

8. FULL APPLICATION – MODIFICATIONS TO EXISTING OUTBUILDING TO FORM LETTING BEDROOMS AND CONSTRUCTION OF NEW BUILDING TO PROVIDE LETTING BEDROOMS ASSOCIATED WITH THE LADYBOWER INN AND CAR PARK ALTERATIONS – LADYBOWER INN, LADYBOWER, BAMFORD. (NP/HPK/0917/1007 420450 / 386510 P2611 MN 11/10/2017)

APPLICANT: MRS TRUDI HALL

Site and Surroundings

The Ladybower Inn is located adjacent to the A57, northeast of Ladybower Reservoir. The site comprises the pub building, an additional building, and some car parking to the northern side of the road, with the main car park and a two storey outbuilding to the southern side.

The outbuilding fronts the road and has undergone various alterations, including some renovation as part of a previous permission to convert the building to holiday accommodation associated with the pub. The remnants of a former yard and enclosing wall can be found through the undergrowth immediately to the south of the building. This area of land is within the 'Natural Zone', as designated by the Authority's Development Plan. The South Pennine Moors Special Area of Conservation, the Peak District Moors (South Pennine Moors Phase 1) Special Protection Area, and the Eastern Peak District Moors SSSI all lie approximately 50m south east of the application site.

The car park is to the immediate east of the building, and is bounded by drystone walling in various states of repair around its perimeter to the east and south.

The site is outside of any designated conservation area.

Proposal

To convert the existing outbuilding to provide four letting rooms, construction of a new accommodation building to provide a further five rooms, and alteration and extension of the car park.

RECOMMENDATION:

That the application is Approved subject to the following conditions:

- 1. 3 year time limit**
- 2. In accordance with revised plans**
- 3. Development to remain ancillary to pub, with 28 day holiday let occupancy restriction**
- 4. Materials to match existing**
- 5. Notwithstanding the submitted information details of drainage and foul water treatment to be agreed prior to commencement**
- 6. Archaeological monitoring**
- 7. Compensatory Natural Zone planting and car park planting and landscaping to be implemented in the first planting season following commencement of the development**

8. Minor architectural and design details, including omission of barge boards or fascias

Key Issues

- The principle of providing additional accommodation in a new building and building on land designated as natural zone
- Design and landscape impacts of the proposal
- Highway safety and amenity

Relevant Planning History

1998 – Planning permission granted for conversion of outbuilding to two holiday lets

2002 – Planning permission granted for reconstruction of outbuildings to form ensuite bedrooms

Consultations

Highway Authority

Initially requested a revised parking layout to provide more spaces. They consider the revised scheme to achieve this and to significantly improve the internal circulation of the car park. They recommend conditions to ensure highway safety is maintained throughout the works, that the car park remains free from impediment to its designated use, and that the development remains ancillary to the Ladybower Inn.

District Council

No response to date.

Parish Council

Object to both the original and revised proposal. They consider that the size of the new building would dwarf the existing traditional barn, that the visibility of windows over the adjacent wall would have an adverse visual impact, that the style of the new building is not in keeping with the surrounding buildings, that it is too tall, and that the roof is visually intrusive due to being of different material to the existing barn and the Inn *[this is inaccurate – the roofing material would match the adjacent building]*.

Environment Agency

No detailed comments to make.

PDNPA – Landscape

Consider that the part of the site that is designated as Natural Zone should not have been designated, having been a compound relating to the former agricultural building. They advise that since there has recently been a review of the Natural Zone approved by the Authority this area will not be removed until the next review in 5-10 years' time. In these circumstances they advise that if planning permission is to be granted then as compensation for the loss of Natural Zone additional shrub planting shall be agreed with the NPA within another part of the Natural Zone that is under the ownership of the applicant, and should be maintained for a period of 5 years.

Consider that the mature trees adjacent to the car park entrance should be retained and protected.

Representations

One letter of representation has been received, on behalf of Friends of the Peak District. This was based on the submission as originally made and objects to the timber cladding [since omitted] and design of the new build accommodation, and expresses concern over the loss of trees within the site.

Main Policies

Relevant Core Strategy policies: GSP1, GSP2, GSP3, L1, RT2, E2, and T7

Relevant Local Plan policies: LC4 and LT18

National Planning Policy Framework and National Planning Practice Guidance

The National Planning Policy Framework (NPPF) was published on 27 March 2012 and replaced a significant proportion of central government planning policy with immediate effect. The Government's intention is that the document should be considered as a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. In the National Park the development plan comprises the Authority's Core Strategy 2011 and saved policies in the Peak District National Park Local Plan 2001. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that in this case there is no conflict between prevailing policies in the Development Plan and more recent Government guidance in the NPPF.

Paragraph 115 of the NPPF states that *'great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads.'*

Further advice is provided in the National Planning Practice Guidance resource. Paragraph 020 of the Guidance addresses areas with inadequate wastewater infrastructure. It details a sequential test where connection to a mains sewer should always be the preferred wastewater connection method, with package treatment plants only considered where this can be demonstrated to be infeasible on financial and/or practicality grounds. It goes on to state that septic tanks should only be considered if it can be clearly demonstrated that discharging into a public sewer to be treated at a public sewage treatment works or a package sewage treatment plant is not feasible, again taking into account cost and/or practicability.

Development Plan Policies

Policy GSP1 sets out the broad strategy for achieving the National Park's objectives having regard to the Sandford Principle, (that is, where there are conflicting desired outcomes in achieving national park purposes, greater priority must be given to the conservation of the natural beauty, wildlife and cultural heritage of the area, even at the cost of socio-economic benefits). GSP1 also sets out the need for sustainable development and to avoid major development unless it is essential, and the need to mitigate localised harm where essential major development is allowed.

Policy GSP3 sets out development management principles and states that all development must respect, conserve and enhance all valued characteristics of the site and buildings, paying particular attention to, amongst other elements, impact on the character and setting of buildings, scale of the development appropriate to the character and appearance of the National Park, design in accordance with the National Park Authority Design Guide and impact on living conditions of communities.

Policy L1 identifies that development must conserve and enhance valued landscape character and valued characteristics, and other than in exceptional circumstances, proposals in the Natural Zone will not be permitted.

Policy RT2: Hotels, bed and breakfast and self-catering accommodation states:

“Proposals for hotels, bed and breakfast and self-catering accommodation must conform to the following principles:

A. 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. The change of use of entire farmsteads to holiday accommodation will not be permitted.

B. Appropriate minor developments which extend or make quality improvements to existing holiday accommodation will be permitted”.

Core Strategy Policy E2 states that proposals to accommodate growth and intensification of existing businesses will be considered carefully in terms of their impact on the appearance and character of landscapes.

Core Strategy Policy T7 requires development to be provided with the minimum amount of parking required for operational purposes. Local Plan policies LT11 and LT18 of the Local Plan require new development to be provided with adequate access and parking provision but also say that access and parking provision should not impact negatively on the environmental quality of the National Park.

Local Plan policy LC4 states that where development is acceptable in principle it will be permitted provided it is of a high standard of design that respects and conserves the landscape, built environment and characteristics of the area.

Adopted design guidance within the ‘Design Guide’ and the Authority’s Landscape Strategy and Action Plan offer further guidance on the application of these policies.

These policies are consistent with the wider range of conservation and design policies in the Development Plan and the National Planning Policy Framework, which promote high standards of design and support development proposals that would be sensitive to the locally distinctive character of the site and its setting and the valued characteristics of the National Park.

Assessment

Principle

Public houses are recognised as important community facilities by the Authority, and whilst the customer base of pubs outside of settlements will inevitably be broader than just local people, they still provide a valuable facility for those living in isolated locations as well as serving people from surrounding villages. National and local planning policies therefore seek to support and retain them wherever possible.

Whilst part of the proposal involves the provision of a new freestanding building, it is an extension of the existing business rather than a new and unrelated development in the countryside and so those policies relating to the expansion of existing businesses within the countryside are applicable. It is accepted that there are no other vacant buildings on the site that could fulfil the need for further accommodation, which the applicant identifies as being necessary to ensure the future viability of the business. This is consistent with Core Strategy policy RT2: Hotels, bed and breakfast and self-catering accommodation.

The Authority's economic planning policies do make provision for limited extension of existing businesses within countryside locations, providing certain criteria are met and the proposal therefore complies with this in principle.

The other issue in terms of principle relates to the current designation of part of the site as Natural Zone in the Development Plan. This designation covers the land on which the new building would be constructed. Normally this would prevent development of the type proposed from being supported, as it would conflict with policy LC1, which is very restrictive of development within the Natural Zone.

In this case, however, the Authority's landscape architect has advised that the section of land on which the building would be constructed has been included in the Natural Zone in error, having previously formed an enclosed hardstanding and containing only low value scrub planting that has established over the last five years. They have advised that the area will be removed from the Natural Zone when the boundary is next revisited. Further, replacement planting and management has been proposed to compensate for the loss of any ecological value in this area.

On this basis, and subject to the proposed compensatory planting and its maintenance being secured by condition, the principle of extending the pub business through conversion and a new building, and car park extension is not considered to conflict with policies LC1, E2, LE4, or the wider aims of the Development Plan and is acceptable in principle.

If permission was granted it would be necessary to require the new building to remain ancillary to the operation of the pub, and limit the length of occupation by guests. Without this the development would amount to independent new build holiday accommodation, contrary to the planning policies of the Development Plan.

Design and appearance

The proposed building has undergone some design revision during the course of the application, including reducing its width, removing overhanging eaves, changing materials, and changing details to the proposed external stairs.

The new building, as revised, would have a larger footprint than the adjacent building but by virtue of its height would appear of modest scale in relation to it in public views, and would certainly be considered to be modest in relation to the pub business when taken as a whole. In this regard it would comply with policy LE4. Its scale would also ensure it did not dominate the adjacent building and in massing terms, according with adopted design guidance.

Following the revisions the building now has a simple form that is considered to relate acceptably to the adjacent building. Materials and design details are generally also considered acceptable.

The exception to this is the fascia and barge boards around the roof, which would be out of keeping; if permission is granted it is recommended that these are omitted by condition.

The building would have a low impact in the wider landscape; on approach from the west it would be partially screened by the existing building and vegetation, and from the east it would be set behind the boundary wall of the car park, with the walls projecting only a short distance above this and the roof above being visible.

It would not appear isolated due to its close relationship to both the car park and the existing building, and its single storey nature would prevent it being a dominant feature in the landscape.

The changes to the existing building are relatively minor, the most notable being the removal of a rear lean-to extension and moving the external stair to the rear of the building. Whilst the stair would be less traditional in this position – as would the link to the new building – their treatment is otherwise considered appropriate and given their recessive position to the rear of the building the arrangement is, on balance, considered acceptable.

The proposed parking layout has also been revised since submission, providing additional spaces to address the initial consultation response of the highway authority. In landscape terms, this would extend the car park further east. However, a new hedgerow and additional tree planting are proposed along the eastern boundary, which would serve to better screen the car park from wider view than is currently the case. Overall, this part of the proposal is considered to result in a minor landscape enhancement.

Overall, the form, massing, materials, design, and landscaping of the proposal are all considered to ensure that it would conserve the character and appearance of the built environment and landscape in this location, in accordance with planning policy.

Ecology

There are two mature trees adjacent to the car park entrance close to where the car park would be extended. These works have the potential to affect the trees, which are considered to be important landscape features. The applicant has therefore submitted details of how the extended car park would be constructed to protect the existing trees and their roots. This is considered to offer sufficient protection to the trees, particularly given that much of their root areas would be outside the area to be developed and because much of the ground would be built up rather than reduced in height, minimising impacts on roots.

Significant internal works to the existing building have been undertaken as part of implementing the 1998 permission for its conversion to two holiday let units. There are no proposals for any external changes to the roof of the building, which appears to have also been repaired or replaced during the conversion works and is in good condition. In this context it is not considered that the building is likely to provide bat habitat.

Other matters

The proposed site of the new accommodation block is directly over the line of the turnpike road between Grindleford and Penistone ('The Mortimer Road'), which was constructed following a private Act of Parliament in 1771. This is included in the Peak District Historic Buildings, Sites and Monuments Record (MPD4784) and is therefore considered to be a non-designated heritage asset of local significance.

The Authority's Senior Archaeologist has advised that there is the strong possibility that the groundwork associated with the new building (including for foundations, landscaping, services etc.) could encounter, damage or destroy surviving belowground remains of 'The Mortimer Road'. This would result in harm to the significance of this non-designated heritage asset. A programme of archaeological monitoring, investigation and recording would appropriately mitigate this harm, and it is recommended that this is secured by condition.

It is proposed to relocate an existing septic tank as part of the proposal, as this is currently in situ where the new building would be constructed. The six new letting bedrooms would increase the amount of waste being discharged to the tank, increasing the level of groundwater pollution. National Planning Practice Guidance states that septic tanks should only be considered if it can be clearly demonstrated by the applicant that discharging into a public sewer or the installation and operation of package sewage treatment plant are not feasible alternatives, taking into account cost and/or practicability. No evidence of this has been put forward and so Officers therefore consider that if permission is granted – and notwithstanding the submitted information – a condition should be imposed requiring details of drainage and foul water treatment to be agreed prior to commencement of the development.

Due to the isolated position of the building it is not considered to affect the amenity of any nearby residential property.

No environmental management measures have been proposed. Given the setting of the building and its orientation it is difficult to envisage how renewable energy measures could be incorporated without either landscape or ecological harm. Internally, a high standard of insulation would improve energy efficiency, but as this is addressed by building regulations it is not appropriate to duplicate this control through the planning system.

Conclusion

The principle of improving the viability of the public house is welcomed, and the proposed works are considered to conserve both the built environment and landscape character of the area, subject to conditions. The identified impacts relating to archaeology, ecology and ground water pollution can all be mitigated satisfactorily by conditions.

Overall the proposal is therefore considered to be in accordance with the policies of the Development Plan and the Framework. All other material matters have been considered, and impacts have been found to be acceptable. The application is therefore recommended for approval.

Human Rights

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

List of Background Papers (not previously published)

Nil