

**16. CONSTRUCTION OF MANEGE AT MIDDLETON HALL, RAKES LANE, MIDDLETON BY YOULGREAVE (NP/DDD/0917/0952, P1462, 419462/363034, 29/09/2017/ALN)**

**APPLICANT: MR AND MRS ALEX BALL**

**Site and Surroundings**

Middleton Hall is located on the southern edge of the village of Middleton by Youlgreave. It is a grade II listed building and the house and its associated gardens and parkland are within the Middleton by Youlgreave Conservation Area. The parkland extends to approximately 0.5 hectares in area and is located to the south, west and east of the Hall.

The application site edged red is rectangular in shape and is located in the north western corner of the parkland directly to the east of a perimeter belt of trees and approximately 150m to the west of the Hall. Levels fall gently across the application site from west to east. To the north east of the application site there are two modern portal framed buildings that appear to be in use as stabling.

Vehicular access to the site is via a private track from an unclassified road known as Whitefield Lane that runs to the west of the parkland.

**Proposal**

Planning consent is sought for the construction of a horse riding arena in the north west corner of the parkland and directly to the east of a perimeter belt of trees. The submitted plans indicate that the structure would measure 60m long by 30m wide. It would be roughly rectangular in shape, with each corner 'rounded off'. No information has been provided with regard to the proposed surfacing materials.

**RECOMMENDATION:**

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

- 1. The development would cause harm to the significance of the Middleton by Youlgreave Conservation Area, the park as a non-designated asset and the setting of the grade II listed building, with no public benefit, contrary to Core Strategy policies GSP3, L1 and L3; Saved Local Plan policies LC4, LC5, LC6, LC16 and LR7 and paras 128 and 132-134 of the National Planning Policy Framework.**
- 2. Insufficient information has been provided to enable the Authority to assess the impact of the groundworks on the significance of any archaeological interest at the site contrary to Core Strategy policy L3; Saved Local Plan policy LC15 and 128 and 132-134 of the National Planning Policy Framework.**

**Key Issues**

1. Impact on the significance of heritage assets.
2. Impact on archaeological interest and significance.

**History**

There is no planning history held on file for the application site or for the two buildings to the north east of the site.

## **Consultations**

Highway Authority – no objection subject to all use remaining private and ancillary

District Council – no response

Parish Council - supports this application on the basis of it being virtually hidden from view and not for commercial use.

Authority's Conservation Officer – recommends refusal. It is recognised that the visual impact of the manege from the east might be low or minimal, depending what equipment is needed with it. However the application site is an integral part of the historic parkland and views from it looking eastwards are as much part of the experience of it as those looking west towards it. On plan, the manege would make a significant intrusion into the parkland. While it is appreciated that the visual impact would be mitigated by limited visibility and the lie of the land, it would nonetheless intrude on the tranquil, pastoral, undisturbed and timeless character that the creators of such parklands aimed to create. The proposal would cause less than substantial harm to the significance of the conservation area, the park as a non-designated asset and the setting of the listed building, with no public benefit.

Authority's Archaeologist – The application site is a site of archaeological and historic interest, and is a non-designated heritage asset. It is located within the Conservation Area, the site is within the historic parkland and the Hall and is in an area recorded in the Derbyshire Historic Environment Record as the site of a medieval grange. It is apparent that earthworks do survive on the application site and the origin of these earthworks is unknown. Should earthwork or below ground remains of a medieval grange survive in the grounds of Middleton Hall, they have the potential to be of national significance; earthwork remains of granges elsewhere in the Peak District are Scheduled Monuments. However, it is not clear what, if any remains of a medieval grange survive at the site of the proposed ménage or more widely within parkland surrounding Middleton Hall.

At present there is insufficient information available to understand the nature and significance of the archaeological interest of the site. The proposed ménage will require a large amount of cut and fill. The groundworks associated with the proposed development have the potential to result in harm to archaeological interest and significance of the site, which isn't yet understood, and the insertion of the ménage will result in harm to the significance of the historic parkland. It also has the potential to harm the character and significance of the Conservation Area and the setting of a listed building. However, the planning application does not address these issues.

Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation to provide the appropriate level of information on the significance of the heritage asset and the potential impact of the proposed development on the asset's significance (National Planning Policy Framework, Section 12, Para. 128 and 135). A desk based assessment and walk over survey would be required. However even based on the information provided the proposals would result in harm to the significance of the historic parkland which is not outweighed by public benefit.

## **Main Policies**

Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L1, L3

Relevant Local Plan policies: LR7, LC4, LC5, LC15, LC16

## National Planning Policy Framework

The National Planning Policy Framework (The Framework) is a material consideration which carries particular weight where a development plan is absent, silent or relevant policies are out of date.

Paragraph 115 of the Framework says that great weight should be given to conserving landscape and scenic beauty in National Parks and that the conservation of wildlife and cultural heritage are important considerations and should also be given great weight.

Paragraph 132 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Para 128 states that in determining applications LPAs should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting.

Para 134 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

## **Assessment**

Saved Local Plan policy LR7 states that facilities for keeping and riding horse will be permitted provided that the development does not detract for the landscape or valued character of the area; is located adjacent to existing buildings to groups of building; is not likely to cause road safety problems; and does not constitute a nuisance to local residents, landowners or farmers by noise, smell or other adverse impact.

The submitted Design and Access Statement explains that the applicants have recently purchased Middleton Hall and which to use the proposed manege to exclusively train their own horses to national competition standards. The site of the manege is determined by the training requirements and is the standard size for competition. No commercial use is proposed.

In terms of compliance with policy LR7 it is clear that the manege would be for personal use only (and this could be required by condition). As such it is unlikely that the proposals would cause road safety problems (particular as buildings used for stables are close by). The nearest neighbouring properties are some 90 – 100m away to the north and separated from the site by steeply sloping land, woodland and an intervening road. As such it is unlikely that the proposals would constitute a nuisance to local residents or landowners. The main issue with the current proposals is whether the manege would detract from the valued character of the area in terms of impact on heritage assets and archaeology.

### Issue 1: Impact on the significance of heritage assets.

Core Strategy policy GSP3 sates that development must respect, conserve and enhance all valued characteristics of the site and building that are subject to the development proposals. Core Strategy policy L3 requires that development must conserve and where appropriate enhance or reveal significance of archaeological, artistic or historic asset and their setting, including statutory designation and other heritage assets of international, national, regional or local importance or special interest. Policy LC5 seeks to protect the character and appearance of Conservation Areas and policy LC4 seeks high standards of design.

Middleton Hall is a grade II listed building. The current Hall dates from the early 19<sup>th</sup> century although it is likely to originate from an older building. The formal parkland lies to the south, west and east of the Hall. The parkland is of heritage value as it forms part of the setting of the Grade II listed Hall and is a significant element in the Conservation Area (it is Area D in the adopted

Conservation Area Appraisal, characterised by occasional clumps of individual trees in parkland, with partial permeated belts on all four sides, but with a ha-ha and gaps still allowing extensive views out to the south). It is a non-designated heritage asset in its own right and forms part of the attractive local landscape of this part of the National Park. There have been some modern incursions into the parkland including steel framed sheds on the north boundary. However, generally, the whole parkland is well preserved. The main features include:

- Several good examples of early 19th century “mound planting”, retaining mature trees which are a key visual feature of the landscape.
- Late 19th century kitchen garden on north perimeter.
- Lengths of shelter belt on parts of the perimeter.
- A ha-ha south of the house.
- The house itself as a focal point, along with its outbuildings.
- Terraced lawns and gardens to the east and south of the house.

No pre-application advice was sought on the proposals and no Heritage Statement has been submitted. The design and access statement simply states that ‘the siting is such that the proposals will not adversely affect any heritage asset.’

Simple ‘existing’ and ‘proposed’ contour maps have been provided which indicate that a ‘cut and fill’ operation would be required to create a level platform but as no sections have been provided it is difficult to fully assess the landscape impact of the proposed manege. However it appears that it may not be easily detectable from the lower (eastern) end of the parkland, especially as no lighting is proposed and no perimeter fencing is shown on the submitted plans. However the proposed site itself is an integral part of the historic parkland and the view from it looking eastwards are as much part of the experience of it as those looking westwards towards it and the manege would make a significant intrusion into the tranquil, pastoral character that the creators of such parklands aimed to create.

Whilst views of the manege would not be possible from outside of the parkland from the roads to the north and west due to land levels and intervening trees, glimpses would be available from Weadow Lane to the south, through the perimeter trees.

In conclusion the proposals would cause substantial harm to the significance of the conservation area, the park as a non-designated asset and the setting of the listed building, with no public benefit. Although the surface and presence of the manege might not be visible from the Hall, the site is nevertheless an important part of the surroundings in which the Hall is experienced, and the proposal would further undermine its integrity as a heritage asset. The proposals would therefore be contrary to policies GSP3, L1 and L3 and Local Plan policies LC4, LC5, LC6, LC15 and LR7.

### Issue 2: Impact on Archaeology

As well as being within the Conservation Area and the historic parkland the Authority’s Archaeologist has noted that the site is within an area recorded in the Derbyshire Historic Environment Record as the site of a medieval grange. The archaeological remains of granges can include earthwork and belowground remains of buildings related to settlement and those associated with agricultural activity, building platforms, domestic enclosures, agricultural fields and enclosures, lynchets and ridge and furrow, ponds, wells, boundary banks etc. Sites that show a good degree of archaeological survival are identified as nationally important.

Following a site visit the archaeologist has stated that it is apparent that earthworks do survive within the footprint of the proposed manege (these can be seen on the ground as a series of linear terraces aligned north-south across the application site). No archaeological assessment has been provided with the application and therefore there is insufficient information available to understand any archaeological interest of the site and the groundworks associated with the

proposed development have the potential to result in harm. It is considered that an archaeological desk based assessment and walk over survey (to identify and provide any appropriate record of surviving earthworks) would be required.

In conclusion the proposed works have the potential to result in harm to archaeological interest and significance of the site, which isn't yet understood, and the proposal is therefore contrary to Core Strategy policy L3 and Local Plan policy LC15.

#### Alternative Sites

As no pre-application advice was sought, a detailed appraisal of alternative sites has not taken place. Officers have looked with the agent at an alternative site outside of the parkland directly to the west of the perimeter trees adjacent to Whitefield Lane. However the land here is more steeply sloping and cramped leaving little leeway for grading it gently or screening it. It is considered that a manege in this location would be harmful to the landscape character of the area.

#### **Conclusion**

In conclusion the proposals would cause harm to the significance of the conservation area, the park as a non-designated asset (including any below ground archaeology) and the setting of the listed building, with no public benefit, contrary to adopted policies and paras 115, 132 and 134 of the NPPF. The proposals are 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