the west elevation of the extension has now been removed while the extent of the glazing to the rear elevation has been reduced. A single, narrow window with full stone surrounds has been added to the east elevation. Overall, the footprint remains the same.
11. It is advised the extension would provide a garden room for required additional living space to accommodate the applicants' children and grandchildren upon visiting.

RECOMMENDATION:

That the application be REFUSED for the following reasons:

1. The proposed extension would by virtue of its form, scale and fenestration represent an incongruous feature that would lead to a less than substantial harm to the significance of the non-designated Heritage Asset by undermining its historic character and appearance. It is considered that the harm would not be outweighed by any public benefit and that the proposals are contrary to the aims of Policies GSP1, GSP2, GSP3, L3 of the Core Strategy and Policies DMC3, DMC5 and DMH7 of the Development Management Plan.
2. The extension by fundamentally altering the historic character and appearance of the building would consequently undermine the retained, legible character and appearance of the former barn complex and the contribution it makes to the setting and significance of the Youlgrave Conservation Area. It is considered that the harm would not be outweighed by any public benefit and that the proposals are contrary to the aims of Policies GSP1, GSP2, GSP3 and L3 of the Core Strategy and Policies DMC5, DMC8 of the Development Management Plan.

Key Issues

12. Whether the principle of extending the converted building is acceptable,
13. The potential impact of the development on the significance of the character and appearance of the building, its setting, Conservation Area and wider landscape.

Relevant History

14. PDNPA Enquiry 35706 – Report issued 09/12/2019: Proposed small conservatory on rear of property. PDNPA advised the proposed design would be modern in appearance with too much glazing and would result in harm to the character of the dwelling. For this type of traditional building smaller simple lean-to extensions using material to match are more suited, however in this case as this building is single storey, this may not be possible due to limited height.
15. NP/DDD/0212/0200 – Approved 08/05/2012: Replacement front door, approved.
16. DDD01099047 – Approved 22/06/1999: Conversion of barns to four dwellings, Conksbury Lane, Youlgrave. Granted subject to conditions by planning committee. Permitted Development Rights removed by condition for various types of development, including alterations to a dwellinghouse.

Consultations

- Highway Authority – no material impact on the public highway, so no comments to make.
- Youlgrave Parish Council – ‘*Supports this application which is in keeping with extension to surrounding properties.*

Representations

17. During the consultation period the Authority has received one letter of support stating ‘*It can only enhance the property and would blend in well with existing*’.

Main Policies

18. Relevant Core Strategy policies: GSP1, GSP2, GSP3, L3
19. Relevant Local Plan policies: DMC3, DMC5, DMC8, DMH7

Supplementary Planning Documents

20. Agricultural Developments (2003)
21. Building Design Guide (1987)
22. Alterations and Extensions (2014)
23. Conversion of Historic Buildings (2022).

National Planning Policy Framework

24. National Planning Policy Framework (NPPF) replaced a significant proportion of central government planning policy with immediate effect. A revised NPPF was published in December 2023. The Government's intention is that the document should be considered as a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. In the National Park the development plan comprises the of the Authority's Core Strategy 2011 and policies in the Peak District National Park Development Management Policies document 2019. Policies in the Development Plan vide a clear starting point consistent with the National Park's statutory purpose for the determination of this application. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and more recent Government guidance in the NPPF.
25. Paragraph 189 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.
26. Paragraph 212 of the NPPF 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.
27. Paragraph 215 of the NPPF states that, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
28. Paragraph 216 of the NPPF states that where the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Assessment

29. In principle extensions and alterations to dwellings are supported within the National Park. Policy DS1 supports domestic extensions in principle whilst 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.
30. Policy DMC3 also states that siting, design, layout and landscaping is also key and should be appropriate for context.
31. The submitted plans propose a single storey extension to Sweet Briar that would project off the western part of the building's north elevation. The intention of the proposal is clear, which in principle is acceptable, as noted in policy DS1 in particular.
32. Sweet Briar is a converted barn, part of a wider range of attractive converted traditional barns located within the northern boundary of the Youlgrave Conservation area off Conksbury Lane. The property is a single storey building with an original linear plan form under a long uninterrupted pitched roof, resulting in a building which has a simple character and appearance.
33. Due to the traditional character and appearance of the set of buildings, they were considered worthy of conversion (under application DDD0199047) with Sweet Briar converted within its existing shell maintaining its original form without any additions or alterations.
34. The building is orientated so the ridge of the roof runs east / west. Immediately to the south west of the western elevation, a large attractive two storey barn has also been converted into residential use and divided into 3 dwellings. Again, this building has a linear form under a simple pitched roof with traditional characteristics.
35. Together, Sweet Briar and the two-storey barn conversion create an 'L' shaped range that once would have formed a traditional farmyard / courtyard area, with the southern elevation of 'Sweet Briar' looking onto this.
36. Subsequently, due to the building's close relationship to each other and as a group, they are considered to have aesthetic value that reflect building tradition, and have a clear visual design, form and historic relationship to one another.
37. Sweet Briar is set back from the highway, Conksbury Lane, but due to the openness of the access and the fact that the vegetation between the building and the highway does not provide an unbroken screen, the eastern gable elevation and part of the northern elevation of Sweet Briar is visible from the public highway. There are also glimpsed views of the adjacent converted two storey barn.
38. Overall, it is considered, that individually, and when viewed as part of the building group, the former farm buildings are considered of local historic and architectural interest and make a positive contribution to the character and appearance to this part of the Youlgrave Conservation Area, its setting and local significance. Given the age of the farm building complex with their clearly articulated architectural detailing and significance, the converted barns including Sweet Briar would be considered non-designated heritage assets in their own right.

Design

39. The submitted plans propose a single storey, pitched roof extension to create a dining area, located within the western area of the north elevation.

40. As Sweet Briar is a non-designated heritage asset, policy DMC5 needs to be taken into account when assessing the proposal which requires new development to demonstrate how valued features will be conserved as well as detailing the types and levels of information required to support proposals affecting heritage assets.
41. Further, DMC3 and DMH7 are also key policies as design is required design to a high standard and where possible enhances the natural beauty, quality and visual amenity of the landscape. Extensions and alterations to dwelling should not detract from the character and appearance of the original building, or dominate the original dwelling particularly where it is a non-designated heritage asset, or create an adverse effect on, or lead to undesirable changes to the landscape or any other valued characteristic.
42. It is also noted that in the Authority's Conversion of Historic Buildings SPD it advises '*Schemes should work within the shell of the existing building, avoiding additions or extensions*'.
43. In addition, the Authority's Design Guide (2007) '*states all extensions should harmonise with the parent building*'. Further, it goes on to say '*it may be possible to add a well-designed extension in a modern style provided it is in harmony with the original building and does not diminish its quality or integrity*'.
44. Given the above, the matters for consideration are the potential impact of the proposed development on the significance of the character and appearance of the building, its setting, Conservation Area and wider landscape.
45. The introduction of an extension on the north elevation would result in the loss of the existing simple linear form and rectangular plan of the building; this form is an important part of its distinctive historic, former agricultural character and appearance and its loss would be harmful. The extension would also disrupt the simple, L shape layout of the former farm buildings which is a key characteristic of the setting of the site and its contribution to the Conservation Area.
46. The projection would furthermore at 3.9m deep would compete for visual prominence with the existing, narrow western gable. The pitch of the extension would be above the eaves of the building and so would dominate the north and west elevation, particularly as there are no other existing additional projections off the existing original linear form.
47. The original approved conversion scheme sought to retain the historic features of the barns and this is strongly reflected by the northern elevation that consists of a broad stone wall with just two narrow window openings. The discordant form of the extension and double glazed doors to both the north and west elevation would not be a sympathetic addition to this largely blank elevation but would instead distinctly alter its appearance and overwhelm its character. It is acknowledged that the extent of the glazing has been reduced as part of this amended scheme, nonetheless, the double doors would still appear as a domesticating element, not reflecting the existing size or design of existing openings and would conflict with the high solid to void ratio of this former barn.
48. Subsequently, the proposed extension of the converted barn would result in undue harm to the character and appearance of the historic linear form of the building and would be deemed poor design that would not protect or enhance the non-designated heritage asset. As such the proposal is contrary to policies GSP1, GSP2, GSP3, L3, DMC3, DMC5 and DMH7.

Siting with the Conservation Area

49. The property is within the Conservation Area, which is a designated heritage asset, and as such policy DMC8 needs to be taken into consideration. DMC8 states that development affecting its setting or important views into, out of, or across or through the area, should be assessed and clearly demonstrate how the character and appearance of the significance of the Conservation Area will be preserved.
50. Sweet Briar itself, and the range of buildings as a whole, is considered to contribute to the character and appearance of the Youlgrave Conservation Area.
51. Due to the proposed location of the extension to the northern elevation of the building, the eastern elevation of the extension would be seen from a public vantage point within the Conservation Area; from the vehicular access on Conksbury Lane and upon approach to the building. The proposal would result in visual intrusion to the immediate setting of the building and the historic farmstead.
52. The introduction of the proposed extension would fundamentally alter the historic character and appearance of the building, which as a result would harm the character and appearance of the retained historic, agricultural character of the former barn complex and the contribution they make to the Conservation Area. As such, the scheme is contrary to policies GSP1, GSP2, GSP3, L3, DMC5 and DMC8.

Public benefit

53. Policy DMC5 (f) states the development of a non-designated heritage asset will not be permitted unless it would result in harm to the significance of the character and appearance of the heritage asset unless there is clear and convincing justification that substantial harm or loss of the significance is necessary to achieve substantial public benefit that would outweigh the harm.
54. The addition of an extension would result in a private benefit to the owners of additional living accommodation. However, the building is already in a use which would conserve it in the long term and there are no public benefits that could justify the harm identified.

Amenity

55. Policies DMC3 and DMH7 states that particular attention will be paid to the amenity, privacy and security of the development of nearby properties.
56. The extension would project into an enclosed private yard, with surrounding garden and mature tree cover, and would be a reasonable distance away from the nearest neighbouring properties to the north and north west, therefore, it is considered unlikely the proposal would result in amenity issues such as loss of privacy. Further, due to the proposed scale, and again intervening distances between the nearest neighbouring properties which are set on slightly higher land to the north, no overbearing impacts upon neighbours would occur.

Conclusion

57. The proposed extension would by virtue of its form, scale and fenestration represent an incongruous feature that would lead to a less than substantial harm to the significance of the non-designated Heritage Asset by undermining its historic character and appearance. It is considered that the harm would not be outweighed by any public benefit and that the proposals are contrary to the aims of Policies GSP1, GSP2, GSP3, L3 of the Core Strategy and Policies DMC3, DMC5 and DMH7 of the Development Management Plan.

58. Furthermore, the extension by fundamentally altering the historic character and appearance of the building would consequently undermine the retained, legible character and appearance of the former barn complex and the contribution it makes to the setting and significance of the Youlgrave Conservation Area. It is considered that the harm would not be outweighed by any public benefit and that the proposals are contrary to the aims of Policies GSP1, GSP2, GSP3 and L3 of the Core Strategy and Policies DMC5, DMC8 of the Development Management Plan.

59. The application is therefore recommended for refusal.

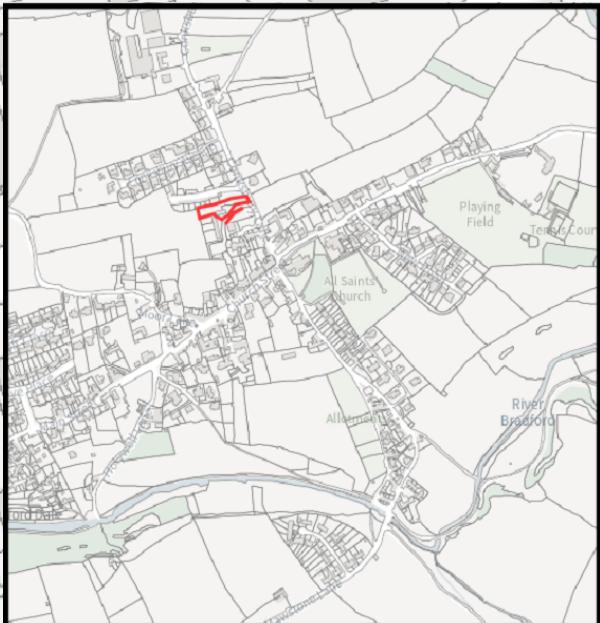
Human Rights

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

List of Background Papers (not previously published)

Nil

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Sweet Briar, Youlgrave

Item no. 9

Application no. 0825/0825

Committee date: 0825/0825

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**PEAK
DISTRICT
NATIONAL
PARK**

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10. FULL APPLICATION – RESURFACING EXISTING CAR PARK WITH A TARMACADUM FINISH. INSTALLATION OF NEW DRAINAGE CHANNELS, NEW BOLLARDS, AND NEW CURBS BETWEEN CAR PARK AND TRAIL - (NP/DDD/1125/1130) SC

APPLICANT: PEAK DISTRICT NATIONAL PARK AUTHORITY

Summary

1. Planning Permission is being sought for the resurfacing to the existing car park at Tissington with a tarmacadam finish including the installation of new drainage channels, new bollards and curbs.
2. In this case, the proposal is considered acceptable in principle, with the applicant establishing a demonstrable need for the works. In addition, due to its sheltered location, the scheme would have minimal adverse impact upon the valued characteristics of the site or its surroundings than already exist. Furthermore, the scheme raises no immediate concerns with respect to the amenity of nearby residential properties or highway safety.
3. Subsequently, the application is recommended to members for conditional approval.

Site and Surroundings

4. The site is located at Tissington on a central part of the Tissington trail approximately 6km north of Ashbourne and within the National Park boundary. The car park is located south of the village on what was historically part of the railway station's platforms.
5. Sited approximately 20m to the north of the car parking area at a higher level sits a terrace of four cottages (Station Cottages). Around 45m north east of the car park, again at a higher level lies a row of three cottages (Darfield Cottages) which are grade II listed.
6. A detached building housing toilets and a small refreshment shop, sits at the western most edge of the car park. Access to the car park descends directly from Darfield Lane, with the whole site lying outside of the village Conservation Area.

Proposal

7. The submitted application seeks planning permission for the resurfacing of the existing car park and to ease the pressure from parking on the surrounding area, particularly in and around Tissington village.
8. Alongside the resurfacing of the existing car parking area, improvements to the drainage would be secured by the installation of new drainage channels around the toilet block and picnic area west of the main car parking area.
9. The trail section that runs alongside the car parking area would be widened, making it more accessible for multiple users. New metal bollards and new curbs would be installed along the proposed stretch, enhancing the demarcation of the car parking area from the trail path.
10. The current and existing use of the site is a car park, public toilet facility, refreshment concession and picnic area and would not change as a result of this proposal.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions:

- 1. The development hereby permitted shall be begun within 3 years from the date of this permission.**
- 2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted plans/details, these include: Location Plan dated 10-Nov-2025, drawing numbers PM09742-25-SP01 Rev: R01, PM09742-25-DT01 Rev: R03 & the 'Materials & Features Palette' Document and subject to the following conditions or modifications.**
- 3. Prior to laying of the car parking surface, details of an appropriate permeable material, (to include method of layered construction and colour) shall be submitted to and approved in writing by the National Park Authority. Thereafter the surfacing shall be completed in accordance with the approved details/specification.**
- 4. The construction works shall be restricted to the following times of operation: 08:00 - 18:00 hours (Monday to Friday); 08:00 - 13:00 hours (Saturday), No working permitted on Sundays or Bank Holidays, unless otherwise agreed in writing with the National Park Authority.**
- 5. Should during development, contamination not previously identified is found to be present at the site, then no further development shall be carried out until further investigation and a Remediation Strategy detailing how this contamination would be dealt with has been submitted to and approved in writing by the National Park Authority. Thereafter the Remediation Strategy shall be implemented in accordance with the approved details.**

Key Issues

- Principle of development.
- Design and materials.
- Landscape impact.
- Highway safety.
- Other matters.

Relevant history

11. No relevant planning matters on file.

Consultations

12. Highway Authority - No objections.
13. Parish Council - No objections.
14. PDNPA Cultural Heritage - No objections.
15. PDNPA Forestry - No objections.
16. PDNPA Landscaping - No objections.
17. PDNPA Ecology - No objections.
18. Local Flood Team - Due to current workloads, only responding to Major applications.
19. Environment Agency - No objections, subject to condition (see relevant section of the report below).

Representations

20. No representations at the time of writing.

Statutory Framework

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

- 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

22. 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. In the National Park, the development plan comprises the Authority's Core Strategy and the new Development Management Policies (DMP).

23. These Development Plan Policies provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. This application must be determined in accordance with the development plan unless material considerations indicate otherwise.

Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L1, RT1, T1, CC1, CC5

Relevant Local Plan policies: DMC3, DMT3, DMT7

National Planning Policy Framework (NPPF)

24. 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.

25. Para: 189 states, that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, which have the highest status of protection in relation to these issues.

Assessment

Main principles of the proposal

26. Policy RT1 (*Recreation, environmental education and interpretation*). Sets out, that the National Park Authority will support facilities which enable recreation, which encourage understanding and enjoyment of the National Park and are appropriate to the National Park's valued characteristics. Opportunities for access by sustainable means will be encouraged.

27. Policy T1 (*Reducing the general need to travel and encouraging sustainable transport*). States amongst other things, that sustainable access for the quiet enjoyment of the National Park, that does not cause harm to the valued characteristics, will be promoted.

28. In this case, the proposed works would improve an existing recreational hub through enhanced facilities. In addition, the works whilst having a neutral impact on the shift to encourage sustainable transport, would cause minimal impact on the valued characteristics of the site than already occurs.
29. Moreover, the proposed parking space configuration would see the parking organised in a more formalised manner than is currently taking place, therefore making maximum and efficient use of the space.
30. With these regards, the proposed development to the existing car park is considered acceptable in principle, as it would better serve the need to support recreation and understanding of the area, whilst having minimal adverse impact on the wider valued characteristics of the National Park. Therefore, in general accordance with policies RT1 & T1 in these respects.

Demonstration of need

31. Policy DMT7 (*Visitor parking*) states that, new or enlarged car parks will not be permitted unless a clear, demonstrable need, delivering local benefit can be shown.
32. According to the applicant, the car park is regularly up to capacity at weekends and the resulting issues of irresponsible parking within Tissington village have been a long-term problem. Monitoring has demonstrated that the car park rarely accommodates more than around 30 cars. This proposal would increase that capacity to 37 formal spaces, approximately 5 informal/large vehicle spaces and 2 accessible spaces.
33. The 2 existing accessible parking spaces would be retained as would the accessible toilet facilities. In this instance, the additional income from car parking anticipated to be earned from the site would contribute toward the planned improvements to these facilities.
34. In this instance, the application shows that a demonstrable need would be achieved, by helping to expedite the need for informal car parking around the village. Consequently, delivering a local benefit in accord with Policy DMT7.

Siting, design & materials

35. Policy L1 (*Landscape character and valued characteristics*). Seeks to ensure that all development conserves and enhances valued landscape character and sites.
36. Policy DMC3 (*Siting, Design, layout and landscaping*). reiterates, that where developments are acceptable in principle, Policy requires that design is to high standards and where possible enhances the natural beauty, quality and visual amenity of the landscape.
37. Policy DMT3 (*Access and design criteria*). This affirms that where transport related infrastructure is developed, this should be to the highest environmental design and materials, and where safe access for people is achievable.
38. The existing car parking area is currently covered in a rough unsealed surface of mainly crushed limestone. With regard to the proposed materials, a permeable tarmac would be considered an appropriate solution, as this type of material is commonly used for the resurfacing of car parking areas and generally provides effective drainage, which in turn would help to manage surface water run-off.
39. In addition, this material is generally hard wearing, therefore designed to withstand regular traffic movements (as would be the case here), rather than considering other

options such as grasscrete for example, which is often better suited to occasional light vehicular traffic.

40. Moreover, and according to the applicant, the materials selected for use at the site would result in lower maintenance and have a longer lifespan than the existing materials and would therefore contribute towards a lower life-cycle impact.
41. With regard to the new conservation style curbing and traditional type bollards: These would form a physical barrier between the car parking area and the trail path. The design of the bollards in particular are often seen in more urban settings, usually together with other street furniture/hard surfaces of traditional designs.
42. However, whilst little of the railway heritage remains, there is some historical interest with regard to the site. In this instance, the use of conservation style curbs and cast-iron bollards would not diminish what remains of the railways original setting or appear out of context with the adjacent rural environment.
43. Subsequently, the proposed development would at the very least conserve the valued landscape character of the area. In addition, the design and materials would provide a more sustainable and safer parking arrangement, whilst helping to reduce informal vehicular parking within the village. With this regard, the proposed siting, design and materials are considered acceptable, therefore in general accordance with policies L1, DMC3, DMT3 & CC1 in these respects.

Potential impact on residential amenity

44. Policy DMC3 (*Siting, Design, layout and landscaping*) states amongst other things, that where development is acceptable in principle, particular attention will be paid to the amenity, privacy and security of the development and other properties that the development affects.
45. The nearest residential properties are Station Cottages, sited around 45m to the north of the car park and Darfield Cottages (Grade II listed), which are located approximately 25m north east of the car park. Due to the topography of the locality, both sets of cottages are sited at a higher level than the car park and trail and separated from the site by intervening tree and shrub cover.
46. Accordingly, the scheme is considered would have no adverse impacts on the amenity of the occupiers of these cottages or any other properties in the locality than already occurs. Therefore, in accordance with Policy DMC3 in these regards.

Potential impact on highway safety

47. Policy DMT3 (*Access and design criteria*). This affirms that where transport related infrastructure is developed, this should be to the highest environmental design and materials, and where safe access for people is achievable.
48. The local Highway Authority have raised no objections, as the car park would retain its current access from the highway. Further stating that whilst the resurfacing of the car park would result in additional car parking spaces, this would not result in a significant impact in terms of additional traffic movements. Therefore, concluding there would not be an unacceptable impact on Highway Safety.
49. Subsequently, the scheme is considered satisfactory with regard to highway safety terms, in accordance with Policy DMT3 in particular.

Other matters

50. Surface Water Mitigation

51. Policy CC5 (*Flood Risk and Water Conservation*). States amongst other things, that proposals that would increase flood risk will not be permitted unless net benefits can be secured for surface water management.
52. The Environment Agency has responded by stating that, '*Due to the location of the site on a principal aquifer, as a precautionary measure it is recommended the following condition is be attached to any planning permission granted, to ensure that groundwater resources are suitably protected*'.
53. '*If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until further investigation and a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by the LPA. The remediation strategy shall be implemented as approved*'.
54. The reason would be to ensure that any development does not contribute to, and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution from previously unidentified contamination sources at the development site.
55. Should members be minded to approve the application, the above condition would be applied accordingly. Consequently, the condition (should it require implementing), would accord with Policy CC5 in respect of surface water mitigation.

56. Impact on Ecology, Trees and Landscape

57. According to the applicant, no trees, ecological habitats or landscape impacts would be directly affected by the development, as the extent of works would be restricted to the existing surfaced car parking area. The Authority's Landscape, Tree and Ecology Officers have all agreed with this assessment and have raised no objection.

Conclusion

58. The proposals show a clear demonstrable need for some additional and more formalised car parking, that would help address the impact of current informal parking within the village and the adverse impact on the amenity of its residents.
59. Moreover, the car park would help facilitate responsible visits to the Tissington Trail and present further opportunities for promoting the understanding and enjoyment of the special qualities of the area, whilst having minimal adverse impact on the wider valued characteristics of the area.
60. Consequently, it is considered the proposal would be in general accordance with Development Plan Policies and advice contained in the NPPF, therefore recommended to members for conditional approval.

Human Rights

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

63. Nil

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

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Planning Committee

Item no. 10

Application no. NP/DDD/1125/1130

Map centre grid ref: 417,802 352,076

Scale: 1:413 at A4 pagesize Date: 05/01/2026



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12. MONITORING & ENFORCEMENT QUARTERLY REVIEW – JANUARY 2026 (A.1533/AM)

Introduction

1. This report provides a summary of the work carried out over the last quarter (October – December 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 or be unacceptable in terms of policy principle, for example.

RECOMMENDATION:

That the report be noted.

Summary of Activity

Notices issued

4. There has been one enforcement notice issued in the last quarter.

24/0108	Erection of agricultural building and unauthorised track	EN issued 23 October 2025.
Field off the south side of B5055,		
East of Monyash		

Workload and performance

5. We have closed 75 enforcement cases in the last quarter. We have exceeded our annual target of closing 120 cases as set out in the Service Delivery Plan. There has also been a slight decrease in the number of new enquiries received. The amount of outstanding enforcement cases has significantly decreased as a result. This work is due to a renewed focus on clearing older cases and utilising the capacity of the recently appointed Senior Monitoring and Enforcement Officer for the North area.
6. The number of enquiries received (59) is lower than the previous quarter. Due to the focus on enforcement cases this quarter the outstanding number of enquiries has risen slightly. However, a number of cases have been investigated, particularly older cases, resulting in a greater proportion of new cases on the list which can now be investigated more promptly.
7. The table below summarises the position at the end of the quarter (31 December 2025). The figures in brackets are for the previous quarter.

	Received	Investigated/Resolved	Outstanding
Enquiries	59 (82)	47 (108)	85 (73)
Breaches	20 (44)	75 (42)	345 (395)

8. Breaches resolved

Enforcement Reference	Unauthorised Development	Site Address
24/0163	Unauthorised container CONTAINER REMOVED	Field on B6049 (South of The Grange Benstor) Great Hucklow Tideswell SK17 8RD
24/0077	LISTED BUILDING Unauthorised parking bays with hipped roof canopy. APPEAL ALLOWED	Cressbrook Hall Cressbrook Hall Bottomhill Road Cressbrook SK17 8SY
06/0032	Untidy land Combined with ENF 25/0107	Field near Malcoff, Chapel en le Frith
25/0089	Unauthorised camping site (no notification received) CAMPING CEASED AND TOILETS REMOVED	NEWLANDS FARM COPLOW DALE LITTLE HUCKLOW BUXTON SK17 8RS
25/0039	LISTED BUILDING - New Rainwater goods erected by Meri Cottage but on Quenby Cottage CONSENT GRANTED	Quenby Cottage Market Place Hartington Buxton SK17 0AL
25/0068	Operational development to facilitate change of use of agricultural land to children's playground BREACH REMEDIED	WHEATSHEAF HOTEL, NETHER END, BASLOW, BAKEWELL, DE45 1SR
24/0067	LISTED BUILDING - Installation of wall mounted EV charging point and electricity socket ITEMS REMOVED	Thornbury Greaves Lane Ashford In The Water DE45 1QH
16/0147	LISTED BUILDING - Works to grade II listed farmhouse to create separate dwelling used as holiday let CONSENT GRANTED	Lower Damgate Farm Ilam Moor Lane Stanshope Ashbourne DE6 2AD
20/0010	Building a bridge and vehicular track. Gabions and stone already on site.	Oak Bank Kinder Road

	GABIONS AND STONE REMOVED	Hayfield High Peak SK22 2LJ
21/0043	Erection of various signage and a pole mounted camera. SIGNS ALTERED TO BENEFIT FROM DEEMED CONSENT. CAMERA IMMUNE.	The Cat And Fiddle Buxton New Road Macclesfield Forest
24/0138	Shepherds hut on land advertised as holiday accommodation PLANNING PERMISSION GRANTED	Wolfscole Grange Holiday Cottages Unnamed Road From Highfield Lane To Whim Farm Hartington SK17 0AX
20/0018	Retention and extension of portable cabin. PERMISSION FOR REPLACEMENT BUILDING GRANTED - UNAUTHORISED BUILDING REMOVED	Wincle C Of E Primary School Wincle Ce Primary School Rabbit Bank Wincle SK11 0QH
21/0108	Unauthorised engineering operations and possible unauthorised creation of a vehicular access from the A57 BREACH REMEDIED	Snake Cottage Snake Road Bamford Hope Valley S33 0BJ
15/0048	Breach of conditions 3 (stonework to match existing), 4 (stone sample panel for approval), and 15 (off street parking spaces x2 for approval) on NP/DDD/1213/1119 SEE NP/NMA/0615/0557 IMMUNE	Fairthorne Bar Road Curbar Calver Hope Valley S32 3YB
18/0106	Unauthorised fencing IMMUNE	Laneside Caravan Park Caravan Park Station Road Hope Hope Valley S336RR
16/0063	Erection of replacement log cabin used as holiday accommodation. Cabin was destroyed by fire and totally rebuilt in 2023. PERMISSION GRANTED	Harthill Hall Lawns Lane Harthill Nr Alport DE45 1LH
21/0089	Addition of lighting along the new access track possible expansion of business/parking onto agricultural land IMMUNE	Bradfield Breweryground And Mezzanine Watt House Farm Loxley Road Sheffield S6 6LG
21/0045	Unauthorised operational development - two shipping containers have been stacked on top of each other. Also, possible unauthorised change	S Wilson Haulage Rock Mill Garage The Dale

	of use IMMUNE	Stoney Middleton Hope Valley S32 4TF
15/0110	Breach of planning conditions and untidy land BREACH OF CONDITION IMMUNE AND LAND CLEARED	Diggle Mill Diggle Oldham OL3 5JS
15/0076	Unauthorised static caravan and toilet block. IMMUNE	Field at end of Dark Lane, Tideswell. There is a gate on the right leading to a barn. Caravan is in front of barn.
21/0107	Large wooden outbuilding erected on field adjacent to enquirers property. IMMUNE	The Barn Pindale Road Castleton
22/0030	Unauthorised signage, displaying a man riding a large pink bicycle, on the front of the property SIGN REMOVED	Royal Mail Hope Delivery Office 4 Castleton Road Hope Hope Valley S33 6AA
22/0065	LISTED BUILDING Unauthorised internal works to Listed Building NO EVIDENCE OF UNAUTHORISED WORKS	335 Woodhead Road Holme Holmfirth HD9 2QF
22/0064	Unauthorised plastic shed which is in breach of planning approval which removed PD rights. HW visited site but could not see this shed. SHED REMOVED	9 Diggle Mill Harrop Green Lane Diggle OL3 5LB
21/0033	Unauthorised swimming pool and erection of unauthorised building IMMUNE	Stone Row House Unnamed Road From A628 To A628 Crowden Glossop SK13 1HZ
20/0072	Unauthorised underground garage and access track. Possible new dwelling. Depositing waste material from excavations into field IMMUNE	Moorside Cottage Charles Lane Glossop SK13 7SF
19/0059	Unauthorised engineering operations. IMMUNE	Nether Water Mine Netherwater Mine Unnamed Section Of B6049 From Coplow Dale To Crossroads Great Hucklow SK178RR
15/0008	Breach of condition 3 (lighting prohibited), and condition 6 (surfacing materials), attached to planning permission NP/DDD/1213/1149 and varied by NP/DDD/1019/1110. IMMUNE	Fiveways Maynard Road Grindleford Hope Valley S32 2JD

16/0004	Breach of planning permission NP/S/0810/0845. Unauthorised window and rendering. IMMUNE	Crawshaw Head Farm Hollow Meadows Sheffield S6 6GN
15/0084	Unauthorised signage IMMUNE	Cote Farm High Bradfield Bradfield Sheffield S6 6LJ
17/0043	Breach of planning permission NP/S/0509/0345. Unauthorised use of holiday lets as permanent dwellings. IMMUNE	Peck Hall Farm + Lamb Hill Barn High Bradfield Bradfield Sheffield S6 6LJ
22/0028	Unauthorised manege. Possible unauthorised excavation work (see ENQ 52777). This work could be related to planning permission NP/HPK/1014/1067. Enquirer thinks permission has lapsed but JK has confirmed the development has started IMMUNE	Elizabeth Ash Farm Hayfield Road Chinley High Peak SK23 6AL
22/0016	Vehicular access from a classified road - IMMUNE	Sunnyside, Edale, S33 7ZE
24/0129	Unauthorised alterations to window heads and cills and installation of insulated render IMMUNE	Bramwell Memorial Institute Taddington SK17 9UD
25/0105	Alleged breach of camping beyond 60 day camping limit USE CEASED AND TOILETS REMOVED	White House Farm Campsite Wardlow SK17 8RP
25/0034	Breach of condition 8 of planning permission NP/HPK/0421/0415, as the owners have constructed unauthorised fencing and gates. PLANNING PERMISSION GRANTED	THE NAZE, MAYNESTONE ROAD, CHINLEY, HIGH PEAK, SK23 6AH
25/0096	Unauthorised boundary fence which exceeds 2m tall next to a highway BREACH REMEDIED	Rose Cottage The Green Grindleford Hope Valley S32 2HH
23/0032	Unauthorised timber building IMMUNE	Loxley Park Farm Douse Lane Onecote Leek ST13 7RU

24/0117	Erection of fencing - Breach of Condition 6 (removing PD rights) on NP/DDD/0621/065 PLANNING PERMISSION GRANTED	Horse Dale Barn The Dale Bonsall DE4 2AY
18/0060	Permanent occupation of holiday let granted permission under NP/S/0210/0115 IMMUNE	Cote Farm High Bradfield Bradfield Sheffield S6 6LJ
19/0058	Unauthorised haulage business IMMUNE	Tideswell Business Park, Tideswell, Buxton SK17 8NY
25/0116	Not cleared the site to meet the 60 day camping conditions. BREACH CEASED	Minninglow Grange Mouldridge Lane Pikehall DE4 2PR
25/0109	Erection of blockwork building - possibly a temporary plant room? NO BREACH	Upper Hirst Caravan Site Tinman Lane Hulme End SK17 0HH
24/0115	Breach of condition 3 (landscaping scheme) and 4 (hardstanding details) on NP/GDO/0123/0057 CONDITIONS PART DISCHARGED	Dovecliff Millway Lane Milldale Alstonefield
18/0080	Change of use of land to domestic use. Siting of a container for use as summerhouse IMMUNE	Crawshaw Head Farm Rod Side Sheffield S6 6GN
19/0153	There appears to be a boat and a jetty within the fish pond. Access likely to the east from Shatton. IMMUNE	Fish Pond 133m From Nether Shatton Farm 89m From Townfield Lane Townfield Lane Bamford S33 0BG
19/0062	Unauthorised use of land for parking HGVs HGVs are still being parked here despite an application (NP/DDD/1016/0993) being refused to regularise this. IMMUNE	Land to West of Cavendish Mill Thunderpit Lane Stoney Middleton
20/0062	Storage yard with a transit van, hoardings and stone being stored on the site. IMMUNE	Land on Top Lane Top Lane Tideswell Buxton SK17 8LP
24/0100	Overgrown Verge changed - alterations of levels and surfacing of area. BREACH RESOLVED.	Bankside, Bonsall inbetween The Nook and Annadale Cottage, DE4 2AX
14/0208	LISTED BUILDING - Two satellite dishes at rear BOTH SATELLITE DISHES REMOVED	Bridge House Calton Lees Beeley

		Matlock DE4 2NX
18/0051	Unauthorised lighting - breach of condition 4 of planning permission NP/DDD/0415/0355. Possible breach of planning condition 3. Also see Enquiry 23714. LIGHTING REMOVED NO BREACH	Honeysuckle House Wheson Bank Tideswell Buxton SK17 8LJ
22/0029	Fence which is above a metre high and is abutting the highway. IMMUNE	Reading Room Cottage Unnamed Road From A623 To Crossroads Past Stone Lea House Peak Forest Buxton SK17 8EF
19/0155	Unauthorised shepherds hut. NO BREACH	Blaze Farm Buxton Road Wildboarclough SK11 0BL
19/0012	Unauthorised signs. REMOVED NO BREACH	Beavers Croft Ronksley Derwent Bamford S330BB
25/0110	Creation of two hardstanding areas and septic tank to facilitate the siting of two shepherds huts (which have an exemption certificate) GRANTED PLANNING PERMISSION	Bruntmoor Cottage Ashbourne Road Monyash Bakewell DE45 1JQ
20/0049	Various features not in accordance with approved plans. IMMUNE	The Blind Bull The Blind Bull Main Road Little Hucklow SK17 8RT
18/0180	Rear elevation does not accord with approved plans. Unauthorised use of garage as holiday let. IMMUNE	Bowling Green Cottage, Hernstone Lane, Peak Forest SK178EJ
21/0031	LISTED BUILDING Various alterations carried out without LBC All okay approved with John Sewell only remove timber structure. REMOVED NO BREACH	Barn at Wrights Farm Clayholes Road Kettleshulme High Peak SK23 7EH
18/0154	Unauthorised advertisement REMOVED NO BREACH	Hawthorne Barn Loxley Road Sheffield S66SQ
21/0014	Shepherds hut at the Red Lion. Hut is actually located on land adj to Red Lion, not within the curtilage. REMOVED FROM SITE	Land adjacent to Red Lion Inn Townsend Lane Waterfall Waterhouses

		Stoke-On-Trent ST10 3HZ
23/0048	LISTED BUILDING Replacement of windows on the ground and first floor and window frames painted red. Breach of planning control and listed building offence. Might be a new Flue erected to the rear of the cafe. NO BREACH	Cobbles Tea And Coffee Shop Bank House Market Place Longnor Buxton SK17 0NT
20/0061	Erection of timber structure. EN COMPLIED WITH - STRUCTURE REMOVED	The Bank House Bar and Restaurant, Main Road, Hathersage, Hope Valley, S32 1BB
15/0062	Unauthorised outbuilding and flue. Breach of conditions attached to NP/DDD/1112/1177. IMMUNE	The Barn at The Firs The Edge Eyam Hope Valley S32 5QP
16/0035	Unauthorised static caravan being used as a dwelling IMMUNE	Fields on Hope Road Edale
17/0104	Breach of holiday occupancy condition on NP/DDD/0599/235. NOT EXPEDIENT	Holiday cottages adjacent to the Little John Public House Station Road Hathersage
20/0087	Barn conversion. NO BREACH	Browside Farm Lyme Handley Lyme Handley SK23 7BT
24/0071	Siting of a shipping container in agricultural field REMOVED	Oldfields Farm Lane Grindon ST13 7TT
19/0090	LISTED BUILDING - External light fixed into the stone lintel, there were holes in the lintel from a previous light now replaced by smaller one. NO BREACH	Castle Farm Unnamed Road From The Square To Coldwell End Middleton By Youlgrave DE45 1LS
25/0124	Use of building as a cafe/bar/event space in breach of conditions on planning permission. DUPLICATE	Thornbridge Brewery Tap Riverside Brewery Buxton Road Bakewell DE45 1GS
14/0132	LISTED BUILDING - Upvc windows - red card on file? (Feb 1996). (Mentioned again 2009) NO BREACH	Church Corner Cottage Church Street Youlgrave Bakewell DE451WL
20/0017	Unauthorised steel container; hardstanding and excavation works/engineering operations.	Keepers Cottage Moorside Lane

	PLANNING PERMISSION GRANTED FOR AGRICULTURAL BUILDING (NP/CEC/0222/0213) AND CONTAINER REMOVED	Pott Shrigley Macclesfield SK10 5RZ
20/0014	Unauthorised gate IMMUNE	Junction of Froggatt Lane and the A625 Froggatt Lane Froggatt S32 3ZA
25/0061	Demolition of outbuilding and erection of replacement building. NP/DDD/0122/0008 had approved extension to outbuilding, not demolition and rebuild. Irregularities in detailing. PERMISSION GRANTED	Gritstone House Moor Road Great Longstone Bakewell DE45 1UA
14/0315	LISTED BUILDING - Satellite dish, flue pipe, lean-to store and one mock sash, door in gable? Greenhouse LBC Approved for full refurbishment - NP/DDD/1222/1533 - gable with door not shown but windows to all be replaced. GREENHOUSE REMOVED FROM SITE, UNAUTHORISED SATELLITE DISH, FLUE PIPE, AND LEAN-TO REMOVED	Greencroft Farm Middleton-By-Youlgrave Bakewell DE451LS
25/0128	Breach of condition 3 on NP/DDD/0525/0478 (tree works to be formally discharged prior to any construction, groundworks or arrival of any materials or machinery on site) CONDITION 3 DISCHARGED	Jolly Field Farm Common Lane Chelmorton SK17 9SL

9. 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. SSSI consent for works granted by Natural England.	Officers are in discussion with the landowner's agent. Further action to secure compliance with EN being actively considered.
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.	A site visit is to be made before considering further action
18/0062 Land at Cartledge Flat, Bradfield Moors	Creation of a track	EN in effect – compliance period expired.	Contact with landowner's agent to secure 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.	Officers are dealing with application in regard to planning conditions and investigating other works on site.
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	December 2023 injunction granted and order issued and served.	Legal proceedings commenced.

Report Author: Adam Maxwell, Development and Enforcement Manager

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13. PLANNING APPEALS MONTHLY REPORT (A.1536/BT)

1. APPEALS LODGED

The following appeals have been lodged during this month.

<u>Reference</u>	<u>Details</u>	<u>Method of Appeal</u>	<u>Committee/ Delegated</u>
6001806 NP/DDD/0425/0369	Application for the variation of condition 2 on NP/DDD/0821/0906 at Leach House, Leadmill, Hathersage.	Written Representation	Delegated

2. APPEALS WITHDRAWN

There have been no appeals withdrawn during this month.

None

3. APPEALS DECIDED

The following appeals have been decided during this month.

<u>Reference</u>	<u>Details</u>	<u>Method of Appeal</u>	<u>Decision</u>	<u>Committee/ Delegated</u>

4. RECOMMENDATION:

To note the report.

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