

Public Document Pack

Peak District National Park Authority

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



Our Ref: A.1142/5182

Date: 2 April 2026



NOTICE OF MEETING

Meeting: **Planning Committee**

Date: **Friday 10 April 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 13 March 2026** *(Pages 7 - 16)*
3. **Urgent Business**
4. **Public Participation**
To note any questions or to receive any statements, representations, deputations and petitions which relate to the published reports on Part A of the Agenda.
5. **Members Declarations of Interests**
Members are asked to declare any disclosable pecuniary, personal or prejudicial interests they may have in relation to items on the agenda for this meeting.
6. **Full Planning - Conversion and Extension of Existing Building to a Two Bedroom (Intermediate) Dwelling, Including Remodelled Access, Hard and Soft Landscaping, and Associated Infrastructure at Padley Mill Cottage, Unnamed Road From Station Road Westwards To Track Leading To A6187, Upper Padley, Grindleford (NP/DD/0126/0079) HF** *(Pages 17 - 28)*
Site Plan
7. **Retrospective Application for Construction of a Field Track, Temporary Removal and Stockpiling of Topsoil and Subsoil, the Partial Installation of a 300-Millimetre Land Drain, Installation of a Concrete Trough, Stone Wall and Base, Raising of Ground Levels to Feed Water into the Trough, Shale Excavation for Agricultural Purposes and Application for the Completion of the Land Drain, Installation of Three Manholes, Replacement of the Topsoil and the Subsoil, the Construction of Two Retaining Walls, and the Creation of Attenuation Pond at Land off Blaze Hill, Rainow, Macclesfield, SK10 5UT, The site lies to the east of Blaze Hill, Rainow (NP/CEC/0126/0024) HF** *(Pages 29 - 40)*
Site Plan
8. **S.73 Application for the Variation of Conditions 2 and 4 on NP/HPK/0223/0165 - Allow Short Term Rental of the Property at Top Croft, Aston Lane, Hope (NP/HPK/0226/0221) WE** *(Pages 41 - 48)*
9. **Full Application - Redevelopment of the Disused Former Car Sales Area of the Sickleholme Garage Building, Which is to be Transformed into a Bakery Outlet, Extending the Existing Retail Space at Sickleholme Service Station, Sickleholme Garage, Hathersage Road, Bamford (NP/HPK/0825/0855) HW** *(Pages 49 - 62)*
Site Plan
10. **Full Application - 4 Local Needs Dwellings at South East of Wynngate, The Miers, Birchover (NP/DDD/0525/0460) JS** *(Pages 63 - 80)*
Site Plan
11. **Full Application - The Installation of Solar Panels on the South Facing**

Aspect of Garage Roof, Air Source Heat Pumps to the House and Partial Secondary Glazing at Churchdale Cottage Baslow Road Ashford in the Water (NP/DDD/0126/0102) RD (Pages 81 - 88)

12. **Listed Building Consent - The Installation of Solar Panels on the South Facing Aspect of Garage Roof, Air Source Heat Pumps to the House and Partial Secondary Glazing at Churchdale Cottage Baslow Road Ashford in the Water (NP/DDD/0126/0105) RD (Pages 89 - 96)**
13. **Full Application - Change of Use From a Guest House (Use Class C1), Adjoining Residential Flat and Adjoining Guest Annexe to 3 No. Holiday Lets (Use Class C3), and Demolition of Garage at Bank House Guest House, Market Place, Hartington (NP/DDD/1225/1308) PM (Pages 97 - 108)**
Site Plan
14. **Listed Building Consent - Change of Use From a Guest House (Use Class C1), Adjoining Residential Flat and Adjoining Guest Annexe to 3 No. Holiday Lets (Use Class C3), and Demolition of Garage and for Associated Internal and External Alterations at Bank House Guest House, Market Place, Hartington (NP/DDD/1225/1309) PM (Pages 109 - 118)**
Site Plan
15. **Planning Appeals Monthly Report (A.1536/BT) (Pages 119 - 120)**
16. **Annual Enforcement Report (Pages 121 - 134)**

Duration of Meeting

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

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

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

Agendas and reports

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

Background Papers

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

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Please note that meetings of the Authority and its Committees may take place at venues other than its offices at Aldern House, Bakewell when necessary. Anyone wishing to participate at the meeting

under the Authority's Public Participation Scheme is required to give notice to the Customer and Democratic Support Team to be received not later than 12.00 noon on the Wednesday preceding the Friday meeting. The Scheme is available on the website <http://www.peakdistrict.gov.uk/looking-after/about-us/have-your-say> or on request from the Customer and Democratic Support Team 01629 816352, email address: democraticandlegalsupport@peakdistrict.gov.uk.

Written Representations

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

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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	L Hartshorne
I Huddleston	K Potter
K Richardson	K Smith
M Smith	J Wharmby

Other invited Members: (May speak but not vote)

Prof J Dugdale
A Nash

C Greaves

Constituent Authorities
Secretary of State for the Environment
Natural England

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



MINUTES

Meeting: **Planning Committee**

Date: Friday 13 March 2026 at 10.00 am

Venue: Aldern House, Baslow Road, Bakewell

Chair: P Brady

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

Apologies for absence: J Wharmby

26/26 MINUTES OF PREVIOUS MEETING HELD ON 13 FEBRUARY 2026

The following amendments were made:

Minute Number 16/26 Item 10 – Interpretation Space and National Park Centre Millers Dale was amended to include “P Brady declared that he is a member of Taddington Parish Council”.

Minute Number 16/26 Item 12 – Advertising Consent – Millers Dale was amended to include “P Brady declared that he is a member of Taddington Parish Council”.

The minutes of the last meeting of the Planning Committee held on 13 February 2026, with the above amendments, were approved as a correct record.

27/26 URGENT BUSINESS

There was no urgent business.

28/26 PUBLIC PARTICIPATION

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

29/26 MEMBERS DECLARATIONS OF INTERESTS

The following declarations of interest were made:

Item 6 – M Beer, V Priestley, M Buckler, K Richardson, K Smith and P Brady were members of the National Trust.

Item 7 – M Beer, V Priestley, M Buckler, K Richardson, K Smith and P Brady were members of the National Trust.

Item 8 – All members had received an email from Hartington Upper Quarter Parish Council. P Brady and V Priestley had also had an email from the applicant Mr Pilmoor.

Item 9 – V Priestley was the applicant on this application.

Item 10 – All members had received had an email from the agent Caroline McIntyre.

30/26

FULL PLANNING APPLICATION - CHANGE OF USE FROM RESIDENTIAL (USE CLASS C3) TO A WELCOME AND VISITOR RECEPTION HUB (USE CLASS F1) AND ASSOCIATED WORKS AT ILAM HALL COTTAGE, ILAM MOOR LANE, ILAM (NP/SM/1225/1294) ALN

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

There was an update since the report was published that Historic England had no advice to give on this proposal.

A motion to approve the application with an extra condition to those set out below requesting removal of the fence before the accommodation is first brought into use, was moved, seconded, put to the vote and carried.

RESOLVED:

RECOMMENDATION:

That the application be APPROVED subject to the following conditions:

1. **Statutory time limit**
2. **In accordance with amended plans**
3. **No development shall take place until a Written Scheme of Investigation for a programme of archaeological monitoring is submitted to an approved by the National Park Authority.**
4. **No development shall commence on the approved external works (including demolition works, excavations, construction works, or storage of materials or equipment or machinery within the application area) until the protective fencing measures specified on the Tree Protection Plan [Drawing Number J6878 TPP] have been implemented in full. Thereafter all of the detailed requirements indicated on the Tree Protection Plan [Drawing Number J6878 TPP] shall be adhered to in full and the protective fencing shall be retained with no construction or storage activities within the Construction Exclusion Zone throughout the construction period.**

5. Prior to any demolition works, excavations, construction works, or storage of materials or equipment or machinery within the application area a pre-commencement meeting shall be held and attended by the developer's appointed arboricultural consultant, the site manager/foreman and a representative from the National Park Authority to discuss details of the working procedures and to agree those stages at which arboricultural supervision is required in order to meet the purpose of the Tree Protection Plan [Drawing Number J6878 TPP]. Prior to commencement of any works a brief written report of the successful completion of the pre-commencement meeting shall be submitted to the National Park Authority. A further written report of site supervision measures shall be submitted for approval in writing by the National Park Authority within 28 days from completion of all of the works for which the supervision measures are specified.
6. The recommendations set out in the letter by Skyline Ecology dated 18th December 2025 shall be strictly adhered to.
7. The design, lux levels and operation of the ground mounted bollard lights to be submitted and approved.
8. The close boarded timber fence that runs along the northern boundary of the site shall be completely removed before the visitor reception hub hereby approved is first brought into use.

31/26 LISTED BUILDING CONSENT - WORKS IN ASSOCIATION WITH CHANGE OF USE FROM RESIDENTIAL (USE CLASS C3) TO A WELCOME AND VISITOR RECEPTION HUB (USE CLASS F1) AND ASSOCIATED WORKS AT ILAM HALL COTTAGE, ILAM MOOR LANE, ILAM (NP/SM/1225/1295) ALN

Item 7 was presented and discussed at the same time as Item 6 but the votes were taken separately with the vote for Item 6 being taken first. See minute number 30/26 for details of the discussion.

A motion to approve the application with the conditions outlined below was proposed and seconded, put to the vote and carried.

RESOLVED:

RECOMMENDATION:

That the application be APPROVED subject to the following conditions:

1. Statutory time limit
2. In accordance with amended plans
3. The recommendations set out in the letter by Skyline Ecology dated 18th December 2025 shall be strictly adhered to.
4. Bathroom door at ground floor to be retained and repaired unless otherwise approved in writing by the National Park Authority.

32/26 FULL PLANNING APPLICATION - RETROSPECTIVE CONSENT FOR LAND ADJACENT TO THE PARISH HALL TO BE USED AS A CAMPSITE ON A NUMBER OF DAYS EACH YEAR AT BRANDSIDE VILLAGE HALL, BRANDSIDE - (NP/HPK/1025/0985) SC

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

A letter has been received from the Parish Council since the publication of the committee report seeking to clarify a few details as follows:

Para 33 – the Parish Council do not have vehicular access to the site when it is in use as a campsite, and therefore only have access when maintaining the Village Hall.

Para 34 – pedestrian access to the site is through the pedestrian gate next to the hall's front door.

Paras 37 to 42 – although contested by the Parish Council, Planning Officers are of the view that the report is a fair assessment of parking and highways impact at the site, and do not feel it necessary to offer any corrections or updates.

The following spoke under the public participation at meetings scheme:

Matthew Pilmoor – Objector
Cllr Suzanne Oliver - Supporter

Some Members had visited the site the previous day.

The following points were discussed:

-The Parish Council had been unable to provide details of the dates when camping would take place or how many people would be on the site at each camping event.

-The Parish Hall was used for showering and toilets by people staying at the camp site.

-The ownership of the land subject to the planning application proposal was split between the Parish Council and the site neighbour. The neighbour was not willing for their part of the land to be used for camping.

-There had been insufficient details provided by the Parish Council on parking, layout, refuse collection and access to the site to determine the application other than to refuse it.

-The site wasn't suitable for camping set in an exposed area with no parking provision.

-The site wasn't supervised.

-The Parish Hall had inadequate facilities for the potential number of camp site visitors.

-The 60 day permitted use would remain on the site if the application was refused. The Authority could seek to remove permitted development rights through an Article 4 direction.

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

RESOLVED:

That the application be REFUSED for the following reasons:

- 1. The development would appear visually intrusive, having an unacceptable adverse visual impact on the character and appearance of the surrounding open landscape and the tranquil amenity of the area, harming the valued characteristics of the National Park. Contrary to Core Strategy policies GSP1, GSP3, L1 and RT3, Development Plan Policies DMC3, DMR1 & DMR2 and the National Planning Policy Framework.**
- 2. The development would materially harm the living conditions of occupants of neighbouring residential property contrary to Core Strategy Policy GSP3 and Development Management Policy DMC3.**
- 3. Insufficient information has been submitted to properly assess the impact of the development on highway safety, contrary to policies GSP3, DMC3 and DMT3.**

11:45am the meeting was adjourned and recommenced at 11:55am

33/26 FULL PLANNING APPLICATION - CHANGE FROM AGRICULTURAL ENTRANCE AND TRACK TO DUAL PURPOSE DOMESTIC AND AGRICULTURAL ENTRANCE AND TRACK INTO FIELD AT FIELD AT THE SIDE OF LYDGATE BUNGALOW, BAMFORD (NP/HPK/0725/0702) HF

11:00am V Priestley left the meeting

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

The red line on the Site Plan had been subject to a change to include Biodiversity Net Gain uplifts within the application boundary, and to include a tree removal. Updated biodiversity net gain information received and accepted by ecologist.

The following points were discussed:

The access point is set back 9m from the Highway, and would be conditioned to be inward opening.

A motion to approve the application with further conditions on lighting and the track access to those outlined below, was moved, seconded, put to the vote and carried.

RESOLVED:

That the application be APPROVED subject to the following conditions:

RECOMMENDATION:

That the application be APPROVED subject to the following conditions and subject to no contrary views being received following the committee meeting, with delegated power granted to the Head of Planning, Development and Enforcement Manager and Area Manager to issue the decision in consultation with Chair of Planning Committee to consider any representations that are received:

- 1. Statutory time limit.**
- 2. Accordance with approved plans.**
- 3. Whitebeam tree to be removed prior to first domestic use of the access.**
- 4. Access and track to be hard surfaced prior to first domestic use.**
- 5. Statutory pre-commencement condition for submission of biodiversity gain plan.**
- 6. Implementation of biodiversity gain plan and landscaping within first available planting season following substantial completion or first domestic use.**
- 7. Check for nesting birds prior to development during nesting bird season.**
- 8. No external lighting other than in accordance with details to be submitted and approved.**
- 9. Track to be constructed as dual track along entire length.**

11:09am V Priestley returned to the meeting

34/26

FULL PLANNING APPLICATION - DEMOLITION OF EXISTING BUILDING, ERECTION OF AN AFFORDABLE LOCAL NEEDS DWELLING, WORKS OF HARD AND SOFT LANDSCAPING AND OTHER ASSOCIATED WORKS AT LAND SOUTH OF BOUNDARY FARM, LYDGATE, EYAM (NP/DDD/1125/1191) HF

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

There was a correction to make to the report at Para 8 where it was stated that the kitchen and living space was at ground floor, with bedrooms to the upper floor, where it was in fact the other way round.

Clarification was given on the last bullet point under representations at Para 19 to confirm that the response states no objection but that the matters raised were concerns for members to consider.

The following spoke under the public participation at meetings scheme:

Caroline McIntyre - Agent

Some Members had visited the site the previous day.

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

The following points were discussed:

- The size of the proposed new dwelling was above the threshold under current policy and guidance for single person occupancy.
- The proposal would create a future proof affordable house, with the applicant covering the cost of the new build.
- New build provided an opportunity to create a climate efficient house.
- The National Park Management Plan included an objective to support sustainable communities by improving opportunities for affordable housing and connection to services.
- The proposed site was on the family farm where the applicant would be able to support the farm business.
- An overhead electric wire was thought to run over the boundary site.

A motion to approve the application subject to a S106 agreement with the conditions outlined below was proposed and seconded, put to the vote and carried.

RESOLVED:

RECOMMENDATION:

That the application be APPROVED subject to the following:

1. **Time limit**
2. **In accordance with plans**
3. **PD rights**
4. **Stone detail and sample panel for walls.**
5. **Detail and sample for roof material.**
6. **Details of external windows and doors prior to installation.**
7. **Details of construction of boundary and retaining walls.**
8. **Extent of residential curtilage to be restricted to within green line shown on approved plans.**
9. **Roof verge to be flush pointed.**

10. **Rainwater goods.**
11. **Pipework to be internal.**
12. **Service lines to be underground.**
13. **Control on external lighting.**
14. **Details of solar panels and air source heat pump and to be installed prior to first occupation.**
15. **Hard and soft landscaping plan including levels and track detail.**
16. **Foul and surface water drainage measures to be installed prior to first occupation.**
17. **Pre-commencement condition for Construction Environmental Management Plan.**
18. **Scheme for ecological enhancement measures to be submitted for approval.**

35/26 FULL PLANNING APPLICATION - CHANGE OF USE FROM A FORMER PRINTING WORKS/LIGHT INDUSTRIAL USE TO A BREWERY TAP ROOM AND SHOP (SUI GENERIS) AT UNIT 7A, MEVERILL ROAD, TIDESWELL (NP/DDD/1125/1195) HF

The Planning Officer presented the report and outlined the reasons for refusal as detailed in the report. This item had been deferred from the previous Planning Committee in order to allow for the Policy Referral on the application. The application was also deferred to allow for further discussions around car parking and the Planning Officer provided an update accordingly.

Amended plans had been subject to a re-consultation which closes on Monday 16 March 2026 and the committee decision was subject to no further responses being received contrary to that decision.

There had been further representations since the report with two in support of the scheme, and one general comment requesting consideration of potential noise disruption.

Updated information to deal with access and parking received and a further response had been received from the Highways Authority on the amended plans, who have no objection to the proposal with sufficient parking provided at the site. The Planning Officer is satisfied that parking provision and measures to manage access are sufficient.

The following spoke under the public participation at meetings scheme:

Natalie Wilde – Supporter
Mr Gervais Dawson - Applicant

Some Members had been driven past the Eyam Brewery site at Great Hucklow the day before.

The following points were discussed:

- The Tap Room could be established elsewhere.

- Accepting the proposal would take the allocation of this site away from its stated use.
- The purpose of the applied policy is to support the local economy.
- Strategic need for safeguarding employment sites and no evidence site not needed for employment uses.
- Concern about character of site for use intended.
- If temporary use was granted, or given as a personal consent, Members would need to justify why that was necessary, and condition to protect the long term policy.

A motion to approve the application with the conditions outlined below was proposed and seconded, put to the vote and carried.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions:

1. **Statutory time limit.**
2. **Accordance with approved plans.**
3. **Car park to remain available for use of taproom.**
4. **Restrict opening hours of drinking establishment to weekday evenings and weekends.**
5. **Compliance with access management plan and records of car parking to be made available to Authority on request.**
6. **No food extraction on south elevation.**
7. **No outdoor food or drink around unit.**
8. **Control of openings on south elevation of unit.**
9. **Personal consent condition.**

36/26 POLICY REFERRAL - NP/DDD/1125/1195: UNIT 7A, WHITECROSS INDUSTRIAL ESTATE, TIDESWELL

The Planning Policy Officer set out the Policy Referral Report on the impact on adopted Planning Policies E1 and DME3, which was heard in conjunction with the Full Planning Application NP/DDD/1125/1195.

RESOLVED:

To note the report.

37/26 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 12.26 pm

6. CONVERSION AND EXTENSION OF EXISTING BUILDING TO A TWO BEDROOM (INTERMEDIATE) DWELLING, INCLUDING REMODELLED ACCESS, HARD AND SOFT LANDSCAPING, AND ASSOCIATED INFRASTRUCTURE AT PADLEY MILL COTTAGE, UNNAMED ROAD FROM STATION ROAD WESTWARDS TO TRACK LEADING TO A6187, UPPER PADLEY, GRINDLEFORD (NP/DDD/0126/0079), HF

APPLICANT: DAVID JENNER

Summary

1. The application seeks conversion and extension of an agricultural building to a two bedroom dwelling. The applicant is willing to enter into a Section 106 Agreement to restrict the occupation of the dwelling to those with a local connection in perpetuity.
2. Whilst the applicant submits they are in housing need due to their increasing age and reduced physical capacity and mobility to cope with maintaining their existing property, and wish to downsize, it is not considered the applicant is in affordable housing need or that their needs would not be capable of being met on the open housing market.
3. In the absence of a proven need for an affordable dwelling, the application is contrary to Policies HC1.A and DMH1.A. The application is therefore recommended for refusal.

Site and Surroundings

4. The site lies in Upper Padley, which comprises a cluster of primarily residential buildings located in open countryside. The site occupies a corner plot with the Windses Estate track extending along the southern edge and further track extending along the east edge. Public Rights of Way (PRoW) run along both tracks. Grindleford Station is further south.
5. The site is in agricultural use, occupied by a timber barn constructed in 1991 understood to have originally been used for hay storage. Since 2006 it has been used for growing, processing and storage of vegetables for domestic use. A greenhouse, polytunnel, shed and wood store are present on site. Internally, the barn has a kitchen and compost toilet.
6. The Grindleford Station Conservation Area extends to the south and east and the site is considered to form part of its setting. The Grade II Listed Padley Mill is to the east. 250m further west is the Padley Hall: a medieval great house scheduled monument. The Padley Woods ancient woodland are to the north beyond Upper Padley.

Proposals

7. The application proposes to convert and extend the existing timber barn to create a two bedroom dwelling with ground floor living and dining / kitchen space, toilet, utility, double bedroom and en-suite. A deck area that could serve as a bedroom is proposed at first floor, with void over the remaining area.
8. Within the wider plot there is provision for garden and car parking and turning space. The existing woodstore east of the barn would be retained. Access is at the south east corner.

RECOMMENDATION:

That the application be REFUSED for the following reason:

1. **The proposed dwelling would not address a proven need for affordable housing and is therefore contrary to Core Strategy Policy HC1.A and Development Management Policy DMH1.**

Key Issues

9. The principle of the proposed affordable dwelling and impact on the character and appearance of the area, heritage, residential amenity, trees and ecology.

History

10. 27099: Pre-application enquiry in 2016 advised that conversion of the barn to holiday-let was unlikely to be acceptable as the building was not of traditional merit. Concern was raised around domestic use of the lower part of the field and impact on the area.
11. NP/DDD/1016/1082: Alterations to wooden barn / shed – Granted conditionally 21.12.16.
12. Non material amendments to the above permission were accepted under NP/NMA/0517/0551 and NP/NMA/0918/0849 in 2017 and 2018 respectively.
13. NP/DDD/1024/1066: Installation of a small packaged sewage treatment plant to process waste from a registered smallholding – Granted conditionally 08.01.25. The application was linked to installation of toilet facilities in the barn due to the planned sale of the main property Padley Mill Cottage, so as to retain access to bathroom facilities from the site.

Consultations

14. Derbyshire County Council Flood Team: Currently only responding to major applications.
15. Derbyshire County Council Highways: No response received to date.
16. Grindleford Parish Council: Strongly and warmly in support of the application. The conversion design is not intrusive and is sympathetic to the area. The site is well maintained by the current owners but this may not be the case for new owners and the site may fall into disrepair and become an eyesore. The conversion will free up Padley Mill Cottage for a family, which could help numbers at the village school and provide additional 106 accommodation in the village for future local families. The current owners are activity community members. The Parish Council urges the Authority to look favourably on the application.
17. Natural England: No objection. The proposals will not have a significant adverse impact on statutorily protected nature conservation sites or landscapes.
18. Peak District National Park Authority Archaeology: No comments to make.
19. Peak District National Park Authority Ecology: No objection subject to conditions. All surveys have been undertaken in accordance with relevant guidelines and include appropriate impact assessment and details for mitigation / compensatory methods for species / habitats. The application is exempt from Biodiversity Net Gains as a self-build development. The enhancement measures in the submitted report are welcomed.

Recommend compliance with all mitigation, compensation and enhancement measures for bats and breeding birds and mitigation measures for all other species to be as submitted in the Protected Species Survey and Activity Survey Report. Works during the nesting bird season should be subject to appropriate checks 48 hours prior.

20. Peak District National Park Authority Policy: Objects. The property is described as 89sqm although this excludes storage areas, which if counted would increase to 101sqm. The applicant wishes to downsize and it is important support is given to those wishing to do so where this cannot be done on the open market. I do not consider the applicant has an eligible local need for affordable housing at the time the application has been made.

Whilst they can demonstrate a local connection, I do not consider sufficient evidence has been provided to demonstrate a need for an affordable dwelling contrary to HC1a) and DMH1. The proposal is speculative with no details for why there is a need to downsize e.g. decreased mobility and a practical difficulty in managing or adapting the current home to meet changed needs, to the need to realise capital to support their old age (DMP para 6.28). Or why they cannot meet their needs on the open market (DMP para 6.29). The applicant's existing property is likely to be of considerable value. A few references to recent sales or lack of them in the immediate vicinity is insufficient evidence.

It may be raised that allowing someone to downsize frees up a property for a family to move into. Whilst I don't disagree that this could happen, the likelihood that it would be a family from Grindleford is low due to the likely value of the property which is beyond what many people can afford in Derbyshire Dales, plus the fact that the property is an open market dwelling and is not restricted in any way to being sold to local people.

To provide some evidence to go with this, I enclose the following extract from the Peak District National Park Population Projection Update & Housing Needs Assessment Peak District National Park Authority 01 December 2023
https://www.peakdistrict.gov.uk/data/assets/pdf_file/0027/98901/66287_01-Peak-District-HNA-011223-FINAL.pdf. Para 6.56 is particularly pertinent.

With regards to being in housing need, the Home-Options Partnership that our constituent authorities work together to deliver provides some helpful advice on when people who own their own property may be in housing need. I have provided an extract relevant to this case below, which can also be found here https://www.home-options.org/choice/uploads/Home-Options_Policy_version_14.3_final.pdf

A full extract of the policy officer response is available on the website. It references an extract from the Home Options document which states there are circumstances where owner-occupiers may be in housing need such as living in unsuitable accommodation due to age, long-term medical issues or disability. The resources available to applicants will be taken into account, which may include the value of their property and whether there are grants available for repair. They may also seek advice from professionals who assess the housing needs of older / disabled people.

The average house price in Derbyshire Dales is £331,141 and the home-options equity level is £165,571. It is expected that property owners with equity above the Home-Options equity level will use their equity to secure accommodation for themselves. For those reasons, such owners may receive lower priority on the housing register.

21. Peak District National Park Authority Trees: Initial clarification around scope of proposed foundations and precautions regarding hedge line, and where utilities will be connected. Following response from the applicant, final response confirms no objection.

Representations

22. 7 letters have been received in support of the application and raise the following matters:

- The development is acceptable in design, scale and impact on the area.
- The proposal would enhance the access and landscaping of the site and local character of the area whilst retaining rural character.
- The scheme will enhance local sustainability and make use of an existing site rather than introducing new development in the landscape.
- There would be no impact on neighbouring properties.
- Intermediate housing is welcomed to the area.
- A 2 bedroom property will add choice for smaller family groups in the area.

- The proposal will benefit residents and it would be regretful for the present owners to leave due to lack of smaller homes locally.
- The site was previously occupied by residential cottages.

Main Policies

23. Relevant Core Strategy policies: GSP2, GSP3, DS1, L1, L2, L3, CC1, HC1
24. Relevant Development Management policies: DMC3, DMC5, DMC6, DMC7, DMC8, DMC11, DMC12, DMC13, DMH1, DMH2

Development Management Practice Note Policy DMH1

25. 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 for new houses by individuals seeking to meet their own housing needs, and confirms its focus is on this type of affordable housing.
26. 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.

Couples or two people forming a household together can apply for homes up to 70m².”

National Planning Policy Framework (NPPF)

27. 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.
28. 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.
29. 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.
30. The submission references the emerging development plan for the Peak District. However, due to its stage of preparation, limited weight is afforded to it at this stage.

Assessment

Principle

31. Policy HC1.A(I) permits housing that addresses eligible local needs and that remain affordable with occupation restricted to local people in perpetuity.

32. Paragraph 12.18 states it is not appropriate to permit new housing in the National Park in response to open market demand to live within it. The limited number of opportunities for new housing emphasises the importance of concentrating on eligible need within the National Park for affordable (including intermediate) homes. Addressing eligible local affordable housing need helps those who cannot compete on the open housing market.
33. Policy DMH1.A states affordable housing will be permitted outside of Core Strategy Policy DS1 settlements by conversion of existing buildings provided (i) there is a proven need for the dwelling(s); and (ii) any new build housing is within the policy size thresholds.
34. Policy DMH1.C confirms self and custom build housing will be permitted on rural exception sites in accordance with Part A regarding proof of need and size thresholds.
35. 6.27 outlines that: *“For the avoidance of doubt, and because of the high, and consistently rising trend in the monetary value of houses in the National Park, people owning a house inside the National Park are generally considered to be more able to resolve their own housing need than those who don’t own a property.”*
36. 6.28 continues: *“Some people who own their properties outright may want, as they get older, to move to smaller properties and remain in and contribute to the communities where they have lived for many years. Reasons may vary from decreased mobility and a practical difficulty in managing or adapting the current home to meet changed needs, to the need to realise capital to support their old age. This is commonly known as downsizing and should, wherever possible, be met through the existing housing stock where that is suitable. However, there may be circumstances where this is not possible and where the applicant circumstances justify provision of a home to meet their needs.”*
37. 6.29 states: *“The Authority will need to be persuaded that homeowners have no alternatives available to them on the open market or through social housing that can meet their changed circumstances. This means an applicant should provide evidence of their search for housing on the market at the time of submitting a planning application and/or seeking pre-application advice.”*
38. Finally, 6.46 states homes built by individuals to meet their own need are classified as “intermediate” houses (between pure affordable prices, and unencumbered open market prices) because they can be sold on by the first owner after three years to a person not in housing need, subject to satisfying local connection criteria.
39. The Planning Statement outlines the applicant has lived in Upper Padley for 19 years, and their partner 10 years, and that both are active within the community. It states it is essential the applicant’s stay in the community for their sense of purpose and well-being.
40. The applicant’s current property is a 4-bed, 2-storey cottage with 3 acres of land including outbuildings. The Statement indicates that as the applicants get older there will be less physical capability for maintaining the property, whilst ability to negotiate a mid-18th Century cottage, different levels at ground floor and steep staircase will become more difficult. It is therefore submitted there is a need to downsize.
41. The applicant further states living at ground floor of their existing property only or retrofitting is not feasible, due to steep staircase, multiple level changes and the need for single-storey living. Reference is made to the fact the cottage may be curtilage listed or at the least a non-designated asset. It is unclear at this stage if the cottage is curtilage listed and whether internal alterations would be subject to control. Notwithstanding this case, it must also be considered if the applicant is in affordable housing need.
42. The Statement details that the applicant has been exploring housing options since 2021. Details of a search of the local market are provided during 2024 - present, with four

- properties for sale in that period ruled out due to size, or work involved. The searches appear to have taken place in the Upper Padley postcodes (S32 2HY and S32 2JA).
43. Properties on the Windses Estate, Upper Padley, are identified as being potentially suitable but the Statement notes no property has come up for sale since 2021, and that time is of the essence as the applicant ages. The applicant submits their needs would best be met by converting and extending the existing barn on site to create an intermediate dwelling restricted to local occupancy in perpetuity.
 44. The intentions of the applicant are appreciated although it is not clear if there is a strong need for alternate accommodation at present for mobility reasons, notwithstanding lead-in times raised by the applicant to secure new housing. It does however need to be established if housing needs can be met on the open market. HC1.A and DMH1.A are clear that new affordable housing will only be acceptable where there is a proven need.
 45. Whilst officers appreciate the desire of the applicant to remain in Upper Padley, there does not appear to be an essential need to do so. There appear to have been opportunities on the open market for the applicant to remain in the local area which includes Grindleford parish, or adjoining parishes such as Hathersage. A search of Upper Padley only is considered to be too limited. A number of bungalow properties appear to have been sold within a 3 mile radius of Upper Padley in the previous 3-4 years.
 46. The Authority's policy officer has referred to the Authority's Housing Needs Assessment (HNA) 2023. Table 6.5 of the HNA states in the Derbyshire Dales District area of the Park, lower quartile house prices (2019) averaged at £235,000 whilst median house prices were £319,220. They also reference the Home Options partnership, which is used by constituent authorities to establish housing need. For those in home ownership, regard is had to existing resources available such as existing property value, with the average Derbyshire Dales District property indicated to be £331,141 and Home-Options equity level given at £165,571. Property owners with equity above that level are expected to use their equity to secure suitable accommodation themselves on the open market.
 47. An online estimate of the applicant's property indicates it significantly exceeds the average price values quoted by the HNA and Home Options guidance, suggesting the applicant is likely to have the ability to meet their housing requirements on the open market and they are unlikely to be a high priority on the housing need register. Even if that were not the case, there is no evidence to the contrary. There is therefore no compelling evidence to conclude the applicant is in affordable housing need.
 48. Notwithstanding the support for downsizing in the text of the DMP, the precise policy wording for HC1.A and DMH1 is clear that any new affordable housing must be justified by a proven need. As officers are not persuaded the applicants housing requirements cannot be met on the open market, or that the applicant is in need of affordable housing, the application is contrary to HC1.A and DMH1 and is not acceptable in principle.
 49. Whilst it is acknowledged the applicant is willing to enter into a Section 106 Agreement to restrict occupancy to local connection and suppress the future property value, this does not resolve the conflict with HC1.A and DMH1 in the absence of an identified need.
 50. There is further concern the property size (78sqm plus 11sqm external store) exceeds the Policy DMH1 58sqm threshold for a two person dwelling, and the flexible 70sqm threshold in the DMH1 practice note, and as such the property would not be sized affordably for a two person dwelling. The applicant has however indicated they would be willing to reduce the size to 70sqm if that were a barrier to permission being granted.
 51. The support received by representations and the Parish Council is noted, as is reference made to sustainability, re-use of a building and its quality, enhancement to ecology and

character, proximity to public transport, group value with other station buildings, economic benefit during construction, the unique circumstances of the applicant and social benefits to them and the freeing up of an existing house in Upper Padley. In regard to the latter, the existing house is not an affordable dwelling. Any benefits achieved on site are not significant. Due to the conclusions reached above limited weight is afforded to the case made around meeting the applicant's housing needs. The matters raised are not considered to outweigh or override the policy conflict identified, and the policy harm that would arise through grant of a new dwelling in the absence of a recognised need for affordable housing, given the Authority's strict exceptions to new housing in the Park.

52. The applicant has submitted HC1.A is arguably out of date and should not be afforded weight in determination of the application, given the updates to the NPPF in 2012 and 2024. They also indicate definitions of "affordable" and "intermediate" are subject to change in the 2024 NPPF and draft NPPF under consultation. They infer an "intermediate" dwelling should be taken as a dwelling with restricted occupancy.
53. Officers do not agree that HC1.A is out of date. The English National Parks and the Broads: UK Government Vision and Circular 2010 is clear at paragraph 78 that National Parks are not expected to meet general housing targets and will focus on new housing only to meet affordable housing requirements. HC1.A reflects that approach. DMH1 (adopted 2019) similarly requires there to be a proven need for new affordable housing.
54. With reference to NPPF paragraph 11, the application conflicts with the development plan policies. As the policies are deemed not to be out-of-date, the tilted balance is not engaged. Nor do the material considerations raised outweigh the policy conflict.

Other 'in principle' considerations

55. For the avoidance of doubt and as addressed further below, the proposed conversion is not considered to comprise conservation or enhancement of a heritage asset for the purposes of Policy HC1.C(ii) and Policy DMC10. DMC10 is clear that HC1.C(ii) only applies to buildings that are either listed, or identified as a non-designated heritage asset. The barn is believed to be constructed in the early 1990s and is not of historic merit. Nor would the proposal conserve or enhance other nearby designated assets. The proposed removal of the polytunnel and shed is a minor change which would not achieve a significant enhancement, as required by HC1.C and GSP2.
56. Whilst reference is made to the historic siting of a dwelling on the site and restoration of a residential use within the footprint of that historic use, this is afforded limited weight given the dwellings are long gone and the residential use abandoned.
57. With regard to Policy HC1.C(i), the development would not achieve conservation or enhancement of a Policy DS1 listed settlement. Upper Padley is physically separate from the settlement of Grindleford and Nether Padley, both of which are specifically referenced by DS1, with Upper Padley being omitted. In any case as established, the proposal is not required to achieve conservation, nor would it result in a significant enhancement.
58. The NPPF definition of previously developed land (PDL) confirms this excludes: "*land that is or was last occupied by agricultural buildings*" and "*land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape*". The former dwelling on site that is long since demolished is considered to fall into the latter exclusion. Whilst the applicant has submitted evidence they consider confirms domestic use of the site, which they state is incidental to their dwelling, also stating the size of the barn is such that it should be considered PDL, the site is considered by the Authority to be clearly outside of any residential curtilage and in agricultural use for growing, processing and storing of fruit and vegetables. Therefore as the NPPF confirms, it is not PDL.

59. Policy DMH6 which deals with redevelopment of PDL for housing is not applicable, nor if it were would the policy requirements for significant enhancement be achieved.

Impact on Character and Appearance

60. The proposal includes conversion and extension of the existing timber barn, which was constructed in 1991 and is not a traditional building of historic or vernacular merit. The extension would increase and compound the extent of untraditional built form on site and result in a less simple appearance, although it is recognised there is existing vegetation that would afford some screening from the south and east, mostly in summer.
61. Whilst the Planning Statement references improvement to the setting of nearby heritage assets through removal of the shed, polytunnel and re-instatement of residential use reflecting location of historic railway cottages on the site, limited weight is afforded to the latter as the buildings are long gone and the building and extension proposed in any case are not traditional in character. The polytunnel and shed removal would be a minor benefit but this would be cancelled out by extension of the existing untraditional building.
62. The addition of a large number of rooflights, particularly to the south, would domesticate the site character. There is some concern with the intervening flat section between the main barn and extension and its glazing on the north elevation.
63. Concerns were raised with conversion of the barn to holiday-let in 2016 (27099) due to domestic use of the lower part of the wider field and building, and harmful impact on the land and setting. This concern remains. Whilst there are structures on site associated with agricultural use of the land, the general extent around the barn remains agricultural as do views into the site from the south east corner through the site entrance.
64. Impact on rural character and setting of surrounding heritage assets could potentially be controlled through restricting the extent of residential curtilage, likely to immediately north and west of the barn, and through improved landscaping and sensitive surfacing of the turning and parking area. These measures could be dealt with by condition such that the application on balance is not recommended for refusal on design, landscape or heritage grounds or in respect of GSP3, L1, L3, DMC3, DMC5, DMC7, DMC8 or DMC9.
65. Notwithstanding the above, mitigation to address concerns around design, landscape and heritage would not overcome the 'in principle' policy conflict identified and for clarity the proposal is not considered to result in any significant enhancement to the area.

Ecology

66. The Protected Species and Activity Survey Report detail a site and dusk emergence survey conducted August 2025. The results concluded the barn had 'low potential' for roosting bats but that no bats were recorded emerging or entering the building, with low numbers of bats commuting through the site. There was no evidence of breeding birds within the barn's external features, although sign of roosting birds within the eaves was observed. No birds were observed returning to the roost within eaves during the survey.
67. Mitigation measures proposed include precautionary checks, sensitive working methods, provision of a bat chamber on the extensions eastern gable and provision of bird boxes.
68. The Authority's ecologist raises no objection to the application subject to compliance with the mitigation and enhancement measures, and pre-checking for nesting birds during the relevant period. Natural England have also confirmed no objection.

69. Subject to conditions, impact would be acceptable on ecology including protected species and sites of interest, thereby according with L2, DMC11 and DMC12.
70. The development is exempt from biodiversity net gains as it is a self-build development.

Other Matters

71. No new foundations are required as the barn, shed and woodstore sit on an existing concrete plinth, with the extension replacing the shed on the plinth, the footprint of which is unchanged. Hedging to the south is separated from the plinth by a stock fence although trimming of hedging (which occurs annually) may be required during construction. There is already a water and electricity supply to site, no gas connection is proposed and foul disposal was approved under NP/DDD/1024/1066. The Authority's tree officer confirms no objection in relation to impact on trees or hedges, or in regard to Policy DMC13.
72. The proposal would have access onto an existing lane used by other vehicles. Due to the nature of the lane, vehicles would likely be travelling slowly such that officers are comfortable there would not be highway safety issues. The lane is also a PRoW. Vehicles can exit site in a forward gear such that they would see oncoming pedestrians, and the increase in vehicles from one dwelling is not considered detrimental to pedestrian safety.
73. The relationship of the site with other properties is such that the development would not result in harm to neighbouring amenity through impact on privacy, overlooking, overbearingness or overshadowing. Construction disruption would be temporary.
74. The Flood Risk Assessment confirms the site is at low risk of flooding (Flood Zone 1), therefore no concerns are raised in this respect.
75. Sustainability measures include re-use of an existing building, rainwater and greywater harvesting, low flow taps, passive heating and cooling, and opportunity for solar panels and air source heat pump which can be secured by condition to comply with Policy CC1.

Conclusion

76. The application seeks conversion and extension of an agricultural building to a two bedroom dwelling. The applicant is willing to enter into a Section 106 Agreement to restrict the occupation of the dwelling to those with a local connection in perpetuity.
77. Whilst the applicant submits they are in housing need due to their increasing age and reduced physical capacity and mobility to cope with maintaining their existing property, and wish to downsize, it is not considered the applicant is in affordable housing need or that their needs would not be capable of being met on the open housing market.
78. In the absence of a proven need for an affordable dwelling, the application is contrary to Policies HC1.A and DMH1.A and the policy harm is not considered to be outweighed by any material considerations. The application is recommended for refusal.

Human Rights

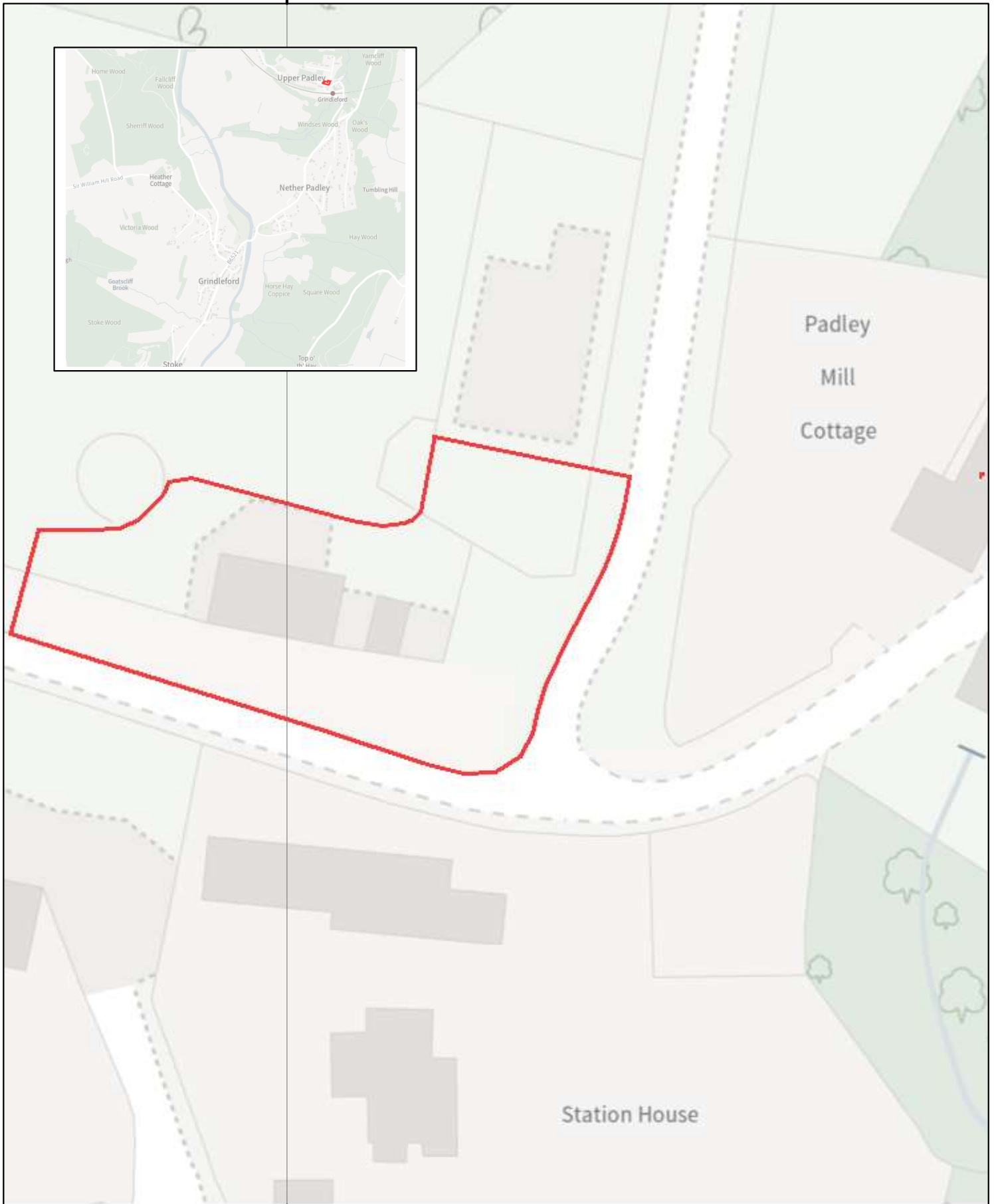
Any human rights issues have been considered and addressed in the preparation of this report.

List of Background Papers (not previously published)

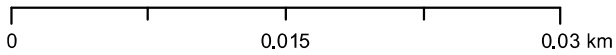
Nil

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Padley Mill Cottage, Grindleford

Item no. 6
 Application no. NP/DDD/0126/0079
 Committee date: 10/04/2026

Page 27
 Scale: 1:413 at A4 pagesize
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7. FULL APPLICATION – RETROSPECTIVE APPLICATION FOR CONSTRUCTION OF A FIELD TRACK, TEMPORARY REMOVAL AND STOCKPILING OF TOPSOIL AND SUBSOIL, THE PARTIAL INSTALLATION OF A 300-MILLIMETRE LAND DRAIN, INSTALLATION OF A CONCRETE TROUGH, STONE WALL AND BASE, RAISING OF GROUND LEVELS TO FEED WATER INTO THE TROUGH, SHALE EXCAVATION FOR AGRICULTURAL PURPOSES AND APPLICATION FOR THE COMPLETION OF THE LAND DRAIN, INSTALLATION OF THREE MANHOLES, REPLACEMENT OF THE TOPSOIL AND THE SUBSOIL, THE CONSTRUCTION OF TWO RETAINING WALLS, AND THE CREATION OF ATTENUATION POND AT 395908 377294 LAND OFF BLAZE HILL, RAINOW, MACCLESFIELD, SK10 5UT, (NP/CEC/0126/0024), HF

APPLICANT: MR ERIC JOHNSON

Summary

1. The application is part retrospective and proposed construction of a field track, installation of a land drain, concrete trough with associated wall and base, changes to ground levels, shale excavation for agricultural purposes, three manholes, re-grading works, construction of two retaining walls and creation of attenuation pond.
2. Subject to controls, the field track, drain and trough, some level changes, manholes and attenuation pond are acceptable in principle and in terms of impact on landscape, the existing stone barn, neighbouring properties, highways, trees and ecology.
3. Officers have significant concerns with levelling works and installation of two retaining walls around the existing stone barn on site, which would have an unacceptable impact on the landscape and setting of the barn which is potentially a non-designated heritage asset. Conflict therefore arises with GSP1, GSP3, L1, L3, DMC3, DMC5 and DME1.
4. The application is therefore recommended for refusal.

Site and Surroundings

5. The site comprises an area of land measuring roughly 0.85ha located south west of Blaze Hill, around 1.1km north east of Rainow. The site has been subject to unauthorised development subject of this application, however prior to those works the site was a grassed agricultural field with drystone boundary field walls, trees and an isolated gritstone field barn located in the centre of the site, set into the sloping levels of the site.
6. The site is in open countryside and within the slopes & valleys with woodland landscape character type (LCT). The site is partly in a Coal Authority Development High Risk Area.
7. The nearest properties are Jumper Lane Farm (165m north west), The Fathers Dwelling (270m west), Gorseynoll (250m west) and Top o' th' Stones (280m south west).

Proposal

8. The application is part retrospective and proposes: an agricultural track, installation of new 300mm land drain; formation of attenuation pond, installation of concrete trough with associated wall and base, extraction of shale for use on site around new drain and on track, three manholes, re-levelling works across the site associated with proposed works including temporary stockpiling of soils and relaying and re-grading on site, creation of level area around the barn and installation of retaining walls to the north and east.

RECOMMENDATION:

That the application be REFUSED for the following reasons, subject to no contrary views being received following the committee meeting, with delegated power granted to the Head of Planning, Development and Enforcement Manager and Area Manager to issue the decision in consultation with Chair and Vice Chair of Planning Committee to consider any representations that are received:

- 1. The proposed development would result in unacceptable harm to the character and appearance of the landscape and built environment, contrary to Core Strategy Policies GSP1, GSP3 and L1, Development Management Policies DMC3 and DME1 and paragraph 189 of the NPPF.**
- 2. There is insufficient information to understand the historic significance of the existing barn on site and the impact of the development on its setting, contrary to Core Strategy Policy L3 and Development Management Policy DMC5.**

Key Issues

9. The principle of the proposed development and its impact on the character and appearance of the built environment and landscape, neighbouring amenity, trees, ecology, highways and coal mining risk.

History

10. 25/0028: Enforcement case opened March 2025. Unauthorised engineering operations - changing the profile of the land - creation of a flat area.

Consultations

11. Cheshire County Council (Highways): No objection submitted to the first 10m of the access being surfaced in sealed material (tarmacadam or concrete). A Section 184 Agreement is required under the Highways Act 1980.
12. Cheshire East Council (Planning): No response.
13. Peak District National Park Authority – Ecology: As a retrospective application the development is exempt from biodiversity net gain. The tree planting and pond are welcomed and would achieve net gains. Further enhancement of the permanent grassland proposed would be welcomed. It is recommended the mix detailed in the landscape plan is replaced with a mix including common perennial herbs (species list detailed in full response). Conditions are recommended to adhere to the landscape plan, for measures to exclude livestock from the pond area, and a replacement grassland mix.
14. Peak District National Park Authority – Forestry: Trees on site are typical to the landscape character in species and layout. Works completed to date will undoubtedly have impacted the health of most trees in the application area. The Arboricultural Impact Assessment (AIA) confirms raising ground levels in root protection areas (RPAs) is harmful but there isn't anything less harmful compared with excavation. Whilst roots are not severed they cannot function properly and trees are likely to see a decline over the following years, ultimately leaving the site more visually exposed.

As trees don't appear to be high quality, they could be replaced with careful new planting. The AIA makes some suggestions although the planting proposal could be improved. The proposed rowan is appropriate although this could be mixed with other species such as hawthorn, field maples and potentially blackthorn to add species diversity. Isolated holly clumps would be inappropriate, but understorey planting to existing planting is reasonable. Alder trees close to the pond would be preferable.

With some amendments the new planting could be made satisfactory and if the application were approved a condition is recommended for a thorough scheme of tree planting and for an Arboricultural Method Statement to ensure trees are protected for ongoing works, as some statements re protection in the AIA are too vague.

15. Peak District National Park Authority – Landscape: First response: The site is in the Slopes and Valleys with Woodland LCT. This is a pastoral landscape with a varied undulating topography of steep slopes, low ridges and incised valleys. Permanent pasture in small to medium sized fields enclosed by hedgerows and trees. Blocks of woodland are characteristic. This is an area of dispersed settlement with probable ancient origins. Views to lower ground are framed by woodlands and valley sides.

This is highly visually intrusive development and has resulted in significant harm to landscape character and visual amenity – at least in the short term. The engineering operations have resulted in material being placed in the RPA of existing trees – and vehicle movements have taken / will take place in the RPAs. I object on the grounds of lack of sufficient information. I also do not think the scheme complies with Policy L1.

The submitted LVA is wholly inadequate and does not comply with the good practice guidance in GLVIA3 (however, as this is a retrospective application, it is relatively easy to understand the landscape and visual effects). Additional planting is referenced in the LVA, Planning Statement (which also mentions a landscape plan) and Arb report – a landscape plan does not seem to be included? Both the LVA and the Planning Statement also reference the previous (rather than current) Landscape Strategy.

Fundamentally, there is no Landscape Plan showing proposed planting, species, numbers, sizes and tree protection measures – this is a requirement. Some of the planting mentioned (e.g. 10 no 300mm holly ‘whips’) is inadequate. The planting design – and stock exclusion - needs to be carefully considered.

The track is over-engineered in my view – and should ideally be 2 wheel tracks rather than a 4m width track – this would be more sensitive and appropriate. The proposed surfacing area around the barn also feels out of scale.

The location, size and section of the pond should be shown on the landscape plan – this should be sensitively designed and with planting and livestock exclusion measures.

Further response upon clarification and receipt of landscape plan: Information provided is better. Some commentary raised around the best approach for restoring soils around the rooting area of trees and this is subject to discussion with the tree officer.

16. Rainow Parish Council: Concerned about the application as work appears to be disproportionate in scale and due to wider impact on neighbouring properties, particularly with regards water supply and drainage.
17. The Coal Authority: Parts of the site lie in an area where historic unrecorded coal mining is likely to have taken place at shallow depth. Voids and broken ground associated with such workings may pose a risk to ground stability and public safety. The Coal Authority’s general approach in cases where development is proposed within the development high risk area (DHRA) is to recommend that the applicant obtains coal mining information for the application site and submits a Coal Mining Risk Assessment.

However, we note that majority of the agricultural works lie outside of the DHRA i.e. falls within the Development Low Risk Area and the parts of the development that fall within the DHRA would not appear to have required significant groundworks or earthworks. The Coal Authority’s Planning & Development Team therefore does not consider that a Coal

Mining Risk Assessment is required to support the proposal in this particular case and we DO NOT OBJECT to this planning application. An informative is recommended.

Further response confirms excavation would appear to be of superficial deposits as opposed to deeper intrusive ground excavations. The retaining walls are within the DHRA however, this type of development would fall under part B (exempt by nature of development) on the Coal Authority's exemptions list.

Taking account of the legacy recorded and nature of the works, there is no objection or requirement for a Coal Mining Risk Assessment. However, as decision maker you can request any additional information you consider necessary, which may include further information on ground conditions and coal mining legacy to inform your considerations.

Representations

18. None received. However, the application remains under consultation and any further responses received will be reported to the planning committee meeting.

Main Policies

19. Relevant Core Strategy policies: GSP1, GSP3, DS1, L1, L2, L3, CC1, CC5
20. Relevant Development Management policies: DMC1, DMC3, DMC5, DMC10, DMC11, DMC12, DMC13, DMC15, DME1, DMT3

National Planning Policy Framework (NPPF)

21. National Park designation is the highest level of landscape designation in the UK. The Environment Act 1995 sets out two statutory purposes for National Parks in England: to conserve and enhance the natural beauty, wildlife and cultural heritage and promote opportunities for the understanding and enjoyment of the special qualities of National Parks by the public. When they carry out these purposes they also have the duty to; seek to foster the economic and social well-being of local communities in National Parks.
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23. In the National Park, the development plan comprises the Authority's Core Strategy (2011) and the Development Management Policies (DMP) (2019). The development plan provides a clear starting point consistent with the National Park's statutory purposes for the determination of this application. In this case, it is considered there are no significant conflicts between prevailing policies in the development plan and the NPPF.

Assessment

Principle

24. Policy DS1 states development in the countryside for agriculture is acceptable.
25. Policy DME1 expand on provision of agricultural buildings and other works, outlining criteria which proposals must accord with to be acceptable in principle. DME1.A states new agricultural buildings, associated working spaces or other development will be permitted provided that it is satisfactorily demonstrated that the building at the scale proposed is functionally required for that purpose from information provided by the application on all of the relevant criteria:

- (i) Location and size of farm;
- (ii) Type of agriculture practiced on the farm;
- (iii) Intended use and size of proposed building;
- (iv) Intended location and appearance of proposed building;
- (v) Stocking type, numbers and density per hectare;
- (vi) Existing buildings, uses and why cannot cope with existing or perceived demand;
- (vii) Dimensions and layout;
- (viii) Predicted building requirements by type of stock / other usage; and
- (ix) Contribution to the Authority's objectives e.g. conservation of valued landscape character as established by the Landscape Strategy including winter housing.

26. DME1.B considers visual impact, which is addressed further below.

27. It is understood the applicant forms part of a 5.66ha agricultural land holding with a further 1.6ha at Adlington. There is an annual tenancy elsewhere details of which are unclear. This site was purchased by the applicant 3 years ago and the Planning Statement indicates the applicant is seeking to establish a viable agricultural business, with a long-term aim to restore the existing stone barn, buy more land and expand stock numbers.

28. The applicant currently has 30 sheep, 6 native pedigree Aberdeen Angus in-calf sucklers and 3 calves on the agricultural unit. It is indicated that over time the applicant would like to acquire more cows and expand the operation.

29. It is indicated the drainage is required to replace the dilapidated sough (now removed by applicant). As works are retrospective, the new drainage has only been partly installed. The drain is described as necessary to channel water, drain the ground and supply water to the trough for animals. The pond would take surplus water at times of heavy rainfall.

30. Whilst site conditions are currently waterlogged, it is not clear this was the case prior to removal of the former sough. Nevertheless, there is not an objection in principle to drainage works to replace the former sough, provide an attenuation pond for overflow or a source of drinking water for animals, which is found to be reasonably necessary.

31. The application justifies the need for a track for access to enable the remaining works to be completed, and to secure long-term access to the stone barn for its repair and use if restored. The submission states a building is essential for successfully farming the site. It states if the barn were restored, its use would be limited although it could serve for storage of machinery, fodder, feed and housing sick animals or for lambing.

32. Although the case outlined is noted, a permanent track is not necessary to complete development on site. It is difficult to afford weight to the need for a track to access the existing barn, given that there are no proposals in front of the Authority as part of this application to restore the barn and no certainty (despite the intentions outlined by the applicant) that this will take place.

33. On balance however, given the presence of a building and ability to access the applicants further land holdings to the south, the track is accepted given that its visual impact is concluded later in the report to be acceptable.

34. The plans show a plateau around the barn with retaining walls to the north and east. It is indicated the plateau is required to expose the barn footings for its restoration, and for scaffolding to be placed around the barn. There is no planning application for restoration of the barn, nor is it clear why flattening the land would be required to achieve this, particularly at this scale. It is unclear why the works are required for agriculture, although the key consideration of these works is considered to be visual impact.

35. Shale excavation is shown on the submitted plans (approximately 250sqm). The works technically comprise minerals development, albeit at a minor scale comparative with typical mineral schemes. The extraction of shale is indicated to be carried out for the purposes of agriculture, to form the access track and lay around the new drain. Permitted development right Part 6 Class A is referenced by the applicant, although prior approval for the works would be required and cannot be granted as works have commenced.
36. The fact the works are minor and for agricultural purposes are such that whilst the works do not strictly accord with Policies MIN1, MIN3 and DMMW1, which require exceptional circumstances for new minerals development and justification around the need including availability of the material from elsewhere and its qualities, it is recognised the works at the scale undertaken would have fallen under Part 6 Class A if not retrospective. Whilst extraction has been carried out, it has been used on site and clearance of the levels around the barn, whilst unacceptable for other reasons below, is proposed in any case such that on balance, the proposals are not recommended for refusal on minerals grounds or Policies MIN1, MIN3 and DMMW1 and are best considered under general policies for agriculture given their nature.

Impact on Character and Appearance

37. Policy GSP1 confirms development needs to comply with the National Park statutory purposes, whilst L1 requires development to conserve and enhance valued landscape character, and other valued characteristics. DMC1 requires a landscape assessment for development away from settlement edges with wide scale landscape impacts.
38. L3 and DMC5 require development to conserve or enhance the significance of cultural heritage, including those of local importance. DMC5 requires applications to be supported by proportionate information to describe heritage significance and impact, with harm to non-designated heritage assets weighed in the planning balance.
39. GSP3 and DMC3 require development to respond to site context, existing buildings landscape character and to be appropriate in design and any new landscaping. DMT3 requires access to development to be accommodated in a way which conserves the area.
40. DME1.B states new agricultural buildings and other development / working spaces shall:
 - (i) Be located close to the farmstead or main group of farm buildings and make best use of existing buildings, trees, walls and landscape features; and
 - (ii) Not be in isolated locations requiring obtrusive access tracks and services; and
 - (iii) Respect the design, scale, mass and colouring of existing buildings;
 - (iv) Avoid adverse effects on valued characteristics including important local views, making use of the least obtrusive or otherwise damaging location.

Track

41. The site occupies an isolated location, and there are concerns focussing activity on the site would lead to the need for obtrusive features and track. The track proposed is roughly 167m long and therefore significant in length.
42. Notwithstanding this, its siting along the south edge of an existing wall results in views of the track being obscured from the north. When approaching from Blaze Hill to the south east the higher levels of the land obscure the majority of views. It is appreciated there may be some views from further vantages, however the supporting landscape assessment does not suggest views would be unacceptably harmful. The southern end of the track is visible from further north along Blaze Hill. Given this is a limited area of the track, and subject to an appropriate design, the visual impact is felt to be acceptable.

43. The track as originally proposed was overly wide and domestic in character, and the landscape officer objected to this. The applicant has reduced the track to a 3m wide traditional twin track with central grass verge. Shale is understood to have been used for the track, although a condition securing final hard surfacing of the track could ensure should any additional hard surfacing be required this is appropriate in appearance.

Drainage Works, Trough and Pond

44. Drainage works associated with removal of the former sough and partial laying of the new drain have resulted in significant excavation across the site, coupled with that associated with land clearance around the stone barn. As a result there are stockpiles of land south of the drain, although these are indicated to be temporary. The landscape officer concludes, as agreed by officers, that the work undertaken to date has a significant harmful and visual landscape impact. The landscape and tree officer also raise concerns around movement of levels around the RPA of trees, leading to their long-term decline.
45. A number of section drawings are submitted with the application, and an amended landscape plan has also been submitted.
46. The section drawings J, K and L (drawing PL14) show that whilst the land is currently regraded due to excavation, levels would be re-graded back to their original form. The landscape plan shows re-seeding of the area, although the ecologist has requested an alternate mix that can be secured by condition.
47. Provided the land is restored and seeded in accordance with the submitted details, there are no objections to the drainage works visually. A condition requiring the work to be carried out within an agreed timescale could ensure the existing landscape harm from unauthorised works could be addressed. The trough, associated wall and base are minor in scale and in the lower part of the site with surrounding planting, and are formed of appropriate materials. Their design and visual impact is acceptable.
48. Sections I and H show that levels around trees in the west corner of the site would be restored to their original position. Section E shows a minor raise in levels in part of the west area of the site to bring levels up around the drain. Visually, the impact is acceptable as it largely reflects existing gradients. Impact relating to trees is addressed later on.
49. Sections J and D detail the pond. Whilst leading to a depression over original ground levels, this change is minor and the pond would be sited within a general dip in the site where it would not be an overly prominent feature in the landscape. The introduction of wetland and bog planting around it and 2 alder trees would help the pond integrate into the site. The design and visual impact of the pond is acceptable.
50. Whilst construction of the works for the drain, pond and trough are considered to have resulted in a significant visual impact, provided the works are completed in accordance with agreed details and a specified timescale, the overall result would not be considered to result in an unacceptable harm on the character and appearance of the area.
51. The track, drain, pond and trough are acceptable and compliance with Policies GSP1, GSP3, L1, DMC3, DME1 and DMT3.

Level plateau and retaining walls

52. There are significant concerns regarding the creation of a level plateau area and retaining walls around the stone barn. Section G shows the original land levels originally dipped and then rose to the north. Section E shows original levels sloped west to east around the barn, rising to the east, with the barn nestled into the levels. The barn and surrounding

land had a harmonious relationship defining the relationship between the two and conserving the sloping levels of the landscape.

53. The varied Landscape Character Types (LCT) of the Peak District National Park are described in the adopted Landscape Strategy. These help to define the special qualities of the area which underpin the designation of the area as a National Park. The various LCT's assist in the application of core policy L1. In this case we refer to The Slopes & Valleys with Woodland LCT with its description of attractive undulating and sloping topography. The site prior to unauthorised development comprised sloping land reflective of the LCT.
54. In comparison to the original context, the proposal is for an artificially flat area of land around the barn. As works are partly retrospective, the visual impact of this is already appreciable, particularly on photograph 3 of the LVIA 500m from the site on Blaze Hill. The artificial levels around the barn and cut out of the sloping landscape is an incongruous change that conflicts with the sloping and natural character of the land.
55. The retaining walls would cause further harm. Section indicate the east retaining wall would have a height of 4m, far exceeding the eaves height of the barn. The height of the north retaining wall is unclear from the west section, although it appears the wall would rise west to east as levels raise. Together, both walls are incongruous urban features at odds with the open, low intensity agricultural landscape.
56. Together with the plateauing of the land, they cause significant harm to the landscape, a valued characteristic of the National Park. The proposals conflict with Policies GSP1, GSP3, L1, DMC3 and DME1, and the first purpose of the National Park.
57. It is not considered this harm could be overcome by breaking up the retaining wall with planting, as the retention of a stepped retaining wall in that landscape would still be incongruous and harmful, as would the level plateau.
58. Regarding shale extraction within the plateau area, MIN1.B and DMMW5 require restoration and aftercare to contribute to National Park purposes and enhancement. In light of the conclusion on considering the extraction against MIN1, MIN3 and DMMW1, strict application of MIN1.B and DMMW5 is not proposed, although it is still necessary for any landscape scheme to ensure the area subject to extraction is suitably restored. As outlined above, it is not considered this has been achieved due to concerns with the plateau and walls, leading to identified conflict with GSP1, GSP3, L1, DMC3 and DME1.
59. There are also concerns with the level changes and retaining walls on the setting of the stone barn. Whilst no information is submitted to explain the historic significance of the barn, it is referred to as a 19th Century structure. With the exception of a small section of concrete blockwork, it is considered by officers to be of vernacular and likely historic merit, constructed of gritstone with stone roof. Historic mapping indicates the barn was present in 1870 with the field division around it similar to that found today.
60. The barn is in poor condition. As outlined earlier, it is submitted the plateau levels are required to expose the barn footings for its restoration, and allow for scaffolding to be sited around it. There is no application in front of the Authority for restoration of the barn, nor is it clear why flattening the land would be necessary to achieve restoration.
61. The agent indicates the works around the barn could be temporary, however the application submitted does not confirm this, with features such as retaining walls appearing permanent. It is indicated a conservation accredited registered engineer (CARE) structural survey is to be carried out to confirm the best means of restoring the barn, and that subject to that survey it would be concluded if the creation of the plateau is necessary, or if an alternative could be considered.

62. However, the application is for permanent creation of a plateau, includes no details about how land might be restored in the future and proposes permanent retaining walls. Even if the CARE survey were to identify appropriate means for restoring the barn, it is unclear what these will be, if the associated impact and any alternate levels will be acceptable (and indeed if the works would result in greater harm than further decline of the barn), and in any case this application does not include physical works to restore the barn itself, meaning that work could not be afforded weight. Those considerations therefore do not outweigh harm to the barn and landscape in the wider planning balance.
63. The barn has the potential to be a non-designated heritage asset and the plateau and retaining wall would significantly harm its setting and the harmonious relationship between the isolated field barn and surrounding landscape. In the absence of sufficient information to understand the barn significance, and given the concerns around potential impact, the application is contrary to Policies L3 and DMC5.
64. Even if it were concluded the barn was not of historic significance, the scheme would harm the setting and character of a vernacular building, contrary to GSP3 and DMC3. Such harm could not be overcome by landscaping.

Trees

65. The application is supported by an Arboricultural Impact Assessment (AIA) which confirms the site has already been subject to extensive groundworks. The Authority's tree officer is of the view that the groundworks will undoubtedly have impacted the trees and are likely to result in their long-term decline, although the condition of the existing trees is noted as poor (category "U" or "C").
66. Due to the lower quality of the trees, the tree officer has accepted the trees could be replaced and does not raise an objection subject to a scheme for replacement tree planting and an Arboricultural Method Statement (AMS) to ensure the remainder of the works are carried out in a sensitive manner.
67. The landscape officer raises concern around scraping back of stockpiled soils that have been placed in the RPA of trees, with the tree officer agreeing soils will need to be carefully removed to ensure excavation of original soils does not occur. This could be managed via the AMS. For clarity, it is expected the AMS and replacement planting would address all trees within the application site area, including those south of the barn.
68. Subject to conditions to secure an AMS and replacement tree planting, the application is acceptable with regard to trees and Policy DMC13.

Ecology

69. The Authority's ecologist raises no objection to the application and is supportive of the introduction of pond and wetland area and tree planting. They would also welcome an improved grassland mix to that proposed and have requested that this be subject to an improved to include common perennial herbs. Details for excluding livestock from the wetland area are also requested, which can be secured by condition.
70. It is concluded the development would once completed, achieve suitable ecological enhancement such that it would be compliant with Policies L2, DMC11 and DMC12.

Residential Amenity

71. The nearest residential properties are 165m from the development, and due to the significant visual impact of the works the development will undoubtedly be noticeable to

other properties. The works once completed are however largely (with some exception) restoring levels to their former arrangement, and are connected to continued use of the site for agriculture. Due to the scale and distance of works from properties, it is not concluded development would harm neighbour amenity or conflict with GSP3 or DMC3. Harm to visual amenity is covered under Impact on Character and Appearance.

72. Shale extraction has already occurred and whilst it is unclear what level of disruption this caused, given it is complete the Authority does not intend to allege conflict with DMMW2.

Other Matters

73. The Parish Council raise concern over the supply of water from the site and drainage works on neighbouring properties. Those concerns are duly noted, although the drawings submitted indicate water from the new drain would flow into a trough, and then on into an overflow and further drain section, allowing for water to continue to flow off site. The specific details of any water supply arrangements for other properties is unclear, although the proposals appear to show continued provision for water to flow off site whilst the attenuation pond would help to manage on site drainage in periods of higher flow.
74. Therefore, there appears to be provision for water to continue to offsite. Completion of the drainage scheme could be conditioned within a timescale to ensure that is the case.
75. The Coal Authority (CA) confirms whilst parts of the site lie within a development high risk area for coal, the majority of works fall outside of that area. The Authority has clarified that there are groundworks and retaining walls in the high risk area, however the CA confirms any excavation would have been of superficial deposits rather than deeper intrusive ground excavations. The retaining wall is an exempt form of development in relation to a risk assessment. The CA therefore maintains no objection and the Authority does not raise an objection on land stability or contamination under Policy DMC15.

Conclusion

76. The application is part retrospective and proposes construction of a field track, installation of a land drain, concrete trough with associated wall and base, changes to ground levels, shale excavation for agricultural purposes, three manholes, re-grading works, construction of two retaining walls and creation of attenuation pond.
77. Subject to controls, the field track, drain and trough, some level changes, manholes and attenuation pond are acceptable in principle and in terms of impact on landscape, the existing stone barn, neighbouring properties, highways, trees and ecology.
78. Whilst there is not an objection to the extraction of shale on site in principle, which whilst technically a minerals operation is minor in scale, officers have significant concerns with the resultant re-levelling works and installation of two retaining walls around the existing stone barn on site, which would have an unacceptable impact on the landscape and setting of the barn which is potentially a non-designated heritage asset.
79. 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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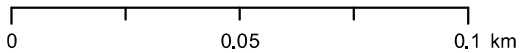
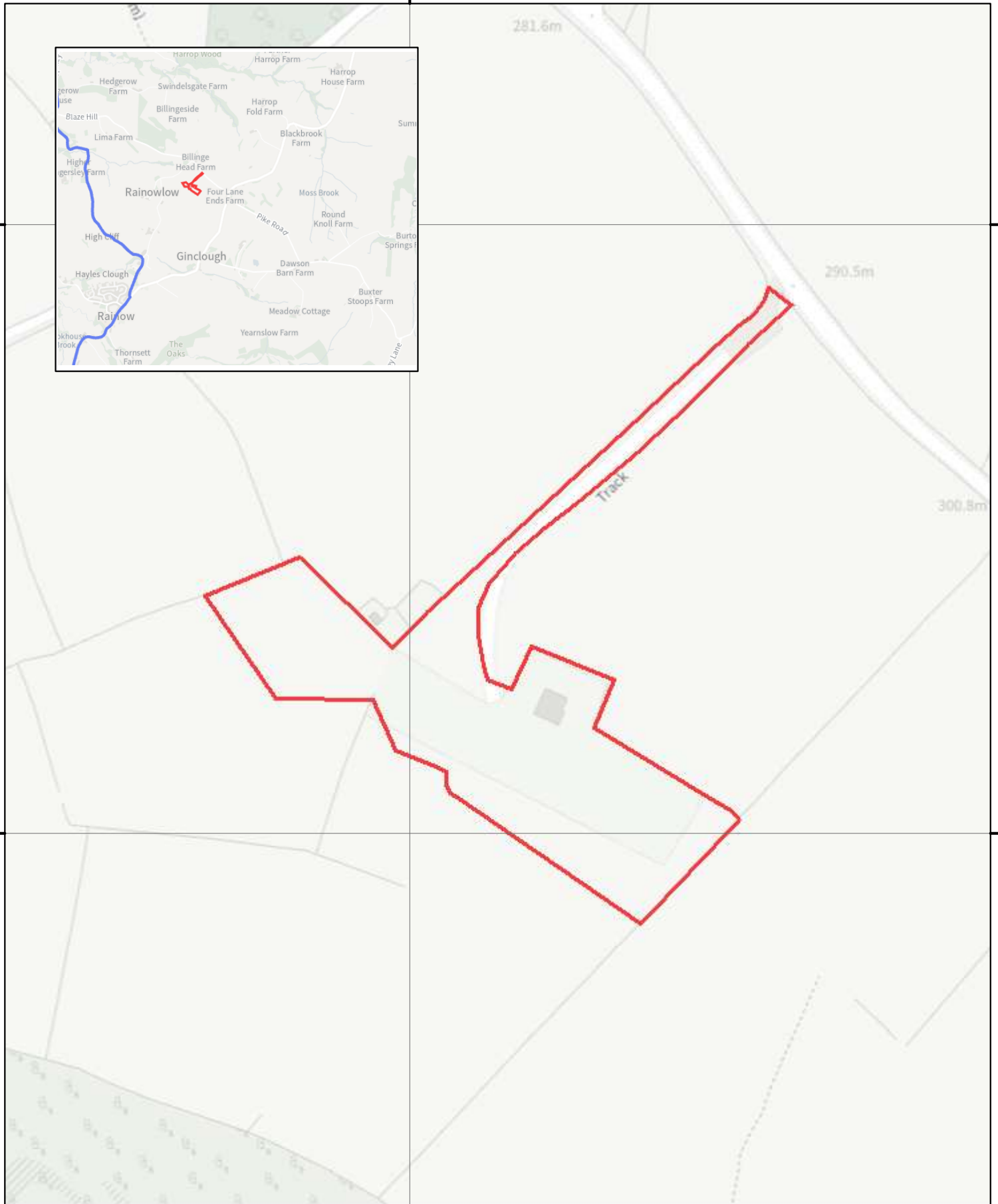
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Land off Blaze Hill

Item no. 7
 Application no. NP/CEC/0126/0024
 Committee date: 10/04/2026

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8. FULL APPLICATION – S.73 APPLICATION FOR THE VARIATION OF CONDITION 2 AND 4 ON NP/HPK/0223/0165 – ALLOW SHORT TERM RENTAL OF THE PROPERTY at TOP CROFT, ASTON LANE, HOPE (NP/HPK/0226/0221) WE

APPLICANT: MRS KATE PEARSON

Summary

1. The application proposes to vary planning permission NP/HPK/0223/0165 to enable the use of the outbuilding for short-term holiday accommodation.
2. The building subject to this variation application received planning permission in June 2023 and was constructed shortly thereafter.
3. The proposed variation of conditions 2 and 4 would not alter the design or visual appearance of the existing building. The application site has sufficient parking and amenity space to facilitate the use of the building for a short-stay holiday let.
4. Notwithstanding this, the proposed variation of conditions 2 and 5 would result in a recently constructed building being used for holiday accommodation. This would be in conflict with Core Strategy policy RT2 which seeks to direct investment for holiday uses into traditional buildings that integrate well with the valued local character and enable visitors to enjoy this as one of the special qualities of the National Park.
5. It is recommended for refusal on this basis.

Proposal

6. The application proposes to vary condition 2 and vary condition 4 on planning permission NP/HPK/0223/0165.
7. Condition 2 outlines the approved drawings that the development must be constructed in accordance with. The variation of this condition relates to the modest alterations to the internal layout of the building to facilitate its proposed use as a holiday-let.
8. Condition 4 is currently worded:

The premises shall not be used for any purposes other than domestic garaging and uses ancillary to the residential enjoyment of Top Croft as a single dwellinghouse.
9. At present, condition 4 would restrict the use of the building for holiday-accommodation as it would not be a use 'ancillary to the residential enjoyment' of the host dwelling.
10. The application does not propose an amended wording for condition 4; however, this application has been determined on the basis of condition 4 being varied to:

The accommodation hereby approved shall be ancillary to the residential use of Top Croft, and shall not be occupied other than as a short-term holiday let or as residential accommodation ancillary to the enjoyment of Top Croft, and together with the main house shall be maintained as a single planning unit.
11. If approved, an additional condition would be necessary, worded as follows:

In respect of the short-term holiday let use ancillary to Top Croft, the building shall not be occupied for such a purpose by any one person for a period exceeding 28 days in any

calendar year. The owner shall maintain a register of occupants for each calendar year which shall be made available for inspection by the National Park Authority on request.

Site and Surroundings

12. Top Croft is a traditional dwelling located to the south of, and accessed from, Thornhill Road on the eastern section of Aston in the Hope Valley.
13. The main dwelling is sited to the north-west of the curtilage with a large garden to its south. Immediately bordering the site on the west are several outbuildings associated with Aston Hall Farm.
14. To the south of the dwelling and its curtilage is open countryside comprised of gently sloping farmland. When looking south from the dwelling, there are expansive views across the Hope/Derwent Valley.
15. Located to the west of the property, between the southern gable and eastern elevation of the adjacent agricultural buildings is a recently constructed building. The building's southern gable forms its principal elevation, featuring a set of double-glazed doors, a ground floor window and a first-floor window in the centre of the building below the apex of the roof.
16. The building is clad in vertical black profiled metal sheeting with black-framed windows and doors. It has rooflights on its eastern roofslope.

RECOMMENDATION:

That the application be REFUSED for the following reason:

1. **The development would introduce holiday accommodation into a modern outbuilding that is not a traditional building of historic or vernacular merit. The development is therefore unacceptable in principle and would be contrary to Core Strategy Policy RT2.**

Key Issues

- Principle of the development;
- Impact upon valued characteristics, residential amenity and highway safety;
- Other matters.

History

17. 2023: Reconstruction and extension of existing outbuilding (NP/HPK/0223/0165):
Granted conditionally

Consultations

18. Hope with Aston Parish Council: Objection: *This application for a change of use comes only two and a half years after an original application for demolition of an old garage and erection of a replacement ancillary building, designed as a gym and office. The work has already been completed to provide short term rental space instead, so this seems as if it is a retrospective application. The building does not seem to us to be either of historic merit or vernacular interest and as such change of use to short term rental as a holiday cottage seems to be contrary to Policy RT2.*
19. Derbyshire County Council Highway Authority: No objection

20. High Peak Borough Council: No response to date.

Representations

21. 5 representations were received during the determination of the application, all in support of the proposed development.

22. The following reasons for support were given:

- No increased noise or traffic locality;
- Proposal does not impact Aston or lead to disturbance to local residents;
- Economic benefits associated with increased tourists to the area, citing benefits to local families, cafes, pubs and shops;
- The holiday-let is managed responsibly and respectfully;
- Has enabled visitors to neighbouring properties to stay in accommodation nearby;
- Improved ability for people to experience the National Park.

Main Policies

Relevant Core Strategy policies: DS1, GSP1, GPS2, RT2, L1, L3

Relevant Development Management Plan policies: DMR3, DMC5, DMC7, DMC8

Statutory Framework

23. 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.

National Planning Policy Framework (NPPF)

24. 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.

25. 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

26. Core Strategy Policy DS1.C confirms the forms of development that are acceptable in principle, including conversion or change of use for visitor accommodation, preferably by re-use of traditional buildings.

27. Policy RT2 expands on this, requiring that hotel, bed and breakfast and self-catering accommodation must conform to a set of principles which include that the change of use of a traditional building of historic or vernacular merit to serviced or self-catering holiday

accommodation will be permitted, except where it would create unacceptable landscape impact in open countryside.

28. 'Traditional' is defined by paragraph 3.30 of the Development Management Policies document as a property built prior to 1919 with solid walls constructed of moisture permeable walls. A traditional building of 'historic or vernacular merit' therefore means a heritage asset within the terminology of the NPPF and local DMP.
29. As noted, the building subject to this application was constructed in 2023/24. It does not meet the definition of 'traditional' and is therefore contrary to RT2 as it does not comply with the principles that hotels, bed and breakfast and self-catering accommodation must conform to under the policy.
30. Officers note that there have been instances where the National Park Authority has granted approval for the use of buildings which do not strictly meet the definition of 'traditional' to holiday accommodation; however, these have typically been buildings of vernacular character which contribute towards the landscape or historic environment in which they are sited. They were also typically constructed to meet an established need which has since ceased.
31. Conversely, this building is extremely modern and does not appear to have had a previous function. It is also profile metal sheeted with a steep roof-pitch with its front elevation on a gable end. This pulls the building some distance from what can be considered 'vernacular'. Officers therefore consider this application to be materially different to the applications which granted more modern buildings such a use.
32. The development is therefore unacceptable in principle and harm arises due to the conflict with policy, as such approvals would undermine the aim of Policy RT2 which seeks to direct investment into the stock of traditional buildings in order to conserve the valued characteristics of the National Park's built heritage.

Impact upon valued characteristics, residential amenity and highway safety;

33. Policy L1 requires development to conserve, and where possible, enhance the valued characteristics of the landscape. The building subject to this application is sited on rising land in the Hope Valley in the valley farmlands with villages landscape character type.
34. Whilst largely concealed in the landscape, it would be discernible from sections of Parsons Lane and public right of way HP1/11 which runs parallel with Parsons Lane.
35. Officers are mindful that the existing structure in its current design has already been approved for its current use and deemed acceptable with regard to its impact on the landscape.
36. Whilst the proposed use would introduce a more intensive use to Top Croft through additional visitors to the site, Officers note that the building is sited in the garden of Top Croft where it would be common to see people sitting outside and enjoying the amenity space.
37. The building is partially in the Aston Conservation Area; however, the design for its current use has already been approved and deemed suitable with regard to the impact on the conservation area. The proposed alternative use of the building would not impact heavily on the significance or setting of the Aston Conservation Area. In addition, there would be no impact on the setting of the nearby grade II listed Aston Hall from the proposed use. However, the consolidation of the current design within a more formal residential holiday use would be missed opportunity to drive the conservation and

enhancement of a sensitive cluster of designated heritage assets. Overall, the scheme remains broadly in compliance with policies L3, DMC5 and DMC8.

38. The proposed use of the building would not have an unacceptable impact on the character and appearance of Top Croft itself as a historic and vernacular dwellinghouse.
39. The building is some distance from the nearest neighbours. It is 22m from the shared boundary between Top Croft and Wellcroft, with built-form separating the two plots. It is also 60m from Aston Hall and 70m from Aston Hall. The building fronts to the south across open countryside, and the amenity space for the building is shared with Top Croft. Therefore, given the limited scale of accommodation and its siting in the garden of Top Croft, the proposed use could be facilitated without adversely impacting the residential amenity of neighbouring properties.
40. The proposed holiday-let would accommodate 2-guests. Appendix 9 of the Development Management Policies Plan requires this quantum of guest accommodation to have 1 car parking bay. There is sufficient carparking spaces at Top Croft to facilitate the dwellinghouse and holiday-let use without concerns of inappropriate on-street car parking or overspill. It is therefore acceptable on highway safety grounds.
41. The proposed development would therefore not have an appreciable impact on the valued characteristics of the locality, nor have a detrimental impact on residential amenity and highway safety.

Planning balance

42. Officers acknowledge that the proposed use of the building would provide small economic benefits for local businesses, such as shops, public houses and cafes through increased overnight visitor accommodation. In addition, it would enable opportunities for the public to understand and enjoy the special qualities of the National Park. As such, approving the proposed development would go a limited way in furthering the National Park's second purpose, in addition to its duty to foster the economic and social well-being of the communities within the National Park.
43. However, Officers must stress that planning applications should be determined in accordance with the development plan unless material planning considerations indicate otherwise.
44. In this regard, the proposed development is in conflict with policy RT2 which outlines that the change of use of traditional buildings of historic or vernacular merit to services or self-catering holiday accommodation will be permitted. It also states that new build holiday accommodation will not be permitted. Given the age of the building and its lack of previous use it would be reasonable to conclude that the proposed development would constitute 'new build holiday accommodation'. This indicates that planning permission should be refused unless there are material planning considerations which outweigh the conflict with policy.
45. This report has outlined that the proposed use of the building for holiday accommodation would not impact the special qualities of the National Park, residential amenity or highway safety. As outlined above, the proposal would provide modest economic benefits and enable the public to enjoy the special qualities of the National Park. These are material planning considerations which offer some benefits in the planning balance.
46. Notwithstanding this, Officers consider that the harm to policy intention is sufficient to outweigh these material considerations. The adopted Core Strategy advises that there are sufficient historic and vernacular buildings in the National Park which are capable of being converted to meet the visitor needs. Whilst not expressly outlined, it is understood

through the direction of strategic policy that there is a strong desire for historic and vernacular buildings to be converted which would serve two purposes; increased overnight visitor accommodation, and also the heritage benefits associated with finding alternative viable uses for buildings which have lost their primary functions.

47. The approval of this planning application would undermine the strategic aims outlined within the development plan. Whilst all planning applications must be determined on their own merits, Officers believe that if this application is approved contrary to the provisions of policy RT2, it could result in a proliferation of applications for new build holiday accommodation which are materially similar to this application, namely involving modern, non-traditional materials. This may negatively impact the number of historic buildings being converted, particularly as new build holiday accommodation may be cheaper to construct as it would not need to respond and respect any pre-existing historic interest or significance. It also reduces the understanding and enjoyment of local characteristics which form part of the National Park's special qualities and aims of statutory purposes.
48. It is also stressed that this building is less than 3-years old. The granting of this planning permission may demonstrate an alternative route to enabling new build holiday-accommodation. Indeed, applications for ancillary accommodation could be submitted and approved on that basis, with further applications coming in shortly thereafter to enable the use of the building for short-stay holiday accommodation. Clearly this would severely undermine the provisions outlined in policy RT2.C and enable the restriction on new build holiday accommodation to be circumnavigated.
49. As such, Officers consider this application could severely harm the strategic aims of planning policy in the National Park. Whilst it is accepted that there are material planning considerations which weigh in favour of the proposal, the potential harm to the planning policy would outweigh the positive material planning considerations.

Conclusion

50. This application seeks permission to amend and vary conditions on a pre-existing planning permission to enable the use of the building as a short-stay holiday-let.
51. The proposal would not have an appreciable impact on the special qualities of the National Park in this case, (including the landscape character and historic environment). It could also be accommodated without a detrimental impact on nearby living conditions and highway safety.
52. Notwithstanding this, the proposal is in conflict with the development plan when read as a whole. When considering the benefits associated with the proposed development, Officers have concluded that the potential harm to the strategic intentions to the development plan would not be outweighed by the benefits. Therefore, the planning application should be determined in accordance with the development plan.

Human Rights

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

List of Background Papers (not previously published)

Nil

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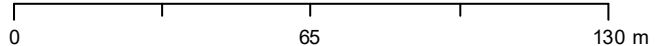
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Top Croft, Aston Lane, Hope

Item no. 8
 Application no. NP/HPK/0226/0221
 Committee date: 10/04/2026

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9. FULL APPLICATION: RE-DEVELOPMENT OF THE DISUSED FORMER CAR SALES AREA OF THE SICKLEHOLME GARAGE BUILDING, WHICH IS TO BE TRANSFORMED INTO BAKERY OUTLET, EXTENDING THE EXISTING RETAIL SPACE AT SICKLEHOLME SERVICE STATION, SICKLEHOLME GARAGE, HATHERSAGE ROAD, BAMFORD (Grid Ref: 420716.784339/382337.878824) (NP/HPK/0825/0855 JK).

APPLICANT: Mr Ian Richards - Ascona Retail Ltd

Summary

1. The bakery outlet would occupy two disused garage bays at the western end of the main building. It would be modest in scale and ancillary to the existing convenience shop.
2. There are no design concerns regarding the new shop front to replace the current roller shutter doors.
3. The key concerns of objectors relate to noise and additional traffic/parking issues arising from use of the bakery.
4. The garage operates 24/7 for fuel and shop sales with the bakery hours proposed to be 6am to 6pm weekdays and 7am to 6pm at weekends.
5. Subject to the use of conditions the Highway Authority raise no objections and following the revised Noise Impact Assessment there are now no objections from the local Environmental Health Officer.
6. The amended proposal is now considered to accord with adopted policies which allows for modest scale retail development at filling stations and is therefore recommended for approval subject to the conditions set out below.

Site and Surroundings

7. Sickleholme Garage is an existing petrol filling station with ancillary shop and car/jet wash facility with managers flat above. The garage is prominently located at the busy traffic light-controlled junction between the A6187 Hathersage Road and the A6013 Sickleholme/Station road up to Bamford village. As a result, the premises are a popular stopping point for fuel and convenience shopping for local residents and for visitors, especially on sunny weekends and bank holidays.
8. There are four separate accesses into the site, two on each road frontage and all are uncontrolled two way in the absence of any signage.
9. Bamford village is approximately 1 km to the north of the site and Hathersage village some 2.7km to the east. The site therefore lies well outside of the nearest main settlements and whilst there are a loose collection of residential properties in the vicinity, the site is nevertheless considered for planning purposes to be located within open countryside.
10. There are dwellings immediately adjoining the site, Fairholme to the west and Holmdene to the north. A further dwelling, Wingate, is located immediately west of the Fairholme plot. All are separated by tall fencing and hedging which bound the garage site.
11. This proposal relates to a former car sales area which occupied the single storey western end of the garage building. This currently has two large roller shutter doors across its frontage facing onto the forecourt just to the west of the fuel pumps.

12. The managers flat lies over the main garage shop and has a rear balcony on a flat roof. The shop itself serves the local passing trade as well as being a convenience store for the local community as there are few facilities in Bamford Village and the wider Bamford with Thornhill parish. The premises are open 24/7 for shop and fuel sales.
13. Part of the western section of forecourt and westmost part of the garage building lies within flood zone 2.

Proposal

14. Full planning permission is sought for the change of use of the disused former car sales area (sui-generis use) in the single storey western section of the Sickleholme Garage building to create a bakery outlet (Class E(a) for the sale of goods other than hot food), increasing the existing retail space on site.
15. The bakery would have a separate entrance off the front forecourt via a new shop front in dark grey aluminium framing replacing the current roller shutters. This would lead into a serving area completely separate from the existing convenience store and fuel sales counter in the adjoining two storey building.
16. On the rear outside wall there would be three condenser fan units for the proposed internal chillers/fridges and an eaves level room ventilation extract fan outlet set within the existing clerestory glazing.
17. 13 customer parking spaces on the wider site are shown on the amended parking plan, 9 of which are for customers, none of which are proposed to be specifically reserved for the bakery.
18. The agent has confirmed that *“The planned trading hours would be 6am – 6pm – Monday to Friday, 7am – 6pm Saturday and Sunday. Staff would start up to an 1 hour prior to the opening time. We can confirm the bakery would stay within the ownership of the petrol station and shop, and be operated as a single entity.”*
19. The application is supported by the following reports;
 - Transport assessment and amended information on parking, visibility and trip generations.
 - Environmental Noise Assessment and Amended Noise Assessment Report
 - Flood Risk Assessment
 - Design and Access Statement

RECOMMENDATION:

That the application be APPROVED subject to the following conditions;

- 1. Commence development within 3 years.**
- 2. Carry out in accordance with specified amended plans and reports**
- 3. Define use of premises to a bakery within Class E (a)**
- 4. Hours of operation to be 6am to 6pm Mon -Friday and 7am to 6pm weekends and bank holidays**

5. **Noise from external extract vent and plant not to exceed levels set out in the amended Environmental Noise Report and all plant to be installed and serviced in full accordance with manufacturers recommendations.**
6. **Highway Authority requirements;**
 - i) **Submit for written agreement a signage/lane marking plan to control no egress from access point 3 (Closest to traffic light junction).**
 - ii) **Submit for written agreement a Traffic and Pedestrian Management Drawing illustrating allocated car parking spaces and delivery details for existing and proposed development by signage and walkways.**
7. **Submit for written agreement a scheme setting out the measures to incorporating flood resilience materials and measures into the conversion works in accordance with Construction Industry Research and Information Association (CIRIA) Code of Practice for Property Flood Resilience.**
8. **Footnote re protected species - bats and the law.**

Key Issues

20. Whether the retail bakery use is acceptable in principle.
21. The impact of the proposal upon the character and appearance of the building and the immediate locality
22. The impact upon neighbouring amenity.
23. Any highway safety implications
24. Flood risk

History

25. 2020 – Approval for Conversion of disused garage/car sales space into fish and chip outlet (10am to 11pm Mon-Friday), granted conditionally June 2020 NP/HPK/0919/1057-
26. 2020 – Approval for Section 73 application to vary condition 6 - alteration to opening hours to add 12noon to 10pm Saturdays and 4:30pm to 10pm Sundays. NP/HPK/0919/1057 granted conditionally 24th July 2020

Consultations

27. DCC Highway Authority - Initially requested further information in terms of visibility splays, a proposed parking plan and a trip generation with parking assessment.
28. Following reconsultation with the additional submitted information the summarised Highway officer comments are as follows;
29. The speed limits along both Hathersage Road and Station Road are 40mph. Visibility splay drawings have been submitted for the access points 1,2 and 4 and are considered acceptable.
30. For access point 3 visibility to the north is impaired due to a stone wall. Vehicles exiting the site from this point and turning right would be difficult and raises safety concern due to the potential vehicle conflicts. Vehicles should be restricted from egressing at this point

and therefore it should be conditioned that access point is retained as inbound only with provision of signage.

31. An assessment of car parking has been undertaken and parking provision shown as per the land use based on car parking requirements in line with the Peak District National Park Local Development Framework (LDF). Based on this seven car parking spaces are required for the convenience store and bakery with two spaces for staff and two spaces for the residential. An additional two accessible spaces has been provided based on DCC guidance. This results in a total of 13 spaces which is considered acceptable.
32. However slight concern is raised with internal movement with both vehicular and pedestrians across the forecourt with use of PFS, convenience store and bakery. Therefore, it is considered that a Traffic and Management Drawing is submitted which illustrates the parking spaces allocated for each use and which will be shown on the forecourt and pedestrian walkways along the forecourt to reduce vehicle/ pedestrian conflicts. This can be conditioned subject to approval.
33. High Peak Borough Council – Planning – No comments received
34. High Peak Borough Council - Environmental Health – No objections
35. The Environmental Health Officer (EHO) responding initially to the originally submitted Noise Impact Assessment raising a number of concerns.
36. These were shared by the case officer who concluded the loss of amenity was not acceptable.
37. An amended report was requested and sent to the EHO whose revised comments are as follows;
38. The report predicts that with mitigation there will be a slight, “low impact” increase in nighttime noise (+1 dB rating level minus background), and no increase in daytime noise (-11 dB rated). The specific sound level is determined as 36dB(A) at the nearest sound sensitive premises, with a rating level of 38dB(A) to account for fan tonality. For context this is likely to be reduced by 10-15 dB through an open window, resulting rise to noise levels (attributable to the fan) below 26dB in a bedroom. A level of <30 is generally considered desirable for bedrooms (BS8233)
39. Background noise levels appear a little high and it’s not clear if they are representative of levels expected in the rear garden areas of the noise sensitive premises (opposite the rear of Sickelholme Garage); however, even with uncertainty of +3dB to account for this, the predicted impact of the proposed development appears to be low.
40. Bamford with Thornhill Parish Council – No objections. Raised comments summarised below;
41. The petrol station is open 24/7. It seems unnecessary for the bakery to be open 24/7, so a restriction is requested which required it to be shut during night hours.
42. *Case Officer Note – The applicant’s agent has confirmed opening hours which preclude night time opening.*
43. The petrol station already has a marked tendency to be a congregating point for large groups of motorcyclists at weekends. The addition of a bakery will probably increase the attractiveness of it as a congregating point, and so we would recommend a condition which requires proactive measures to manage the motorcyclists better- the current approach to them at this site will not work well if there are even more of them.

44. *Case Officer Note – There is no evidence to suggest that the addition of a bakery would increase motorcycle visits or cause a parking problem which in any case would be a management matter for the garage staff. The suggested condition would not therefore be appropriate.*
45. Upon re-consultation following the amended noise impact assessment the Parish Council has raised the following additional concerns;
46. Possible noise of the operation by comparison with the otherwise quiet environment during night hours at this location, and urges that a restriction on hours of operation be applied accordingly (or else some other mitigation).
47. The proposed parking spaces at the rear of the premises being maybe too close to the neighbouring dwelling in respect of causing noise disturbance to that property at night.
48. Derbyshire County Council Flood Team – No comments made as this is a minor planning application and due to the team’s current workload, Derbyshire Local Lead Flood Authority (LLFA) are only responding to Major planning applications.
49. Environment Agency - The LPA should apply national flood risk standing advice.

Representations

50. One objection was received to the initial neighbour consultation raising the following concern about noise from the bakery (summarised);
 - *Object to the operation starting time of 6am. Residents will be affected at 6am and potentially earlier. Habitable rooms are situated directly opposite the rear of the building. The sound levels will increase at the site from 6am to 8 am. This includes people talking outside of the property, doors opening and increase in vehicles delivering and collection as well as plant machinery and equipment.*
51. Following receipt of the amended noise report the neighbouring properties were reconsulted. The previous objector maintains their objection and three further objections have been received which raise the following summarised points;
 - *Concern the bakery will increase traffic and in particular the number and noise from motorcyclists visiting the site as a meeting/stop off point and from the use the outside seating area in the forecourt. Site already a popular location to congregate at weekends and bank holidays*
 - *Impact on health from additional motorbike noise.*
 - *Safety concerns over risk of accidents on site and when emerging as well as from potential spillover of parking onto the road verges if site is full.*
 - *Odour. The application does not provide detailed information regarding odour filtration systems or long-term maintenance arrangements. Without appropriate filtration there is potential for odour emissions to affect nearby residential properties.*
 - *Increased vehicle movements close to residential boundary and safety of vehicle circulation.*
 - *Cumulative impacts not addressed in application.*
 - *Opening hours should be 8am – 5pm and 9am to 5pm on weekends and bank holidays.*

- *Increased litter and attraction of vermin.*
- *Noise report focusses on fixed mechanical plant, early deliveries, staff activity, vehicles, doors and unloading will be clearly audible from adjacent property.*
- *Transport statement may underestimate actual peak parking demand*

Main Policies

52. Relevant Core Strategy policies: GSP1, GSP3, CC1, CC5, E2, HC5

53. Relevant Local Plan policies: DMC3, DMC14, DMS3, DMT6

National Planning Policy Framework

54. 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.
55. Paragraph 189 of the NPPF states: Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks. 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.

Assessment

Principle of Development

56. The proposal seeks a change of use of the former car sales part of the premises to a retail bakery within Class E(a) for the sale of products without hot food and primarily to visiting members of the public.
57. The relevant section of Core Strategy policy HC5E states that retail use in the open countryside will only be acceptable where proposals are small scale and ancillary to a business acceptable under policy E2 (which allows principle of certain business uses in open countryside) and take account of impact on local centres.
58. This is not a standalone new business altogether as the long-established garage business already exists as the main development on the site. The bakery would be a small-scale addition ancillary to that primary retail use which along with fuel sales also has a convenience store. The principle of a new ancillary bakery business to the existing garage business would therefore accord with policy HC5
59. Whilst the site is located in close proximity to neighbouring residential properties and is approximately 1 km from Bamford, it is nevertheless located well outside of the nearest core strategy settlement in terms of DS1 and therefore DMS3 is also applicable to this site. There is special provision within DMS3 for retail development at petrol stations forecourts outside Core Strategy policy DS1 settlements stating that;
60. B. At petrol stations, new or increased retail space will be permitted provided that:

- (i) it does not reduce the size of the petrol station forecourt or marginalise the petrol station to the extent that the retail activity becomes a destination in itself; and
 - (ii) there is no additional demand for car parking or associated infrastructure.
- D. Expansion or intensification of the use of an existing site or building will only be permitted where it is of a modest scale in relation to the existing activity and/or buildings and it does not adversely affect the valued character, residential amenity and landscape setting.
61. There is already an existing ancillary shop at the petrol station which would not be affected. The forecourt and fuel sales would also not be affected. This application is modest in scale and would increase the mix of retail already on the site and provide an additional offering for current passing trade as well as the wider local community who already use the existing shop for convenience goods. The location of the petrol station is outside of a settlement, however is located on a busy A road, close to the junction to a main road into Bamford and therefore will not harm the open countryside.
62. Whilst a bakery has the potential to become a destination location in itself, the agent has confirmed that the bakery is to remain in the same ownership and ancillary to the petrol station. On balance it is therefore considered that the bakery would in all likelihood be mainly used in a similar way to the existing shop on site by passing trade and the local community.
63. The submitted information demonstrates that there is space on site for parking and the proposed bakery would not increase the overall demand for parking. Amenity impacts are covered in more detail below but in the absence of any concerns from the Environmental Health Officer it is concluded that the principle of the bakery is acceptable subject to planning conditions. These would be necessary to control the nature and extent of the use and tie the bakery to the existing business use and with those the principle would be acceptable in accordance with policies E2, HC5 and DMS3.
64. Design and Landscape impact.
65. Core Strategy Policy L1 requires that development must conserve and enhance valued landscape character, as identified in the Landscape Strategy and Action Plan, and other valued characteristics.
66. The Authority's design policies include GSP3 and DMC3 require good design which conserves the valued characteristics of the site and its setting with particular attention paid to impact on the character and settings of the buildings and to the scale, siting and materials, in accordance with the Authority's Design Guide.
67. The proposed external changes to the building are limited. The existing roller shutter doors are to be removed and replaced with a glazed shop front with sliding. Bollards (approx. 1m) are proposed just in front to protect the shop frontage. The shop window framing is to be in aluminum finished in a dark grey colour and would sit above a stall riser formed in dark ceramic tiles.
68. Overall, the design of the proposed external changes is considered acceptable given the bakery front would be seen in the context of the existing petrol station building and shop front. The external plant/equipment would be located on the rear facing wall of the garage looking into the back of the site and the jet/car wash facility. This would comprise three condenser unit's at ground floor for the refrigeration units inside along with a discreet under eaves extract ventilation fan outlet. These would be screened from public views being within an existing well screened area at the rear which is already used for 'back of house' storage and for the siting of other plant and equipment for the main shop.

69. Due to the small-scale nature of the works within a busy petrol filling station and coupled with the simple design of the shop front, the proposed change of use does not give rise to any design concerns. As a result, the proposal will conserve the character and appearance of the building and its immediate setting. Given views of the alterations are limited to the immediate public frontage there would be no wider landscape impact.
70. The proposal therefore accords with policies GSP3, DMC3 and L1.

Amenity Considerations

71. A key issue in this case is the impact of any noise arising from the proposed use upon the amenity of the local residents in the properties immediately abutting the garage site.
72. Development Management Policy DMC3 states that where development is acceptable in principle, particular attention should be paid to amenity, privacy and security of the development and other properties that the development affects.
73. Development Management Policy DMC14 requires that for development which presents a risk of pollution or odour that could adversely affect any of the amenity of neighbours and neighbouring uses will not be permitted unless adequate control measures are put in place to bring the pollution within acceptable limits
74. There are two dwellings immediately adjoining the site, Fairholme to the west and Holmdene to the north. Both are 1 ½ storey dwellings and lie behind the boundary fence and tall hedge which largely screen the garage premises from them both. A further dwelling, Wingate, is located immediately west of the Fairholme plot.
75. Holmdene has a first-floor gable window which looks over the boundary into the back of the site where the car/jet wash is situated and the roof also has rooflights. Fairholme, whose plot is directly to the west of the site with the dwelling itself positioned off the north-west corner of the garage site. Fairholme, also has first floor gable window. These do not directly face the boundary; however, they are visible over the boundary hedge from the site.
76. The proposed change of use to a bakery will lead to staff arriving early on site to prepare the produce before opening at 6am. The use will involve the installation of ovens but direct odour extraction system is not proposed from the ovens to the outside air. The refrigeration/chiller units will require cooling and hence three condenser units are proposed on the rear, north elevation. There would also be a higher ventilation extract grill just under eaves level which would extract air from the bakery room itself. This is required mainly to remove the heat and refresh the air, although inevitably there would be some baking odour, this would be reduced by charcoal filters within the extract system. Noise of the extract is also proposed to be reduced by a specific silencer.
77. In the initial assessment by the local Environmental Health Officer (EHO) he concluded that there would be a loss of amenity during night-time periods as a result of noise from the plant (the extract fan) and that mitigation would be required to reduce any impact on the direct neighbouring properties.
78. The agent responded with a revised Noise Impact assessment report. This report, in summary, concludes that with inclusion of a 900mm silencer in the vent, the proposed specific sound has a low impact at the existing residential receivers and is below the typical background sound level for the majority of operational hours.
79. It explains that whilst mitigation has been specified which significantly reduces the sound pressure level of the specific source and that although likely to exceed the background sound levels during the most sensitive period, the impact is considered low. Further it states that the predicted external sound pressure level from the specific source sound is

- such that existing internal ambient noise levels will not be significantly affected, even with open windows.
80. The report comments that the assessment level increase during the hours of 05:30 to 07:00 of +1dB should still be considered 'low impact', Noting that generally, a change of ± 3 dB is the minimum perceptible by most people, and a single decibel is often perceptually negligible. BS4142 considers 'adverse impact' at a rating level of around +5dB.
81. The report also notes that the numerical assessment considers all sources collectively. Whilst it is possible that this may occur, it is not expected that all sources will be operational at full duty for the entirety of the operational time period or opening hours of the store. There is likely to be some fluctuation in noise from the associated plant which may be quieter at certain times depending on the demand placed on the equipment.
82. In response to the updated report the Environmental Health Officer (EHO) has commented that;
83. The specific sound level is determined as 36dB(A) at the nearest sound sensitive premises, with a rating level of 38dB(A) to account for fan tonality. For context this is likely to be reduced by 10-15 dB through an open window, resulting rise to noise levels (attributable to the fan) below 26dB in a bedroom. A level of <30 is generally considered desirable for bedrooms (BS8233)
84. The EHO comments on the report that background noise levels appear a little high and it's not clear if they are representative of levels expected in the rear garden areas of the noise sensitive premises (opposite the rear of Sickelholme Garage); however, even with uncertainty of +3dB to account for this, the predicted impact of the proposed development appears to be low.
85. On the basis of the EHO advice above officers conclude that the use in terms of noise generation would be acceptable.
86. The case officer has noted that in respect to the proposed operating hours, whilst 6am to 6pm with staff arriving on site a little earlier may be considered early, this needs to be considered in relation to the existing operational activity at the garage business which operates on a 24/7 for fuel and convenience sales. The proposed use as a bakery will provide fresh baked products to customers from early morning but given the majority of these will already be visiting the site it is considered unlikely that noise levels from staff or early morning customers will be such to warrant any further restriction to opening hours.
87. In light of the EHO advice and the current use characteristics of the site it is concluded that the proposed use would not cause an unacceptable impact upon neighbouring amenity to warrant further mitigation or restriction of operating hours. Conditions would be necessary to ensure plant and equipment is installed and maintained in accordance with manufacturers recommendations and noise levels kept below that set out in the amended noise report.
88. Highway safety
89. The Highway Authority initially requested further information in regard visibility splays, parking plan and trip generation. The agent has responded to this with an amended Transport Report, trip generation information and a parking plan for the whole site.
90. The report demonstrates that compliant horizontal visibility splays are achievable from all access points with the exception of visibility to the north from the access closest to the traffic lights at the eastern end of the site. It should be noted however that this is only

one of four accesses with the bakery most likely to be accessed from the western most access which has adequate splays.

91. The parking plans shows a total of 13no. standard car parking spaces, including 2no. accessible spaces will be provided at the site. This will accord with the standards set out in the Local Development Framework and the Derbyshire County Council Parking Guidance.
92. The Highway Officer has raised concern over internal movement with both vehicular and pedestrians across the forecourt with use of the fuel pumps, convenience store and bakery. However, he considered that this can be resolved via condition requiring a Traffic and Management Drawing to be submitted which illustrates the parking spaces allocated for each use and which will be is shown on the forecourt along with pedestrian walkways along the forecourt to reduce vehicle/ pedestrian conflicts.
93. The Transport Report indicates that the proposed bakery is likely to give rise to a modest uplift in vehicle trips. However, it considers that it is reasonable to forecast that a proportion of these trips will be pass-by trips or linked trips to the established service station offering. Furthermore, it sets out that a parking accumulation derived from the proposed trip generation indicates that the demands associated with the site should be comfortably catered for by the increased provision of spaces.
94. The DCC Highways Officer has responded to the additional vehicle trip generation for both extant and proposed uses which clearly show there will be an increase of vehicle movements from the proposed use. However, it is not considered that the increase in vehicle movements is significant in terms of numbers. He notes there will be pass-by trips with vehicles already on the network which will visit the site and also linked trips which may visit the fuel pumps, jet wash or convenience store and then the bakery also with the vehicle already at the applicant site. Furthermore, the officer agrees that trips will be short in nature and as discussed linked trips will occur with vehicles already at the applicant site. Therefore, on this basis the finds the trip generation to be acceptable.
95. The Highway Authority Officer therefore concludes that there would not be an unacceptable impact on Highway Safety or a severe impact on congestion and that there are no justifiable grounds on which an objection could be maintained subject to conditions discussed above.
96. In conclusion it is considered that the bakery use of this scale can be accommodated on the site without harm to highway safety or local amenity in accordance with our adopted transport policies.
97. Biodiversity
98. Policy L2 of the Core Strategy outlines that development must conserve and enhance any sites, features or species of biodiversity importance and where appropriate there setting.
99. Policy DMC12 states that for internationally designated or candidate sites, or European Protected Species, the exceptional circumstances where development may be permitted are those where it can be demonstrated that the legislative provision to protect such sites or species can be fully met.
100. Policy DMC11 states that proposals should aim to achieve net gains to biodiversity as a result of development. In considering whether a proposal conserves and enhances sites, features or species of wildlife, geological or geomorphic importance, all reasonable measures must be taken to avoid net loss by demonstrating that any enhancement is proportionate to development and that any adverse effects of the development have been avoided and that appropriate mitigation is proposed.

101. The proposal does not involve works to the roof of the building and no extensions are proposed. It is therefore considered that the proposal is unlikely to impact on protected species, however, it is prudent to remind the applicant of their duty to comply with the Wildlife and Countryside Act which protects protect species such as bats.
102. In respect of BNG, the whole of the site is on a sealed surface and therefore the application is exempt from providing the statutory 10% net gain for biodiversity set out in the Environment Act.
103. Given the above, the proposal accords with policies DMC11 and DMC12.

Climate change / sustainable building

104. Policy CC1 requires all development to make the most efficient and sustainable use of land, buildings and natural resources to achieve the highest possible standards of carbon reductions.
105. This application relates mainly to a change of use of existing premises with little operational development. Nevertheless, the application sets out a proportionate and acceptable response to the policy aims in setting out that the redevelopment will include an increase in wall and ceiling insulation, improving internal comfort and bringing the thermal performance of the structure in line with current building regulations.

Flood Risk

106. A small area of the site is in flood zone 2. This area of site is mainly existing hard surfacing for vehicles. The proposed use is considered 'less vulnerable'. This means if affected by flooding it is acceptable for the facility to not be operational. The submitted Flood Risk Assessment notes there are no changes proposed to areas of roof, hardstanding or landscaping.
107. The report notes that a sequential test is not required for this application.
108. It outlines that the main risk of flooding is from the river Derwent with a risk of flood between 1 in 100 and 1 in 1000 in any given year (1% - 0.1%). Flooding from the Derwent is likely to lead to the closure of the A6187 and may lead to standing water in the area of parking on the application site.
109. The anticipated flood event could lead to loss of access to the site and therefore may lead to the temporary closure of the site. The flood risk assessment states that buildings on site are in flood zone 1 and not expected to be affected, therefore no other migration measures are proposed.
110. However, this is not entirely correct for although the majority of the main garage building and the rest of the garage site is in zone 1, a very small end section of the application building is just within the modelled area of flood zone 2 which in accordance with NPPF par 181 requires that the development be made appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment. A condition to require the conversion to incorporate flood resilient flooring and wall finishes with raised electrical sockets etc would therefore be required and included within the recommendation.
111. Most of the site including the main entrance to the proposed bakery is in zone 1 and therefore there is a good safe access and an obvious escape route in the event of a flood affecting the eastern part of the site. Water standing on hard surfacing can be allowed to drain away as river levels drop.

112. It is therefore concluded that the application will not increase flood risk either on or off the site. The main affected area of site is car parking with the small area of building which can be made flood resilient. The proposed use, including parking is considered 'less vulnerable' and as such considered acceptable in flood zone two subject to the condition suggested above.

Conclusion

113. Subject to the above conditions, the proposed bakery use can be accommodated within the building in manner which conserves the character and appearance of the site and the local landscape setting. Furthermore, there is adequate parking and maneuvering on site for visiting customers. On the key issue of noise and potential odour concerns affecting neighbouring residential amenity the application has now demonstrated this would not be the case with the local environmental health officer considering any impact would be low and within acceptable limits. Therefore, subject to the aforementioned conditions and footnote the application would accord with polices GSP1, DS1, L1, E2, HC5, DMC3 and DMS3 and is recommended for approval.

114. Human Rights

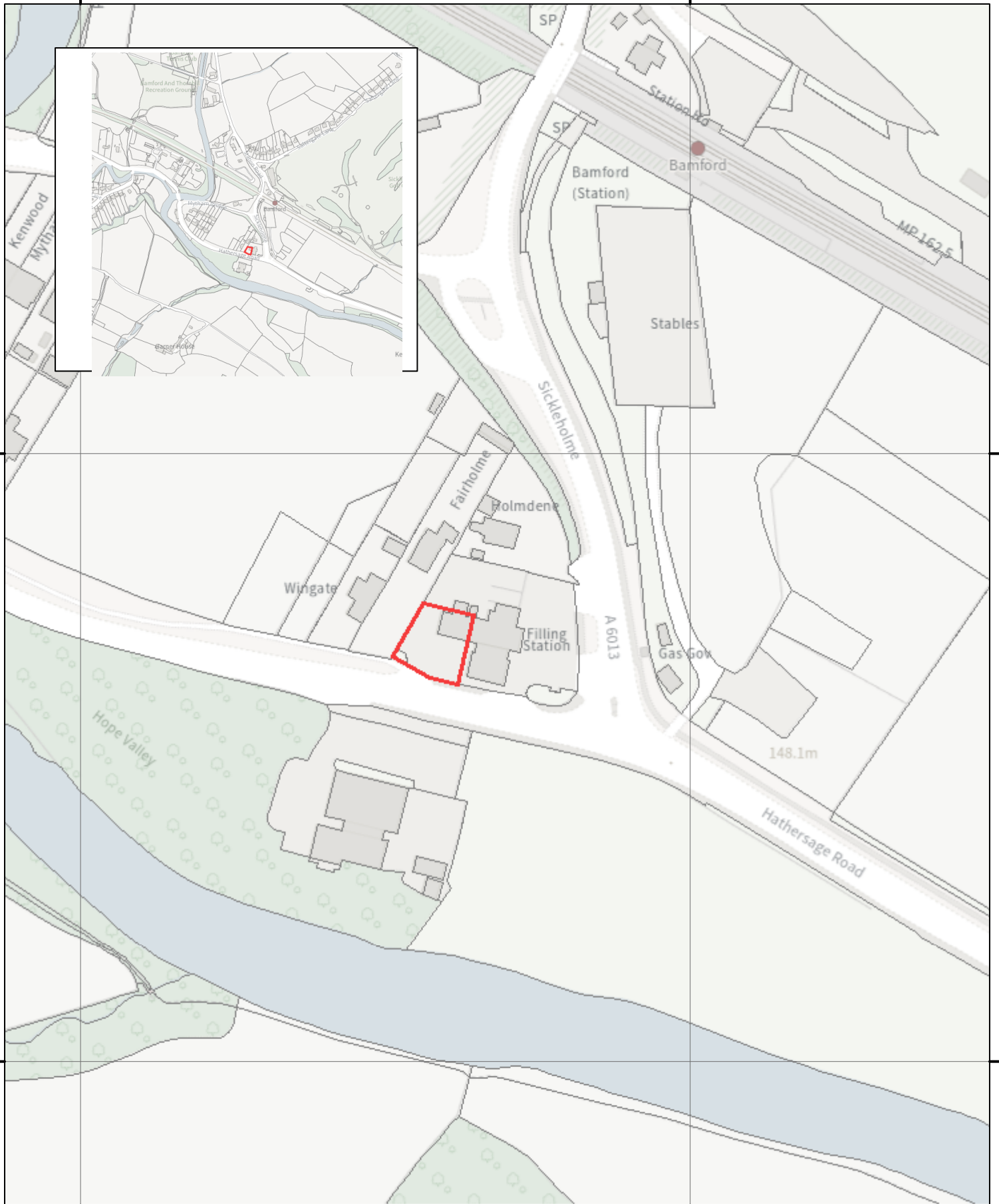
115. Any human rights issues have been considered and addressed in the preparation of this report.

116. List of Background Papers (not previously published)

Nil

420600

420800



420600

420800

0 0.05 0.1 km



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Sickleholme Service Station, Hathersage Road, Bamford

Item no. 9
 Application no. NP/HPK/0825/0855
 Committee date: 10/04/2026

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 Scale: 1:1,654 at A4 pagesize
 Map centre grid ref: 420,737 382,350



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10. FULL APPLICATION – 4 LOCAL NEEDS DWELLINGS AT LAND SOUTH EAST OF WYNGATE, THE MIERS, BIRCHOVER (NP/DDD/0525/0460) JS

APPLICANT: MR J RIMMER

Summary

1. This application seeks full planning permission for the erection of 4 dwellinghouses along with associated infrastructure that would include a vehicular new access and parking area. The dwellings would all be affordable dwellings with the intention of meeting eligible local need.
2. Officers have carried out negotiations with the applicant to secure amended plans and further information. The development would be considered a departure from relevant local plan policies which seek to ensure new affordable housing developments are either inside or to the edge of policy DS1 settlements; this site would be sufficiently set apart from Birchover to be not considered at its edge. However, it is considered that given the evidence of local need for affordable housing and the limited capacity for greenfield development in the National Park, the proposal would be acceptable and can be accommodated without harm to the special characteristics of the National Park.
3. The development is considered to be acceptable in all other respects and therefore is recommended for approval subject to prior entry into a S.106 planning obligation and subject to planning conditions.

Site and Surroundings

4. The proposed development site has an area of approximately 0.1ha and rises very gradually to the north and also rises from west to east. The site consists of mainly rough grassland bounded by dry-stone walls. The Miers (a C classified road) runs along the southern boundary which bends to the east before dropping down and meeting Main Street at the centre of Birchover approximately 160m to the south.
5. The site is open with no trees; there is a single Ash tree to the north on land within the ownership of the applicant; to the western boundary outside of the application site are two more trees. The site is between two clusters of dwellings with a terrace of 3 immediately to the west and two sets of semi-detached homes to the east. To the opposite side of the Miers is the large detached 'Miers House'. To the north is a large agricultural field bounded on three sides by dense tree plantations.
6. The Birchover Conservation Area ends approximately 40m to the south east of the site at the point where a dense mass of trees which extends along the northern side of Birchover meets the large open agricultural field referenced above.
7. The site is located within Flood Zone 1. A drainage sough which is an historic water supply runs across the northwest of the field but outside of the application site. The site is located within the Slopes & Valleys with woodland Landscape Character Type (LCT).

Proposal

8. This application is seeking planning permission for 4 affordable homes; the permission would also include the creation of a new vehicular access, turning area and 6 parking spaces. The existing front stone boundary wall would be set back and rebuilt to allow for acceptable visibility splays in either direction; soft landscaping would be provided behind this rebuilt wall.
9. The scheme would be made up of:

- Two 1-bedroom flats with a floor area of approximately 38.7sqm each
- One 2-bedroom detached house with a floor area of approximately 69.56sqm
- One 3-bedroom detached house with a floor area of approximately 96.8sqm

10. The homes would be constructed in natural local gritstone with roofs to be covered by blue slate tiles. Solar panels are proposed to the south facing front roof slopes of the dwellings.

RECOMMENDATION:

That the application be APPROVED subject to prior entry into a S.106 planning obligation to secure affordable housing 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 surface water drainage scheme**
4. **Submission, approval and implementation of Construction Management Plan (to include details of noise/dust management and hours of operation)**
5. **Submission, approval and implementation of finished ground and floor levels**
6. **Submission, approval and implementation of scheme of enhancement measures for bats, birds and hedgehogs**
7. **Submission, approval and implementation of scheme of measures to mitigate the effects of and adapt to climate change**
8. **Submission, approval and implementation of detailed hard and soft landscaping scheme**
9. **Submission, approval and implementation of secure bicycle parking and bin storage areas including detail of bin collection point.**
10. **Implementation of biodiversity gain plan.**
11. **Submission, approval and implementation of tree protection measures**
12. **Implementation of mitigation measures detailed in Section 4.3 of the Ecological Report**
13. **Implementation of access, parking and turning facilities prior to occupation**
14. **Front boundary wall shall be rebuilt as shown on submitted plan prior to occupation and visibility splays retained in perpetuity**
15. **Approve samples of external materials**
16. **Approve sample panels of gritstone walling**
17. **Approve details of windows and doors**
18. **Approve details of any external meter boxes**

19. Approve details of solar panels
20. Rainwater goods and verge details
21. 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
22. Remove permitted development rights for alterations, extensions, hard surfaces, ancillary buildings, means of enclosure and solar panels.

Key Issues

- Principle
- Landscape impact
- Layout, design, landscaping and sustainability
- Residential amenity
- Impact upon cultural heritage
- Ecology
- Highway safety
- Flood risk and drainage

Relevant Site History

11. There is no site history that is relevant to this planning application.

Consultations (Comments are summarised. Consultee responses can be read in full on the Authority's planning search system)

12. Highway Authority: No Objection subject to conditions following receipt of further information:

- Visibility is considered acceptable
- Proposed parking provision would surpass the level required by DCC Parking Guidance for New Developments with 6 spaces proposed whereas the guidance requires a total of 5 spaces.
- It is noted that cycle parking is to be provided to the rear of each unit. Therefore, this should be conditioned.
- A collection point for refuse collection should be conditioned
- Other conditions should be imposed as part of any grant of approval to firstly ensure the delivery of driveway/parking/turning areas prior to first use of the development and secondly, the proposed visibility splays shall also be provided prior to and maintained for the life of the development.

13. Birchover Parish Council: Objects

2nd response 27/02/26:

'This statement aspires to protect Birchover's green spaces and this plot is considered to be one of those green spaces. The area falls outside the main nucleus of the village as described in the Peak Park Development Plan. If planning permission is agreed this would set a precedent with resulting ribbon development along the road losing more of the green character of this particular stretch of road.'

There are still major concerns regarding parking and road safety. The majority of the houses on this road do not have off-road parking and those further down, beyond the bend, have parking at the rear, usually just for one vehicle, not at the front of the houses. It is likely that the 6 parking spaces shown would not be enough for the residents of the houses/flats. If the 4 units each have 2 people in them, it is likely that

each will have a car making eight. Two more for on street parking. Where will visitors park, probably on the road. In summer, visitors also park in this area making the problem worse. The road at this point is not capable of taking any more parked cars on the roadside.

There will be an increase in the number of delivery vehicles (both parcel and supermarket deliveries) and on bin day refuse vehicles would park in the entrance to the properties causing congestion on the road. This road is used by buses, tractors and quarry traffic, visibility is sometimes reduced by parked cars on this side of the road towards the bend. Also, there is no pavement so pedestrians could be at risk. There is also still a query about where bins would be left on bin days for emptying as there is no pavement outside the properties. DCC Highways did highlight this issue in their response to the planning application June 2025.

The question of the 50m visibility to the bend is also disputed. It may be so for someone standing, but in a car, lower down, this is not so. Also, anyone driving out of the site will have to venture into the road to be able to see what is approaching from either direction.

This is an entirely different proposal to the original and the change to detached properties to be built is totally out of character with other housing in the area mainly terraces and small semi-detached cottages.

Concerns were raised about how the land outside of the development area will be maintained even with access. Will it remain an area of unkept waste land?

The Council reiterates that it is not opposed to the building of affordable housing, but does not see this site for the proposed detached properties as suitable or fitting for this area of the village.

The decision of the Parish Council not to support this application was not unanimous, but a majority decision. There was one member in attendance who was in support of the application who I understand has submitted an individual letter of support.

1st response 02/07/2025: Objection

A number of concerns were raised including

- Errors or lack of information on the application form
- Design and layout that would not be in-keeping with other dwelling on the Miers and in the village
- The development would cause the loss of a green space
- Harmful impact on road safety
- Queries were also raised about how the homes would be heated, the impact on adjacent trees and risk of surface water flooding.

Officer comment: Concern was also raised that the development if approved could also set a precedent that would result in other spaces along the Miers being developed. It should be highlighted that any potential future applications would be considered on their own merits. It is not the case that an approval for one application creates a binding precedent for any future applications.

14. Tree Officer: No Objection subject to conditions

(Tree Officer was consulted again following receipt of amended plans but confirmed he had no additional comments to make)

“Three trees are apparent when viewing online imagery for this site. Two are on the western boundary – they appear to be a cherry and a copper beech. They are distant from the build footprints, but they may be under neighbouring ownership and it is therefore appropriate that any planning condition identifies tree protection measures

(fencing) to ensure their root areas and ongoing health prospects are not affected. The same applies to an ash tree within site – this may succumb to Ash Dieback, but a few ash are resistant to the disease. A planning condition for this is proposed.

The soft landscaping scheme should account for the need to avoid damaging retained tree's rooting areas. It should include new trees, whose planting and retention should be secured via planning condition..."

15. Ecology: No objection subject to conditions

BNG – 'It is accepted that the BNG condition can be fulfilled by purchasing off site units, detail of which are required to be provided within the Biodiversity Gain Plan to be submitted and approved prior to commencement, along with a completed BNG metric that satisfies the Trading Rules'.

Protected Species – '...All mitigation and enhancement measures detailed in Section 4.3 of the Ecology and BNG Assessment by Dunelm Ecology (May 2025) to be conditioned an adhered to'

The Authority's Ecologist recommended a further condition to secure additional benefits which would be detailed in a plan to be submitted and approved by the PDNPA. This plan would show the delivery of integral bat roosting and integral Swift Bricks and House Martin Nests within buildings and hedgehog provision.

16. Derbyshire Dales District Council Rural Housing Enabler: Supports

Rented units

'If the units are to be delivered as rented, we would need to see the unit types reflect the housing needs of households that are eligible to occupy the properties based on the Peak Park's local connection requirement.

The attached Housing Needs Statement demonstrates evidenced need from July 2025 which shows a need for 1 and 2 bed accommodation across Birchover and adjoining parishes for older people via the housing register.

We are therefore supportive of the 1 x 2 bed flats on the proposed scheme but would prefer for the remaining 2 units to be delivered as either:

- 1 x 1 bed bungalow and 1 x 2 bed bungalow*
- 1 x 2 bed house and 1 x 2 bed bungalow.*
- 2 x 2 bed bungalows*

There is no cascade system that can be applied for first occupation of new affordable housing units as per Peak Park planning policy so it is essential the units reflect the identified need of the settlement to avoid properties being sat void due to a lack of eligible occupants.

However, it is to be noted that no Housing Needs Survey has been conducted in Birchover and as is usually the case, Housing Needs Surveys uncover a higher level of housing need than is 1 evidenced via the housing register. It is possible that a Housing Needs Survey could support the need for a 3 bed property on the scheme'.

Discounted market sale

'The proposed mix looks to be appropriate for discounted market sale units, in the sense that the Peak District National Park will always be a popular location for people to buy homes at a reduced rate.

DDDC Housing however has concerns over the limited number of households that may meet the eligibility criteria and be able to occupy the properties (i.e. they will have to be in housing need and meet the local connection criteria).

Discounted market sale units with a 20 – 30% discount for example can still be very expensive and unaffordable for households on more modest incomes, of which is the case for many households in need.

DDDC are responsible for assessing housing need, and have found in the past with other schemes in the Park containing DMS units, that often, the majority of households that can afford these properties already have a substantial level of equity which means they are therefore not classed as being 'in need' according to our allocations policy.

Essentially, a significant level of equity can be used to purchase properties at open market prices in many areas of Derbyshire Dales. Unless households have a need to live in the specific location, i.e. Birchover, based on a requirement such as to support a family member and don't have a vehicle to live elsewhere and travel, we would not assess them as being in housing need, and therefore they are not eligible to purchase the property.

To combat this, a significant discount would need to be applied to the DMS units to ensure affordability for households that are classed as being 'in need', however it's understood this may not make the scheme viable for the developer'.

Space Standards

DDDC would also expect minimum floor areas of new affordable houses to be 90% of Nationally Described Space Standards (NDSS).

Representations

17. The Authority has received 24 letters of objection from 18 objectors. The material planning reasons given are summarised below. The letters can be read in full on the Authority's website:

- The site lies outside the defined Birchover settlement boundary, conflicting with policies DS1, DMH1 and DMH2.
- Development would harm the open, rural character of The Miers, which forms an important visual approach into the village.
- Four dwellings plus a large parking area viewed as too intensive for a small plot and out of character with the other properties on the road
- Flats considered out of character with The Miers (traditionally single dwellings/terraces).
- Loss of agricultural land
- Overlooking of rear gardens and loss of privacy
- Noise and disturbance
- Overshadowing impacts
- Construction traffic and disruption
- Lack of evidence for Local Housing Need
- Site is not sustainable due to limited bus services and the village's limited range of shops and services
- The proposed access is close to a blind bend on a steep hill, with limited visibility.
- Road is already narrow and congested with insufficient on-street parking available which becomes particularly acute in the summer months

- Impact on drains within application site with the potential to effect drainage of properties above and below site.
 - An historic water system of old clay pipes runs under the site feeding a well and reservoir used for domestic and land management purposes. The development risks damaging these features
 - Land frequently becomes waterlogged with concern that hard surfacing and removal of existing ditch could worsen flooding.
 - Risk to trees adjacent to site
 - Development would result in habitat loss and fragmentation
 - Limited consideration of ways to reduce carbon footprint
18. The Authority also received 12 letters of support from 11 people. The material planning reasons given are summarised below:
- Aid the viability of local services including the local school, shops and pubs
 - Would provide much needed affordable housing
 - The proposal provides a mix of 1-bed, 2-bed and 3-bed homes, which better reflects current identified local needs.
 - The land where the houses are planning to be is overgrown and would benefit from being developed as proposed
 - No adverse impact on the landscape character of the area
 - Appropriately sized homes to provide genuine affordable homes
 - Sympathetic with the architectural heritage of the area
 - Changes have sought to take on board initial objections
 - Energy efficient and eco-friendly
19. Finally, the Authority received 1 letter neither objecting or supporting and a further 3 letters submitted by the applicants in which they restated their case/sought to rebut some points raised by objectors.

Main Policies

20. Relevant Core Strategy policies: GSP1, GSP2, GSP3, GSP4, DS1, L1, L2, L3, CC1, CC5, HC1, T3 & T7
21. Relevant Local Plan policies: DM1, DMC1, DMC3, DMC4, DMC5, DMC11, DMC12, DMC13, DMC14, DMH1, DMH2, DMH3, DMH11, DMT3 & DMT8
22. Supplementary Planning Documents:
Climate Change and Sustainable Building (2013)
Design Guide (2007)
Building Design Guide (1987)

Wider Policy Context

23. 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

National Planning Policy Framework (NPPF)

24. In the National Park the Development Plan comprises the Authority's Core Strategy 2011 and the Peak District National Park Development Management Policies document 2019. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. There is no significant conflict between policies in the Development Plan and the NPPF.
25. Paragraph 189 of the NPPF states: Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks. 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.

Assessment

Principle

26. Core Strategy policy HC1 states that provision will not be made for open market housing but exceptionally new housing can be accepted where it addresses eligible local needs for homes that remain affordable with occupation restricted to local people in perpetuity. Policy DS1 states that in or on the edge of named settlements, new build development would be acceptable for affordable housing. DMH1 of the Development Management Plan following on from DS1 reiterates that affordable housing will be permitted in or on the edge of DS1 settlements provided need is evidenced and that the homes are within the stated size thresholds. DS1 settlements of which Birchover is one are the most sustainable settlements within National Park when their location, size and function, range of services and/or ease of access to services by public transport, and their capacity for new development is considered.
27. The policies referenced above are consistent with the National Planning Policy Framework (NPPF) which gives great weight to conservation of National Parks. The National Parks Circular (2010), incorporated by the NPPF, makes clear at paragraph 78 that "*The Government recognises that the Parks are not suitable locations for unrestricted housing and does not therefore provide general housing targets for them. The expectation is that new housing will be focused on meeting affordable housing requirements, supporting local employment opportunities and key services.*"
28. Birchover is a nucleated settlement set largely along Main Street; the application site and the adjacent houses are physically separated from the core of the settlement by a thick wood which serves as the physical marker of Birchover's edge. Given the separation from the core of the settlement, it is considered that site would be both outside of Birchover and just beyond its edge and so a proposal for affordable housing on this plot would be a departure from policies DS1 and DMH1. In assessing the weight to give to this conflict with DS1 and DMH1, it is however important to highlight that the site would be an infill plot within a cluster of homes only 40m from the northern boundary of the Conservation Area, a short walk from the centre of the village and would not be an isolated site in the open countryside with a limited physical connection to Birchover. The site would also be nearby a bus stop which provides a daily bus service between Bakewell and Matlock.
29. Policy HC1 sets exceptions when housing can be permitted. This site is an agricultural field and not previously developed land. There is no argument that the proposed development is required either to meet the needs of rural enterprise(s) or required to conserve or enhance Birchover. Therefore, housing could only be acceptable in principle if it were affordable housing to meet eligible local needs in accordance with policy HC1 and the relevant Development Management Plan policies.

30. The application proposes 4 dwellings, all of which would be affordable to meet local need. The development proposes a mix of housing following the publication of the Housing Needs Statement for Birchover (2025) by Derbyshire Dales District Council (DDDC) as Housing Authority. The supporting text of DMH1 is clear that the starting point for establishing local housing need is via an up to date housing survey, however the text goes on to say *“Housing need in rural areas is however difficult to gauge because the housing need is often hidden and some people are not registered as being in housing need. Therefore, the Authority encourages and supports any other methods of community engagement undertaken by housing bodies that helps establish genuine housing need. Housing Authorities use a series of questions to assess claims of housing need”*.
31. The Housing Needs Statement supplied by data supplied by DDDC is considered sufficiently robust to support a scheme for affordable homes in the parish of Birchover. The Statement shows that in adjoining parishes *“Altogether, there are therefore 6 households in housing need that meet the eligibility criteria in the first instance to occupy new affordable housing in Birchover”*. The households in need were identified as 4 single people, 1 couple and 1 couple and adult. This planning application has been amended during its course to now propose a mix of dwellings which better responds to this identified need. Initially, the application proposed 4x3 bedroom units at approximately 97sqm whereas the development would now see 2x1 bedroom flats with a floor area of 38.7sqm each, 1x2 bedroom house with a floor area of 69.56sqm and 1x3 bedroom house with a floor area of approximately of 96.8sqm. The 2 and 3 bedroom dwellings would be larger than the identified need, however, then Development Management Practice Note for Policy DMH1 is clear that *‘Couples or two people forming a household together can apply for homes up to 70m²’* and *‘Families or people forming a household together of 3 or more, can apply for homes up to 97m²’*. It is therefore considered that the size of the dwellings would respond to the need identified in the Housing Needs Statement while incorporating the flexibility on house sizes allowed under the Practice Note. Moreover, it is to be noted that no Housing Needs Survey has been conducted in Birchover and as is usually the case, Housing Needs Surveys uncover a higher level of housing need than is evidenced via the housing register. It is possible that a Housing Needs Survey could indeed support the need for a 3 bed property on the scheme.
32. DDDC have commented on the possible tenures for the dwelling with a review of whether the units would be better to be rented or sold at a market discount. They consider that the smaller units could be rented and also state that the overall proposed mix looks to be appropriate for discounted market sale units though raise concern about the viability of the scheme if all units were to be sold at a discount market sale. Discussions are ongoing between DDDC and the applicants about the final tenures for the dwellings that would apply if the application was approved and this would be secured in the S106 agreement. It should be highlighted at this point that the PDNPA is tenure neutral, meaning that the Authority is only concerned whether, given the standards outlined, the accommodation is fit to address the housing need rather than whether the accommodation is for sale or rent. Based on the Housing Needs Statement and the size of the homes now proposed, it is considered that the application would be fit to address local housing need in accordance with Policy HC1. This assessment weigh heavily in favour of the application and is deemed to outweigh the conflict with DS1 and DMH1 with regard to the site’s position beyond the edge of the DS1 settlement of Birchover. Acceptable exception sites for affordable homes across most DS1 settlements are deemed to be scarce (see paragraph 6.38 of DMH1) and the provision of needed affordable homes subject to a review of the layout and design, impact on the landscape, residential amenity, highway safety, biodiversity and flood risk, is therefore supported in this instance in principle.
33. If planning permission were granted for the development, prior entry into a planning obligation under S.106 would be necessary to secure the affordable housing in perpetuity in accordance with the requirements of policies GSP4, HC1 and DMH11 of the Local Plan.

34. In principle such a planning obligation would meet the tests set out at paragraph 58 of the NPPF:
- a. necessary to make the development acceptable in planning terms;
 - b. directly related to the development; and
 - c. fairly and reasonably related in scale and kind to the development.

Landscape

35. The application site is located within the Slopes & Valleys with woodland Landscape Character Type (LCT), a landscape defined as generally “*an undulating pastoral landscape, with a strongly wooded character, defined by hillside woodlands, wooded cloughs, scattered trees along field boundaries and watercourse trees*”
36. It is considered that the scale and siting of proposal would ensure there would not be wide scale landscape impacts to warrant a refusal of the application. The dwellings would not project into the open countryside to the north: the proposed dwellings would instead be approximately in line with the existing outbuildings which serve the terrace to the west and set closer to the highway, further away from the open countryside, than the 4 semi-detached homes to the east. There are no public footpaths within close proximity that would offer views of the site while the site would be screened from distant views by the dense tree plantations to the north, east and west.
37. Development becomes more sporadic as one passes further along the The Miers to the west where open fields predominate, however, the application site by contrast sits within a streetscene already characterised by a cluster of dwellings either side of the highway and so its development would not represent a radical change that would unduly harm its established character. Rather, the proposed dwellings would relate well to this cluster of dwellings as one leaves Birchover and its woodland buffer to the north. The dwellings would infill the space between the dwellings either side and so would not appear unduly prominent or isolated within the landscape. In addition to the 7 dwellings in total that are either side of the site, there is also the large dwelling known as ‘The Miers’ opposite which has an extensive domestic garden and associated paraphernalia. Adjacent to ‘The Miers’ to the west is another terrace of 4 dwellings. In this context, the size and form of the proposed dwellings would appear as modest additions to the area and could be accommodated without harm to the scenic beauty or landscape character of the National Park in accordance with policy L1. Details of design, layout and landscaping are critical in this regard and are considered further in this report.

Layout, design, landscaping and sustainability

38. Where development is acceptable in principle, GSP3 and DMC3 provide clear criteria that a development must comply with to ensure the natural beauty, quality and visual amenity of the landscape are protected.
39. The detailed design of the dwellings has been informed by the Authority’s Design Guide following discussions with officers. The dwellings would be constructed from local gritstone walls and blue slate roofs which would be appropriate for Birchover. The gable widths of the dwellings have been reduced and would now vary from between 5.3m and 6.5m compared to in excess of 10m deep as originally proposed. The frontages have been elongated and the roof pitches reduced while eaves height would be no more than 5m. These dimensions would cumulatively ensure the dwellings would be in-keeping with the dimensions of the traditional built form of Birchover and avoid an unduly, suburban, ‘boxy’ appearance. The dwellings would appear balanced including the arrangement of their fenestration and would appear well-proportioned within the wider streetscene. The dwellings would moreover have a high solid to void ratio, with the walls of the homes

dominant, and openings distant from corners again in accordance with the Authority's Design Guide.

40. The introduction of car parking ahead of the frontages would not cause visual harm and would not be in-keeping with the largely verdant frontages visible within the streetscene, though parking spaces ahead of dwellings in the streetscene are not uncommon. Though as will be discussed, it is not considered that parking pressures on the street would warrant refusal of this planning application, it is also not considered practical for the entirety of the parking demand from this development to be served by on-street parking; such an approach would furthermore result in non-compliance with the parking standards as outlined in Appendix 9 of the Development Management Plan. As an alternative, parking to the rear of the properties would result in hardstanding and parked cars projecting beyond the relatively linear form of the proposed and existing properties and urbanising the site's edge as it transitions to the open countryside to the west thereby causing greater visual and landscape than the layout currently proposed. It is considered that subject to the retention of the existing stone boundary walls (though subject to being rebuilt and set back), an appropriate hard surfacing material and soft landscaping to soften its edges of, the car parking area as proposed would not be sufficiently harmful to refuse this planning application.
41. There is limited tree coverage to the north side of The Miers with just two trees outside the application site to the western boundary consisting of a cherry and a copper beech and a single Ash tree to the north on land within the ownership of the applicant but outside of the red line of the application site. The Authority's Tree Officer has been consulted and concluded that the trees would be distant from the build footprints but it would be appropriate for a condition to be added so that tree protection measures are put in place. In addition, a soft landscaping condition would be imposed to secure new hedgerow and tree planting so as to deliver visual enhancements and biodiversity gain.
42. All the proposed dwellings would be built with solar photovoltaic panels to the south roofslope to maximise solar gain while ensuring they would not be visible from the open countryside to the north. A condition would be imposed so that the panels are integrated within the roofslope. The application proposes that the proposed dwellings would be constructed to high energy efficiency standards, water efficiency and meet the requirements of building regulations in terms of the conservation of heat and power. Subject to condition which requires the submission, approval and implementation of a detailed scheme of measures to mitigate the effects of and adapt to climate change, the development would accord with policy CC1.
43. It is concluded that subject to the conditions, the layout, design, landscaping and sustainability would be acceptable and comply with policies GSP3, DMC3 and CC1.

Residential Amenity

44. GSP3 states that in assessing new development, consideration must be given to the impact on living conditions of communities. DMC3 requires particular attention to be paid to protecting the amenity, privacy and security of the development and other properties that the development affects.
45. The blank gable of the proposed 3-bedroom property would be approximately 10.8m from the side elevation of Wyngate to the west while the blank gable of the flats would be approximately 12.2m from the side elevation of Park View to the east. These separation distances would ensure there would be no overbearing or overshadowing impacts on any of their habitable room windows. Furthermore, as stated, the gable ends of the dwellings to the western and eastern edge of the application site would be blank so there would be no overlooking of the adjacent neighbouring properties from the proposed dwellings. Within the site itself, the 4 dwellings would be arranged in a largely linear form and this

layout would mean no undue overbearing, overshadowing or overlooking impacts on any of the new homes.

46. The floor areas for the flats would be nominally under the National Space Standards but would be within the maximum areas allowed under DMH1 as would the 2 and 3 bedroom homes. The 4 homes would all have private rear gardens that would be proportionate to the size of the dwellings and large enough to accommodate the needs of future occupiers.
47. Regarding impacts on residential amenity, the proposal would therefore comply with policies GSP3 and DMC3.

Highway safety

48. The site would be accessed from The Miers with the proposed access wide enough to allow vehicles to pass. The latest site plan shows that 50m visibility splays would be achieved subject to the stone wall being set back and this distance would surpass the splay required for a road subject to a 30mph speed limit. The hardstanding area ahead of the dwellings would allow sufficient space for the manoeuvring of vehicles within the site and the parking spaces would be adequately sized for modern vehicles.
49. The Local Plan states that for the number of bedrooms proposed, there should be a minimum of 6 car parking spaces plus 1 space for visitors. The application would provide 6 off-road parking spaces and therefore meet the needs of future occupiers; the shortfall of just one visitor space would not cause a severe impact that would impair the free flow of traffic along the highway. Derbyshire County Council Highways highlighted that the parking provision would in fact surpass DCC's own Parking Guidance for New Developments which requires a minimum of 5 spaces for a development of this size.
50. It is noted that a number of objectors have raised concern about on-street car parking and make reference to this being an ongoing problem. DCC Highways raised no objection to the proposal on these grounds. The NPPF (paragraph 116) is clear that development should be refused on highway grounds only if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe. There is insufficient evidence to demonstrate that on-street car parking has been having a severe impact on the road network and that this planning application would exacerbate such impact. The proposed development as stated would be mostly served by off-street parking and though the access would have to be kept clear, the Miers is a long road along which there are no yellow lines and extensive stretches where parked cars would not obstruct accesses so it is considered that there is capacity to absorb any on-street car parking that may be displaced by the creation of a new access. Finally, though officers do not dispute that there may be occasions during the summer months when there are an increased number of cars parked along this section of The Miers, it is the case based on officer site visits, historic photographs and absence of data from the Highway Authority to the contrary that there is not excessive and dangerous parking on a regular basis throughout the year.
51. The additional trip generation from the 4 homes would be small and would not cause severe impacts on the operation of the local highway network.
52. The refuse collection would operate by residents bringing their bins forward to the kerbside. The distances between the dwelling and kerbside as shown on the latest plans would not be beyond acceptable limits either for residents or for bin operatives. DCC Highways confirmed that they agree with this assessment though would ask for one bin collection point to be provided so that future occupiers do not bring their bins to multiple points along the highway. This request is considered reasonable and a condition would be imposed so that prior to occupation, detail of the bin collection point would be submitted for approval to the PDNPA.

53. Overall, it is considered that the proposed access would be safe and the number of parking spaces would be acceptable. The development would have no undue impacts on highway safety or the operation of the wider highway network and therefore complies with policies T3, T7, DMT3 and DMT8.

Ecology

54. The application is subject to the requirements of statutory Biodiversity Net Gain (BNG) and is supported by an Ecological report and BNG assessment and metric.
55. The site comprises of mostly modified grassland in good condition with patches of tall forbs in poor condition, artificial unvegetated unsealed surface and developed land with a baseline of 0.69 habitat units. All habitat types are of very low – low distinctiveness. 0.038 ha (0.0.073 habitat units) of vegetated garden and 0.082 ha of developed land would be created as a result of the proposals.
56. Proposals to achieve net gain as part of the development would be limited to vegetated gardens. Vegetated gardens although contributing to the overall BNG score cannot be legally secured and as such the overall net unit change would be -0.62 habitat units. The deficit is proposed to be fulfilled by purchasing off-site units from a local registered habitat bank. It is accepted that due to the small size of the site which includes hardstanding and private gardens as well as the homes themselves there would be limited scope to secure a 10% net gain on site and therefore the purchase of off-site units would be acceptable.
57. No evidence of bats was recorded on site. The ecology report identified that the site offers suitable habitat for foraging mammals (e.g. badger, hedgehog) and reptiles, however, it was thought the likelihood of reptiles being present was low. There would be opportunities to enhance the site for wildlife; and particularly given BNG cannot be fulfilled on site, the creation of habitats for wildlife would welcome as detailed within Section 4.3 ecology report by Dunelm Ecology which would be secured by condition. The Authority's Ecologist has recommended a further condition to secure additional ecological enhancements including integral bat roosting and integral Swift Bricks and House Martin Nests within buildings along with hedgehog provision throughout the development.
58. Subject to conditions, the application would achieve statutory BNG requirements and comply with policy requirements set out in DMC11 and the NPPF. It is also concluded that the development would not harm protected species or their habitat and provide additional biodiversity enhancement measures. The application would therefore be in accordance with policies L2, DMC11 and DMC12 of the Local Plan.

Flood risk and drainage

59. The whole site lies in Flood Zone 1. In accordance with the proposed development being deemed as 'more vulnerable'; Planning Policy Guidance considers More Vulnerable uses within Flood Zone 1 as being appropriate. The Exception Test is not required.
60. The application site is not within an area at risk of surface water flooding according to the Environment's Agency's data. During the application, the applicant has submitted a drainage statement in which the proposal would include a soakaway to be installed to the south-east corner, the lowest part of the site. The exact specification of the soakaway would be dependent on investigation of the sub-soil and general level of groundwater. To ensure the soakaway would provide a suitable surface water drainage solution, a pre-commencement condition would be added that requires a detailed surface water scheme to be submitted and approved by PDNPA.

61. A number of objectors have raised concern about the loss that there is an existing gravel filled drainage ditch near the front of the site where the car parking area would be located. It is stated in the submitted drainage statement that it is proposed for this ditch to be re-excavated and a perforated drainage pipe installed in an aggregate filled trench which it is considered would be more effective in allowing water to empty out into the soakaway.
62. Foul drainage would be disposed of to the existing main sewer under The Miers.
63. There is no in-principle concern with the surface water drainage strategy proposed though the imposition of the pre-commencement condition referred to above would be necessary. Subject to compliance with this condition, the proposal would not be deemed to represent an undue drainage risk and would comply with policies CC5 and DMC14.

Planning balance and conclusion

64. The Authority has no requirement to demonstrate 5-year housing land supply. There is no requirement to deliver housing in the National Park to meet market demand and there is no conflict between the Authority's housing policies and the NPPF. The 'tilted balance' or presumption on favour of sustainable development therefore does not apply and full weight should be given to the Authority's policies.
65. The application proposes development of the site for 100% affordable housing in accordance with policy HC1 which supports such housing where it addresses eligible local need. It is considered that the size of the dwellings would respond to the need identified in the Housing Needs Statement while incorporating the flexibility on house sizes allowed under the DMH1 Practice Note. The development would make a significant contribution to the established local need for affordable housing and this would outweigh the conflict with DMH1 and DS1 due to the site's location beyond the edge of Birchover. It should be reiterated that the site is only be a short distance from the services on offer within Birchover and would not be considered an isolated, unsustainable location.
66. The application has demonstrated that a development of this scale and location can be accommodated without undue harm to the scenic beauty of the landscape or the local streetscene.
67. The design, scale and layout of the development would be judged to be of a generally high quality and appropriate for the context of the site and its surroundings. The development could be accommodated without any unacceptable impacts upon the amenity of neighbouring properties or highway safety. It is also considered that subject to conditions, there are no in-principle reasons why the development would not comply with technical requirements relating to BNG, flood risk and drainage.
68. It is therefore concluded that the benefits of approving the development outweigh the conflict with policies DS1 and DMH1 identified. All other matters that have been raised have been considered but do not indicate that permission should be refused. Therefore despite the identified conflict, officers consider that a recommendation of approval is reasonable in this case based on the overall merits of the scheme.
69. The application is recommended for approval subject to prior entry into a S.106 planning obligation and planning conditions.

Human Rights

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

List of Background Papers (not previously published)

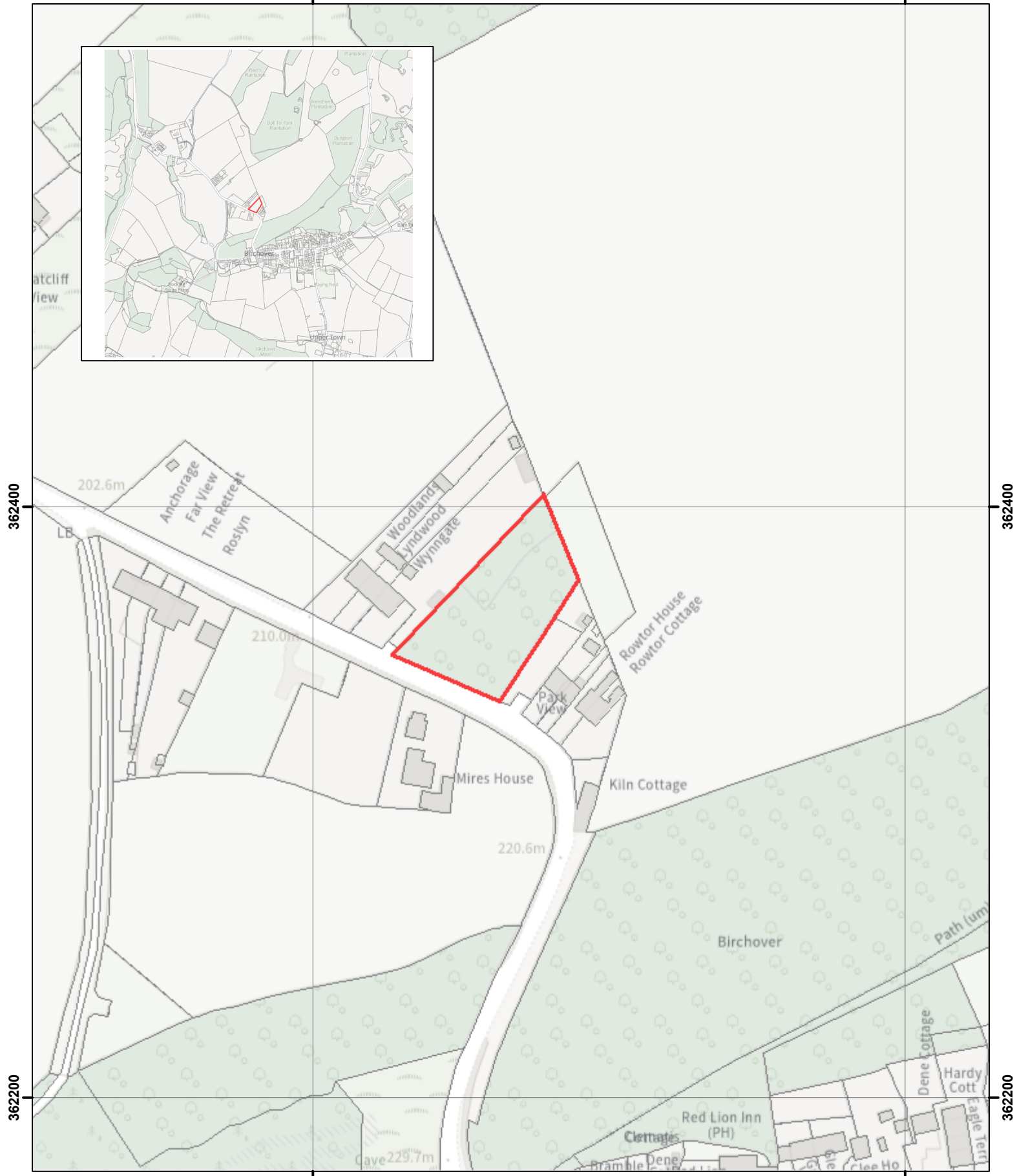
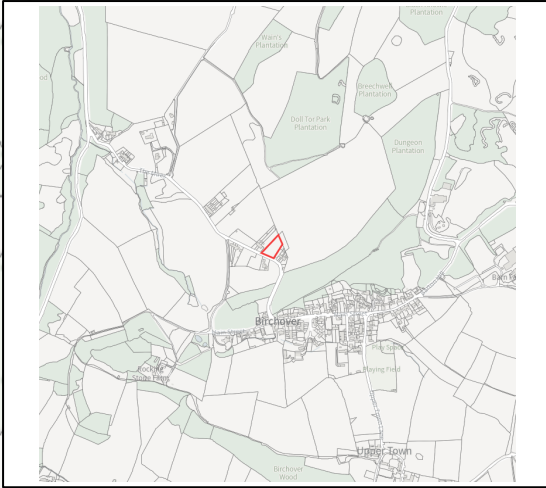
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Report Author: John Shaw – South Area Planning and Enforcement Manager

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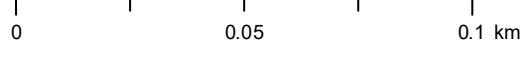
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South East of Wynngate, The Mires, Birchover

Item no. 10
 Application no. NP/DDD/0525/0460
 Committee date: 10-04-2026

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11. THE INSTALLATION OF SOLAR PANELS ON THE SOUTH FACING ASPECT OF OUR GARAGE ROOF, AIR SOURCE HEAT PUMPS TO THE HOUSE AND PARTIAL SECONDARY GLAZING AT CHURCHDALE COTTAGE BASLOW ROAD ASHFORD IN THE WATER (NP/DDD/0126/0102) RD

APPLICANT: DR AND MRS SIMON AND JANE DANIELL

Summary

1. The proposals are for the installation of solar panels on the south facing aspect of the garage roof, air source heat pumps to the house and partial secondary glazing.
2. The proposed secondary glazing and air source heat pumps would not give rise to harm to the listed building, and would support climate-change objectives as detailed in the Authority's adopted policies.
3. However, the proposed roof-mounted solar array would cause harm to the setting of the Listed Churchdale Cottage.
4. The solar array proposals therefore conflict with adopted heritage and renewable-energy policies, and the application is therefore recommended for refusal.

Site and Surroundings

5. Churchdale Cottage is a Grade II listed property occupying an isolated rural position approximately 60 metres south of the A6020, opposite the junction to Great Longstone, and around three-quarters of a mile north-east of Ashford-in-the-Water.
6. The listed building comprises a traditional double-fronted cottage with dormer windows set within the principal roof slope, reflecting its early 19th century origins. Attached to the cottage is a former barn and associated outbuildings which have been converted to ancillary residential accommodation, forming a cohesive domestic group.
7. The property stands within approximately 1.5 acres of land, including garden areas and open grounds that reinforce its rural character and historic relationship with the surrounding landscape. There are no neighbouring residential properties in close proximity, and the site benefits from a high degree of privacy.
8. The site lies outside the Ashford Conservation Area, and therefore is not subject to conservation area controls.

Proposal

9. Planning permission is sought for the installation of solar panels on the south facing aspect of the garage roof, air source heat pumps to the house and partial secondary glazing.
10. It is proposed that a secondary glazing system be attached to the inside of a number of windows.
11. It is proposed to install a number of solar collectors on to the South facing pitch of the roof to the Garage that was built in 2002, on the site of the previous Barn.
12. It is proposed to install two air source heat pumps, to be located on the West façade at the rear of the Stable block, towards the garden, against areas with a blank area of wall.

RECOMMENDATION:

That the application be REFUSED for the following reasons:

1. Harm to the Setting of the Listed Building

The proposed roof-mounted solar array, by virtue of its scale, elevated position and visibility, would cause less-than-substantial harm to the setting and significance of the Grade II listed Churchdale Cottage. Whilst weight has been attached to the public benefits of reducing reliance on non-renewable energy sources this is not found to outweigh the arising harm. The proposal therefore conflicts with Policies CC2, DMC5 and DMC7 of the Peak District National Park Local Plan and paragraphs 212 and 215 of the National Planning Policy Framework.

Key Issues

- Impacts on heritage assets
- Climate Change mitigation benefits

Relevant Planning History

March 2024 – PE\2024\ENQ\49570: Installation of Solar Panels to the South-Facing Roof of the Barn (Listed)

May 2019 – NP/DDD/0519/0498: Proposal for erection of a greenhouse – Granted Conditionally

June 2014 – NP/DDD/0614/0603: Listed Building consent - internal alterations - additional support for horizontal beam in breakfast room – Granted Conditionally

March 2001 – DDD0301099: Conversion of hay barn to additional bedroom and alterations to outbuildings including reroofing and creation of garage – Granted Conditionally

March 2001 – 0DDD0301100: Listed Building Consent - provision of new main entrance, conversion of hay barn to additional bedroom and alterations to outbuildings including provision of garage – Granted Conditionally

October 1983 – WED1083447: C/U OF GARAGE & STOREROOM TO OPTICIANS WORKSHOP – Granted Conditionally

May 1983 – WED0583202: ALTERATIONS & CONVERSION TO FORM DEPENDANT RELATIVE UNIT – Granted Conditionally

Consultations

13. DCC Highway Authority: There appears to be no material impact on the public highway and therefore the Local Highway Authority (LHA) has no further comments to make.
14. Parish Council: Ashford in the Water Parish Council has no objection to this application.
15. PDNPA Built Environment: In their current form, the proposals for solar panels would be contrary to the aims of paragraphs 212 and 215 of the National Planning Policy Framework and PDNPA Policies DMC5 and DMC7.

Representations

16. 47 letters of support have been submitted, in summary relating to:

- Strong endorsement of renewable energy adoption, particularly small-scale domestic solutions like solar panels and heat pumps.
- Recognition of the urgent need to address climate change, with the proposal seen as a positive, responsible contribution.
- Support for improving energy efficiency in older or listed buildings, acknowledging the challenges and praising efforts to modernise sensitively.
- Alignment with national and local sustainability goals, including warm-home initiatives and carbon-reduction targets.
- Belief that the proposals are low-impact and sympathetic to the character of the property, especially given the discreet placement of panels and secondary glazing.
- Encouragement for planning authorities to enable environmentally beneficial upgrades, even within heritage contexts.
- Community approval of homeowners taking proactive steps to reduce reliance on fossil fuels and lower emissions.
- General sentiment that such measures should be supported, not hindered, to help meet broader environmental commitments.

Main Policies

17. Relevant Core Strategy policies: DS1, GSP3, CC1 and CC2
18. Relevant Development Management policies: DMC3, DMC5 and DMC7
19. Supplementary Planning Document for Climate Change and Sustainable Building, 2013.

National Planning Policy Framework

20. The National Planning Policy Framework (NPPF) is a material consideration. Development plan policies relevant to this application are up-to-date and in accordance with the NPPF and therefore should be given full weight in the determination of this application. As well as the current proposals.
21. Paragraph 189 of the NPPF states: Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks.

Assessment

Principle of Development

22. The proposal comprises the installation of solar panels on the south-facing roof slope of a garage within the curtilage of a listed building, the installation of air source heat pumps to the main dwelling, and the introduction of partial secondary glazing to the garage. The key considerations in establishing the principle of development relate to the balance between supporting renewable and low-carbon technologies and safeguarding the

special interest of designated heritage assets. Policies CC1, CC2, DMC5, and DMC7 of the Peak District National Park Local Plan provide the relevant policy framework.

23. Policy CC1 encourages proposals that reduce energy consumption and enable the use of renewable or low-carbon technologies. The installation of air source heat pumps and secondary glazing at Churchdale Cottage aligns with these aims by improving the building's thermal performance and reducing reliance on fossil-fuel heating.
24. Policy CC2 supports small-scale renewable and low-carbon energy proposals where they contribute to reducing carbon emissions and improving energy efficiency, provided they are sensitively sited and do not harm the valued characteristics of the National Park. The proposed scheme demonstrates a strong intention to contribute to climate-change mitigation through domestic scale interventions.
25. Policies DMC5 and DMC7 require that development affecting a listed building or its setting conserves or enhances its significance.
26. The proposed development represents domestic-scale interventions that would contribute positively to climate-change mitigation and therefore accords with the above policies subject to conserving the valued characteristics of the Park and the historic and architectural interest of the listed building and its setting. These matters are discussed below.

Impact on Heritage Assets

27. Policies DMC5 and DMC7 require that development affecting a listed building or its setting conserves or enhances its significance. This includes demonstrating an understanding of the building's special architectural and historic interest and ensuring that any alterations are sympathetic, proportionate, and avoid harm where possible.
28. Churchdale Cottage is a Grade II listed building whose significance derives from a combination of architectural, historic, and evidential values. Although the building has undergone alterations over time, it retains clear vernacular character, craftsmanship in its stone construction, and a legible relationship between the domestic cottage and the adjoining former barn. The inscribed date of 1647 above the principal door contributes further evidential interest, suggesting earlier origins or historic associations. The cottage sits within a wider historic landscape containing several other listed buildings and the Grade II Registered Park and Garden of Thornbridge Hall, although the Authority's Conservation Officer considers that only Churchdale Cottage itself has the potential to be affected by the current proposals.

Solar Collectors

29. The proposal includes the installation of 20 solar collectors arranged in two rows on the south-facing roof slope of the modern garage to the north of the cottage. While the garage is a contemporary structure and therefore unaffected in terms of historic fabric, the key consideration is the impact of the panels on the setting and appreciation of the listed building.
30. The proposed roof-mounted array would be clearly visible from the public footpath to the east due to its elevated position, scale, and proximity to the listed building. The panels would introduce a large, prominent, and non-traditional feature in direct juxtaposition with the immediately adjacent listed cottage. This relationship would be apparent from public viewpoints, and would be seen in the context of the principal and most significant elevation of the listed building. This would detract from the historic character of the listed building, and the functional and ancillary appearance of the garage, which is currently recessive to the listed building. The potential for reflectivity further contributes to visual

intrusion. As a result, it is concluded that the proposal would cause harm to the setting of Churchdale Cottage.

31. The Authority's Supplementary Planning Document for Climate Change and Sustainable Building includes guidance on solar installations and emphasises that in cases involving historic buildings, ground-mounted solutions are generally preferable, and that roof-mounted panels on modern outbuildings should only be considered where no suitable ground-mounted options exist.
32. The applicant's Heritage Statement includes an options analysis (Appendix E) assessing several potential locations for ground-mounted solar arrays. This analysis concludes that roof-mounting on the garage would have the least impact. However, the Authority's Conservation Officer disagrees with this conclusion and considers that the lower main lawn represents a viable and preferable alternative. This area would not require tree removal, would be centrally located within the garden, and would benefit from natural screening from mature boundary trees. While some limited impact on setting would still occur, this would be materially less than the impact arising from roof-mounted panels.
33. Officers also sought to negotiate a reduction in the scale of the roof-mounted array, but no response was received from the applicant.
34. In their current form, the solar proposals are therefore considered contrary to Policies DMC5 and DMC7, and to paragraphs 212 and 215 of the National Planning Policy Framework.

Air Source Heat Pumps

35. Two air source heat pumps are proposed on the west elevation of the cottage. The units would be dark green in colour and screened with planting. Although further details of mounting and service routes would be required, these would be secured by condition to ensure that interventions occur through mortar joints and avoid harm to historic stonework. The Officer considers the proposed location to be the most discreet available and concludes that the pumps would have a limited and acceptable impact on the special architectural and historic interest of the listed building.

Secondary Glazing

36. The proposed secondary glazing is internal, reversible, and would not affect historic fabric. This element of the scheme would not result in harm to the significance of the listed building and represents an appropriate method of improving thermal performance.

Summary

37. The installation of secondary glazing and air source heat pumps is considered acceptable and would not harm the significance of Churchdale Cottage.
38. However, the proposed solar collectors on the garage roof would result in a low–medium degree of less than substantial harm to the setting of the listed building. A feasible and less harmful ground-mounted alternative has been identified, and the applicant has not engaged with the Authority's request to explore a reduced roof-mounted scheme. As submitted, the solar element of the proposal conflicts with national policy and with Local Plan Policies DMC5 and DMC7.

Planning balance

39. The NPPF requires 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. It has been identified that in this case by the Authority's conservation officer that the scheme would give rise to less than substantial harm. The public benefits in this instance are the reduction in reliance on non-renewable energy sources. Whilst the heat pumps and secondary glazing are concluded to provide this benefit without a significant degree of harm to the listed building or its setting, the solar collectors are not.

40. It is recognised that the proposal would deliver clear carbon-reduction benefits, and moderate weight is afforded to these public benefits despite the scheme's small scale. However, these benefits are not considered sufficient to outweigh the great weight that both national policy and listed building legislation require to be given to the less than substantial harm identified above.
41. Further, the applicant's options analysis explores ground-mounted alternatives, although these are discounted by the applicant due to identified constraints. The Authority nevertheless considers that such options may offer the potential for a materially reduced heritage impact.
42. The harm arising is therefore concluded to outweigh the public benefits in this instance.

Conclusion

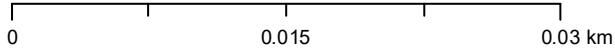
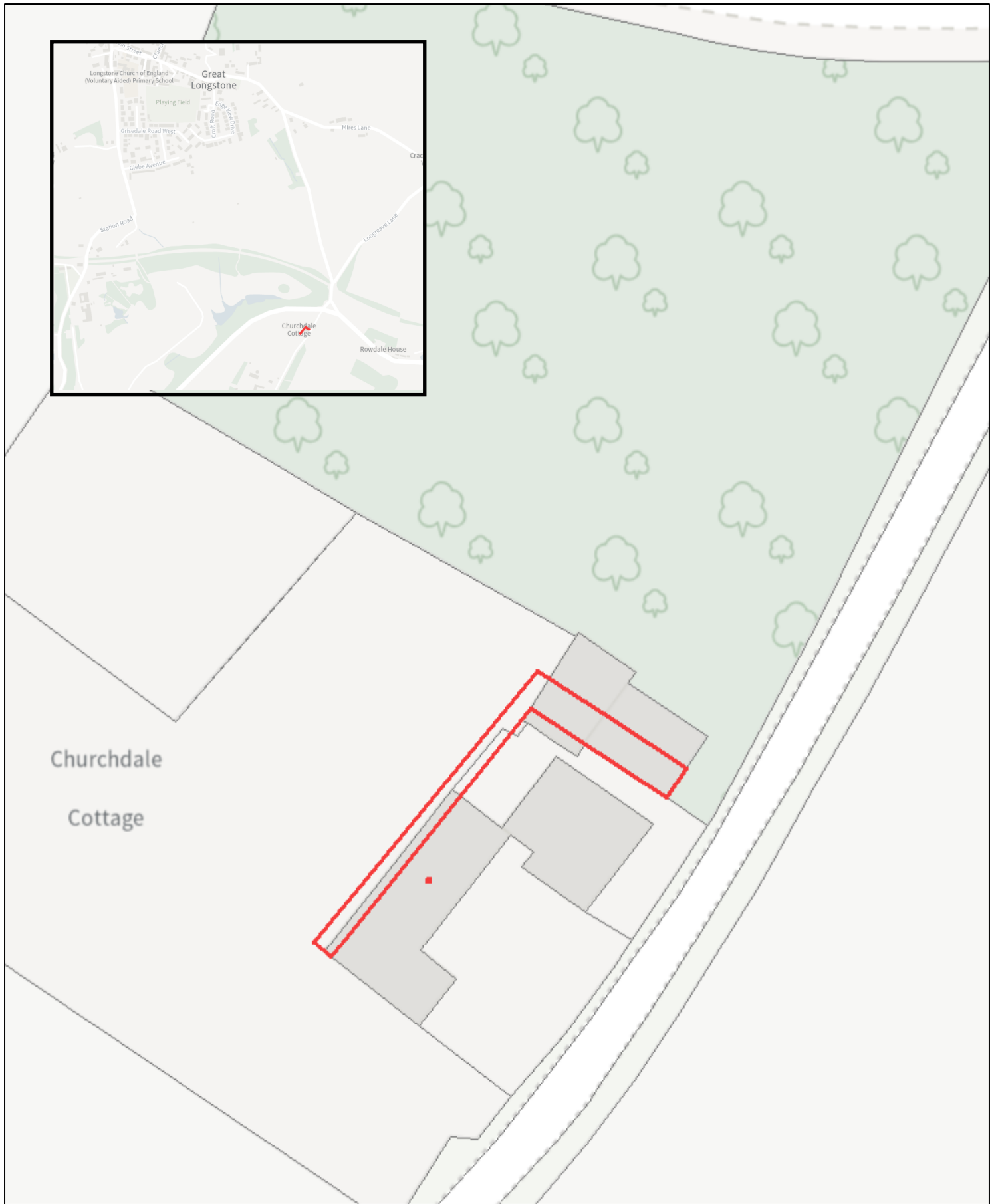
43. The proposals for secondary glazing and air source heat pumps represent low-impact, reversible measures that would enhance the energy efficiency of Churchdale Cottage without harming its architectural or historic significance. These elements are therefore considered acceptable and consistent with both heritage and climate-change policies.
44. However, the proposed installation of 20 solar collectors on the garage roof would result in less than substantial harm to the setting of the listed building. As submitted, the solar element of the scheme does not achieve a positive balance between renewable-energy benefits and the conservation of designated heritage assets, and therefore conflicts with Policies DMC5, DMC7, and the requirements of CC2, as well as paragraphs 212 and 215 of the National Planning Policy Framework.
45. Accordingly, while parts of the proposal are acceptable, the solar installation cannot be supported in its current form.

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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Churchdale Cottage Baslow Road Ashford in the Water

Item no. 11
 Application no. NP/DDD/0126/0102
 Committee date: 10th April 2026

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12. LISTED BUILDING CONSENT - THE INSTALLATION OF SOLAR PANELS ON THE SOUTH FACING ASPECT OF OUR GARAGE ROOF, AIR SOURCE HEAT PUMPS TO THE HOUSE AND PARTIAL SECONDARY GLAZING AT CHURCHDALE COTTAGE BASLOW ROAD ASHFORD IN THE WATER (NP/DDD/0126/0105) RD

APPLICANT: DR AND MRS SIMON AND JANE DANIELL

Summary

1. The proposals are for the installation of solar panels on the south facing aspect of the garage roof, air source heat pumps to the house and partial secondary glazing.
2. Secondary glazing and air source heat pumps are acceptable, causing no harm to the listed building and supporting climate-change objectives.
3. The proposed roof-mounted solar array would cause avoidable less-than-substantial harm to the setting of Churchdale Cottage, with a viable ground-mounted alternative available.
4. The solar element conflicts with heritage and renewable-energy policies, and therefore the application cannot be supported in its current form.

Site and Surroundings

5. Churchdale Cottage is a Grade II listed property occupying an isolated rural position approximately 60 metres south of the A6020, opposite the junction to Great Longstone, and around three-quarters of a mile north-east of Ashford-in-the-Water.
6. The listed building comprises a traditional double-fronted cottage with dormer windows set within the principal roof slope, reflecting its early 19th century origins. Attached to the cottage is a former barn and associated outbuildings which have been converted to ancillary residential accommodation, forming a cohesive domestic group.
7. The property stands within approximately 1.5 acres of land, including garden areas and open grounds that reinforce its rural character and historic relationship with the surrounding landscape. There are no neighbouring residential properties in close proximity, and the site benefits from a high degree of privacy.
8. The site lies outside the Ashford Conservation Area, and therefore is not subject to conservation area controls.

Proposal

9. Planning permission is sought for the installation of solar panels on the south facing aspect of our garage roof, air source heat pumps to the house and partial secondary glazing.
10. It is proposed that a secondary glazing system be attached to the inside of a number of windows.
11. It is proposed to install a number of solar collectors on to the South facing pitch of the roof to the Garage that was built in 2002, on the site of the previous Barn.
12. It is proposed to install two air source heat pumps, to be located on the West façade at the rear of the Stable block, towards the garden, against areas with a blank area of wall.

RECOMMENDATION:

That the application be REFUSED for the following reasons:

1. Harm to the Setting of the Listed Building

The proposed roof-mounted solar array, by virtue of its scale, elevated position and visibility, would cause avoidable less-than-substantial harm to the setting and significance of Grade II listed Churchdale Cottage. A feasible ground-mounted alternative exists that would reduce this impact, and no justification has been provided for selecting a more harmful option.

The proposal therefore fails to preserve the special architectural or historic interest of the listed building, contrary to the statutory duty under Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, and conflicts with Policies DMC5 and DMC7 of the Peak District National Park Local Plan and paragraphs 212 and 215 of the National Planning Policy Framework.

2. Non-Compliance with Renewable Energy Policy CC2

Policy CC2 supports renewable-energy development only where it is sensitively sited and designed to avoid adverse effects on the National Park's valued characteristics. The siting of the solar panels on the garage roof results in unnecessary harm to the setting of a designated heritage asset, contrary to the requirements of CC2.

Key Issues

- Impacts on heritage assets
- Climate Change mitigation benefits

Relevant Planning History

March 2024 – PE\2024\ENQ\49570: Installation of Solar Panels to the South-Facing Roof of the Barn (Listed)

May 2019 – NP/DDD/0519/0498: Proposal for erection of a greenhouse – Granted Conditionally

June 2014 – NP/DDD/0614/0603: Listed Building consent - internal alterations - additional support for horizontal beam in breakfast room – Granted Conditionally

March 2001 – DDD0301099: Conversion of hay barn to additional bedroom and alterations to outbuildings including reroofing and creation of garage – Granted Conditionally

March 2001 – ODDD0301100: Listed Building Consent - provision of new main entrance, conversion of hay barn to additional bedroom and alterations to outbuildings including provision of garage – Granted Conditionally

October 1983 – WED1083447: C/U OF GARAGE & STOREROOM TO OPTICIANS WORKSHOP – Granted Conditionally

May 1983 – WED0583202: ALTERATIONS & CONVERSION TO FORM DEPENDANT RELATIVE UNIT – Granted Conditionally

Consultations

13. DCC Highway Authority: There appears to be no material impact on the public highway and therefore the Local Highway Authority (LHA) has no further comments to make.

14. Parish Council: Ashford in the Water Parish Council has no objection to this application.

15. PDNPA Built Environment: In their current form, the proposals for solar panels would be contrary to the aims of paragraphs 212 and 215 of the National Planning Policy Framework and PDNPA Policies DMC5 and DMC7.

Representations

16. 47 letters of support have been submitted, in summary relating to:

- Strong endorsement of renewable energy adoption, particularly small-scale domestic solutions like solar panels and heat pumps.
- Recognition of the urgent need to address climate change, with the proposal seen as a positive, responsible contribution.
- Support for improving energy efficiency in older or listed buildings, acknowledging the challenges and praising efforts to modernise sensitively.
- Alignment with national and local sustainability goals, including warm-home initiatives and carbon-reduction targets.
- Belief that the proposals are low-impact and sympathetic to the character of the property, especially given the discreet placement of panels and secondary glazing.
- Encouragement for planning authorities to enable environmentally beneficial upgrades, even within heritage contexts.
- Community approval of homeowners taking proactive steps to reduce reliance on fossil fuels and lower emissions.
- General sentiment that such measures should be supported, not hindered, to help meet broader environmental commitments.

Main Policies

17. Relevant Core Strategy policies: L3

18. Relevant Development Management policies: DMC5 and DMC7

19. Supplementary Planning Document for Climate Change and Sustainable Building 2013

National Planning Policy Framework

20. The National Planning Policy Framework (NPPF) is a material consideration. Development plan policies relevant to this application are up-to-date and in accordance with the NPPF and therefore should be given full weight in the determination of this application. As well as the current proposals.
21. Paragraph 189 of the NPPF states: Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks.

Assessment

Principle of Development

22. For applications affecting a listed building, the principle of development is established through an assessment of whether the proposed works would preserve the building's special architectural or historic interest, as required by Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Local Plan Policies DMC5 and DMC7 provide the detailed framework for considering such proposals within the National Park.
23. Churchdale Cottage is a Grade II listed building whose significance derives from its vernacular architectural character, its historic relationship with the adjoining former barn, and the evidential value associated with its earlier origins. The principle of development therefore depends on whether the proposed interventions, solar collectors on the garage roof, air source heat pumps, and secondary glazing, would conserve this significance or result in harm to the building or its setting.
24. In principle, works that are reversible, sensitively designed, and do not erode the building's architectural or historic interest can be supported. However, where proposals introduce visual or physical changes that would detract from the appreciation of the listed building or its setting, the principle of development cannot be accepted. The detailed assessment below considers the extent to which each element of the proposal meets these statutory and policy requirements.

Impact on Heritage Assets

25. Churchdale Cottage is a Grade II listed building whose significance derives from a combination of architectural, historic, and evidential values. Although the building has undergone alterations over time, it retains clear vernacular character, craftsmanship in its stone construction, and a legible relationship between the domestic cottage and the adjoining former barn. The inscribed date of 1647 above the principal door contributes further evidential interest, suggesting earlier origins or historic associations. The cottage sits within a wider historic landscape containing several other listed buildings and the Grade II Registered Park and Garden of Thornbridge Hall, although PDNPA Built Environment considers that only Churchdale Cottage itself has the potential to be affected by the current proposals.

Solar Collectors

26. The proposal includes the installation of 20 solar collectors arranged in two rows on the south-facing roof slope of the modern garage to the north of the cottage. While the garage is a contemporary structure and therefore unaffected in terms of historic fabric, the key consideration is the impact of the panels on the setting and appreciation of the listed building.

27. The applicant's Heritage Statement includes an options analysis (Appendix E) assessing several potential locations for ground-mounted solar arrays. This analysis concludes that roof-mounting on the garage would have the least impact. However, the Authority's Built Environment Officer disagrees with this conclusion and considers that the lower main lawn represents a viable and preferable alternative. This area would not require tree removal, would be centrally located within the garden, and would benefit from natural screening from mature boundary trees. While some limited impact on setting would still occur, this would be materially less than the impact arising from roof-mounted panels.
28. The Officer identifies that the proposed roof-mounted array would be clearly visible from the public footpath to the east due to its elevated position, scale, and proximity to the listed building. The panels would introduce a non-traditional and domestic character that would detract from the functional, ancillary appearance of the garage, which currently complements the listed building. The potential for reflectivity further contributes to visual intrusion. As a result, it is concluded that the proposal would cause a low–medium degree of less than substantial harm to the setting of Churchdale Cottage.
29. The Authority's Supplementary Planning Document for Climate Change and Sustainable Building includes guidance on solar installations and emphasises that in cases involving historic buildings, ground-mounted solutions are generally preferable, and that roof-mounted panels on modern outbuildings should only be considered where no suitable ground-mounted options exist. In this case, the options analysis demonstrates that at least one suitable ground-mounted location is available.
30. Officers also sought to negotiate a reduction in the scale of the roof-mounted array, but no response was received from the applicant.
31. In their current form, the solar proposals are therefore considered contrary to Policies DMC5 and DMC7, and to paragraphs 212 and 215 of the National Planning Policy Framework.

Air Source Heat Pumps

32. Two air source heat pumps are proposed on the west elevation of the cottage. The units would be dark green in colour and screened with planting. Although further details of mounting and service routes would be required, these would be secured by condition to ensure that interventions occur through mortar joints and avoid harm to historic stonework. The Officer considers the proposed location to be the most discreet available and concludes that the pumps would have a limited and acceptable impact on the special architectural and historic interest of the listed building.

Secondary Glazing

33. The proposed secondary glazing is internal, reversible, and would not affect historic fabric. This element of the scheme would not result in harm to the significance of the listed building and represents an appropriate method of improving thermal performance.

Summary

34. The installation of secondary glazing and air source heat pumps is considered acceptable and would not harm the significance of Churchdale Cottage.
35. However, the proposed solar collectors on the garage roof would result in a low–medium degree of less than substantial harm to the setting of the listed building. A feasible and less harmful ground-mounted alternative has been identified, and the applicant has not engaged with the Authority's request to explore a reduced roof-mounted scheme. As

submitted, the solar element of the proposal conflicts with national policy and with Local Plan Policies DMC5 and DMC7, and adopted guidance from the Supplementary Planning Document.

Public Benefits

36. The NPPF requires 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. It has been identified that in this case by the Authority's conservation officer that the scheme would give rise to less than substantial harm. The public benefits in this instance are the reduction in reliance on non-renewable energy sources. Whilst the heat pumps and secondary glazing are concluded to provide this benefit without a significant degree of harm to the listed building or its setting, the solar collectors are not.
37. It is recognised that the proposal would deliver clear carbon-reduction benefits, and moderate weight is afforded to these public benefits despite the scheme's small scale. However, these benefits are not considered sufficient to outweigh the great weight that both national policy and listed building legislation require to be given to the less than substantial harm identified above.
38. Further, the applicant's options analysis explores ground-mounted alternatives, although these are discounted by the applicant due to identified constraints. The Authority nevertheless considers that such options may offer the potential for a materially reduced heritage impact.
39. The harm arising is therefore concluded to outweigh the public benefits in this instance.

Conclusion

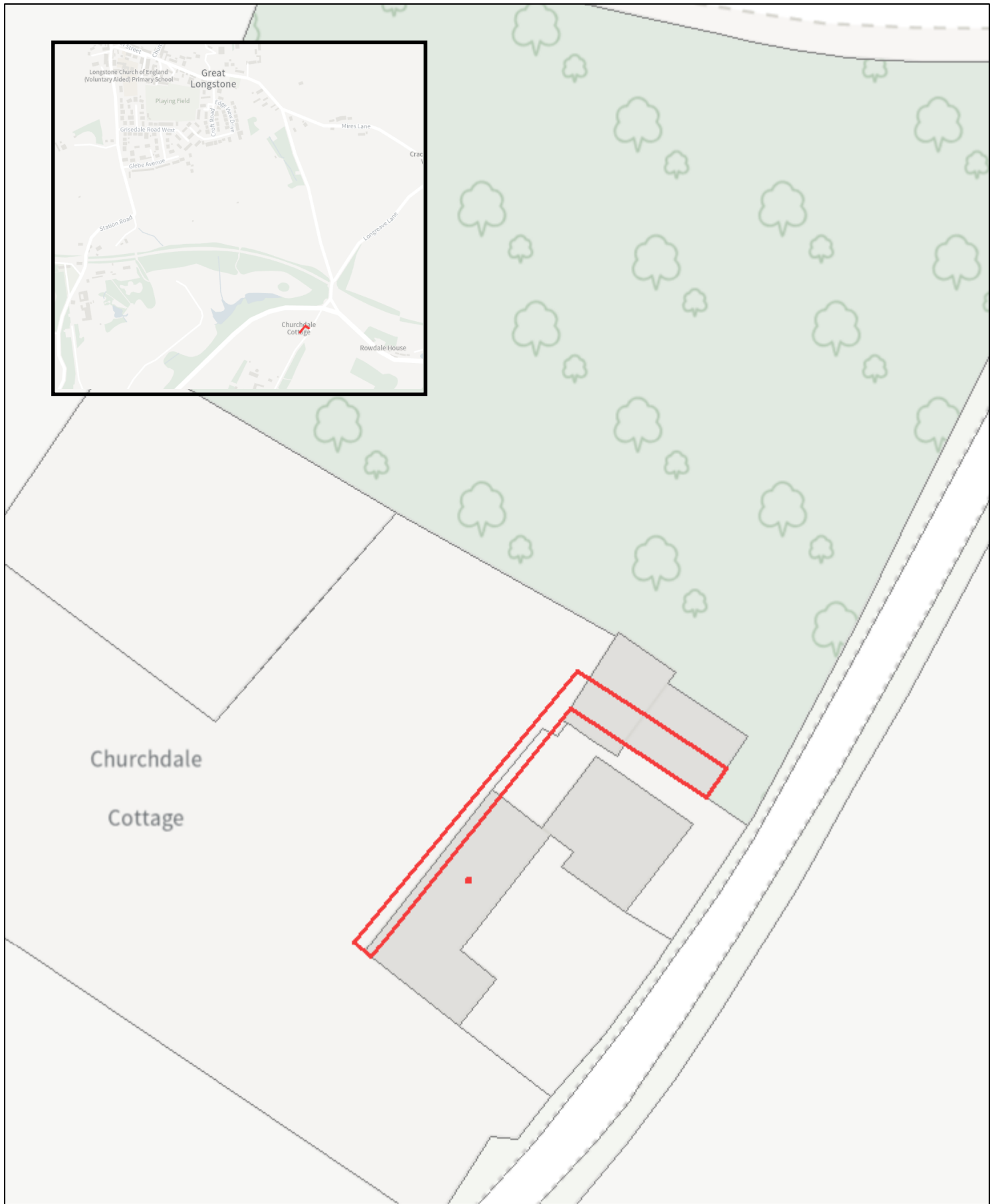
40. The proposed secondary glazing and air source heat pumps are considered acceptable interventions that would preserve the special architectural and historic interest of Churchdale Cottage. However, the installation of solar collectors on the garage roof would result in avoidable less-than-substantial harm to the setting of the listed building, with a viable ground-mounted alternative available that would reduce this impact. As such, the solar element of the scheme does not meet the statutory requirement to preserve the significance of the listed building and conflicts with Local Plan Policies DMC5 and DMC7.

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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Churchdale Cottage Baslow Road Ashford in the Water

Item no. 12
Application no. NP/DDD/0126/0105
Committee date: 10th April 2026

Page 95
Scale: 1:413 at A4 pagesize
Map centre grid ref: 420,508 370,886



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13. FULL APPLICATION – CHANGE OF USE FROM A GUEST HOUSE (USE CLASS C1), ADJOINING RESIDENTIAL FLAT AND ADJOINING GUEST ANNEXE TO 3 NO. HOLIDAY LETS (USE CLASS C3), AND DEMOLITION OF GARAGE (NP/DDD/1225/1308) PM

APPLICANT: LIZZIE DUFFIELD

Summary

1. The application seeks planning permission to change the use of a guest house (use class C1) to 3 No. holiday lets (use class C3) at Bank House, Hartington. The property is a grade II listed building and there is an associated application for listed building consent.
2. The report concludes that the proposed use is acceptable in principle and that the proposed scheme would overall conserve the character and significance of the heritage asset.
3. Whilst the proposal would result in some harm to the character and significance of the heritage asset, this is considered to be outweighed by the public benefit of ensuring that the listed building remains in active use.
4. The proposal subject to conditions is acceptable in terms of the impact upon residential amenity, highway safety and climate change mitigation.
5. The proposal is considered to be in accordance with the policies of the development plan and the NPPF and is recommended for approval subject to conditions.

Proposal

6. The application relates to the change of use of a guest house (use class C1) to 3 No. holiday lets (use class C3).
7. The property would be divided as follows:
 - The ground floor and first floor of the property would comprise a 5 No. bedroomed property.
 - The second floor would comprise a 3 No. bedroomed property.
 - The existing annexe would form a 1 No. bedroomed property.
8. It is also proposed to demolish two 20th century outbuildings (a workshop and a garage) at the rear of the site. A modern outbuilding near to the rear elevation of the property would also be demolished to facilitate pedestrian access to a raised patio area. This patio area would be enclosed with black metal railings.
9. An electric vehicle (EV) charger is proposed to be installed on the western side elevation of the listed building. Other external alterations proposed comprise an air vent grill on the eastern side gable of the building, and a free standing lock box to the front of the property. It is also proposed to repaint the windows and doors in Cream (RAL 9001). A security light is proposed to be inserted onto the rear elevation of the listed building and lighting is proposed to be installed internally within the stairwell providing access to the upper storey holiday let.
10. The following internal alterations to the listed building are proposed to facilitate the proposed use as 3 No. holiday lets:
 - Insertion of door and partition wall to provide separation between first and second floors.
 - Insertion of kitchen area on second floor with associated external ventilation.

11. As originally submitted the application proposed the creation of a parking space to the rear of the site in the location of the existing garage. Vehicular access would have been taken from Hyde Lane using a right of access across the grounds of Hartington Village Hall. Amended plans have seen this element of the proposal removed from the scheme with the footprint of the demolished garage instead to be used as an extended garden area .

Site and Surroundings

12. Bank House is a Grade II listed building located in the centre of the village of Hartington.
13. The property is a 3 storey dwelling dating from 1828 faced with coursed square limestone with gritstone dressing and chamfered quoins, with a stone slate roof. The property is located within the Hartington conservation area.
14. The property was until recently in use as a guest house (use class C1) with guest accommodation on the ground and first floor and the owner's accommodation on the second floor (referred to as a residential flat in the application description). A side annexe provides a further bedroom.
15. The nearest neighbouring property is Clematis Cottage, a residential dwelling, attached to the east of Bank House. The surrounding area comprising the village centre of Hartington is characterised by a mix of residential, commercial and community uses.

RECOMMENDATION:

That the application be APPROVED subject to conditions:

1. **Statutory time limit.**
2. **Accordance with approved plans.**
3. **Permission relates solely to the use of the property for short-let holiday residential use. The holiday accommodation hereby permitted shall not be occupied as permanent dwellings and shall not be occupied by any one person for a period exceeding 28 days in any calendar year. The owner shall maintain a register of occupants for each calendar year which shall be made available for inspection by the National Park Authority on request.**
4. **Method statement for demolition of 3 No. outbuildings.**
5. **Details of soft and hard landscaping treatment to footprint of demolished outbuildings.**

Key Issues

16. The principle of the proposed change of use; the impact upon residential amenity, the impact upon highway safety, the impact upon the character and significance of the listed building and conservation area, climate change mitigation

History

17. None relevant.

Consultations

18. Hartington Town Quarter Parish Council: Objection as follows:

This is a material Planning matter with a change of use of a Heritage Asset, a Grade 2 listed building, from class C1 to C3 use. Previously a Guest House owned and managed by the current residents, who have throughout lived on the premises, comprising at one time a family of four, with 5 of the 10 bedrooms let as bed and breakfast accommodation.

The new application from potential purchasers of the property is for its conversion to three flats for holiday lets with the potential to let the whole property to a group if required. It's likely use is as an Airbnb with remote owners.

Firstly, there is no risk to the Heritage asset if the application is not successful. It remains a large family house in good repair. There are no apparent architectural deficits or benefits from the proposed application. However, the proposed development doesn't make a positive contribution to local character and distinctiveness.

In external visual terms we accept there will be minimal change from the existing elevations. Internally however the Guest House historically offered five guest bedrooms from a total of ten existing bedrooms. The others were used by the residential family.

The proposed plans now propose to offer nine bedrooms across three separate flats. We were also informed at the meeting by the current resident that the internal design allows for a single group letting with all nine bedrooms involved.

Policy Constraints require the planners to assess if the development harms the building's historic fabric and ensures proper parking, access, and minimal noise disruption. It is the latter three which give us concern.

Firstly, the number of bedrooms available for visitors almost doubles from five to nine. This is likely to increase vehicular use and put further pressure on highway parking in Hartington. With the proposed new parking space to the rear and two alongside Fiveways Stores, there are only three off road spaces for guests. Certain groups can bring a almost a car per person as we have seen an events at Hartington YHA.

While historically guests would have been limited in number and behaviour by the Guest House's resident owners, this scheme will see up to twenty people, unsupervised, renting the property as short term lets. This gives the potential for groups such as hen and stag parties which are already prevalent in other locations within the National Park. This potential social disruption is something this Council would not welcome in the very heart of our village.

This is a very different proposition to the conversion of the listed Minton House into three residential flats, which has brought additional welcomed residents to our community.

We also have some concerns about rear access to the proposed parking space and charging point.

The current owner made a detailed presentation about the ownership and rights of way to the rear of the property and challenged the assertions made by Trustees of the Village Hall, in their letter to the Authority.

The Parish Council felt this was entirely a legal matter between interested parties, accept the land in question has a right of way and are therefore, simply concentrating on the space required for the area allocated to form a suitable parking space with good access to and from Hyde Lane.

We made a site visit to examine this in some detail.

Firstly, the actual entrance onto Hyde Lane is only 3 metres wide and the view impeded by a garage to the south. Hyde Lane is narrow, often used by cars parked at the Village Hall and whilst we accept there has been recent occasional vehicular access, it is not ideal and we welcome Highways' view on its suitability for regular use. The access right of way to the proposed parking place reduces to only 2.6 metres wide alongside the Village Hall.

The parking area itself comprises the footprint of an existing dated garage, which is only 2.9 metres wide, although there is some additional limited space within the garden area to the north.

We are assured the current owners have reversed easily to turn vehicles in the area behind the Village Hall, but in space terms it seems rather restricted for turning, especially for some larger modern vehicles, driven by holidaymakers parking for the first time. We certainly would not support vehicles reversing onto Hyde Lane.

We therefore have reservations and welcome Highways view on the suitability.

We see no specific benefit from the proposed development of this heritage asset which is not at risk and have concerns about rear access and the increase of visitor lets which could easily lead to social disruption and additional parking requirements on the highway. As such we cannot support this application for three short term flats to let.

In the debate about the social impact of the ever-increasing holiday accommodation within the village, a member of the Council commented that the Hartington Neighbourhood Plan policy was for new builds to be restricted to primary residence.

Clearly this did not apply to Bank House, but was an indication of the community's desire to see primary ownership wherever possible.

A letter was subsequently received from a member of the public stating that such a comment was illegal because, despite being accepted at Referendum, the Neighbourhood Plan is being forced to repeat the Section 16 process as a result of administrative errors by the Local Authority.

In our view this complaint is without foundation as Government advice is clear, that a neighbourhood plan awaiting referendum still holds significant weight as a material consideration in planning decisions, provided it has passed independent examination, as in the case of Hartington's Plan.

Officer comments on Parish Council representation:

19. The Parish Council state that the proposal represents an increase from five guest bedrooms in the guesthouse (plus owners family bedrooms) to nine guest bedrooms between the 3 No. holiday lets. However, to clarify, the existing accommodation comprises six guest bedrooms including the existing annexe and the proposal would be nine guest bedrooms (including the existing annexe which would form one of the holiday let units) of which eight would be double bedrooms and one would be a single bedroom.
20. Only limited weight can be given to the Hartington Neighbourhood Plan considering that it has not completed its legal process and remains to be formally "made". In addition the plan policy cited above relating to restriction of dwellings to primary residence is specifically for new builds rather than conversions / changes of use.
21. Comments relating to vehicular access from Hyde Lane are no longer relevant as this element has been removed from the proposal.
22. **PDNPA Conservation Officer:** No objection subject to conditions.

23. Derbyshire County Council Highways: No objection

Representations

24. Two objection letters have been received.
25. The first is from a neighbouring occupier and raises the following summarised concerns:
- Lack of parking provision for the additional cars that are going to require parking spaces if all three holiday lets are occupied.
 - Amenity impacts in terms of noise and disturbance from unsupervised guests (compared with guest house where there is an on site staff presence) and from general comings and goings from the property including arrivals / departures, parking of cars etc.
 - Appropriateness of a listed building being subdivided.
26. The second objection letter has been received from the trustees of Hartington Village Hall. This relates to concern regarding the use of the vehicular access from Hyde Lane to the rear of the site. This element of the proposal has now been removed from the scheme following receipt of amended plans.
27. In addition a letter of support has been received from the current owners of the application property (this is not the applicant).

Main Policies

28. Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L1, L3, RT2
29. Relevant Development Management policies: DMC3, DMC5, DMC7, DMC8, DMC14, DMR3

National Planning Policy Framework (NPPF)

30. 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.
31. 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.
32. 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

33. The use of an existing traditional property within a village for holiday lets is supported in principle by Core Strategy policies DS1 and RT2.

Impact upon residential amenity

34. The application property is located within the centre of Hartington. The property directly adjoins a neighbouring residential property. However the wider locality is a mixed use area, with a number of commercial land uses located amongst residential dwellings within the centre of Hartington.
35. The existing established use of the property is a guest house which contains six double rooms (including the annexe) and the owners accommodation of the top floor of the property. The proposed use would contain nine bedrooms in total (eight double bedrooms and one single bedroom). These would be split between the 3 no. separate holiday lets. Whilst the proposed change of use would result in a change in how the building is used and operated, it is considered that the proposal would not result in a material intensification in terms of noise and disturbance to nearby residential occupiers compared with the established situation of the property being used as a guest house.
36. It should be noted that the proposed use does not include use as a nine bedroomed single holiday let. Such a use would be a sui generis use outside of the C3 use being applied for.
37. Overall, it is considered that the proposed change of use would not result in material harm to the residential amenity of neighbouring occupiers having regard to the existing use as a guest house and the busy village centre location of the application site. The proposal accords with policies RT2 and DMC14 in this respect.

Impact upon highway safety

38. Derbyshire County Council as highway authority has confirmed that it has no objection to the proposed change of use. It is not considered that the proposed use would generate a material increase in demand for on street car parking above and beyond that generated by the existing use as a guest house.
39. Due to the constraints of the site only one off road parking space can be provided although this is consistent with the amount of parking provision that was available to serve the guest house.
40. While car parking demand within Hartington is high at busy times, users of the holiday lets would have a number of options for car parking including on street, the car parking area within the square, or within the Derbyshire Dales District Council car park on the southern edge of the village, which allows for overnight car parking.
41. Additionally, whilst relatively infrequent, the bus from Buxton to Ashbourne passes through Hartington several times per day, and therefore it is realistically possible to reach the holiday lets via public transport.
42. The authority's car parking standards require a maximum of five car parking spaces to serve the 3 No. holiday lets (two parking spaces for each larger holiday let and one parking space for the small holiday let). The existing use as a six bedroomed guest house would require a maximum of seven car parking spaces (1 parking space per guest bedroom and 1 parking space for the owner). Overall, therefore whilst there is an underprovision of car parking spaces compared with what would be expected to be provided were there sufficient space on the site, the underprovision is less for the proposed new use than with the existing guest house use.

Impact upon character and significance of listed building and conservation area

43. It is proposed to insert a timber partition on the staircase between first and second floor level. The partition would contain a doorway to assist with cleaning and maintenance but the door would ordinarily be locked to provide separation between two of the proposed holiday lets. The authority's conservation officer concurs with the findings of the heritage statement that the stairs have been altered in the past, with clear evidence by the landing area at second floor level where the steps are widened from their original position. The proposed timber partition would restrict views of and an appreciation of the staircase. However as the partition would be between first and second floor level, the partition would not impose on an appreciation of the staircase from the entrance hall at ground floor level. The work would be reversible and in the most part freestanding (not attached to historic fabric). The use of conditions will allow for the authority to secure the use of timber to blend with or complement the existing timber staircase in terms of colour and finish and also to ensure that where the partition would come into contact with existing fabric, for instance the stair verge on the floor above, that the partition is affixed in such a way that would not harm the existing timber.
44. It is proposed to install a kitchen in a current second floor bedroom to serve the upper holiday let. The kitchen would be located in a position in the room which would minimise impact being away from the window area and the existing exposed ceiling truss would be left as it currently is. The need for additional piping is minimised with the drainage and incoming water pipes running vertically down to the bedroom below, where there is currently a sink with connections. An external air vent is proposed on the eastern side elevation gable to provide ventilation to the kitchen area. This will require the loss of some stonework and the conservation officer has requested a condition requiring submission of a section drawing showing how the air vent would be installed and affixed within the stonework.
45. It is proposed to demolish two mid 20th century outbuildings to the rear of the site. From a conservation perspective their removal would provide an enhancement. The outbuildings themselves are of little or no architectural or historic merit and their removal would enhance and recover the views of the rear of Bank House from Hyde Lane and views of the listed St Giles Church from the rear of Bank House. In addition, no objection is raised to the demolition of the modern outbuilding much nearer to the rear of Bank House and the formation of steps up to the raised patio area. The use of black metal railings to enclose the patio area is considered appropriate. A condition will require details of hard and soft landscaping in the locations of the demolished outbuildings to be submitted to the authority for approval.
46. The proposed EV charger would be located in a discreet location to the side of the property and hidden from views from the main road to the front of Bank House. The EV charger would be installed below a window, this window having been converted from a doorway as evidenced by the change in stonework. As such, no historic fabric would be impacted by its installation and the impact upon the setting of the listed building is minimised by its discreet position on the property.
47. The authority's conservation officer has raised no objection to the proposed security lights to be affixed to the listed building subject to a condition to secure precise details of lights and means of attachment. No objection is raised to the proposed free standing lock box to the front of the property which would be black cast metal. Additionally, the painting of the windows and doors from the current white to an off white / cream is supported and will provide some minor enhancement.
48. Overall, notwithstanding some enhancement provided by the demolition of modern outbuildings and the repainting of windows and doors, the proposed external and internal works associated with the change of use of the property to 3 No. holiday lets would result

in less than substantial harm (at the minor end of the scale) to the significance of the listed building. In particular the authority's conservation officer has highlighted the minor harm caused by the installation of the partition in the staircase and by the loss of stonework caused by the insertion of an external air vent.

49. It is necessary to balance this identified harm against the scheme's public benefits. While the need to preserve the building's heritage significance is a key consideration, the public benefit derived from ensuring the long-term maintenance of the designated heritage asset, through securing the optimum viable use is a key consideration in the planning balance. The proposed alterations are required to deliver the individual holiday let units and the proposed use would enable the building to remain in active use and would ensure the long term maintenance of the designated heritage asset. This public benefit is considered to outweigh the identified minor less than substantial harm to the significance of the heritage asset.
50. Overall, the proposal accords with local plan policies L3, DMC5, DMC7 and DMC8. The proposal would largely conserve the character, appearance and significance of the listed building within the designated conservation area.

Climate change mitigation

51. The proposal seeks the re-use of a historic building within a sustainable location. Guests which arrive by car won't necessarily need to use their car for the duration of their stay, there being local services and facilities within very close proximity to the property. In addition an EV charger is proposed to facilitate those travelling to the property via electric vehicle. Overall, the scheme is considered to accord with policy CC1.

Conclusion

52. The use of an existing traditional property within a village for holiday lets is supported in principle by Core Strategy policies DS1 and RT2.
53. It is considered that the proposed change of use would not result in material harm to the residential amenity of neighbouring occupiers having regard to the existing use as a guest house and the busy village centre location of the application site. The proposal accords with policies RT2 and DMC14 in this respect.
54. The proposal would not result in a material increase in demand for car parking compared with the existing use of the property.
55. Notwithstanding some enhancement provided by the demolition of modern outbuildings and the repainting of windows and doors, the proposed external and internal works associated with the change of use of the property to 3 No. holiday lets would result in less than substantial harm (at the minor end of the scale) to the significance of the listed building. However the public benefit that the proposal provides of securing a long term future use for the listed building which can be achieved with minimal alteration to the listed building is considered to outweigh the identified minor harm. The proposal accords with local plan policies L3, DMC5, DMC7 and DMC8.
56. The proposal accords with policy CC1 in respect of climate change mitigation.
57. The development is in compliance with the relevant policies of the development plan and the NPPF. There are no material planning considerations which indicate that planning permission should be granted otherwise than in accordance with the plan.
58. This application is therefore recommended for conditional approval.

Human Rights

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

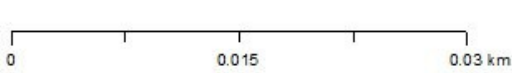
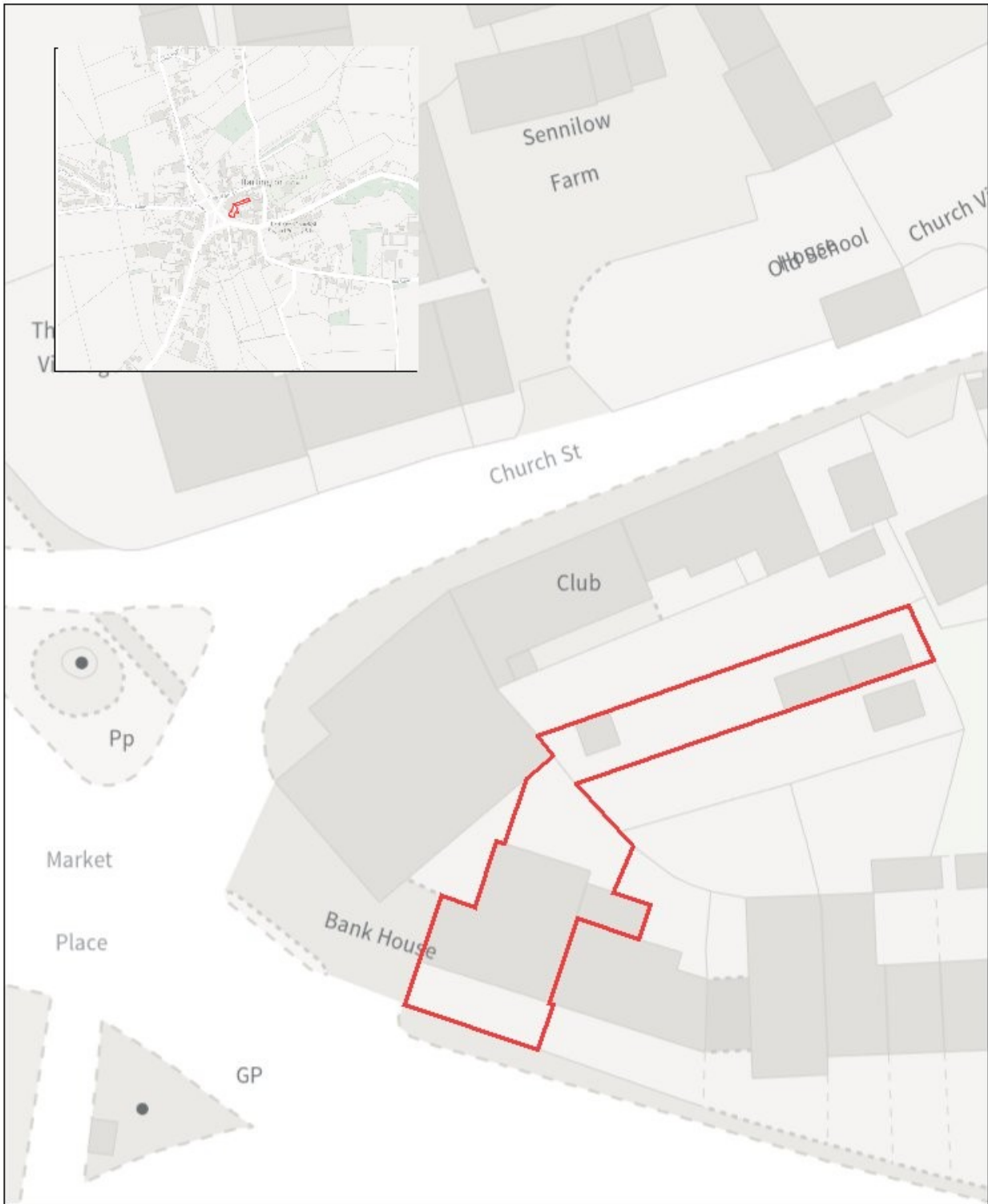
List of Background Papers (not previously published)

Nil

Report Author and Job Title

Peter Mansbridge – Planner – South

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Bank House Guest House, Market Place, Hartington

Item no. 13
 Application no. NP/DDD/1225/1308
 Committee date: 10 April 2026

Scale: 1:413 at A4 pagesize
 Map centre grid ref: 412,850 360,461



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14. LISTED BUILDING CONSENT – CHANGE OF USE FROM A GUEST HOUSE (USE CLASS C1), ADJOINING RESIDENTIAL FLAT AND ADJOINING GUEST ANNEXE TO 3 NO. HOLIDAY LETS (USE CLASS C3), AND DEMOLITION OF GARAGE AND FOR ASSOCIATED INTERNAL AND EXTERNAL ALTERATIONS (NP/DDD/1225/1309) PM

APPLICANT: LIZZIE DUFFIELD

Summary

1. The application seeks listed building consent for works to change the use of a guest house (use class C1) to 3 No. holiday lets (use class C3) at Bank House, Hartington. There is an associated application for planning permission.
2. The report concludes that the proposed scheme would overall conserve the character and significance of the heritage asset.
3. Whilst the proposal would result in some harm to the character and significance of the heritage asset, this is considered to be outweighed by the public benefit of ensuring that the listed building remains in active use.
4. The proposal is considered to be in accordance with the policies of the development plan and the NPPF and is recommended for approval subject to conditions.

Proposal

5. The application relates to the change of use of a guest house (use class C1) to 3 No. holiday lets (use class C3).
6. The property would be divided as follows:
 - The ground floor and first floor of the property would comprise a 5 No. bedroomed property.
 - The second floor would comprise a 3 No. bedroomed property.
 - The existing annexe would form a 1 No. bedroomed property.
7. It is also proposed to demolish two 20th century outbuildings (a workshop and a garage) at the rear of the site. A modern outbuilding near to the rear elevation of the property would also be demolished to facilitate pedestrian access to a raised patio area. This patio area would be enclosed with black metal railings.
8. An electric vehicle (EV) charger is proposed to be installed on the western side elevation of the listed building. Other external alterations proposed comprise an air vent grill on the eastern side gable of the building, and a free standing lock box to the front of the property. It is also proposed to repaint the windows and doors in Cream (RAL 9001). A security light is proposed to be inserted onto the rear elevation of the listed building and lighting is proposed to be installed internally within the stairwell providing access to the upper storey holiday let.
9. The following internal alterations to the listed building are proposed to facilitate the proposed use as 3 No. holiday lets:
 - Insertion of door and partition wall to provide separation between first and second floors.
 - Insertion of kitchen area on second floor with associated external ventilation.
10. As originally submitted the application proposed the creation of a parking space to the rear of the site in the location of the existing garage. Vehicular access would have been taken from Hyde Lane using a right of access across the grounds of Hartington Village

Hall. Amended plans have seen this element of the proposal removed from the scheme with the footprint of the demolished garage instead to be used as an extended garden area .

Site and Surroundings

11. Bank House is a Grade II listed building located in the centre of the village of Hartington.
12. The property is a 3 storey dwelling dating from 1828 faced with coursed square limestone with gritstone dressing and chamfered quoins, with a stone slate roof. The property is located within the Hartington conservation area.
13. The property was until recently in use as a guest house (use class C1) with guest accommodation on the ground and first floor and the owner's accommodation on the second floor (referred to as a residential flat in the application description). A side annexe provides a further bedroom.
14. The nearest neighbouring property is Clematis Cottage, a residential dwelling, attached to the east of Bank House. The surrounding area comprising the village centre of Hartington is characterised by a mix of residential, commercial and community uses.

RECOMMENDATION:

That the application be APPROVED subject to conditions:

1. **Statutory time limit.**
2. **Accordance with approved plans.**
3. **Submission of details of colour / finish of timber to be used in staircase partition.**
4. **Submission of details of precise fixing method for fixing base timber into stair stringer.**
5. **Submission of section drawing showing how the external air vent grill would be installed and affixed within the stonework.**
5. **Submission of precise details including means of attachment for proposed internal and external lighting to be affixed to the listed building.**

Key Issues

15. The impact upon the character and significance of the listed building and conservation area,

History

16. None relevant.

Consultations

17. **Hartington Town Quarter Parish Council:** Objection as follows:

This is a material Planning matter with a change of use of a Heritage Asset, a Grade 2 listed building, from class C1 to C3 use. Previously a Guest House owned and managed by the current residents, who have throughout lived on the premises, comprising at one time a

family of four, with 5 of the 10 bedrooms let as bed and breakfast accommodation.

The new application from potential purchasers of the property is for its conversion to three flats for holiday lets with the potential to let the whole property to a group if required. It's likely use is as an Airbnb with remote owners.

Firstly, there is no risk to the Heritage asset if the application is not successful. It remains a large family house in good repair. There are no apparent architectural deficits or benefits from the proposed application. However, the proposed development doesn't make a positive contribution to local character and distinctiveness.

In external visual terms we accept there will be minimal change from the existing elevations. Internally however the Guest House historically offered five guest bedrooms from a total of ten existing bedrooms. The others were used by the residential family.

The proposed plans now propose to offer nine bedrooms across three separate flats. We were also informed at the meeting by the current resident that the internal design allows for a single group letting with all nine bedrooms involved.

Policy Constraints require the planners to assess if the development harms the building's historic fabric and ensures proper parking, access, and minimal noise disruption. It is the latter three which give us concern.

Firstly, the number of bedrooms available for visitors almost doubles from five to nine. This is likely to increase vehicular use and put further pressure on highway parking in Hartington. With the proposed new parking space to the rear and two alongside Fiveways Stores, there are only three off road spaces for guests. Certain groups can bring a almost a car per person as we have seen an events at Hartington YHA.

While historically guests would have been limited in number and behaviour by the Guest House's resident owners, this scheme will see up to twenty people, unsupervised, renting the property as short term lets. This gives the potential for groups such as hen and stag parties which are already prevalent in other locations within the National Park. This potential social disruption is something this Council would not welcome in the very heart of our village.

This is a very different proposition to the conversion of the listed Minton House into three residential flats, which has brought additional welcomed residents to our community.

We also have some concerns about rear access to the proposed parking space and charging point.

The current owner made a detailed presentation about the ownership and rights of way to the rear of the property and challenged the assertions made by Trustees of the Village Hall, in their letter to the Authority.

The Parish Council felt this was entirely a legal matter between interested parties, accept the land in question has a right of way and are therefore, simply concentrating on the space required for the area allocated to form a suitable parking space with good access to and from Hyde Lane.

We made a site visit to examine this in some detail.

Firstly, the actual entrance onto Hyde Lane is only 3 metres wide and the view impeded by a garage to the south. Hyde Lane is narrow, often used by cars parked at the Village Hall and whilst we accept there has been recent occasional vehicular access, it is not ideal and we welcome Highways' view on its suitability for regular use. The access right of way to the proposed parking place reduces to only 2.6 metres wide alongside the Village Hall.

The parking area itself comprises the footprint of an existing dated garage, which is only 2.9 metres wide, although there is some additional limited space within the garden area to the north.

We are assured the current owners have reversed easily to turn vehicles in the area behind the Village Hall, but in space terms it seems rather restricted for turning, especially for some larger modern vehicles, driven by holidaymakers parking for the first time. We certainly would not support vehicles reversing onto Hyde Lane.

We therefore have reservations and welcome Highways view on the suitability.

We see no specific benefit from the proposed development of this heritage asset which is not at risk and have concerns about rear access and the increase of visitor lets which could easily lead to social disruption and additional parking requirements on the highway. As such we cannot support this application for three short term flats to let.

In the debate about the social impact of the ever-increasing holiday accommodation within the village, a member of the Council commented that the Hartington Neighbourhood Plan policy was for new builds to be restricted to primary residence.

Clearly this did not apply to Bank House, but was an indication of the community's desire to see primary ownership wherever possible.

A letter was subsequently received from a member of the public stating that such a comment was illegal because, despite being accepted at Referendum, the Neighbourhood Plan is being forced to repeat the Section 16 process as a result of administrative errors by the Local Authority.

In our view this complaint is without foundation as Government advice is clear, that a neighbourhood plan awaiting referendum still holds significant weight as a material consideration in planning decisions, provided it has passed independent examination, as in the case of Hartington's Plan.

Officer comments on Parish Council representation:

18. The Parish Council state that the proposal represents an increase from five guest bedrooms in the guesthouse (plus owners family bedrooms) to nine guest bedrooms between the 3 No. holiday lets. However, to clarify, the existing accommodation comprises six guest bedrooms including the existing annexe and the proposal would be nine guest bedrooms (including the existing annexe which would form one of the holiday let units) of which eight would be double bedrooms and one would be a single bedroom.
19. Only limited weight can be given to the Hartington Neighbourhood Plan considering that it has not completed its legal process and remains to be formally "made". In addition the policy cited above relating to restriction of dwellings to primary residence is specifically for new builds rather than conversions / changes of use.
20. Comments relating to vehicular access from Hyde Lane are no longer relevant as this element has been removed from the proposal.
21. **PDNPA Conservation Officer:** No objection subject to conditions.
22. **Derbyshire County Council Highways:** No objection

Representations

23. Two objection letters have been received.
24. The first is from a neighbouring occupier and raises the following summarised concerns:
 - Lack of parking provision for the additional cars that are going to require parking spaces if all three holiday lets are occupied.
 - Amenity impacts in terms of noise and disturbance from unsupervised guests (compared with guest house where there is an on site staff presence) and from general comings and goings from the property including arrivals / departures, parking of cars etc.
 - Appropriateness of a listed building being subdivided
25. The second objection letter has been received from the trustees of Hartington Village Hall. This relates to concern regarding the use of the vehicular access from Hyde Lane to the rear of the site. This element of the proposal has now been removed from the scheme following receipt of amended plans.
26. In addition a letter of support has been received from the current owners of the application property (this is not the applicant).

Main Policies

27. Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L1, L3, RT2
28. Relevant Development Management policies: DMC3, DMC5, DMC7, DMC8, DMC14, DMR3

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

Impact upon character and significance of listed building and conservation area

32. It is proposed to insert a timber partition on the staircase between first and second floor level. The partition would contain a doorway to assist with cleaning and maintenance but the door would ordinarily be locked to provide separation between two of the proposed holiday lets. The authority's conservation officer concurs with the findings of the heritage statement that the stairs have been altered in the past, with clear evidence by the landing

area at second floor level where the steps are widened from their original position. The proposed timber partition would restrict views of and an appreciation of the staircase. However, as the partition would be between first and second floor level, the partition would not impose on an appreciation of the staircase from the entrance hall at ground floor level. The work would be reversible and in the most part freestanding (not attached to historic fabric). The use of conditions will allow for the authority to secure the use of timber to blend with or complement the existing timber staircase in terms of colour and finish and also to ensure that where the partition would come into contact with existing fabric, for instance the stair verge on the floor above, that the partition is affixed in such a way that would not harm the existing timber.

33. It is proposed to install a kitchen in a current second floor bedroom to serve the upper holiday let. The kitchen would be located in a position in the room which would minimise impact being away from the window area and the existing exposed ceiling truss would be left as it currently is. The need for additional piping is minimised with the drainage and incoming water pipes running vertically down to the bedroom below, where there is currently a sink with connections. An external air vent is proposed on the eastern side elevation gable to provide ventilation to the kitchen area. This will require the loss of some stonework and the conservation officer has requested a condition requiring submission of a section drawing showing how the air vent would be installed and affixed within the stonework.
34. It is proposed to demolish two mid 20th century outbuildings to the rear of the site. From a conservation perspective their removal would provide an enhancement. The outbuildings themselves are of little or no architectural or historic merit and their removal would enhance and recover the views of the rear of Bank House from Hyde Lane and views of the listed St Giles Church from the rear of Bank House. In addition, no objection is raised to demolition of the modern outbuilding much nearer to the rear of Bank House and the formation of steps up to the raised patio area. The use of black metal railings to enclose the patio area is considered appropriate. A condition will require details of hard and soft landscaping in the locations of the demolished outbuildings to be submitted to the authority for approval.
35. The proposed EV charger would be located in a discreet location to the side of the property and hidden from views from the main road to the front of Bank House. The EV charger would be installed below a window, this window having been converted from a doorway as evidenced by the change in stonework. As such, no historic fabric would be impacted by its installation and the impact upon the setting of the listed building is minimised by its discreet position on the property.
36. The authority's conservation officer has raised no objection to the proposed security lights to be affixed to the listed building subject to a condition to secure precise details of lights and means of attachment. No objection is raised to the proposed free standing lock box to the front of the property which would be black cast metal. Additionally, the painting of the windows and doors from the current white to an off white / cream is supported and will provide some minor enhancement.
37. Overall, notwithstanding some enhancement provided by the demolition of modern outbuildings and the repainting of windows and doors, the proposed external and internal works associated with the change of use of the property to 3 No. holiday lets would result in less than substantial harm (at the minor end of the scale) to the significance of the listed building. In particular the authority's conservation officer has highlighted the minor harm caused by the installation of the partition in the staircase and by the loss of stonework caused by the insertion of an external air vent.
38. It is necessary to balance this identified harm against the scheme's public benefits. While the need to preserve the building's heritage significance is a key consideration, the public

benefit derived from ensuring the long-term maintenance of the designated heritage asset, through securing the optimum viable use is a key consideration in the planning balance. The proposed alterations are required to deliver the individual holiday let units and the proposed use would enable the building to remain in active use and would ensure the long term maintenance of the designated heritage asset. This public benefit is considered to outweigh the identified minor less than substantial harm to the significance of the heritage asset.

39. Overall, the proposal accords with local plan policies L3, DMC5, DMC7 and DMC8. The proposal would largely conserve the character, appearance and significance of the listed building within the designated conservation area.

Conclusion

40. Notwithstanding some enhancement provided by the demolition of modern outbuildings and the repainting of windows and doors, the proposed external and internal works associated with the change of use of the property to 3 No. holiday lets would result in less than substantial harm (at the minor end of the scale) to the significance of the listed building. However the public benefit that the proposal provides of securing a long term future use for the listed building which can be achieved with minimal alteration to the listed building is considered to outweigh the identified minor harm. The proposal accords with local plan policies L3, DMC5, DMC7 and DMC8.

41. This application is therefore recommended for conditional approval.

Human Rights

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

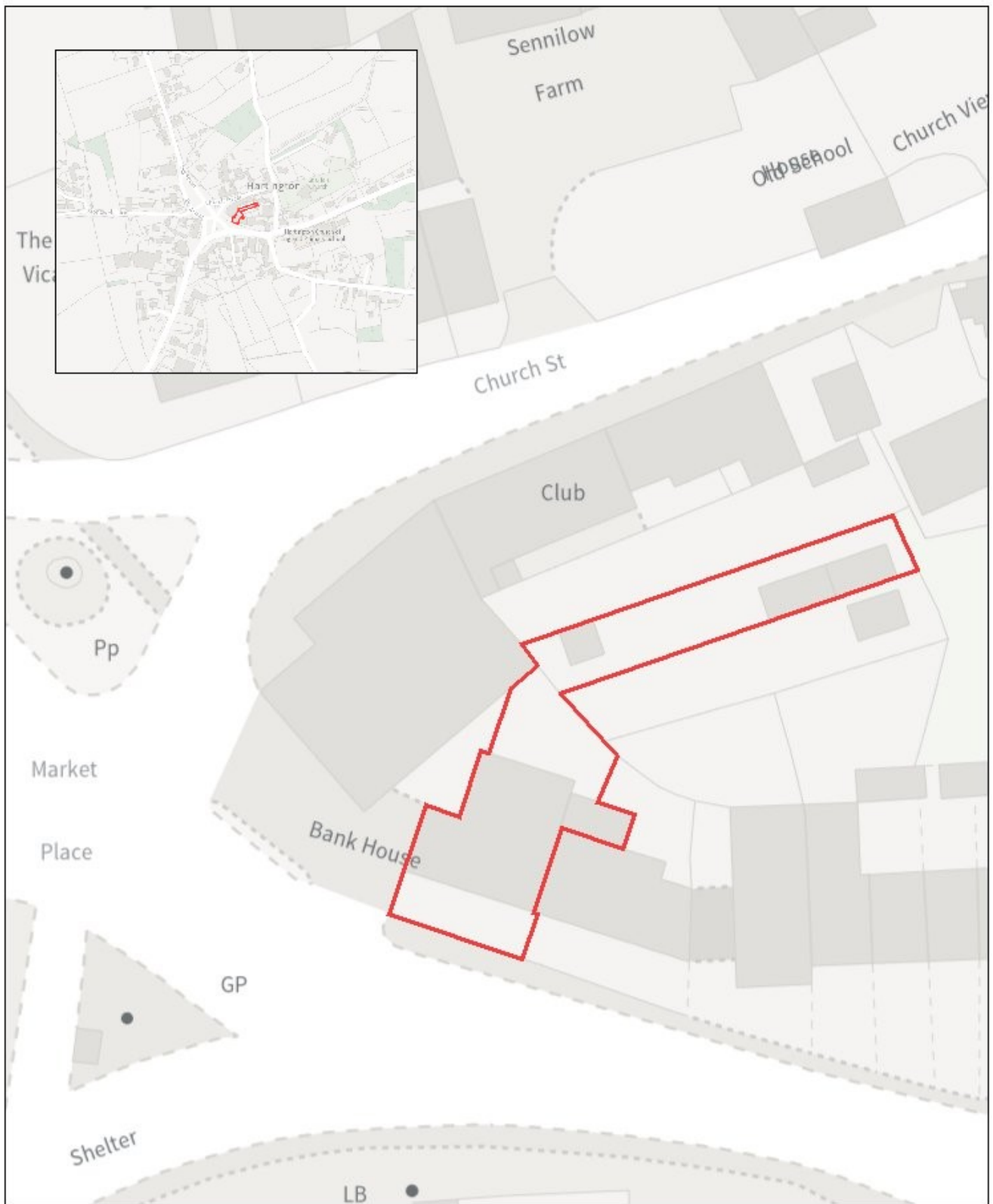
List of Background Papers (not previously published)

Nil

Report Author and Job Title

Peter Mansbridge – Planner – South

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Bank House Guest House, Market Place, Hartington

Item no. 14
 Application no. NP/DDD/1225/1309
 Committee date: 10 April 2026

Scale: 1:413 at A4 pagesize
 Map centre grid ref: 412,851 360,453



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15. PLANNING APPEALS MONTHLY REPORT (A.1536/BJT)

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>
6005596 NP/DDD/0725/0683	S.73 application for variation of condition 3 on NP/DDD/1024/1137 at Newhaven Caravan Park, Newhaven	Written Representation	Delegated
6006028 NP/CEC/1025/1086	Replacement of dwelling at Keepers Cottage, Moorside Lane, Pott Shrigley	Written Representation	Planning committee
Change in appeal procedure 6002576 NP/DDD/0725/0747	Two storey extension to the rear/east elevation of former restricted use property (Chequers Inn staff accommodation) on the footprint of the allowed single storey extension The Stables Froggatt Edge, Calver	Now Written Representation rather than Householder	Delegated

2. APPEALS WITHDRAWN

There have been no appeals withdrawn during this month.

3. APPEALS DECIDED

The have been no appeals 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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16. MONITORING & ENFORCEMENT ANNUAL REVIEW – APRIL 2026 (A.1533/AM)

Introduction

1. This report provides a summary of the work carried out over the last year (April 2025 – March 2026) as well as information about the breaches of planning control we have resolved in the latest quarter (January – March 2026).
2. Most breaches of planning control are resolved through negotiation without resorting to formal enforcement action. Where formal action is considered necessary, this normally 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, highway safety or policy, for example.

RECOMMENDATION:

That the report be noted.

Summary of Activity 2025/26

4. Notices issued

23/0060 Land between the A625 road and the River Derwent New Bridge Calver	Building, engineering or other operations comprising the construction of two timber structure and the siting of a shipping container.	EN issued 25 July 2025 EN came into effect on 08 September 2025 – compliance period ended 08 December 2025
23/0036 Horsleygate Owler Bar	Creation of an area of hard standing, widening of means of access comprising the removal of a section of wall and erection of gates and gate posts.	EN issued 01 August 2025 – appeal submitted – awaiting decision
21/0102 The Moon Inn Stoney Middleton	Installation of 7 new windows to the front elevation of the property.	EN issued 07 August 2025 EN came into effect on 22 September 2025 – compliance period ends 22 June 2026
24/0108 Field off south side of B5055, 650m East of Monyash	Erection of agricultural building on a concrete pad.	EN issued 23 October 2025 EN came into effect on 01 December 2025 – compliance period ends 01 May 2026

22/0054 Land at Hallyard House Over Haddon	Breach of condition 2 (approved plans) and 5 (agree stone sample panel) on planning permission NP/DDD/0221/0113 (erection of double garage).	BCN issued 05 March 2026 BCN came into effect immediately upon service – compliance period is 6 months.
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5. Appeals determined

24/0148 Barn, Cornfield Farm Lyme Handley	Erection of building and pod	EN issued 19 March 2025 – notice corrected to delete reference to the building and appeal dismissed in regard to pod.
21/0002 4 Greenhead Park Bamford	Erection of fence	EN issued 02 October 2024 – appeal withdrawn.

Workload and performance

6. This section of the report summarises our performance over the last year. We have resolved 218 breaches in the past year, which is a significant improvement on the figure of 181 for the previous year – and well in excess of our target of 150 in the Service Delivery Plan.
7. We have continued to address the backlog of enforcement cases, including a number of cases where enforcement notices had been issued but had not been complied with. As a result of this, the overall number of outstanding cases has been reduced from 414 (at the end of March 2024) to 336. In March 2024 this figure was 528, so the number of outstanding cases has been reduced by 36% in the last two years.
8. At the Planning Committee in October 2024, it was resolved that at least once per year officers report to the Planning Committee on the length of time that enforcement cases have been outstanding. It is intended that this information be included in the annual report. Of the 336 current cases 238 have been outstanding for less than 5 years. Of the remaining 98 cases, 74 are between 5 and 10 years old and 24 have been outstanding for more than 10 years.
9. The number of enquiries received has fallen compared to the previous year (286 compared to 339). The number investigated/resolved has also decreased from 477 to 326 resulting in the number of enquiries outstanding at the end of the year being reduced from 113 to 78. The number of breaches received has also reduced to 138 in total over the past year compared to 173 in the previous year.
10. These figures reflect the current situation which is that enquiry backlog has been cleared. The outstanding enquiries are current cases and new enquiries will be investigated as they come in and new breaches identified accordingly.
11. The table below summarises the position at year end (31 March 2026). The figures in brackets are for the previous year (2024/25).

	Received	Investigated/Resolved	Outstanding At Year End
Enquiries	286 (339)	326 (477)	78 (113)
Breaches	138 (173)	218 (181)	336 (414)

12. Breaches resolved in the latest quarter (January – March 2026)

22/0070	<p>Unauthorised array of ground mounted solar pv panels positioned to the rear (north) of the house.</p> <p>Permission granted for alternative location; unauthorised development removed.</p>	Throstles Nest Sheen
16/0074	<p>Container and touring caravan on site and other objects.</p> <p>Immune from enforcement action.</p>	Birds Natural Stone yard, Brook near Stanton Mill Quarry
25/0092	<p>Replacement of wooden front door with uPVC - Different Style also done the rear door.</p> <p>Planning permission granted.</p>	6 Riverside Crescent Bakewell
24/0017	<p>Storage of vehicles</p> <p>Use ceased.</p>	Brand Top Farm, Brandside
25/0130	<p>Unauthorised structure within the curtilage of a Listed Building</p> <p>Structure removed</p>	George Hotel Castleton
21/0002	<p>Erection of fence</p> <p>Fence removed</p>	4 Greenhead Park Bamford
25/0062	<p>Change of use from agricultural land to extend their domestic curtilage to the rear of the properties.</p> <p>Planning permission granted.</p>	Woodend Cottage, Main Road, Stanton In Peak
19/0074	<p>Unauthorised advertisements</p> <p>Advertisements removed.</p>	Cavendish Hotel Baslow
23/0009	<p>Unauthorised stable building to the rear of Green End Wardlow</p> <p>Immune from enforcement action.</p>	Green End Main Road Wardlow

26/0022	TPO 104/2025. Oak tree located on Back Lane, has a significant amount of building materials stored in the RPA. This will degrade the structure of the soil and have a significant negative impact on the tree. Materials removed.	Boundary of Greenways and Greenhills Back Lane Hathersage
24/0073	Alterations to the plan form of the second floor by removal of wall. Listed building consent granted and works completed.	9 South Church Street, Bakewell
19/0087	Unauthorised track, hardstanding and static caravan. No breach in regard to caravan. Operational development immune from enforcement action.	Land close to Hillsdale Hall, Butterton
22/0043	Erection of fence. Fence removed.	Thimble Cottage Litton
26/0018	Erection of wooden shed and driveway.	Land to the east of Whitelow House Farm, Whitelow Lane, Sheffield
24/0148	Breach of NP/CEC/0619/0646 which granted consent for conversion of a barn to holiday accommodation. Barn is being lived in. Lawful development certificated granted for use of barn as dwelling house.	Barn, Cornfield Farm Lyme Handley
21/0007	Breach of occupancy condition - NP/DDD/0820/0731 Evidence provided to demonstrate no breach.	Wheston Bank Farm Tideswell
24/0047	Breach of conditions of NP/HPK/1220/1159, unauthorised adverts and various businesses on site. Scheme for alternative advertisements approved. Breaches resolved.	Hope Valley Garden Centre Bamford
24/0021	Non-compliance with NP/GDO/0419/0394. Building is not being used for agricultural purposes, but for vehicle maintenance. Side windows have been installed, and rooflights have been put on front elevation Building being used for agricultural purposes. Operational development immune from enforcement action.	Old Well Barn, Hernstone Lane Peak Forest
24/0051	Unauthorised change of use of land to car park. Immune from enforcement action.	Holmesfield Farm Mill Bridge Castleton
23/0056	Unauthorised works to listed building relating to NP/CEC/0523/0542	Thorney croft Farm

	No breach	Kettlehulme
26/0012	Conversion of a stable block to garaging and a gym. Construction of a substantial new terrace, including building a breeze block retaining wall. Immune from enforcement action in regard to the garage conversion. No breach in regard to wall.	Jaggers Keep Bar Road Curbar
26/0013	New timber stable block Stables removed	Ughill Farm Ughill Bradfield Sheffield
26/0014	Development is not operating in accordance with planning, environmental and habitats law. No breach	Stanedge Lodge Long Causeway Sheffield
19/0106	Gates and gateposts not in accordance with approved plans Immune from enforcement action	Holland Twine Litton
24/0055	Unauthorised garage. No breach	3 Swift Close (plot 52) Bradwell Springs
26/0009	Unauthorised shepherd huts and storage business Immune from enforcement action	Brosterfield Farm Bakewell Road Foolow
24/0157	Unauthorised windows & extension not built as approved No breach	1 Church Cottage Shrigley Road Pott Shrigley
26/0020	Non-compliance with planning permission NP/DDD/1124/1251. The development to the rear appears to be reaching 3 storeys high. No breach	Apple Tree Well Cottage, Gorse Bank Lane, Baslow
25/0091	Unauthorised building in a field Not expedient to take enforcement action	Moorlands Farm Moorlands Lane Froggatt Calver
23/0068	Construction of a wooden fence Not expedient to take enforcement action	Land to the North of Willow Grange

		Grindleford Road Calver
25/0080	Block paved driveway Not expedient to take enforcement action	Derwent House Main Road Grindleford
23/0015	Erection of decking Not expedient to take enforcement action	Brackenburn Riddings Lane Curbar
25/0094	Stone building Not expedient to take enforcement action	Rock Mill Cupola Rock Mill Business Park Stoney Middleton
25/0090	Breach of APP/M9496/W/17/3166812 as accommodation is not being used ancillary to the main house. No breach	Station House Grindleford
24/0173	Alterations to listed building No breach, approved under NP/S/1121/1234	Holdworth Cottage, Loxley Road, Sheffield
22/0048	Caravan used as holiday accommodation Immune from enforcement action	Loosehill Farm Peak Forest
23/0046	Works to listed building Listed building consent granted	Lyndale House Church Street Bradwell
26/0017	Erection of shed and track. Duplicate case, closed.	Land to the east of Whitelow House Farm, Whitelow Lane, Sheffield
19/0176	Unauthorised satellite dish, replacement door and windows. Works removed.	Wrights Farm Kettlehulme
24/0060	Construction of a surfaced track and manege for exercising of horses Immune from enforcement action.	Land Off Set Lane Sheffield
25/0002	Zip wire. Unauthorised development removed.	Coronation Plantation at Highlow -

		Leadmill/Abney, Hathersage
21/0011	Log cabin used as a holiday let Exemption licence granted by caravan club. No breach.	Shawfields Farm Warslow
24/0058	Unauthorised flue No breach	The Well House Kishfield Lane Kettleshulme
24/0094	Unauthorised manege and tipping of materials onto site. Immune from enforcement action.	Hartle Moor Farm Hazlebadge Bradwell
23/0021	Breach of the local occupancy condition No breach	The Old Dairy Barber Booth Edale
22/0063	Erection of conservatory Immune from enforcement action.	Gatesgill Lodge Wheston Tideswell

13. **Current High Priority Cases**

15/0057 Land at Mickleden Edge, Midhope Moor, Bradfield	Laying of geotextile matting and wooden log 'rafts' to form a track	EN in effect – initial compliance period expired – Natural England granted SSSI consent for works 30 May 2023. Officers actively seeking compliance with EN.
17/0044 Woodseats Farm, Windy Bank, Bradfield Dale	External and internal alterations and extension to listed building, erection of lighting and CCTV columns and engineering works (including construction of hardstandings and tracks)	EN in effect with regard to engineering works, extension and erection of lighting and CCTV columns – applications seeking regularization of other works refused. Officers considering further enforcement action
18/0062 Land at Cartledge Flat, Bradfield Moors	Creation of a track	EN in effect – compliance period expired - Officers actively seeking compliance
19/0064 Alstonefield Hall, Church Street, Alstonefield	External and internal alterations to grade II* listed building	PP and LBC granted on 9 November 2023 for works to regularize and remediate breaches – conditions relating to submission of details etc not complied with. Officers dealing with applications in regard to conditions.
21/0060 Home Farm Main Street Sheldon	Various developments, including construction of track and hardstanding, erection of building, construction of timber sheds/structures, siting of caravans and conversion of building to residential dwellings	High Court injunction granted and court order issued and served December 2023 – Planning application refused May 2024 – court order not complied with by 15 February 2025 – legal action commenced.

14. Outstanding Enforcement Notices

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

Case Reference	Location	Description
04/0098	Land west of Crossgates Farm Wheston Tideswell Buxton	Hardstanding on agricultural land EN issued 2008 - took effect 2009 Officers investigating current condition of land.
05/0003	Land at Riverdale Main Road Grindleford	Use of land and buildings for the storage of vehicles and other items. EN issued/took effect 2008 Land mostly cleared, EN to remain in effect in regard to use.
05/0102	Land at the Forge, Damflask, Bradfield,	Use of land for the storage of vehicles. EN issued 2003 - took effect 31 October 2003 Officers investigating current condition of land.
05/0126	Tor Farm Middleton by Youlgreave	Removal of two timber windows and section of stonework and replacement with UPVC window and UPVC window and door LBEN issued/took effect 2003 Officers investigating current condition of land.
06/0012	Midfield Macclesfield Road Kettleshulme	Siting and storage of a residential caravan and use of land for storage purposes, including the storage of building materials and equipment, vehicles and vehicle parts. EN issued/took effect 1996 - land mostly cleared, EN to remain in effect in regard to use.
07/0042	Hurdlow Grange Farm Hurdlow Buxton	Erection of portal framed agricultural building; 2. Erection of a lean-to building and timber car port; 3. Change of Use of land for storage and the siting and residential use of a static caravan EN issued re item 1 2011 - took effect 2012 EN issued/took effect re items 2 and 3 2015 Officers investigating current condition of land.

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

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

15/0057	Midhope Moor/ Cutgate/ Lost Lad	Creation of track EN issued 2018 - took effect 2021 Officers negotiating with landowner to secure removal of track.
15/0083	Maynestone Farm Hayfield Road Chinley	Erection of extension EN issued 2015 - took effect 2016 PP granted for amended scheme Jan 2023
16/0118	Brackenburn Riddings Lane Curbar Calver Hope Valley	Erection of gates and gate posts in breach of conditions on NP/DDD/0913/0809 (construction of replacement dwelling) EN issued May 2020 - took effect October 2020 - gates removed - application for retention of gate posts and installation of gates refused 13 August 2024. Officer actively considering taking legal action.
16/0163	Five Acres Fields Edge Top Road Longnor	Unauthorised building used for storage, workshop and welfare EN and s215 Notice issued/took effect 2020 Officers investigating current condition of land.
17/0044	Woodseats Farm Windy Bank Bradfield Dale Sheffield	Unauthorised works to Listed Building and engineering works in the setting and wider farmstead EN issued/took effect 2019 Officers investigating current condition of land.
17/0095	Blues Trust Farm Marnshaw Head Longnor	Erection of a building and the siting and residential use of a touring caravan. Construction of an access track EN issued/took effect 2019 EN partially complied with Officers negotiating with landowner to secure removal of development.
18/0062	Cartledge/Rushy Flat Bradfield Moors Grid ref: 2113 9238	Creation of track EN issued/took effect May 2019 Officers negotiating with landowner to secure removal of track.
19/0189	Land adjacent to Black Harry House Main Road Wardlow	Erection of dwelling (not in accordance with planning permission ref: NP/DDD/0217/0130) EN issued/took effect 2020 - permission granted for amended scheme 9 July 2024
19/0218	Home Farm Main Street Sheldon	Excavations and building operations to rear of guest house EN issued 2020 - took effect 2021 Legal action taken.

21/0060	Home Farm Main Street Sheldon	Construction of track and widening of gateway onto road EN issued 2008 - took effect 2009 - complied with but track subsequently reinstated Legal action taken.
21/0085	New Vincent Farm Parsley Hay	Camping pods EN issued/took effect 2022 Officer actively considering taking legal action.
21/0054	Hallfield Farm Strawberry Lee Lane Sheffield	Erection of implements store and horse training building and laying of a hard-surfaced track EN compliance period ended August 2025. Officers currently providing pre-application advice.

Report Author: Adam Maxwell, Development and Enforcement Manager

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