

8. S.73 APPLICATION: REMOVAL OR VARIATION OF CONDITION 4 IMPOSED UPON NP/HPK/1118/1010 AT MILLERS DALE STATION, MILLERS DALE, NP/HPK/1219/1260 (AM)

APPLICANT: PEAK DISTRICT NATIONAL PARK AUTHORITY

Site and Surroundings

1. The former Millers Dale Station site is located in open countryside on the road to Wormhill which rises up from Millers Dale village in the valley bottom beneath the viaduct. The site sits on a level area of land and includes the car park and surviving station buildings and platforms. The Monsal Trail crosses the site along the route of the former railway.
2. The site is located within the designated Millers Dale Conservation Area. The viaducts are located to the east of the station, North Viaduct is Grade II listed and South Viaduct is Grade II* listed. The former station is not listed but does form part of the Historic Buildings, Sites and Monuments Records as a non-designated heritage asset.
3. The site is located outside of but adjacent to the Peak District Dales Special Area of Conservation (SAC) and the Wye Valley Site of Special Scientific Interest (SSSI). The site is located within the Limestone Dales Landscape Character Area for the purposes of the Authority's Landscape Character Assessment.
4. Much of the former station infrastructure has been demolished and only the booking office and post sorting room remains fully intact and is currently utilised by the National Park Authority as workshop with public toilets. Planning permission has been granted to allow the conversion of the booking office to a café. The goods shed walls are also still standing but are in a state of dereliction and the structure has no roof.
5. The nearest neighbouring property is Station House which is located to the north of the site in an elevated position and shares access with the car park. Station house is a private dwelling which also operates a tea garden which is open to the public. A separate public footpath runs up and around Station House and runs westwards above the application site.

Proposal

6. An amendment to the approved plans to change the approved solar photovoltaic slates to photovoltaic panels.
7. The amended plans show that the panels would be located above eaves level on the south elevation of the building.
8. A total of 32 panels are proposed, each measuring 1.68m high by 1m wide. The panels have black photovoltaic cells and matt black frames and would be fitted flush to the roof slope.

RECOMMENDATION

That the application be APPROVED subject to the following conditions:

1. **Development to be carried out in accordance with specified approved plans, subject to the following conditions and amendments.**
2. **Natural blue slates to be used for the re-roofing, to match as closely as possible the existing slates to the Booking Office and attached Post Room. Ridge tiles to match the existing ridge tiles to the Booking Office and attached Post Room.**

3. The solar panels shall be fitted flush with the roof slope.

4. Details of roof trusses and ridge to be agreed.

Key Issues

- Whether the proposed amendment would conserve the significance of the building, the former station and the designated Millers Dale Conservation Area.

Relevant Planning History

9. 2004: Planning permission granted on a temporary basis for siting of mobile refreshment vehicle.
10. 1992: Planning permission granted unconditionally for car park extension.
11. 1982: Planning permission granted conditionally for public toilets, ranger base, car park and septic tank.
12. 2018: Planning permission granted conditionally for change of use of former station building from office and workshop to visitor information point and café, extension to car park (NP/HPK/0518/0407).
13. 2018: Planning permission granted conditionally to replace roof to derelict railway goods shed and change the use of the building to incorporate interpretation.

Consultations

14. Highway Authority: No objection.
15. Parish Council: No objection.
16. Borough Council: No response to date
17. Natural England: No response to date.
18. PDNPA Ecology: No objection.

Representations

19. No representations have been received to date.

Policies

20. National Park designation is the highest level of landscape designation in the UK. The Environment Act 1995 sets out two statutory purposes for national parks in England and Wales:
 - Conserve and enhance the natural beauty, wildlife and cultural heritage.
 - Promote opportunities for the understanding and enjoyment of the special qualities of national parks by the public.
21. When National Park Authorities carry out these purposes they also have the duty to seek to foster the economic and social well-being of local communities within the national parks.

National Planning Policy Framework

22. The National Planning Policy Framework (NPPF) was revised on 24 July 2018. 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 our Core Strategy 2011 and Development Management policies 2019. Our policies provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. There is no significant conflict between our in the Development Plan and the NPPF.
23. Paragraph 172 of the NPPF says that great weight should be given to conserving and enhancing 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 these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads.

Development Plan policies

Relevant Core Strategy policies: GSP1, GSP2, DS1, CC1, CC2, L1, L2, L3 and RT1.

Relevant Development Management policies: DMC1, DMC3, DMC5, DMC7, DMC8, DMC11 and DMC12

24. Policy GSP1 sets out the broad strategy for achieving our 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.
25. Policy GSP3 and policy DMC3 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.
26. 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.
27. Policy L2 states that development must conserve and enhance any sites, features or species of biodiversity importance and where appropriate their setting. Other than in exceptional circumstances development will not be permitted where it is likely to have an adverse impact on any sites, features or species of biodiversity importance or their setting that have statutory designation or are of international or national importance for their biodiversity.
28. 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.

29. Policies DMC5, DMC7 and DMC8 provide more detailed criteria to assess development proposed within conservation areas, development that affects listed buildings and development proposing to convert existing buildings to new uses respectively.
30. Policy CC1 states that development must make the most efficient and sustainable use of land, buildings and natural resources, taking into account the energy hierarchy and achieving the highest possible standards of carbon reductions and water efficiency. The Authority's SPD on Renewable Energy and Climate Change (2013) is also relevant as this provides detailed guidance about how development can demonstrate compliance with CC1. CC2 says that proposals for low carbon and renewable energy development will be encouraged provided they can be accommodated without harming the National Park.
31. Our adopted conservation area appraisal for Millers Dale is a relevant material consideration as is our adopted design guidance.

Assessment

Variation of conditions

32. The application proposes to vary planning conditions to allow the installation of solar panels to the roof of the Goods Shed rather than solar tiles. When determining this application we can decide whether to grant permission subject to different conditions (this can include new conditions, if necessary), remove the conditions altogether or to refuse the proposal. However, we can only consider the question of the planning conditions and cannot re-visit the principle of the development.
33. Therefore, we can only consider the acceptability of the proposal in the context of the reasons for the imposition of the conditions. The application should be treated just like any other application, and due regard paid to the development plan and other material considerations.

Impact of proposal

34. The previous application proposed solar voltaic panels on the south facing roof of the goods shed. Two different design options were proposed; solar slates or conventional solar panels. We granted planning permission for the development subject to a planning condition requiring the solar slate option to be installed to ensure a satisfactory detailed design that reflected the proposed blue slate roof material as closely as possible.
35. The application form states that the applicant has had problems securing a supplier for the solar photovoltaic slates and therefore seeks the proposed amendments so that solar panels can be installed as an alternative.
36. The reason why the applicant seeks an alternative design solution is understood, however this is not a planning issue and therefore does not weigh either in favour or against the proposal. The key issue is whether the design and impact of the proposed solar panels is acceptable taking into account our policies and SPD.

37. The former goods shed and the remains of the former station are heritage assets and possess historical and architectural interest because of the age and type of surviving structures, association with Midland Railway and connection with the local community, industries and with the wider landscape, which the railway shaped.
38. This value is recognised by the inclusion of the site in the Millers Dale conservation area and the listing of the nearby north and south viaducts. The site is therefore a non-designated heritage asset in its own right and also forms part of the wider interest with those nearby designated heritage assets.
39. The roof of the Goods Shed is of a significant scale and will form a prominent feature within the site. Therefore care is required for the materials and detailing of the roof and this is why we required the roof to be natural blue slate and imposed the planning condition requiring solar photovoltaic slates.
40. The solar panels would be of a conventional design with each panel measuring 1.68m by 1m and therefore much larger than the roof slates or the approved solar slates. The panels therefore would be different in appearance to the slate roof and therefore noticeable from within the site and where seen in the wider landscape.
41. However, the solar panels would be sited low down above the eaves and the panels themselves would have black cells with slim matt black frames set into the slope of the roof (rather than be fixed to the roof or project above the roof slope). The design and siting of the panels therefore would mitigate the visual impact as far as possible.
42. The Goods Shed is a utilitarian building and is being provided with a new roof structure. The proposed solar panels would be viewed in this context and it is considered that the proposed amendment would not result in harm to the building, the conservation area or the setting of the nearby listed viaducts in accordance with policies L3, DMC3, DMC5, DMC7 and DMC8.
43. The development would also provide on-site generation of electricity which would mitigate the impacts of climate change in accordance with policies CC1 and CC2 and our climate change and sustainable building SPD.
44. If permission is granted we would recommend that conditions are varied to include the submitted plan and that an additional condition is imposed to require that the panels are fitted flush with the roof slope. It is also necessary to repeat conditions imposed upon the original permission.
45. The proposed amendment would not raise any further issues in regard to biodiversity, amenity or highway safety.

Conclusion

46. The proposed change from solar photovoltaic slates to panels can be accommodated in a manner which conserves the historic interest of the site, the area's valued landscape character, and biodiversity on site and the adjacent designated sites.
47. Having had regard to all other issues raised it is therefore concluded that the proposed development is in accordance with the development plan and in the absence of any further material considerations the application is recommended for approval subject to conditions outlined in this report.

Human Rights

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

List of Background Papers (not previously published)

49. Nil

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