

5. FULL APPLICATION – REMOVAL OF SOME ANIMAL ENCLOSURES, DEMOLITION OF TICKET OFFICE, REMOVAL OF OVERSPILL CAR PARKING, ERECTION OF ONE RESIDENTIAL DWELLING, INSTALLATION OF PACKAGE TREATMENT PLANT, CHANGE OF USE OF LAND AROUND THE SITE TO RESIDENTIAL, REINSTATEMENT OF PARKLAND, WORKS OF HARD AND SOFT LANDSCAPING AND OTHER WORKS INCIDENTAL TO THE APPLICATION AT CHESTNUT CENTRE, SHEFFIELD ROAD, CHAPEL-EN-LE-FRITH, (NP/HPK/0420/0298 AM)

APPLICANT: MR AND MRS HEAP

Summary

1. The Chestnut centre is located in open countryside on Sheffield road north east of Chapel-en-le-frith. The site is currently unoccupied but benefits from planning permission for use as a conservation and wildlife park open to the public.
2. This application proposes the demolition of the existing ticket office, animal enclosures and restoration of the car park to grazing land and the erection of one earth sheltered market dwelling.
3. The application demonstrates that the development will result in significant enhancement to the landscape, biodiversity and cultural heritage of the National Park.
4. We recommend that the application is granted permission subject to conditions and prior entry into a planning obligation.

Site and Surroundings

5. The Chestnut Centre is located in open countryside off Sheffield Road, 1.5km north east of Chapel-en-le-frith and 300m south of the hamlet around Ford Hall.
6. The centre is currently un-occupied but benefits from planning permission for use as a wildlife centre, which utilised the existing buildings, and the associated land for parking. The wildlife enclosures were located along a section of the river to the north and accessed along the historic drive associated with Ford Hall. The site is located within the designated Slackhall and Ford Hall Conservation Area.
7. The site includes one modern building used as a ticket office and café for the wildlife centre, the car park and access down to the wildlife enclosures to the north.
8. Immediately to the south of the site are three buildings; a Grade II listed former Quaker burial ground, historic gates, the access and part of the parking areas for the wildlife centre. The buildings include: Chestnut Farmhouse, a Grade II listed dwellinghouse located adjacent to the highway (the farmhouse); a two storey barn last used as an education centre with toilets and changing facilities (the large barn) and a smaller barn last used as an office (the small barn). The barns and gateposts are curtilage listed in respect of the farmhouse and Ford Hall respectively.
9. The nearest neighbouring property is Toll Barn Cottage, a Grade II listed dwellinghouse to the west of the site. Slacke Hall Farm, a Grade II listed farmhouse is located to the south of the site.

Proposal

10. The demolition of the existing ticket office building. The demolition of 31 of the 39 existing wildlife enclosures and removal of signage.

11. Erection of one earth sheltered market dwelling to part of the existing car park. The removal of the remaining car park and restoration of ground levels with the land returned to use as pasture as part of the wider estate land.
12. Associated landscaping including creation of parking area tree planting and ecological enhancement works.

RECOMMENDATION

That subject to prior entry into a S.106 legal agreement to control the use of the land to be returned to pasture that the application be APPROVED subject to the following conditions or modifications.

1. **Statutory three year time limit for implementation.**
2. **In accordance with specified amended plans.**
3. **No development shall commence until detailed scheme of finished floor levels and finished ground levels on site (including above the dwelling) are approved.**
4. **Implementation of tree protection measures before any other development commences.**
5. **Agreement of construction compound, parking and storage before any other development commences.**
6. **Agreement of detailed landscaping plan (including tree and shrub species, roof planting and management, walls, gates, ha-ha and hardstanding). Implementation before first occupation of the development.**
7. **Development to be carried out in accordance with protected species report.**
8. **No works to commence the demolition or removal of animal enclosures to take place other than in accordance with an approved Construction Environment Management Plan which shall have first been submitted and approved in writing.**
9. **No works to demolish or remove ticket off building or animal enclosures to take place within bird breeding season or summer roosting season (March to September).**
10. **Detailed scheme of ecological enhancement measures to be agreed and implemented before first occupation of the development.**
11. **Management plan for the removal or management of Schedule 9 non-native species on site to be agreed and implemented before the first occupation of the development.**
12. **The ticket office building and animal enclosures shall be demolished and fully removed from the site before the first occupancy of the dwelling.**
13. **No external lighting other than in accordance with approved scheme.**
14. **Ground source heat pump to be installed in accordance with details to be approved before the first occupancy of the development hereby approved and no other heating system be introduced for the life of the development without prior approval.**
15. **Package treatment plant to be installed in accordance with details to be approved before the first occupancy of the development hereby approved.**
16. **Electric vehicle charging points to be installed in accordance with details to be approved before the first occupancy of the development hereby approved.**

17. **Parking and bin storage areas to be laid out and constructed prior to first occupation of the development.**
18. **Design details including finish of metal sheeting, doors, windows, fascia and natural gritstone sample panel.**
19. **Remove domestic permitted development rights for hardstanding, outbuildings, gates, fences, walls or other means of enclosure.**
20. **Restrict domestic curtilage to area shown on the approved plan only.**
21. **Underground services**

Key Issues

- Whether the proposals demonstrate that they offer significant overall benefit to the natural beauty, wildlife and cultural heritage of the area to justify the re-development of previously developed land in the open countryside to one market dwelling.

Relevant Planning History

Pre-application advice has been sought prior to the submission of the application. We advised that in principle the conversion of the historic buildings was acceptable subject to a detailed design that conserved the significance of the buildings and the amenity of occupants.

The removal of the enclosures, ticket office and parking areas and replacement with a single market dwelling may be acceptable as the site is previously developed land. Any development would need to demonstrate significant enhancement in accordance with policy GSP2. A sub-terrain approach may be acceptable but care is needed to ensure a seamless approach with the topography and a design that minimised visual impact.

2007: Appeal against planning conditions imposed by the 2006 permission. Conditions 4 and 5 were deleted. These conditions sought to restrict total visitor numbers per annum and at any one time.

2006: Planning permission granted conditionally for change of use to conservation and wildlife park and formation of additional car parking area.

1989: Planning permission granted conditionally for otter breeding enclosures.

1988: Planning permission granted conditionally for erection of building to accommodate residential groups.

1986: Planning permission granted conditionally for erection of building and variation of conditions.

1984: Planning permission granted conditionally for falconry and country pursuits centre.

Consultations

13. **Parish Council**: Request we carry out a site visit to fully assess the impact a new dwelling would have on the area especially the woodland and raise concerns regarding the proposed change of use of land to residential.
14. **District Council**: No response to date.
15. **Highway Authority**: The proposals will result in a substantial reduction in vehicle movements therefore there are no objections subject to planning conditions.
16. **Natural England**: No comment.

17. PDNPA Built Environment: Makes the following comment:

18. *“The proposals are within the Slack Hall and Ford Conservation Area, within the Slack Hall element. This small hamlet has traditional buildings of gritstone and stone slate, Chestnut Farmhouse (within development area) and Tollbar Cottage immediately adjacent have fine detailing (both Grade II listed). The openness of the buildings contribute to the character of the conservation area, providing a rural feel with open views.*
19. *The proposed new building is of a very modern design, being mainly a subterranean house with a large glazed wall with views to the north of the site, and a grass roof. There is an entrance lobby that will appear above ground, this has low stone walls and then a geometric zinc roof and glazed walls with timber fins. This part of the building is likely to be visible from the listed buildings.*
20. *The ticket office was constructed as part of the Chestnut Centre operations across the former route to Ford Hall. The building is to be demolished and the historic route reinstated and new trees planted to create an avenue along the route. The demolition of the ticket office and reinstatement of the historic route will enhance the setting of the listed buildings and the conservation area.*
21. *Associated with this is the construction of a new modern house on the site of the former car park, and remedial landscaping of the area. The modern house is proposed to be located away from the traditional farmstead of Chestnut, and the Quaker burial ground within the former rural parkland of the Ford Hall estate.*
22. *It is sited a distance from the four listed buildings and within the conservation area. The conservation area has a rural and traditional material character, the proposed building is incongruous with this. It is likely that the building will be visible from outside the conservation area, and will therefore affect the character of the conservation area. The site is adjacent to the road to Chapel en le Frith and the lane to Malcoff, and visible from the historic parkland of Ford Hall.*
23. *The proposed new building is on the dis-used car park (an area of former historic parkland), that falls away downhill from Chestnut Farmhouse (mid 19th century), burial ground and shippon. The setting of the listed buildings will be affected by the proposals, it will change from a currently open (although car park) setting that changes to historic parkland.*
24. *The car park area has had quite intrusive engineering works to form flatter areas to provide suitable car parking for visitors, the mounding of the site is visible from the historic parkland to the 17th century Ford Hall. The proposal is to include reinstatement of the natural contours to the north (lower on the slope). The parkland landscape, as shown on the 1880 OS map, extended from the boundary of the burial ground north to Ford Hall. The inappropriate ticket office and car park have been located on this parkland, therefore negatively affecting the setting of the farmstead (listed buildings) at the historical entrance to Ford Hall. The removal of this building and opening up of the views of the historic route and parkland is an enhancement to the setting of the listed buildings.*
25. *There are some concerns regarding the modern building and managing the landscaping and the impact living could have on it. Maintaining the open space is important for the character of the site and the conservation area. It is suggested that provision could be made within conditions to prevent the proliferation of sheds and fencing etc, especially on the open parkland associated with the new building, in addition to the proposed garden store.”*
26. PDNPA Landscape: Initially raised concerns about the submitted landscape and visual appraisal but considers that the revised documents address these concerns.
27. Considers that there would be landscape benefits from the removal of existing incongruous elements on site. The proposed wall and ha-ha arrangement and additional trees give a

parkland character which is more appropriate. Has concerns that domestic clutter could remain an issue.

28. PDNPA Archaeology: The proposals raise no archaeological concerns.

29. PDNPA Ecology: No response to date.

30. PDNPA Tree Officer: No response to date.

Representations

31. We have received two letters of objection to date. The material planning reasons for objection are summarised below.

- The proposed development would be contrary to the National Planning Policy Framework (NPPF).
- The proposal is major development and should not be permitted.
- The proposal does not enhance the architecture or conserve or contribute to the historical nature of the two hamlets.
- The new building does not complement the established listed buildings or the conservation area. It would have a huge detrimental effect on the environment and it is unattractive and inappropriate in the hillside landscape in a National Park.
- The application does not adequately assess the impact of the building upon the conservation area.
- The development is not in an isolated or well-screened site.
- The development will be clearly visible for most of the year when deciduous trees lose their foliage.
- The approval of the development would set a precedent for similar developments in conservation areas.
- The approval of the development would result in the erection of further buildings on the site.
- The development would be highly intrusive in the landscape and would be apparent from the lane leading to Ford and nearby properties.
- The development would result in overshadowing and an overbearing impact on Ford.
- The development would impact upon the residents of Ford causing a lack of privacy.
- The proposed development is not necessary.
- Inaccuracies in the submitted application.
- The site should not be considered as previously developed land.
- The impact of the previous development of the site should not justify the proposed new development.
- If permission is granted the enhancements (removal of shelters, removal of ticket office, reinstatement of driveway) must be carried out first.

- If permission is granted fencing by the listed bridge should be removed to reinstate access.

Main Policies

Relevant Core Strategy policies: GSP1, GSP2, GSP3, GSP4, DS1, CC1, HC1, L1, L2 and L3

Relevant Development Management Plan policies: DMC1, DMC3, DMC5, DMC7 and DMC8, DMC11, DMC12, DMC13, DMC14, DMH6, DMT3 and DMT8

Relevant Neighbourhood Plan policies: H3, TM1 and C2

National Planning Policy Framework

32. 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.
33. The latest version of the National Planning Policy Framework (NPPF) was published on 19 February 2019. The NPPF is a material consideration and carries particular weight where a development plan is absent, silent or relevant policies are out of date. In the National Park the development plan comprises the Authority's Core Strategy 2011 and policies of the Development Management Policies document 2019. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application.
34. In this case there is no conflict between our development plan policies and the NPPF Our development plan policies should therefore be afforded full weight in the determination of this application.
35. Paragraph 172 of the NPPF 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. The conservation and enhancement of wildlife and cultural heritage should also be given great weight in National Parks.
36. Paragraph 79 of the NPPF states that Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:
 - a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;
 - b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;
 - c) the development would re-use redundant or disused buildings and enhance its immediate setting;
 - d) the development would involve the subdivision of an existing residential dwelling; or
 - e) the design is of exceptional quality, in that it:
 - i. is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and
 - ii. would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.

37. 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 into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.
38. Para 192 of the NPPF states that in determining applications, local planning authorities should take account of:
- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - c) the desirability of new development making a positive contribution to local character and distinctiveness.
39. Para 193 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
40. Para 194 of the NPPF states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:
- a) grade II listed buildings, should be exceptional.
41. Substantial harm is very serious and is the greatest level of harm after total loss. Substantial harm will often lead to irreversible loss of significance to a point where the designation is likely to be compromised. All other harm falls under the umbrella of 'less than substantial harm', and it is important that this is not underestimated as harm that falls into this category can still be very damaging cumulatively or in its own right. Para 196 of the NPPF states 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.
42. Para 199 of the NPPF states that Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.

Core strategy policies

43. GSP1 sets out the broad strategy for achieving our objectives having regard to the Sandford Principle. GSP1 also sets out the need for sustainable development and to avoid major development unless it is essential.
44. GSP3 sets out development management principles and states that all development must respect, conserve and enhance all valued characteristics of the site and buildings, paying particular attention to, amongst other elements, impact on the character and setting of buildings, scale of the development appropriate to the character and appearance of the National Park, design in accordance with the National Park Authority Design Guide and impact on living conditions of communities.

45. GSP4 says that we will consider the contribution that a development can make directly and/or to its setting, including, where consistent with government guidance, using planning conditions and planning obligations.
46. Our conservation policies reflect the approach taken in the NPPF. Policy L3 says that development must conserve and where appropriate enhance cultural heritage assets and their setting and that other than in exceptional circumstances, development will not be permitted where it is likely to cause harm. Policies L1 and L2 require development to conserve or enhance landscape character and biodiversity.
47. HC1 says that permission will not be granted for new housing unless there are exceptional circumstances. HC1. C. says that one such circumstance is where development is required to achieve the conservation or enhancement in a designated settlement or to a listed building.
48. CC1 says that development must be designed in accordance with the energy hierarchy and be designed to maximise reductions in energy and water consumption to mitigate the impacts of climate change.

Development management policies

49. DMC1. A says that in open countryside, any development with a wide scale landscape impact must provide a landscape assessment with reference to the Landscape Strategy and Action Plan. The assessment must demonstrate how valued landscape character, including natural beauty, biodiversity, cultural heritage features and other valued characteristics will be conserved and, where possible, enhanced taking into account overall strategy and action plan character areas, any cumulative impact and the effect of the proposals on the landscape.
50. DMC1. B says where a development has potential to have significant adverse impact on the purposes for which the area has been designated the Authority will consider the proposal in accordance with major development tests set out in national policy.
51. DMC1. C says that where a building or structure is no longer needed or being used for the purposes for which it was approved and its continued presence or use is considered by the Authority, to be harmful to the valued character of the landscape, its removal will be required by use of planning condition or obligation where appropriate.
52. DMC3 says that where development is acceptable in principle, it will be permitted if its detailed treatment is 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 assets. Particular attention will be paid to siting, scale, form, mass, landscape setting and the valued character and appearance of the area.
53. DMC5 makes the submission of a heritage statement with applications a policy requirement and reflects policies in the NPPF by requiring great weight to be given to the conservation of heritage assets, weighing harm against public benefits.
54. DMC7 and DMC8 say that applications affecting a listed buildings and conservation areas should be determined in accordance with DMC5 and clearly demonstrate how the significance of the affected heritage assets will be preserved and why the proposed development is desirable or necessary. DMC7 C. and D set out specific types of alterations to listed buildings that will not be permitted. DMC10 is specifically relevant for conversions of heritage assets.
55. In considering whether to grant permission for the proposals, we are obliged to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest, which it possesses. We must give great weight to the desirability of conserving a designated heritage asset weighing against any public benefit where harm is less than substantial.

56. Policies DMC11 and DMC12 require applications to include sufficient information to enable an assessment of impact upon designated sites and protected species. Development must conserve and enhance protected sites and species unless there are exceptional circumstances. DMC13 requires sufficient information to enable an assessment on trees to be made.
57. DMC14 says that development that presents a risk of pollution or disturbance including soil, air, light, water or noise pollution, or odour that could adversely affect any of the following interests will not be permitted unless adequate control measures are put in place to bring the pollution within acceptable limits
58. DMH6 allows for the re-development of previously development land for housing if it conserves and enhances the valued character of the built environment or landscape on, or adjacent to the site. Paragraph 6.97 of the supporting text to DMH6 says that outside of designated settlements and away from other forms of built development, applications for housing will be assessed against policies DS1 and GSP2.
59. DMT3 and DMT8 require safe access and adequate off-street parking provision.

Neighbourhood plan policies

60. Policy H3 sets detailed design criteria for new housing which must be of a high quality that reflects and distinguishes the attractive characteristics of settlements within the parish.
61. Policy TR1 says that applications must demonstrate safe walking and cycle routes with consideration of access to services and the countryside, public transport links, demonstrate the impacts of the traffic arising from the development and address any impacts.
62. Policy C2 says that proposals that would result in a significant net loss in biodiversity will not be accepted. Proposals that achieve a net gain will be supported.

Assessment

Principle

63. The application site is located in open countryside where our housing policies would not normally support the erection of new build market housing.
64. The site comprises the majority of the former wildlife centre which is previously developed land as defined by the National Planning Policy Framework and our Development Management policies. Policy DMH6 states that re-development of previously developed land for housing is acceptable in principle provided that it conserves and enhances the valued character of the built environment or landscape.
65. The supporting text to policy DMH6 states that for previously developed land in the open countryside applications for housing will be assessed against policies DS1 and GSP2.
66. Policy DS1 is our development strategy and directs the majority of new housing to Bakewell and the named settlements. For sites in the countryside DS1. C. allows for the conversion or change of use for housing or other development and alternative uses needed to secure effective conservation and enhancement. GSP2 sets detailed criteria to consider enhancement proposals against.
67. Therefore while policy DMH6 allows for re-development of previously developed land the expectation is that in open countryside this will involve the conversion of existing (preferably traditional buildings) unless other development would achieve effective conservation or enhancement.

68. Separate applications have been submitted for the conversion of the office and classroom buildings (the small and long barns respectively). The remaining building on this part of the site is the former ticket office and café building.
69. This is a relatively modern building and despite being built from natural stone has a wide gable and is comparable in form to a modern bungalow. The ticket office was also constructed partly on the line of the former historic drive to Ford Hall and interferes with views over the parkland from the listed farmstead.
70. Therefore at the pre-application stage an alternative option of demolishing the ticket office building (along with restoring the car park and removing the wildlife enclosures) in exchange for a single market dwelling was discussed. In principle our policies would allow for a new build market dwelling as an alternative to conversion if it would achieve significant enhancement in accordance with policies DS1 and GSP2.
71. The key issue therefore is the impact of the proposed development and whether it would achieve significant overall benefit to the valued characteristics of the National Park to justify the erection of a new market dwelling in this location.

Design, impact upon conservation area and setting of listed buildings

72. The site is located immediately north of the historic farmstead historically associated with Ford Hall and last used as part of the wildlife centre. The farmhouse and two gravestones within the Quaker burial ground are Grade II listed and the former barns are curtilage listed. Nearby Toll Bar Cottage is also Grade II listed. The site forms part of the parkland historically associated with Ford Hall which is also Grade II listed.
73. As the site is within the conservation area and close to listed buildings development here has the potential to affect the significance of the conservation area and the setting of the listed buildings. A heritage statement has been submitted to inform the development and assess its impact in accordance with policy DMC5.
74. Slack Hall is a small hamlet of traditional buildings loosely clustered around a triangular village green. The openness and well separated buildings provide a rural feel with open views to the countryside except to the east where groups of trees and the road blocks the views. Buildings are constructed from gritstone and stone slate and Chestnut Farmhouse and Toll Bar Cottage have fine detailing.
75. The existing ticket office / café building is modern and despite being constructed from natural stone has a wide gable and a form comparable to a modern bungalow. The ticket office building was also constructed partly on the route of the historic drive down through the estate land to Ford Hall. The ticket office building also blocks views out over the estate land from the entrance gates and farmstead.
76. The removal of the ticket office building would enhance the setting of the historic buildings by removing a modern building, facilitating realignment of the driveway on its historic route and by opening up views over the estate land. Combined this would result in an enhancement to the setting of the listed buildings and the conservation area.
77. The parking areas to the wildlife centre are located on land that was formerly open estate land. The historic maps do not show the trees planted between the upper and lower car parks indicating that these have been planted relatively recently and also potentially block views over the parkland that would have been open.
78. The car parks have changed the character of the land from open estate land to surfaced car parks and the creation of the lower car park has resulted in significant level changes where level areas for parking have been created in the sloping ground. The creation of the car parks has resulted in an adverse impact to the character of the estate land. The impact of the car

parks is would be significantly increased when in use. The restoration of this land would result in an enhancement to the setting of the listed building and the conservation area.

79. The removal of the majority of the enclosures within the valley bottom would not have a significant impact upon the setting of the affected historic buildings or the conservation area due to the distance and because the enclosures are well screened by mature planting.
80. The design of the proposed dwelling does not reflect the local vernacular or the traditional form of nearby listed buildings. The dwelling would be earth sheltered and built into the sloping ground between the upper and lower car parks.
81. A single storey entrance element would be built above ground to provide access between the parking area and the earth sheltered building below. The above ground entrance element would not be built to reflect a traditional building. This would have a contemporary design with five sides constructed from black zinc above drystone walls which would continue out into the landscape.
82. The former ground levels of the parkland would be restored over the existing car park and the plans show that the level from the ground to the roof of the dwelling would be seamless. Two elevations would be cut out from the sloping ground to provide light into the habitable rooms. These elevations would open out onto a terrace sunk below the adjacent park land level behind a retaining wall. A 'ha-ha' would be created on the estate land side to prevent stock getting onto the terrace without requiring a visible wall or fence.
83. The proposed dwelling would be sited away from the historic farmstead to allow the route of the historic driveway to be restored and the intention of the earth sheltered design is to allow open views out over the parkland and minimise visual impact
84. As has been stated in representations and by our conservation officer the proposed design would not reflect the local vernacular or buildings within the conservation area. The majority of the proposed dwelling takes a 'non-building' approach by attempting to conceal the volume of the dwelling within the rising ground so only the entrance element and cut-out elevations would be visible.
85. The entrance element takes a contemporary approach. The form and materials of this element would not reflect traditional buildings but the design would reduce the visual impact of this element by integrating the lower walls into the stone boundary walls with simple black zinc above and the majority of the glazing limited to the south elevation with vertical sub-division. The roof would have a complicated rather than traditional form which would give some architectural interest rather than risk this element appearing as a small portal framed building.
86. Our design guide allows for contemporary design but requires it to respond to the built tradition. The proposed design is considered to be acceptable modern design that responds to its context by minimising the visual impact of the dwelling in the wider landscape and opening up views from the farmstead. The above ground element has been designed to integrate into the landscaping with very simple dark materials above to minimise visual impact while adding architectural interest.
87. From within the conservation area looking out the proposed design approach would succeed in removing the former ticket office, re-aligning the historic access drive and opening up views over the parkland. The above ground element would be modest in size and an interesting contemporary design that would complement the historic buildings and historic access into the parkland.
88. From outside the conservation area within the parkland looking south the proposed design would succeed in removing the parking area. The lower area would be restored to parkland which would continue up to the proposed ha-ha. However, beyond this the upper part of the 'cut-out' elevations would be visible along with part of the access building above.

89. Therefore while the proposed dwelling is designed to be seamless in the landscape and minimise landscape impact the design would not conceal the impact of the development entirely. Part of the building would be visible from within the parkland looking south along with lighting and activity in the terrace but this is not likely to have an unacceptable impact in the wider landscape. Parking to the south would be concealed by the landform.
90. The proposed additional tree planting would break up and mitigate the visual impact of the new building to a degree but the success of the development in providing an enhancement over the impact of the existing car parks would depend upon achieving seamless levels between the roof of the dwelling and the surrounding land. It would also be essential that the land to the north of the terrace is returned to estate land and used for grazing. The use of this land for garden or even grazing separate from the wider estate would be very harmful to the estate land and wider landscape.
91. The submitted plans demonstrate that the proposed earth sheltered dwelling can be achieved in a manner that achieves the enhancement of the setting of the listed buildings, the conservation area and the surrounding estate land. The proposed design does not reflect the local vernacular but is a high quality contemporary design that responds to the constraints of the site, achieves enhancement and reduces the impact of the new development.
92. The development is therefore an appropriate design which achieves enhancement of the setting of listed buildings, the conservation area and the wider estate land in accordance with policies GSP3, L3, DMC3, DMC5, DMC7 our adopted design guide and the National Planning Policy Framework.

landscape impact

93. The site is located within the Dark Peak Western Fringe Landscape Character Area and specifically within the Valley Pastures with Industry Landscape Character Type. This is a small scale, settled pastoral landscape on undulating lower valley slopes with filtered views through scattered hedgerows and dense streamside trees. There are dispersed gritstone farmsteads as well as small clusters of farms with associated dwellings.
94. We do not consider that the proposals represent major development, however, the site is in a sensitive area where development of this nature has the potential to have a wide scale landscape impact. Therefore a landscape assessment has been submitted with the application with reference to our Landscape Strategy and Action Plan in accordance with policy DMC1.
95. Our Landscape Officer initially raised concerns about the submitted landscape assessment. An amended document has been submitted which overcomes these concerns.
96. There are no public rights of way crossing the site. A public footpath runs from Ford Hall up Peat Lane before turning south to Sheffield Road. The Pennine Bridleway runs from Hayfield to Peak Forest approximately 1.5km to the north east of the site of the proposed dwelling.
97. The submitted assessment demonstrates that the proposed development would only be visible from views down the valley to the north east due to the topography. Therefore the main public views of the site would be from a section of the footpath running from Ford Hall up Peat Lane and from a section of the Pennine Bridleway.
98. The existing ticket office building and car parks have a more limited adverse impact upon the wider landscape and are only viewed at distance from public vantage points. However, this impact would increase if the wildlife centre was in use due to parked cars and activity. Due to the well screened location of the wildlife enclosures their removal would not result in any significant landscape impact.
99. Therefore the potential benefits and impact of approving the proposed dwelling would be more limited upon the wider landscape. We agree with the submitted landscape assessment that the proposed development would result in a minor beneficial impact when initially

completed and a moderate beneficial impact once the proposed landscaping has had time to mature.

100. We agree with the concerns from our Landscape Officer that domestic clutter around the development could result in an adverse impact and undermine the potential benefits of the development. Of particular concern would be further uncontrolled domestic development, the use of the land north of the proposed dwelling as garden and the impact of external lighting on dark skies. If permission was granted care would be needed to control the development to prevent these adverse impacts.
101. The development therefore would result in a minor enhancement to the landscape in accordance with policies L1, DMC1 and the National Planning Policy Framework.

Impact upon biodiversity and trees

102. The site does not form part of a Special Area of Conservation (SAC), Special Protection Area (SPA) or Site of Scientific Special Interest (SSSI). The parkland is designated as Woodpasture and Parkland Biodiversity Action Plan (BAP) priority habitat and the woodland along the stream where the wildlife enclosures are located is designated as Deciduous Woodland priority habitat.
103. An ecological impact assessment and tree survey have been carried out and the reports submitted with the application in accordance with policies DMC11 and DMC13.
104. Given the distance to designated sites we agree with the reports that direct impacts upon them is unlikely. The South Pennine SAC and Peak District Moors SPA are approximately 1.4km to the north-east of site. Both designations are due to the diversity of flora and fauna present. Habitats identified on site do not support either nesting or foraging opportunities for any objective bird species. The site is subject to tree protection orders (TPO).
105. The development would require the removal of several trees located between the existing car parks. These trees are not well established and do not appear on historic maps. These trees are low quality and do not form an important landscape feature. None of these trees were noted as having potential features to support roosting bats and the removal of these trees would have a negligible impact upon foraging behaviour of bats and hedgehogs.
106. Therefore there is no objection in principle to the removal of these trees provided that replacement planting is carried out as proposed to enhance the site and the wider landscape in more appropriate locations in the estate land. We would also recommend that tree protection measures including protective fencing and low impact excavation methods (where required) are carried out in full.
107. The ecological impact assessment states that noise pollution is known to have a detrimental impact upon wildlife and that the reduction in traffic and noise disturbance from the closure of the wildlife centre and change of use to a dwelling would be likely to benefit wildlife on a local scale.
108. The ecological impact assessment states that the restoration of the car parks to grazing land and new tree and hedge planting will increase biodiversity significantly, particularly around the car park area. If properly managed the restored habitat will have the potential to provide a range of ecological opportunities for invertebrates, birds and mammals (including bats).
109. The proposals will require dismantling and demolition works within the valley woodland to remove the wildlife enclosures. The ecological impact assessment states that care will be needed to prevent damage to sensitive habitats, protected species and pollution. We consider that a construction environment management plan would be required to be agreed to ensure that the demolition works do not harm the priority habitats on site.
110. Survey of the ticket office building confirmed that there are four bat roosts within the roof structure including three Brown long-eared day roosts and one Common pipistrelle day roost.

The development would result in the demolition of the entire building and therefore the permanent loss of the bat roosts if work is not undertaken in a sensitive manner. The wildlife enclosures were found to have negligible potential for roosting bats.

111. The report states that a European Protected Species Licence will be required from Natural England and that the precise mitigation design will be drawn up as part of that process. At this stage the report recommends that a minimum of five crevice design bat boxes are installed on nearby trees or on the new dwelling. Furthermore, an additional two boxes should be mounted on nearby trees before the ticket office building is demolished. In addition no demolition works should be carried out during summer.
112. The other public benefits of demolishing the former ticket office justify the impact upon the identified bat roosts. Furthermore subject to appropriate conditions to secure alternative habitat provision for bats on site that the development will not harm the conservation status of the identified protected species. If permission is granted it would be necessary to agree a scheme of enhancement works along with timing and require alternative provision to be installed before any works to demolish the ticket office commence. Furthermore a condition should be imposed to prohibit demolition works during the summer roosting season. Finally, a planning condition should be imposed to prohibit external lighting unless in accordance with an approved scheme to minimise impact on bats.
113. The ticket office and animal enclosures are identified providing habitat for breeding birds. The report therefore recommends that demolition works are also carried out outside of the breeding bird season (March to September). The ecological assessment recommends that bird boxes are installed either to the new dwelling or on nearby trees to provide compensatory habitat for birds with specific provision for perching owls.
114. Finally, the report provides a list of enhancement measures that could be incorporated into the development including: using native species and grass seed mixes that encourage connectivity and habitats for foraging invertebrates, birds and mammals; creating specific habitats for invertebrates and ensuring that holes are incorporated at the base of new walling to allow wildlife connectivity.
115. The proposed enhancements are fairly generic and do not offer more site specific enhancements that could be achieved particularly in the wooded valley after the enclosures are removed. Further enhancement proposals have therefore been submitted including creating an artificial otter holt, installing owl boxes in the wooded valley and removing non-native species and replacing with native planting.
116. These enhancement measures are welcomed but we consider there is further potential to enhance the wooded area. For example once the enclosures and connecting pathways are removed there may be opportunities to re-instate natural ground levels, create features for wildlife and encourage native plants to re-colonise. If permission is granted we would recommend that a more comprehensive scheme of enhancements be agreed.
117. However, in principle it is clear that when taken as a whole the proposed development will result in enhancement to biodiversity on site by reducing human activity and enhancing habitats and foraging opportunities. Therefore subject to conditions the proposed development would result in enhancement to biodiversity in accordance with policies L2, DMC11, DMC12 and DMC13.

Climate change and sustainable building

118. The application states that the proposed new dwelling would be designed to construct and if possible, exceed the requirements of building regulations including a large amount of window insulation and high performance windows and doors. The earth sheltered nature of the building will also add to the insulating effect.
119. The application proposes to install a ground source heat pump within the land to the north of the proposed dwelling (which will be restored to estate grazing land above) this is welcomed

as it will provide a significant reduction in energy consumption for heating. Due to the constraints of the site there are limited opportunities for solar photovoltaics.

120. The proposal to use local building materials and timber from a sustainable source is welcomed as is the proposal to install an electric vehicle charging point in the parking area.
121. Foul drainage will be to a package treatment plant which is acceptable in principle subject to agreement of the specification and location of the plant and soakaways. A connection to the main sewer is not viable due to the distance from the site.

Other issues

122. The development has been designed to protect the amenity of the occupants of the proposed dwelling, the dwellings to be created by conversion and that of the neighbouring toll house. The development would not overlook or lead to the loss of privacy of any neighbouring property. Given the distance of the building from neighbours there are no concerns that the development would be overbearing. Therefore the development will conserve the amenity, security and privacy of neighbouring properties in accordance with policies GSP3 and DMC3.
123. The development would be provided with adequate parking and we agree with the Highway Authority that there are no objections to use of the existing access given that the development will result in significantly less trip generation than the existing use. If permission were granted, we would recommend planning conditions to agree the construction compound, secure parking provision and bin storage. The development is therefore in accordance with DMT3 and DMT8.
124. The development would have links to the countryside but given the relatively remote location would not have any close link to nearby settlements (policy TR1). However, this must be balanced against the potential benefits of the development, which can only be achieved on site.

Planning conditions and planning obligation

125. If permission is granted planning conditions would be required to ensure that the dwelling is constructed in accordance with the approved plans with appropriate design details and materials agreed and critically that the finished floor levels and ground levels (adjacent and above the dwelling) are approved to ensure that the dwelling is seamless with the surrounding landscape.
126. Furthermore, a detailed landscaping scheme including planting, hardstanding, boundary treatments and ha-ha and seeding for the roof and restored car parks would need to be secured including a timetable for implementation.
127. Planning conditions must be imposed to ensure that the ticket office and wildlife enclosures are removed and the land restored over the car parks before the first occupation of the dwelling to ensure that these enhancements are secured. The removal of the animal enclosures should be in accordance with an approved construction environment management plan and the works to construct the dwelling should be in accordance with an agreed construction compound.
128. Planning conditions would be necessary to ensure that the proposed tree mitigation measures are implemented during construction and environmental enhancement measures are agreed and implemented on the site of the new dwelling and within the wooded valley once the wildlife enclosures are removed. We would recommend a condition to prohibit any external lighting unless in accordance with an approved scheme.
129. Finally, we would recommend planning conditions to ensure that the proposed ground source heat pump, package treatment plant, parking spaces and EV charge points are installed before the dwelling is occupied and that no alternative heating system is installed for the life of the development without consent. Given the nature of the development, the design of the

dwelling and potential for landscape impact we would recommend planning conditions to restrict the domestic curtilage of the dwelling to the area shown on the plans and to remove permitted development rights for extensions, alterations or outbuildings.

130. Given our concerns about the potential impact of use of the land north of the dwelling by occupants we have discussed options with the agent to ensure that this land remains managed and maintained as part of the wider parkland as grazing land with no fences to separate it off. We have agreed with the agent that a planning obligation can be used to ensure that the land remains as grazing land and that no fences, walls or other boundary treatments can be erected to separate the land from the wider estate land.
131. The agent has provided us with draft heads of terms and we are satisfied that this in principle, along with planning conditions are precise and enforceable. The proposed planning obligation is necessary to make the development acceptable, directly related to the development and fairly and reasonably related in scale and kind to the development. We therefore recommend that if permission is granted prior entry into a legal agreement is required.

Conclusion

132. Subject to conditions, the proposed development would result in significant enhancement to the valued characteristics of the National Park that justifies the development of one market house on the site in accordance with policies GSP2, DS1 and DMH6.
133. The development would incorporate appropriate climate change mitigation measures and not harm the amenity of neighbouring properties or highway safety.
134. Therefore having taken into account all matters raised we consider that subject to conditions the development is in accordance with the development plan. There are no other material considerations that indicate that permission should be refused. The application is therefore recommended for approval subject to conditions and prior entry into a planning obligation.

Human Rights

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

List of Background Papers (not previously published)

None

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