

11 FULL APPLICATION - CREATION OF EIGHT ADDITIONAL CAR PARKING SPACES TO ACCOMMODATE THE INCREASE IN VEHICLE NUMBERS AT MARY DEVONSHIRE COTTAGES, THE GREEN, PILSLEY (NP/DDD/1218/1219, ALN)

APPLICANT: MR BEN GARSTANG – CHATSWORTH SETTLEMENT TRUSTEES

Site and Surroundings

1. Within the settlement of Pilsley there are two sizeable areas of green, grassed open space extending off the western side of main street and directly to the north of the school. The application site is located on the southern edge of the westernmost of the two grassed areas (known as 'Top Green'), to the north of a group of properties known as School Row and to the east of two terraces known as Mary Devonshire Cottages. The site is within the Pilsley Conservation Area.
2. As amended the application site measures 24.8m long by 5.4m deep. At present a low stone wall runs along the southern edge of the application site, separating the green space from a surfaced access track.

Proposal

3. The application (as amended) seeks full planning permission for the creation of eight residents parking spaces by demolishing the existing low wall, surfacing the application site in tarmac, erecting a new 1m high wall around the sides and rear of the area and demarking the spaces with stone setts.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions:

- **3 year time limit**
- **Adopt amended plans**
- **Prior to commencement of the stone wall, a detailed section of the wall and details of materials shall be submitted to an agreed in writing by the National Park Authority. Thereafter the wall shall be constructed in full accordance with the approved details.**
- **Written Scheme of Investigation to be submitted, approved and implemented.**
- **Trees to be protected during construction.**

Key Issues

- The principle of constructing new parking spaces.
- Loss of open space.
- Impact of the proposed development upon the character and appearance of the Conservation Area and on archaeology.
- Impact on Trees.

History

4. Pre-application advice was sought from the Authority in October 2018. The following advice was given:

“It appears that the outbuildings to the north of School Row and the wall did not appear until some time in the first two decades of the 20th century. Previous to that there had been what looked like a residential dwelling in that part of the green space together with a terrace of houses roughly where the Mary Devonshire Cottages are now. A boundary wall ran in a north-south orientation to the front of these properties which cut across the area of green space as it is now. So essentially the western part of the green space is a relatively recent feature albeit that it does now contribute to the Conservation Area by providing a pleasant open green space with open views. On balance we have come to the conclusion that in principle there may be scope to provide some parking in this area after all – given that the wall is relatively recent and given that this area does appear historically to have been domestic curtilage.”

Consultations

5. Highway Authority – no objections as the track from which access would be gained to the spaces in not adopted highway. Raised the point that the comments made by objectors to the submitted scheme with regard to the limited space for turning and manoeuvring are valid and that echelon parking or wider spaces would be another option.
6. District Council: No response.
7. Parish Meeting – ‘*Pilsley Parish Meeting considered this application at their meeting on 24th January and there are mixed views from the village. All agree parking is an issue.*’
8. Authority’s Conservation Officer – no objections subject to conditions.
9. Authority’s Tree Officer – no objections subject to conditions.
10. Authority’s Archaeologist - ‘*This development will affect both designated and non-designated heritage assets. The site of the proposed development is a site of archaeological and historic interest. The site lies within Pilsley Conservation Area, and as demonstrated in the supporting information provided by the Chatsworth Settlement Trustees, it was previously occupied by a range of buildings. Historic map evidence available indicates that these buildings were in place by the mid-19th century but were removed in the early 20th century. Information from the Chatsworth Archive provided in support of the application depict the extent of the building in the mid-19th century and details of their occupier and use at this time, demonstrating their use was largely agricultural – outbuilding, cowhouses, yards, stack yards and workshops. It is not known how these buildings were removed or whether any belowground traces survive. Any belowground traces that do survive would have archaeological interest, and would therefore be a non-designated heritage asset. There is no information available that indicates the age of the lost buildings. Pilsley is a pre-Domesday (1086) village in origins with the medieval based around the east-west aligned High Street. The area of the proposed development is located to the south of this, in an area that represents later expansion, where the extant buildings largely date to the 18th and 19th century. Based on this understanding it is possible that the lost buildings in this area are of a similar date.’ Without this supporting information it is not possible to properly understand the extent of the archaeological interest of the site or make an informed judgement on the level of significance of the remains. Based on the available information, I would estimate that if belowground traces of the buildings do survive, they would likely be of local significance. But, it is also possible that all traces of the*

buildings were removed in the early 20th century, and there may be no surviving below ground remains of these lost structures, in which the archaeological interest of the site would be low.'

11. *'No information on the extent of groundworks required to create the parking area has been provided in the application. However, it is anticipated that these could include excavations for drainage, for the creation of the parking surface and for the wall foundation. Such groundworks have the potential to encounter and destroy surviving belowground remains of the lost buildings depicted on the 19th century maps. This would represent permanent and irreversible harm to the archaeological interest of the site and harm the significance of a non-designated heritage asset of local significance, potentially resulting the complete loss of the last remains of these structures. NPPF (para. 197) requires that a balanced planning judgement is required that has regard to scale of this loss/harm and the significance of the heritage asset. The harm/loss must be weighed against the public benefit of a planning proposal, and based on the estimated significance of the remains (if present) I would not anticipate that this would weigh heavily in a planning balance where considerable public benefit could be demonstrated. Should this application be deemed acceptable with respect to planning balance and with respect to the impact on the Conservation Area, then I recommend that the archaeological impacts outlined above are addressed through a conditioned scheme of archaeological monitoring, recording and investigation, in accordance with NPPF para 199. The scheme of archaeological work needs to include archaeological monitoring of all groundworks in the first instance, which, depending on the nature of remains encountered, could be scaled up to a strip, map and sample exercise in the within the area of the development footprint. This would need to be undertaken by a suitably qualified and experienced contractor, and carried out in accordance with a written scheme of investigation that has been submitted to, and approved by the Senior Conservation Archaeologist.'*

Representations

12. Four letters of objections have been received. The letters object to the application on the following grounds:
- The green space is a recreational asset used by villagers and the proposals would erode it.
 - Proposals would cause a safety risk as cars manoeuvre into spaces.
 - Spaces would be used by walkers and visitors.
 - Would result in a higher wall which would be incongruous, and parking on both sides of the green.
 - Better to square off the parking on the opposite side of the green.
 - Community use the existing wall to sit on.
 - There are alternative places to park in the village.
13. One letter of support and one letter of 'general comment' have been received. The letter of general comment states that it might be better to square off the parking on the opposite side of the green and raises concerns about the height of the proposed wall.

Main Policies

14. Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, HC4, T7
15. Relevant Local Plan policies: LC4, LC5, LS4, LT11, LC20

National Planning Policy Framework

16. 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 significant conflict between prevailing policies in the Development Plan and the NPPF.
17. Para 172 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.'
18. Para 190 of the NPPF states that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.
19. Para 192 sets out that in determining applications local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets.
20. Paragraph 196 sets out 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, where appropriate, securing its optimum viable use.
21. Para 197 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Development Plan policies

22. 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). GPS1 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. GSP2 sets out that opportunities for enhancing the valued characteristics of the National Park will be identified and acted upon.

23. Policies GSP3 and LC4 set out development management principles and state 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.
24. 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. LC5 seeks to protect the character of Conservation Areas.
25. Core Strategy policy HC4(C) states that proposals to change the use of buildings or sites which provide community services and facilities including shops to non-community uses must demonstrate that the service or facility is no longer needed or available elsewhere in the settlement or can no longer be viable.
26. Core Strategy policy T7 states that residential parking will be the minimum required for operational purposes, taking into account environmental constraints and future requirements. Saved Local Plan policy LT11 states that the design and number of parking spaces associated with residential development, including any communal residential parking, must respect the valued characteristics of the area, particularly in Conservation Areas.
27. Policy L3 states that development must conserve and where appropriate enhance or reveal the significance of archaeological, architectural, artistic or historic assets and their settings, including statutory designations and other heritage assets of international, national, regional or local importance or special interest. Other than in exceptional circumstances development will not be permitted where it is likely to cause harm to the significance of any cultural heritage asset of archaeological, architectural, artistic or historic significance or its setting, including statutory designations or other heritage assets of international, national, regional or local importance or special interest.

Assessment

The principle of constructing new parking spaces.

28. Information within the submitted Design and Access Statement sets out that the proposed parking spaces would be used in association with 13 existing properties that are situated around the 'Top Green.' These are no.s 1-8, Mary Devonshire Cottages; School House; no.s 2-4 School Row; and Poole House. All of these properties have three bedrooms with the exception of Poole House which has two. Only two of the properties have any dedicated off street parking (School House has two parking spaces and Poole House has one). There is an existing hard surfaced area to the north of Top Green which provides informal parking space for around 15 vehicles. Using parking standards of two off street parking spaces per three bedroomed dwelling, the applicant has calculated that there is a need for 23 parking spaces overall, with a shortfall of 8 when the 15 existing spaces are subtracted.
29. Parking provision within Pilsley village has been a long-standing issue. Parking pressure is caused from resident, visitors and business uses. This has been compounded in Pilsley in the past by visitors and staff from the nearby farm-shop parking in the village, although this has been alleviated by the granting of permission for an overflow car park and for the reconfiguration of the main car park at the farm-

shop and by other measures such as farm-shop staff parking on the school playground at weekends and school holidays.

30. Some justification has been provided for the additional resident parking provision. However, in many respects Pilsley is not dissimilar to many other villages in the National Park where due to the tight grained nature of historic settlements, off street parking is limited. The main considerations in assessing the current proposal must be the loss of the open space and (as required by policies T7 and LT11) the impact of the proposed parking spaces on the character and appearance of the Conservation Area.

Impact on Amenity Space

31. Core Strategy policy HC4(C) states that proposals to change the use of buildings or sites which provide community services and facilities including shops to non-community uses must demonstrate that the service or facility is no longer needed, is available elsewhere in the settlement or can no longer be viable.
32. A number of objectors to the scheme have stated that the Top Green is an important amenity space used by villagers for recreational purposes, and that the loss of the application site would erode the available space. On the other hand, it is also noted that the Parish Council has not raised this as an issue on behalf of the wider community.
33. The Top Green currently has an area of approximately 801 sqm, and the Lower Green has an area of 1423 sqm. The proposed car parking space would erode 129sqm of the edge of the Top Green, which amounts to 5.8% of the total available space. While this is clearly a loss, it would not be significant in the context of the overall size of the open space. Pilsley is well served with the two large areas of green open space and this small loss would not compromise the overall quality of the available green space or its usability by the local community.
34. With regard to the wording of policy HC4(C) due to the significant area of green space unaffected by the development, we conclude that sufficient green space is 'available elsewhere in the settlement' in line with the policy aims.

Impacts on Character and Appearance of the Conservation Area and on Archaeology

35. The Adopted Conservation Area appraisal for Pilsley notes the 'well-tended green', however the area is not designated as 'Important Open Space'. Views into and out of the area to and from the B6048 are noted in the appraisal as are views across the space in and east/west orientation. These views would not be affected by the proposed development. The proposed parking spaces would be located in the south western corner of the Green and as such from the majority of the Green and from views across it, they would not be prominent and would read more as part of the building group known as School Row. The open character of the area would be retained.
36. A Heritage Assessment has not been submitted with the application. However copies of historic maps have been provided together with a written commentary. These show that the application site was previously occupied by a group of buildings. These buildings, which appeared to be workshops and outbuildings were in place by the mid-19th century but were removed in the 20th century. The Estate considers that the Top Green was most likely created in its current form when the Mary Devonshire Cottages were constructed and the remaining outbuildings demolished in 1959.

37. As initially submitted, nine parking spaces were proposed and there were shown to be perpendicular to the access road, Following concerns about the restricted space available to the rear of the space for manoeuvring being raised, amended plans have been received showing the spaces arranged at an angle (echelon) which has resulted in a reduction from nine to eight in number. The layout of the space is acceptable. The proposed surfacing is tarmac. Whilst a top dressing is usually preferable all of the surrounding road and tracks are surfaced with tarmac and so in this case the proposed finish is acceptable.
38. At present the low wall that stretches along the length of the site is around 650mm in height. The proposed wall would be 1m high in order to help screen the parked vehicles. Whilst this is a little higher than at present, provided the wall is built to a high standard in local natural materials this would not appear out of keeping, at its height would be similar height to many of the other boundary walls in the vicinity.
39. In conclusion, there would be some harm to the character of the Conservation Area through loss of the existing open space but the visual impact would not be significant. We consider that the resultant harm would be minor. The harm identified is therefore less than substantial and, in accordance with the guidance contained within the NPPF, must be weighed against the public benefits of the scheme.
40. Similarly, with regard to impacts on archaeology the Authority's Senior Archaeologist has advised that if there are below ground traces of the previous buildings surviving, they would likely be of local significance. No information on the extent of groundworks required to create the parking area has been provided in the application. However, we anticipate that these could include excavations for drainage, for the creation of the parking surface and for the wall foundation. Such groundworks have the potential to encounter and destroy surviving belowground remains of the lost buildings depicted on the 19th century maps. This would represent permanent and irreversible harm to the archaeological interest of the site and harm the significance of a non-designated heritage asset of local significance, potentially resulting in the complete loss of the last remains of these structures. The archaeologist concludes that if the public benefits are deemed to outweigh the harm then the archaeological impacts can be addressed by means of a condition for archaeological monitoring, recording and investigation. There is the potential for less than substantial harm to below ground archaeology which must be weighed against public benefits.
41. The public benefits, as outlined above, are that the parking spaces would provide dedicated off street parking spaces for the benefit of a number of nearby dwellinghouses. It is a finely balanced judgement but given the relatively minor impact on the Conservation Area, the condition that can be added to look after archaeological interests, we are of the view that the public benefits outweigh the minor level of harm.

Impact on Trees

42. There is a mature sycamore tree located approximately 9m to the north east of the application site. Sycamores were introduced in Britain in the middle ages and make an important contribution to the landscape and setting of many villages. It is important that they are recognised in relation to this value particularly as other native trees are vulnerable to loss through fungus and disease.
43. Whilst a full tree survey has not been submitted an assessment of the impact of the development on the trees by the Estate's Head Forester has been submitted. This concludes that the proposed spaces would occupy 2% of the root protection area (RPA) of the trees and therefore development of the car park would not adversely affect the vitality and stability of the tree as long as the remaining RPA is protected during

construction. The Authority's Tree Conservation Officer has raised no objections subject to conditions with regard to tree protection and working methods.

Alternative Sites

44. At the pre-application stage, we discussed the potential of enlarging the existing hard surfaced parking area to the north of the Top Green with the applicant. This would still have an impact on the Green by removing some of the grassed area and due to the geometry of the area it would not be possible to create more than one or two additional spaces. It was concluded that this would not provide sufficient benefit to outweigh the loss of the green space, and use of temporary ground protection to safeguard working area during construction.

Highway Issues

45. The Highway Authority has raised no objection as the roads and tracks that encircle the greens are not adopted public highway. Vehicles would need to reverse out onto the lower road when exiting the spaces, but vehicle speeds on this area are not likely to be high and we consider vehicles would be able to manoeuvre into and out of the spaces in a safe manner.

Conclusion

46. In conclusion, the public benefits of providing dedicated off street parking provision for local residents and thus relieving pressure for on-street parking elsewhere in Pilsley village outweighs the minor, less than substantial harm to the Conservation Area. The minor loss of amenity space would not be significant and would not compromise the overall quality of the available green space or its usability by the local community. Any potential archaeological interests can be mitigated through an appropriate condition. Accordingly we recommend the application for approval.

Report Author – Andrea Needham, Senior Planner

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