

AGENDA ITEM No. 7

PEAK DISTRICT NATIONAL PARK AUTHORITY

NATIONAL PARK AUTHORITY MEETING

5 DECEMBER 2008

STRATEGY & DEVELOPMENT

PART A

1. **PLANNING APPLICATION REFERRED FROM PLANNING COMMITTEE FULL APPLICATION - ERECTION OF TEMPORARY MARQUEE (FOR A 5 YEAR PERIOD) WITHIN STABLE BLOCK COURTYARD AND ASSOCIATED CHANGE OF USE FOR EVENTS/FUNCTIONS, LYME HALL STABLE BLOCK, LYME PARK, LYME HANDLEY, (NP/M/0808/0705, P2741, 6.10.08, 396427/382364/RJB)**

APPLICANT: THE NATIONAL TRUST

Proposal

- 1 This planning application was considered by the Planning Committee on 17 October 2008 and it was resolved as follows :

That the Authority be recommended to APPROVE the application subject to the following conditions and that it be referred to the Authority for further consideration on the basis that it contravened policies

- 1. 5 year temporary permission**

It now follows for the Authority meeting to determine the application.

- 2 **RECOMMENDATION:**

That the application be REFUSED for the following reasons:

- 1. Economic development outside the confines of a settlement , contrary to policies C2 and E1**
- 2. Detrimental to the setting of the listed building due to the incongruous form and design of the marquee. Contrary to policies C9, LC4, LC6 and LC8 and the Authority's Design Guide.**
- 3. Insufficient justification to represent an exception to policy**

Policy/Legal Background

- 3 The report to Planning Committee is attached as an appendix. This explains the detail of the proposal.
- 4 The development site is within a Grade II listed stable block courtyard situated 140m north-east of the Lyme Hall, itself a nationally important Grade I listed building. The stable block is currently used as an estate workshop and related offices

- 5 The scheme involves the change of use of part of the stable block coupled with the erection of a marquee within the stable block courtyard to act as a new venue for the holding of weddings and other events/functions for a maximum of 120 guests and 12 staff. Two ground floor rooms in the stable-block would be used as bar and catering areas with the existing visitor toilet block to the rear of the stable-block being shared during functions.
- 6 The proposed marquee would largely fill the courtyard requiring the present parking of estate vehicles to be relocated. The marquee would be fixed with reversible anchors and demountable links to the bar and catering areas. The existing use of the stable block as a workshop and related offices would continue.
- 7 The applicants state the development is to assist with the financial upkeep of the grade I listed building and seek approval for a temporary 5 year period in recognition of the set up costs involved, the quite long lead in time for events and the quality of the facility proposed.

Key Issues

- 8 It is considered that the key issue in respect of this proposal relates to whether the creation of the wedding/events business based primarily upon temporary marquee accommodation within the open countryside meets the Authority's Conservation and Economy policies in relation to the provision and location of business space.

Comment

- 9 The relevant Structure Plan policies are GS1, C2, C9 and E1 with Local Plan policy LC6 providing further detailed policy considerations on listed buildings. Policy GS1 states that all development will be controlled so that the valued characteristics of the Peak National Park can be conserved now and for the future. To achieve this, development will not normally be permitted where it is incompatible with the policies in the development plan or its twin National park purposes of conserving and enhancing the natural beauty of the National Park and promoting its public enjoyment.
- 10 The stable block lies in the open countryside well away from the nearest town or village and as such Structure Plan Policy C2 only allows development where it does not harm the valued characteristics of the area and is necessary for either agriculture and forestry, home extensions, recreation and tourism or mineral working. The list specifically does not include development of new business premises because in line with government advice such general economic activity is directed by the Development Plan to more sustainable locations within, or exceptionally on the edge of, 'Designated' settlements. These are towns and the larger villages in the Local Plan which have been identified as being suitable in terms of size and access to services to accommodate general economic development without harm to the landscape.
- 11 The only exception to this strategic economic policy is Local Plan policy LE2 which can allow in exceptional circumstances for the development of low impact B1 employment businesses in situations where general economic activity would be unacceptable provided that there is sufficient benefit to the conservation and enhancement of the National Park. This exception does not apply in this case as there is no enhancement.
- 12 Economic Policy E1 therefore states that development for employment will normally be permitted provided it is of a scale and type which is clearly intended to meet local needs, Such development will not normally be permitted outside the confines of towns and villages unless it is in furtherance of farm diversification policy, listed building

policy recreation and tourism policy, home working or to help safeguard existing business land/premises. In this case the proposed wedding business is not part of a farm business and neither is it connected with recreation or tourism, home working or necessary to safeguard an existing business. Your officers consider that it would represent an unsustainable form of new general business activity well away from recognised settlements.

- 13 The only relevant policy exception route would be if the development were necessary to further the aims of listed building policy. PPG 15 Planning and the Historic Environment advises, in relation to listed buildings, that the best use is normally the original otherwise the optimum viable use that is compatible with the fabric, interior and setting of the listed building and that this does not necessarily equate to the most profitable use. It states that policies for development should recognise the need for flexibility where new uses have to be considered to secure a buildings survival. Policies C9 and LC6 for historic buildings reflect and refine the advice in PPG15.
- 14 In this case the stable block is in good condition and is in active and appropriate uses as an estate workshop and offices which are ancillary to the management of the Lyme Park Estate. These are closely related to its historical function and are thus well suited to the conservation of the building itself and its setting. Officers and members heard from the applicant at the Planning Committee site visit that the existing uses were probably not using the building to its full potential. Notwithstanding the appropriateness of the current uses your officers consider that the range of traditional buildings forming the stable block do present other opportunities within adopted policy for new uses, e.g. conversion of part to holiday residential accommodation and/or the creation of an ancillary shop and catering facilities to serve visitors to the estate. Such uses would mirror similar developments at historic halls elsewhere in the park which have been successful in generating long term high returns to help maintenance and management costs.
- 15 Policy C9 goes on to state that development which adversely affects the particular merits of such a building will not normally be permitted. Local Plan Policy LC6 provides further detailed requirements to put the structure plan policy into practice including a statement that “ development will not be permitted if it would directly, indirectly or cumulatively lead to repairs or alterations involving materials, techniques and detailing inappropriate to a listed building
- 16 The wholly different form and design of the marquee coupled with its cream coloured vinyl covering results in a building that would be in sharp contrast with the traditional style and appearance of the listed stable block. Instead of making good use of the traditional buildings and respecting the particular merits of the listed building as policy and design guidance advises the proposed business use would rely totally upon the new marquee which by covering the courtyard and obstructing views of the inner stable block facades would seriously detract from the special character and setting of the listed building contrary to adopted policies C9 and LC6. Your officers therefore concluded that this proposal would represent an incongruous and wholly inappropriate structure to site in such close proximity to the listed building.
- 17 The insertion of the marquee into the courtyard would displace all of the parking and block access to certain doorways thus preventing and restricting some of the present appropriate uses of the site. Although there would be no direct harm to the fabric of the stable block as all the works are reversible, the siting and scale of the marquee would obstruct views of the inner elevations of the courtyard and by infilling the open courtyard remove this key feature of the listed building.

- 18 The Authority's adopted design policies reinforced by the Design Guide stress the importance of good design and use of materials in new development to respect the local distinctive character of an area. Consequently the established practise of the Authority has been to consistently resist the use of marquees for any purposes other than that allowed under the permitted development regime where they can be erected temporarily in connection with a specific event and then removed shortly thereafter. The only other examples of their presence in the park is where they are erected within the grounds of exiting Hotels usually for seasonal use as ancillary accommodation to the main business and thus do not amount to development requiring planning permission.
- 19 Local Plan policy LC6 further specifically requires new development affecting the merits of a listed building to show why the development is desirable and necessary in terms of the listed building itself and not the personal or other needs of the applicant. In this case it would be wholly undesirable in listed building setting terms to obscure the courtyard and unnecessary in the sense that the development is not needed to maintain or provide a beneficial use for the building. The applicants have confirmed that the need for the development is to provide a modest addition to income generating activities on the estate and the income will be used to support essential conservation work at Lyme Park. They argue that the works are temporary and reversible however officers note they have given a clear indication that they would be seeking to renew any consent at the end of the initial period which officers would find difficult to resist. The proposal is therefore viewed by officers as representing effectively a long term permission for an inappropriate temporary building which would not only be contrary to adopted Authority policy but also contrary to government advice which directs authorities away from the use of temporary permissions in all but the most exceptional circumstances.
- 20 The Park is a national asset and frequently viewed by many operators as providing a base for many business opportunities. The park is therefore under strong pressure for many developments such as this which do not accord with National park purposes. Acceptance of this proposal contrary to key strategic policies would set a clear precedent others would undoubtedly use to pursue other similar developments elsewhere in the park which would individually and cumulatively undermine national park purposes and the ability of adopted policies to meet their sustainable aims.

Conclusion

- 21 Officers do not consider that an exception to strategic polices is warranted as the development is not essential to meet a local employment need or maintain the listed stable block. Officers do recognise the estates need to diversify and expand income generation however a range of alternative uses within the buildings that would be better suited to their conservation e.g. holiday accommodation for example, would in principle accord with adopted policies. The applicants supporting statement did not establish a case of over-riding need for the development to warrant setting aside polices C2, E1 and C9 and as a result the proposal is incompatible with General Strategic policy GS1. Consequently the recommendation remains one of refusal for the reasons set out above.

APPENDIX

Background

1 None

Resources

2 None

Risk Management

3 None

Human Rights, Equalities, Health & Safety

4 None

Consultees

5 English Heritage

Do not wish to offer any comments and recommend that the application be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

Enclosures

6 Report to Planning Committee October 2008

List of Background Papers (not previously published)

7 None

Report Author

8 Bob Bryan - Head of Planning

Publication date

9 27 November 2008