

**9. FULL APPLICATION – CHANGE OF USE OF SITE FROM INDUSTRIAL TO RESIDENTIAL; DEMOLITION OF EXISTING INDUSTRIAL BARN; ERECTION OF NEW DWELLING; ERECTION OF GARAGE AND ERECTION OF ANNEX AT STONE PITTS WORK, UNAMED ROAD FROM THE GABLES TO CRESSBROOK OLD SCHOOL VIA LOWER WOOD, CRESSBROOK (NP/DDD/0518/0403, P.6809, 416885 / 373131, 09/05/2018/AM)**

**APPLICANT: MR WILL GRIFFITHS**

**Site and Surroundings**

1. The application site comprises the base of a former shallow quarry located above the village of Cressbrook, between the steep wooded valleys of Cressbrook Dale and the River Wye which converge to the south east. The lower slopes of the valley are occupied by terraces of mill cottages to house the workers of Cressbrook Mill. The application site is approximately 50m to the west of the highest part of the terrace known as Top Cottages. The application site is outside, but adjacent to, the designated Cressbrook and Ravensdale Conservation Area.
2. The western boundary of the application site has a frontage onto Bottomhill Road which turns sharply east some 20 metres south of the application site to drop steeply towards Cressbrook and the valley bottom. The road is narrow and without footways in the vicinity of the application site. Some 100m to the further to the north is a small isolated group of buildings comprising St. John's Church and a cottage.
3. The former quarry benefits from planning permission granted in 1994 for light industrial and storage uses (Use Classes B1 and B8). Two of the industrial units approved in 1994 have been erected back onto the northern boundary of the site which is also the former quarry face. Two concrete open fronted aggregate stores and two concrete water stores are also positioned on the site. Planning permission was granted in 2016 for the demolition of the existing buildings and erection of a market dwelling but this has not been implemented to date.

**Proposal**

4. This application seeks planning permission for the redevelopment of the site to create a single dwelling house. A detached garage building and a detached annex are also proposed as part of the scheme.
5. Amended plans have been submitted during the course of the application and this report is written on the basis of the amended plans.
6. This is a different design to that previously approved by the Authority in 2016 (see planning history). The proposed dwelling would have a total of four bedrooms with a further two bedrooms provided within the annex. The majority of living space would be at ground floor with a 'gloriette' providing further living space at first floor.
7. The dwelling would have a 'U' shaped plan form with a flat roof formed with a fascia and piers clad with natural limestone. The roof would be planted with substrate from the site to grow wild flowers. The walls would be clad with a combination of natural limestone and dark stained vertical timber cladding. Windows would have aluminium frames.
8. There would be a terrace formed within part of the ground floor plan with a limestone clad chimney rising above. The first floor 'gloriette' would be flat roofed and formed with satin grey / blue anodised metal or anthra-zinc.
9. Access to the site would use the existing opening onto Bottomhill Road with three

spaces for parking proposed within the garage.

10. The domestic curtilage of the house would be limited to within the former quarried area. Parking and turning areas around the house would be surfaced with limestone chippings over hardstanding. New drystone walls are proposed along the access and to form the boundaries for the proposed parking and turning areas. The area to the south of the house is proposed to be grassed. Tree planting is proposed to the east of the dwelling. New hedge planting is also proposed behind the boundary walls adjacent to the access.

**RECOMMENDATION:**

**APPROVE subject to the following conditions or modifications:**

1. **Statutory 3 year time limit for implementation.**
2. **Development to be carried out in accordance with specified amended plans.**
3. **Prior to commencement of the development hereby approved submit and agree details of construction compound, storage of plant and materials, site accommodation, loading and manoeuvring of goods vehicles and parking during construction.**
4. **Prior to commencement of the development hereby approved submit and agree details of vehicular access including visibility sightlines which shall be retained throughout the lifetime of the development.**
5. **Prior to the completion or first use of the development hereby approved a detailed scheme for landscaping to be submitted and approved.**
6. **Prior to the completion or first use of the development hereby approved full details of the proposed location of calcareous grassland habitat and a management plan for these areas (to include details of cutting dates, methods to allow seed to shed and methods of removing cut material) shall be submitted and approved.**
7. **Prior to completion or first use of the development hereby approved full details of the seed mixture for the green roof and a management plan shall be submitted and approved.**
8. **Prior to the completion or first use of the development hereby approved full details of the establishment methods and aftercare of the tree planting scheme shall be submitted and approved.**
9. **Prior to the completion or first use of the development hereby approved full details of the package treatment plant shall be submitted and approved.**
10. **All new service lines to be underground.**
11. **Approve sample panels for natural limestone walls and natural limestone cladding prior to erection.**

- 12. Prior to the erection/provision of any doors, windows or gates, a detailed scheme for the external finish of the window and door frames and gates shall be submitted to and approved.**
- 13. Remove permitted development rights for domestic alterations and extensions.**

### **Key Issues**

- Whether the proposed development is acceptable in principle.
- The design and scale of the proposed development and the impact upon the scenic beauty of the landscape and the significance of the adjacent Cressbrook and Ravensdale Conservation Area.

### **Relevant Planning History**

1977: NP/WED/1177/469: Planning permission refused for the erection of two dwellings.

1978: Appeal against the above refusal dismissed on the grounds that the site is in open countryside and that the development of the two proposed dwellings would be contrary to the Authority's housing policies and harmful to the landscape.

1989: NP/WED/289/99: Planning permission refused for the erection of two dwellings.

1989: Appeal against the above refusal dismissed on the grounds that the site is in open countryside and that the development of the proposed two dwellings would be contrary to the Authority's housing policies and harmful to the landscape. The inspector also considered that the condition of the buildings which were on the site at that time did not justify the establishment of another form of inappropriate development.

1990: NP/WED/190/45: Planning permission refused for the erection of two dwellings.

1991: Appeal against the above refusal dismissed on the same grounds as the previous decisions. The inspector noted that a number of proposals for housing had been refused on this site and dismissed at appeal and that there was no good reason to come to a different decision.

1992: Certificate of lawful use issued for the use of the site for storage and distribution (Use Class B8).

1993: NP/WED/1193/533: Planning permission refused for erection of dwelling.

1994: NP/WED/0594/227: Planning permission granted conditionally for the demolition of existing building and erection of replacement building for industrial purposes.

The 1994 permission was granted subject to conditions to limit the use to within use classes B1 and B8, limiting hours of operation, implementation of a scheme of landscaping and noise mitigation, access and parking and design details.

The 1994 permission was implemented but has not been completed. The first two units have been constructed and the foundations for the remainder of the buildings have been laid. The site has and constructed buildings have only been occupied sporadically and the agent advises that the site is currently vacant other than a tenant who periodically repairs specialist cars.

2015: NP/DDD/0515/0460: Outline Planning Permission refused for re-development of site to residential uses; alterations to industrial building to form a dwelling, erection of workshop / boiler house, alterations to / conversion of water tank to ancillary accommodation and erection of solar panel array.

2016: NP/DDD/0616/0539: Planning permission granted conditionally for change of use of site from industrial to residential; erection of new dwelling; erection of garage/store/workshop; and erection of solar panel array.

2018: NP/DDD/0817/0822: Planning permission refused for change of use of site from industrial to residential; demolition of existing industrial barn; erection of new dwelling; erection of garage and erection of annex.

2018: ENQ 32296: Pre-application advice in regard to amendments to the above application in preparation for the submission of the current application.

### **Consultations**

11. Highway Authority – No objection subject to conditions to secure details of construction site compound, provision of access and visibility sightlines and parking.
12. District Council – No response to date.
13. Parish Council – Support the application. The site has been derelict for a number of years and is currently a real eyesore. The proposal makes it a more useful space and can only improve the look of the area. Consideration needs to be given to residents of Cressbrook whilst the building work is underway.
14. Natural England – Raise no objection because it is considered that the proposed development will not have significant adverse impacts on designated sites.
15. PDNPA Ecology – Raise no objections subject to conditions to require locations of proposed additional calcareous grassland habitat to be submitted along with a management plan. Details of the establishment methods and aftercare of the tree planting scheme must also be submitted.

### **Representations**

16. Seven representations have been received to date, five letters object to the application, two letters support the application. The comments on the planning merits of the scheme made are summarised below, the letters can be read in full on the Authority's website.
17. Object
  - The proposal is unsuited to the area and situated on the wrong part of the plot.
  - The proposal would change the feel of the village and also the view from across the valley where it will be an eyesore.
  - The proposed design is inappropriate and incongruent. A domestic dwelling in keeping with the village would be more appropriate.
18. Support
  - The proposed design is a beautiful 21<sup>st</sup> century approach to modern living and will

transform an industrial site of a former quarry into a useful after use.

- The proposal develops an ugly and disused site.
- Views from the path across the hillside is already intruded upon by several prominent buildings which have become sanctified with age. This proposal requires no alterations to these and will intrude far less than any of these buildings. The proposal will make a small addition to the landscape which already demonstrates the presence of inhabitants.
- Building techniques have moved on and there is no reason to be ashamed of using modern techniques within good modern design.
- The proposed development will be equally acceptable if not an improvement on the approved development.

### **Main Policies**

19. Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L1, L2, L3, CC1, E2 and HC1
20. Relevant Local Plan policies: LC3, LC4, LC5, LC17, LH1, LH2, LT11 and LT18.
21. Development Plan
22. Policies HC1, LH1 and LH2 set out the Authority's approach to new housing in the National Park; GSP1 requires all new development in the National Park to respect and reflect the conservation purpose of the National Park's statutory designation and promotes sustainable development; GSP2 supports development that would enhance the valued characteristics of the National Park; LC4 and GSP3 set out further criteria to assess the acceptability of all new development in the National Park.
23. E2 is relevant for businesses located in the countryside. E2 says that businesses should be located in existing traditional buildings of historic or vernacular merit in smaller settlements, on farmsteads and in groups of buildings in sustainable locations. Proposals for estate or farm diversification will also be acceptable in principle. Proposals for business use in an isolated existing or new building in the countryside will not be permitted.
24. L1, L2, L3 and LC17 seek to ensure that all development conserves and where possible enhances the landscape character (as identified in the Landscape Strategy and Action Plan), biodiversity and cultural heritage of the National Park. LT11 and LT18 set out the requirement for adequate parking and safe access as a pre-requisite for any development within the National Park.
25. The National Planning Policy Framework (the Framework) is a material consideration and carries particular weight where a development plan is absent, silent or relevant policies are out of date.
26. Of particular note is the fact that at paragraph 59 the Framework says that local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as where such development would represent the optimal viable use of a heritage asset or where the development would reuse redundant or disused buildings and lead to an enhancement to the immediate setting, for example, which are similar criteria that are set out in HC1 (C) I.

27. The fact that the site is within the National Park is important because the Framework maintains within paragraphs 172 that great weight should be given to conserving landscape and scenic beauty, wildlife and cultural heritage within our National Parks.
28. Therefore it is considered that policies within the development plan are up-to-date and in accordance with the more recently published National Planning Policy Framework and therefore should be afforded full weight in the determination of this planning application.
29. The Cressbrook and Ravensdale Conservation Area Appraisal was adopted by the Authority in September 2011 and therefore forms a material consideration in the consideration of this application.

### **30. Assessment**

#### **31. Principle**

32. For the purposes of the Development Plan the application site is considered to lie in open countryside because of the distance between the application site and any nearby named settlement (DS1 and LC3). There is an existing business use on the site which is considered to be isolated given the position of the site in open countryside, the narrow and restricted nature of the nearby road network and the distance of the site to any named settlements. In common with the Framework, the Authority's housing policies do not permit new isolated homes in the countryside unless there are special circumstances.
33. There is no evidence within the submitted application which demonstrates that the proposed dwelling is intended to meet any functional need or any eligible local need for affordable housing. It is therefore considered that the proposed house is intended to meet general demand rather an established local need or to house a worker to meet the essential functional need of a rural enterprise.
34. Therefore, the special circumstances in which planning permission could be granted are set out in policy HC1(C) I. HC1 (C) II does not apply in this case because the application site is not in a settlement listed in policy DS1. HC1 (C) says in accordance with policies GSP1 and GSP2 that, exceptionally, new housing (whether newly built or from re-use of an existing building) can be accepted where (I) it is required in order to achieve conservation and / or enhancement of valued vernacular or listed buildings.
35. The supporting text to policy HC1(C) says that occasionally new housing (whether newly built or from the re-use of an existing building) may be the best way to achieve conservation and enhancement (for example of a valued building or listed building) where conservation and enhancement of the building could only be reasonably achieved by the impetus provided by open market values.
36. The application site is a former quarry which has an extant planning permission for the erection of four units for use as either light industrial uses (within use class B1) or for storage and distribution (within use class B8). The development of the site has not been completed and while two of the industrial units on site have been built the site is not occupied for the approved uses and is currently vacant.
37. The completed industrial building is a modern industrial unit which does not possess any architectural or historic merit. There are no other vernacular or listed buildings on the application site or evidence that the development is required to achieve the conservation or enhancement of any other valued vernacular or listed building. It is therefore considered clear in this case that the principle of the proposed development is in conflict with policies DS1 and HC1.

38. Emerging development management policy DMH6 does offer scope for the re-development of previously developed land outside of the named settlements for housing provided that the development conserves and enhances the landscape and the valued characteristics of the National Park. Given the advanced stage of the development management policies it is considered that weight can be given to this emerging policy.

39. Impacts and benefits of proposed development

40. The Authority approved planning permission for the erection of a dwelling on the site in 2016 because it was considered that the benefits of the scheme meant that the proposal was acceptable and when taken as a whole was in accordance with the development plan. The 2016 permission has not been implemented but remains extant and therefore is a material planning consideration in this case.

41. Officers accept that the existing industrial site is not well located either in terms of the likely functional requirements of potential businesses which would occupy the site or in terms of highway safety. The site is in an isolated location which would not normally be considered acceptable under policy E2 for the creation of a new business use and is not served by good road links or public transport. The highways leading to and from the site in both directions are narrow and vehicles exiting to the south would need to pass through Cressbrook. Furthermore despite being located in the former quarry, the existing building on site (along with activity if the site was in active use) is prominent from the adjacent roadside and from more distant vantage points from access land looking north across the site towards Litton.

42. Therefore Officers remain of the view that a proposal to redevelop the site could offer the potential to enhance the built development, biodiversity and landscaping of the site itself and to significantly reduce potential vehicle movements to and from the site along the unsuitable local road network. In approving the 2016 scheme the Authority concluded that the high architectural quality of the design and the enhancement that would be achieved by allowing the proposed development meant that, when taken as a whole, the proposed development would be in accordance with the development plan.

43. This application seeks permission for a dwelling of a different but nonetheless contemporary design and therefore the key issue in the determination of this application is the acceptability of the design and impact upon the local area, adjacent Conservation Area and the wider landscape. In these respects there is some support from the Parish Council and in some representations to the acceptability of the design and the potential impact upon the landscape in particular.

44. The approved scheme (the 2016 scheme) used a palette of local traditional building materials and was considered to fit comfortably within the landscape and respond to the constraints of the site by being set back into the site, with a sloping green roof which continued the topography of the field above with a two storey element at the east side built from natural stone. For these reasons the design was considered to be in accordance with the Authority's adopted design guide.

45. The current application proposes a different design and the amended plans that have been submitted follow extensive discussions between Officers, the agent and the applicant in regard to the siting of proposed buildings, the form and the proposed materials.

46. The proposed dwelling would be single storey with a flat green roof punctuated by a metal clad 'gloriette' at first floor. The use of a flat roof is not normally acceptable or in accordance with the Authority's design guidance, but in the context of the former

industrial site and the desire to minimise overall height and prominence in the wider landscape this is considered to be an acceptable design approach.

47. Officers have sought amendments to the materials for the proposed dwelling. Brick walls and concrete for the roof fascia and pillars were originally proposed but the amended scheme now proposes natural limestone cladding and a narrower stone clad fascia which clearly reflect the materials used in this landscape and nearby Cressbrook. The use of vertical timber boarding is limited to the rear private elevations which is appropriate. Natural limestone is also proposed for walling within the curtilage.
48. Officers have also sought amendments to the position of the proposed annex which was initially proposed to the front of the dwelling on the south side of the access. Officers were concerned that this element would be prominent and would visually close-off views from the road due to the height of the building and proximity. Officers suggested moving the annex to the rear of the dwelling to create a 'U' shaped plan to avoid this impact and the amended plans now propose this.
49. The proposed 'gloriette' and chimney would project above the flat roof and these elements would be more prominent from nearby vantage points and from wider views in the landscape, especially from the south. The proposed chimney would be a vertical element clad with natural limestone and not unduly obtrusive or incongruous. The proposed 'gloriette' would be the larger of the two elements but would be a relatively simple structure clad with dark blue coloured metal and therefore would be a recessive design element.
50. The amended scheme when taken as a whole is considered to be a good example of a contemporary design which is well sited to take advantages of the opportunities and constraints of this particular former quarry site which is located in an elevated and prominent position adjacent to Cressbrook. The design is contemporary rather than seeking to reflect or replicate the local built tradition but utilises traditional materials so that the design is anchored in the valued characteristics of the local area rather than appearing alien.
51. In nearby views the development would not be viewed in the context of neighbouring buildings. The site and proposed dwelling would be visible on the approach to the Conservation Area but would not have any detrimental impact upon setting. In the wider landscape the site is most prominent from the far side of the Wye valley where there are relatively distant public views from access land and footpaths. However the low height of the building would minimise visual impact and although the dwelling and its design would be noticeable and different to the buildings within Cressbrook it is not considered that the design would be incongruous or harmful either in terms of impact upon the landscape or the setting of Cressbrook.

## **52. CONDITIONS**

### **53. Environmental Management**

54. The application states that the envelope of the building will be highly insulated and has been designed and will be constructed to passivhaus specification. The house will include a mechanical ventilation and heat recovery system which will greatly reduce energy required for space heating. A wood burner will be installed and the potential to install heat pumps will also be explored. The house has been positioned and orientated to exploit solar heating and shading and to maximise daylighting. LED lighting and smart metering will also be provided.

55. Pre-fabrication technologies will be explored to reduce waste at source. Any surplus material will be carefully managed for off-site recycling. Existing materials on site will be re-used where possible. All timber will be sourced from sustainably managed forests.
56. The proposed environmental management measures are considered to be in accordance with the Climate Change and Sustainable building SPD and are welcomed.
57. Other Issues
58. The application site is in close proximity to European designated sites (also commonly referred to as Natura 2000 sites), and therefore has the potential to affect the interest and features of these sites. European sites are afforded protection under the Conservation of Habitats and Species Regulations 2010 (the Habitats Regulations). The application site is in close proximity to the Cressbrook Dale Site of Special Scientific Interest (SSSI) and Derbyshire Dales National Nature Reserve (NNR) and the Wye Valley SSSI which form part of the wider Peak District Dales Special Area of Conservation (SAC) which is a European site.
59. The agent has submitted an ecological appraisal and further information in respects of the proposed drainage scheme. Officers agree with Natural England that on the basis of the submitted information that the proposed development would not have significant adverse impacts on these designated sites. Further information has also been submitted in regards to assessment of bat habitation and impact upon ephemeral species-rich vegetation and therefore subject to conditions recommended by the Authority's Ecologist to secure details of habitat and management the ecological impact of the development is considered to be acceptable.
60. The proposed development would be served by ample off-street parking and would utilise the existing access which would be modified to provide visibility splays. The proposed house would generate considerably fewer vehicle movements than the lawful use of the site and therefore Officers agree with the Highway Authority that the development would not harm highway safety or the amenity of road users. If permission is granted conditions would be recommended to require details of the construction compound, and implementation of access and parking as recommended by the Highway Authority.
61. Given the distance between the application site and the nearest neighbouring properties it is not considered that the development would have any harmful impact upon the privacy, security or amenity of any neighbouring property or land use.

## **62. Conclusion**

63. The proposed development would not be in accordance with policy HC1 because the development is not required to achieve conservation of a valued vernacular or listed building. However in the context of the existing lawful use of the site, the current and future potential impacts of that use upon the landscape and poor access to the site it is considered that re-development of the site to the dwelling proposed in the application would represent an opportunity to secure significant enhancement to the landscape character of the National Park in accordance with GSP2 and emerging development management policy DMH6.
64. The proposed development would lead to the re-development of a redundant / disused site and the enhancement of its immediate setting which is one of the special circumstances in which paragraph 172 allows for the erection of a new dwelling in the countryside.

65. It is therefore considered that when taken as a whole, and taking into account all relevant material considerations the development is in accordance with the development plan. In the absence of any further material considerations the proposal is therefore recommended for approval subject to the following conditions.

**66. Human Rights**

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

68. **List of Background Papers** (not previously published)

Nil

**69. Report Author and Job Title**

Adam Maxwell, Senior Planner