

8. FULL APPLICATION – RETENTION OF A CONSTRUCTION COMPOUND AS A PERMANENT CAR PARKING AREA ONCE BUILDING AND FIT-OUT WORKS AT BLEAKLOW FARM ARE COMPLETE – BLEAKLOW FARM, BRAMLEY LANE, HASSOP (NP/DDD/1119/1179 TS)

APPLICANT: MR P HUNT

Summary

1. The application is for the retention of a parking area to the north of the building group at Bleaklow Farm. Subject to proposed planting being carried out, which can be secured by condition, the parking area would have no adverse landscape impacts. The application is recommended for approval.

Site and surroundings

2. Bleaklow Farm is a replacement dwelling under development on the site of a historic farmstead situated in an isolated hilltop position close to the ridge of Longstone Edge, 900m north of Rowland hamlet. The farmstead is situated in a slight hollow and is bounded to its north, east and west sides by mature tree plantations. Although it is situated in a remote and isolated position it is not unduly prominent in the wider landscape, but is visible from a public footpath which passes directly through the farmstead, from the county road which is a restricted byway running along the edge and from footpaths on the north of the byway.
3. The farmstead originally comprised a farmhouse with adjacent outbuildings to the west and north sides, forming a courtyard. There is a further detached traditional outbuilding to the north of the farmhouse (subject to the current application) and formerly to the north of the courtyard buildings was a dilapidated range of modern farm buildings.
4. The former farmhouse was vacant and in a poor structural condition and appearance and had been the subject of inappropriate additions, including a 16.7m long x 4.5m wide single-storey extension attached to its western side.
5. Consent was granted in June 2014 for the demolition of the existing farmhouse and erection of a larger replacement house of a similar character to the original farmhouse. The approved scheme included the replacement of the single-storey extension with a contemporary extension, part rebuilding of the stable building at the western end of the courtyard, and the erection of a secondary courtyard of buildings behind the main building courtyard to accommodate stabling and garaging.
6. The applicant then began constructing the replacement dwelling, which has been constructed up to first floor level. However, following an officer site inspection it was subsequently discovered that the replacement dwelling was being constructed to significantly larger dimensions than that given approval, and other unauthorised design changes had been made to the scheme.
7. Rather than revert to the originally approved scheme, the applicant chose to submit a retrospective planning application to build the replacement dwelling to the larger dimensions and amended design, as presently constructed. This application was refused by Planning Committee on 11 December 2015. A subsequent appeal against the Authority's decision to refuse planning permission was dismissed on 19 May 2016. An amended scheme was subsequently applied for in November 2016 under application reference NP/DDD/1116/1095 which was approved in January 2017. A material amendment was made to this permission (reference NP/DDD/1117/1128).

That permission has now been implemented and construction work is ongoing.

Proposal

8. The application seeks the retention of an existing parking area to the northern side of the main building group. The area is already hard surfaced and is permitted development as a construction compound whilst the redevelopment works at Bleaklow Farm are ongoing. Upon completion of the construction works, the area would no longer be permitted development and would need to be returned to its previous condition. The application seeks to retain the area to provide permanent parking for Bleaklow Farm.
9. The proposed parking area measures approximately 852sqm, and is covered by limestone chert with dry stone boundary walls. As originally submitted, the application sought to retain the entire area in its current hard surfaced state. However, amended plans have been submitted that show large areas of new planting at the eastern and western ends of the parking area. As well as reducing the amount of hard surfacing, this also serves to reduce the number of parking spaces to 10.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions:

- 1. Development to be carried out in accordance with specified plans.**
- 2. Planting to be completed in the first planting season following approval of the application and retained for the lifetime of the development.**
- 3. Any external lighting to be submitted to and approved by the Authority**
- 4. The parking area shall not be brought into use until the gates between the parking area and the yard have been installed.**
- 5. No parking shall take place in the yard save for visitors or residents with blue badges, loading or unloading, tradespeople, maintenance and deliveries.**

Key Issues

- Landscape Impacts
- Amenity Impacts
- Highways Impacts

History

August 2013 – Full planning application submitted for the demolition of the farmhouse and erection of a replacement dwelling – Withdrawn

June 2014 – Full planning consent for the replacement farmhouse, demolition and rebuilding of stables to form additional living accommodation, erection of stable buildings and garaging.

August 2015 – Application for discharge of several conditions on the June 2014 approval. This confirmed that condition 1 could not be discharged as the development as partially built had not been lawfully implemented in accordance with the approved plans. The applicant was also reminded that many of the conditions being sought for discharge should have been discharged prior to the commencement of the development.

December 2015 – Full planning application to regularise unauthorised amendments to the previously approved scheme. The application was refused by Planning Committee.

May 2016 – Appeal against the refusal of the above application dismissed

January 2017 – Application 1116/1095 for an amended scheme for the replacement dwelling approved.

February 2017 – Application for discharge of conditions on the above application approved.

June 2017 – Non-material amendment allowed for alterations to window openings.

August 2017 – Non-material amendment allowed for insertion of an additional window.

September 2017 – Non-material amendment allowed for the insertion of two roof lights to the rear elevation but refused for the insertion of 3 no. rooflights to the front elevation roof slope. The roof lights to the front elevation were refused as it was considered that they would not constitute a non-material amendment and would also be harmful to the overall appearance of the dwelling.

October 2017 – Application NP/DDD/1117/1128 was approved for the removal or variation of condition 2 on NP/DDD/1116/1095.

May 2019 – A S.73 application was submitted for the removal or variation of condition 1 on NP/DDD/1117/1128 under application NP/DDD/0519/0460. An appeal against non-determination was dismissed because the development cannot be considered under a section 73 application and requires full planning permission.

May 2019 – Application NP/DDD/0519/0462 was submitted for the change of use of agricultural barn to 3 No. letting rooms. An appeal against non-determination was allowed.

A separate planning application is currently under consideration for full planning permission for change of use of the stables to ancillary bedrooms, plant room and store.

Consultations

Highway Authority: *“No highway objections to the proposed retention of construction compound for parking, on the basis that the proposal will not result in an intensification in use associated with site.”*

Rowland Parish Meeting: Objection, noting the following:

“This application should be refused on the grounds that it contravenes key Peak Park policies, principles and strategies. In addition, any land illegally developed outside the curtilage of the property should be restored to the original field status.

The developer ‘s covering letter states, ‘The applicant is willing to erect a pair of gates to separate the proposed car park from the stable yard area and prevent general access and parking on the existing yards areas to the east and north of the farm buildings.’ However, whichever way it is described, this application would result in parking for up to 40 vehicles. This is totally disproportionate to the size of the property and is in opposition to the characteristics of the Peak Park. The threat of increased traffic through Rowland is compounded by this application.

The recently adopted Development Management Policies states: ‘Development can

sometimes lead to an increase in motor vehicle use on footpaths, bridleways or byways open to all traffic. This often has detrimental effects on the enjoyment of those routes by walkers, cyclists and horse riders. Therefore, unless there are overriding social, economic or environmental conservation benefits as a result of the development, it will not be permitted. (Ref DMT 5 9.4.9). Despite the fantastical advantages claimed by the developer in their covering letter, there are absolutely no benefits of any sort which justify this huge carpark.

As outlined in the CPRE's excellent letter, 'PDNPA Core Strategy T7B restricts residential parking and operational parking for service and delivery vehicles to the minimum required for operational purposes, taking into account environmental constraints and future requirements. DMT7 does not allow new car parks unless there is a demonstrable need. Development Management Policies Appendix 9 limits parking for new houses of more than 4 bedrooms to a maximum of 4 car parking spaces.' We totally agree with this observation.

The planning committee has been very patient with this developer and reasonably requested additional information about their genuine intentions for this site. The planning history of Bleaklow Farm is clear:

The story so far: A) A simple farmhouse discretely sited with no impact on the wider landscape. Then B) A larger farmhouse similar to the previous building. Then: C) An enormous multi-roomed house with a huge glass front which dominates the hillside from Bakewell. then:

D) An enormous multi-roomed house with a huge glass front which will dominate the hillside from Bakewell with three additional holiday opportunities. To now E) An application which would allow parking for 40 cars

It is absolutely imperative that the application is rejected at the first opportunity. In addition, any land illegally developed outside the curtilage of the property should be restored to the original field status."

Hassop Parish Meeting: No objections.

Archaeology: No response received to date.

Landscape: Objection to the originally submitted scheme, noting:

"I can see no evidence that this application 'offers and benefits to the character and appearance of the National Park and its assets'. Given this, and the fact that it does not fit with priorities in the landscape guidelines for the LCT, my view is that this is contrary to policy L1 Landscape character and valued characteristics in that the development does not conserve or enhance valued landscape character."

Representations

Friends of the Peak District: Object, noting the following:

"We see no benefits to the valued characteristics of the National Park from changing the current permitted parking arrangements, which are well concealed within the curtilage of the buildings and do not impact adversely on the non-designated heritage that is Bleaklow Farm. The current permissions therefore already meet the NPPF para 197 requirements. Indeed the proposed car park provides a new intrusion on the immediate landscape and would be visible from the RoW to the north. The proposal is therefore not compliant with NPPF paragraph 172, PDNPA Core Strategy policies GSP1 and L1, and Development Management policy DMC3. Alteration of the location is unlikely to impact on access arrangements as the route through

Rowland hamlet remains the shorter one.

PDNPA Core Strategy T7B restricts residential parking and operational parking for service and delivery vehicles to the minimum required for operational purposes, taking into account environmental constraints and future requirements. DMT7 does not allow new car parks unless there is a demonstrable need. Development Management Policies Appendix 9 limits parking for new houses of more than 4 bedrooms to a maximum of 4 car parking spaces.

10. *The current proposal, with the additional space in the yards, would potentially provide space for up to 40 vehicles. This would materially increase traffic movements to the site, leading to an adverse impact on the quiet enjoyment and amenity of users of the surrounding highway network and on the amenity of the residents of Rowland. However, without the requested traffic and highway data it is not possible to comment further. As the development is for use as private residential dwelling, no more than 4 parking spaces should be allowed.”*
11. Four letters of objection have been received which raise the following concerns:
 - Increase in traffic and harm to highway safety.
 - Contrary to policy DMT5.
 - The amount of parking proposed is unnecessary and unjustified.
 - Harm to amenity from additional traffic movements.
 - The car park should not be considered without inclusion of the new access road from Bramley Lane which is not shown on the plans.
 - Trees and hedges have been cut down in Rowland village.

Main policies

12. Relevant Core Strategy policies: GSP1, GSP2, L1, L2, T7
13. Relevant Development Management Plan policies: DMC1, DMC3, DMT3, DMT8

National planning policy framework

14. 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 which are to conserve and enhance the natural beauty, wildlife and cultural heritage and promote opportunities for the understanding and enjoyment of the special qualities of national parks by the public. When National Parks 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.
15. The National Planning Policy Framework (NPPF) has been revised (2019). This replaces the previous document (2012) 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 particular Paragraph 172 states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, which have the highest status of protection in relation to these issues.
16. In the National Park the development plan comprises the Authority's Core Strategy 2011 and the Adopted Development Management Policies. 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 government guidance in the NPPF with regard to the issues that are raised.

Development plan

17. Core Strategy policies GSP1, GSP2 and GSP3 together say that all development in the National Park must be consistent with the National Park's legal purposes and duty and that the Sandford Principle will be applied where there is conflict. Opportunities for enhancing the valued characteristics of the National Park will be identified and acted upon and development which would enhance the valued characteristics of the National Park will be permitted. Particular attention will be paid to impact on the character and setting of buildings, siting, landscaping and building materials, design in accordance with the Design Guide and the impact upon living conditions of local communities. Core Strategy policy GSP4 highlights that the National Park Authority will consider using planning conditions or obligations to secure the achievement of its spatial outcomes.
18. Development Management Policy DMC3 requires development to be of a high standard that respects, protects, and where possible enhances the natural beauty, quality and visual amenity of the landscape, including the wildlife and cultural heritage that contribute to the distinctive sense of place. It also provides further detailed criteria to assess design and landscaping, as well as requiring development to conserve the amenity of other properties.
19. Development Management Policy DMT3 emphasises the importance of safe access to developments.
20. Policy DMT5 states that Development that would increase vehicular traffic on footpaths, bridleways or byways open to all traffic to the detriment of their enjoyment by walkers and riders will not be permitted unless there are overriding social, economic or environmental conservation benefits arising from the proposal.
21. Development Management Policy DMT8 states that off-street parking for residential development should be provided unless it can be demonstrated that on-street parking meets highways standards and does not negatively impact on the visual and other amenity of the local community. It notes that the design and number of parking spaces must respect the valued characteristics of the area, particularly in conservation areas.
22. Development Management Policies Appendix 9 limits parking for new houses of more than 4 bedrooms to a maximum of 4 car parking spaces.

Assessment

Principle of Development and Landscape Impacts

23. The application as originally submitted proposed for all of the existing construction compound to be retained to provide permanent parking for Bleaklow Farm. The area is approximately 60m x 14.2m (852 square metres). In its current form with the entire area laid to limestone chert, it would form parking provision for a very large number of cars. The submitted information suggested 16 cars, and that is in addition to the existing parking provision within the central yard which the application states can accommodate 20 vehicles.
24. The site lies within the 'Limestone Hills and Slopes' Landscape Character Type within the White Peak Landscape Character Area. The site is not particularly prominent in wider views due to topography and tree cover. In closer views though, including from the public footpaths that lie in close proximity to the site, the parking area as exists now is visible a large area of enclosed hard surfacing. It is in close proximity to the existing buildings and yard but is still harmful to the rural character of the land that surrounds the main building group. In its current form, the development is harmful to the landscape

character of the area.

25. Appendix 9 of the DMP sets a maximum of 4 car parking spaces for residential property of this size. In addition there are 3 letting rooms on the site which appendix 9 states would lead to a need of an additional 3 car parking spaces. In policy terms the site has a parking requirement of a total of 7 spaces.
26. The application originally proposed represented a significant overprovision of parking. Furthermore, having the full extent of the 60m width of the site surfaced in limestone chatter has an adverse landscape impact. The application as originally submitted was contrary to policies GSP1, GSP3, L1, T7, Development Management Policies DMC1, DMC3, DMT8 and Appendix 9, and the NPPF.
27. Amended plans have now been submitted. The extent of the area enclosed by stone boundary walls remains as is now. This is a logical location for the boundary walls as it reflects the width of the built-up area of the site. However, the amended scheme significantly reduces the extent of the area laid to limestone chatter because large areas of planting have been introduced at either end of the parking area. It is considered that with planting at either end, the area would no longer be harmful to landscape character.
28. As well as reducing the landscape impact to a level that would not be significantly harmful, the introduction of the planting also reduces the number of cars that can be parked to 10. This is a significant reduction from the original submission.
29. It is acknowledged that the parking provision is still over the maximum of 7 spaces as set out in appendix 9, especially when taking the additional parking area already provided within the central yard into account.
30. The application suggests that the parking area proposed would generally be used in favour of the parking in the central yard and the three garages on site (which are proposed to be used for storage). To this end the proposal includes gates to separate to parking area from the yard. While access to the yard must be maintained to allow access to the garages and for the emergency services the applicant has agreed to a condition preventing residential parking in the yard save for visitors or residents with blue badges, loading or unloading, tradespeople, maintenance and deliveries.
31. The site is a former farm. Whilst it is entirely in residential use now, farms typically have extensive yard areas and commonly have parking for many more than 4 cars. Whilst the parking within the central yard is sufficient to meet the needs of the main house and letting rooms, the proposed additional parking to the rear (as amended) is not disproportionate to the size of the main house and approved letting rooms (particularly if it largely replaces the parking in the yard area and it is not unusual for this volume of parking to be available in the context of a former farmstead. On balance, it is therefore considered that it is reasonable to support a parking provision of over the maximum of 4 as set out in the DMP in this particular instance.
32. Given that there would be no adverse landscape impacts, subject to a condition to ensure planting is carried out and maintained, and site circumstances justify a larger provision of parking than the DMP recommends, it is considered that the principle of the development is acceptable.

Ecological impacts

33. Whilst we are not aware of the parking area having caused any adverse impacts to ecology, as the development is permitted development in its current form until such

time that construction works are complete, any adverse ecology impacts of surfacing the area have already happened and are outside of our control. The scheme includes significant new planting and is therefore likely to result in net ecological gain compared to the existing situation.

34. The development would not be harmful to protected species or ecological interests and accords with policy LC2.

Highways Impacts

35. Letters from local residents and the Parish Meeting have raised concerns about traffic generated by the site and that the road through Rowland is unsuitable to accommodate this traffic. Such concerns are noted.
36. The Highway Authority has raised no objections to the application. The parking area does not alter the approved use of the main house as a private dwelling house and the approved three letting rooms. The proposal would therefore not result in any intensification in traffic movements over and above the situation as already permitted.
37. The applicant has set out in the supporting information that the location of the parking area to the north of the building group could encourage residents and visitors to the site to use the Moor Lane access to the site, thereby reducing traffic movements through Rowland village. That possibly could happen but, as with other recent and current applications at the site, it must be remembered though that the road through Rowland is adopted public highway all the way through the village and the public highway continues along Bramley Lane to Hassop Road. Only the unsurfaced section of the access track from Bramley Lane to Bleaklow Farm is a private road. As such, whilst two access routes are available and the applicant can direct visitors towards the Moor Road route, it would not be possible to apply a planning condition to stop residents and visitors from using the Rowland access and they would be entitled to do so should they make that choice. As such, there are two access routes available but it is not possible to dictate through the planning application which one should be used.
38. As such, whilst it may be the case that the location of the parking to the north of the buildings may encourage residents and visitors to use the northern access to the site, care should be taken about how much weight can be attributed to this as a benefit of the scheme.
39. In any case though, the key consideration is that the parking area must be assessed on its own merits in the context of the approved use of the site as a private dwelling house with three lettings rooms. There is no basis on which to take a view that the parking area would increase traffic movements to and from the site, it simply provides an additional parking area for the already approved use of the site.
40. Letters of objection have raised concerns that the additional parking confirms the developer's intention to turn the site into a major leisure venue. The Planning Inspector was very clear in the recent appeal decisions that any concerns about future unauthorised uses of the site cannot be taken into consideration and the application must be assessed on the basis that it is a parking area for the approved dwelling and letting rooms. Refusal of the application because of speculative concerns about potential future breaches of planning control is highly likely to amount to unreasonable behaviour on the part of the Authority.
41. A letter of objection has raised concerns that an additional access track into the western side of the parking area that has been constructed without any planning permission has not been included in the application. That access road is unauthorised

and is subject to an enforcement case. It is not necessary to consider the two developments together though. The car park has been submitted as a stand-alone application and it must be considered on that basis. It is perfectly possible to consider the planning impacts of the car park without considering the unauthorised new access track at the same time.

42. The proposed parking area would not result in any increase to established levels of traffic movements to and from the site. It must therefore be concluded that the development is not harmful to highway safety and would not have a detrimental impact on users of the local highway and public footpath network.
43. The proposal accords with policies DMH5, DMT3, DMT5 and DMT8.

Amenity impacts

44. The site is located approximately 900 metres from the nearest neighbouring property. There would clearly be no harm to the amenity of any neighbouring dwelling by way of overlooking from the proposed additional bedrooms or from any noise and disturbance associated with their use.
50. Concerns have however been raised about harm to the amenity of residents within Rowland caused by an increase in traffic through the village caused by the Bleaklow site. These concerns are noted. It is also acknowledged that Rowland is a small village with only 12 houses that lie either side of the road. As such, existing levels of car movements are likely to be low and residents may be more sensitive to increases in traffic than settlements in busier places with the National Park.
51. However, as with the highways impacts, there is no basis on which to take a view that the parking area would increase traffic movements to and from the site, it simply provides an additional parking area for the already approved use of the site. As no increase in traffic can be reasonably attributed to the proposed development, it follows that there would be no identifiable harm to amenity of residents of Rowland village either.
52. The proposal would not result in any identifiable harm to the amenity of the locality and the development accords with policies DMC3, DMH5, DMH7 and DMH8 in this respect.

Conclusion

53. The proposed parking area, as amended, will conserve the landscape character of the area and would not give rise to harm to amenity or highways safety in accordance with policies L2, L3, DMC3, DMH5, DMH7, DMH8, DMT3, DMT5 and DMT8.
54. There are no other policy or material considerations that would indicate that planning permission should be refused.
55. We therefore recommend the application for conditional 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

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