

12. FULL APPLICATION – CREATION OF PARKING AREA FOR DWELLING FROM AGRICULTURAL FIELD AT HILLCREST, STANEDGE RD, BAKEWELL (NP/DDD/1220/1144, ALN)

APPLICANT: MR DONNELLY

Summary

This is a retrospective application that seeks planning permission to retain, with modifications, a parking area in a field parcel to the north west of 'Hillcrest'.

The proposals would cause harm to the character of the Bakewell Conservation Area and the immediate locality and it has not been demonstrated that the development would be served by a safe and suitable access. The application is recommended for refusal.

Site and Surroundings

Hillcrest is a detached house situated opposite St Anselms school on the south side of Stanedge Rd. The application site relates to a 400 sqm area of agricultural land directly to the west of the residential curtilage of Hillcrest, in the north eastern corner of a larger field parcel. The site abuts the highway boundary on the northern side. To the west and south is the remainder of the agricultural field.

The application site lies outside of the Bakewell Development Boundary.

A strip of land on northern part of the site (and also Hillcrest and its curtilage) are within the Bakewell Conservation Area.

Proposal

This is a retrospective application that seeks planning permission to retain, with modifications, a parking area in a field parcel to the north west of 'Hillcrest'.

The application site relates to a 20m by 20m area of land. A substantial area has already been stripped of turf and surfaced with limestone chippings. Part of the roadside boundary wall has been demolished to create a vehicular access off Stanage Rd.

The proposals are to retain the majority of the hardstanding, but with an area in the north east corner of the site reinstated as a 'wildflower' area. Another portion of land to the south west would also be planted in a similar way. The plans show that a minimum of three parking spaces could be accommodated along the southern boundary of the site with manoeuvring space and an access driveway to the north.

It is proposed to re-build part of the roadside boundary wall, retaining a 3m gap for vehicular access.

RECOMMENDATION:

That the application be REFUSED for the following reasons:

1. **The site is outside of the Bakewell Development Boundary and the proposed parking and manoeuvring area would domesticate and erode the character of the Bakewell Conservation Area and detract from open views to the southwest from Stanedge Rd. The loss of the historic narrow opening in the roadside boundary wall would cause harm to the wall as a heritage asset of historic significance contrary to Core Strategy policy L3 and Development Management policies DMC5, DMC8 and DMT8 and DMB1. This harm would not be outweighed by the public benefits of the scheme contrary to paras 193-196 of the National Planning Policy Framework.**
2. **It has not been demonstrated that the development would be served by a safe and suitable access contrary to Development Management Plan policy DMT3.**

Key Issues

- Impact on the character of the Bakewell Conservation Area and the surrounding area.
- Impacts on archaeology.
- Highway and Parking issues.

History

2002 – planning permission refused for the creation of a parking area within the existing curtilage of Hillcrest on the grounds that the removal of the roadside walling would erode the containment of the street, detract from the setting of the house and adversely affect the character and appearance of the immediate locality. Also refused on highway safety grounds due to restricted emerging visibility to the south. (NP/DDD/0402/190).

September 2020 – enforcement enquiry received with regard to removal of wall and tree and laying of hardcore.

Consultations

Highway Authority – *‘The application site is located on Stanedge Road (NC) which is subject to a 30mph speed limit, therefore, the applicant should be clearly demonstrating emerging visibility sightlines of 2.4m x 43m in both directions from the modified vehicular access, as it appears on Streetview images visibility to the East/South-east is restricted due to a bend in the roads alignment.*

85%ile vehicle speeds may be lesser than 30mph on Stanedge Road if this is the case lesser emerging visibility sightlines may be acceptable, however, this would need to be supported by the results of a traffic speed survey.

The access concerned would not appear to have seen much vehicular activity with an alternative field access available to the north-west. Consequentially the proposal will result in intensified vehicular use.

However, as the applicant does not currently benefit from off-street parking the proposed parking area would provide betterment to the applicant’s current situation. Any gates should be setback a minimum of 5m from the Highways edge to enable vehicles to pull off the highway prior to the gates being opened.

As stated in the Design and Access Statement the proposed driveway/parking area is to be surfaced with a loose material, the Highway Authority recommends that the first 5m of the access driveway is not surfaced with a loose material, in the event that loose material is transferred to the highway and is regarded as a hazard or nuisance to highway users.

Off-street parking bays should be clearly defined by dimension (2.4m x 5.5m) rather than vehicles as seen on the Proposed Site Plan, however, it appears that there is sufficient space within the site for the parking and manoeuvring of resident's vehicles.

Each parking bay should measure a minimum of 2.4m x 5.5m with an additional 0.5m of width to any side adjacent to a physical barrier e.g. wall, hedge, fence, etc.

It's recommended that the applicant is given opportunity to submit revised details demonstrating measures to satisfactorily address the above issues. However, should the proposal be acceptable in planning terms and your Authority is minded to approve the application in its submitted form, I would be grateful for the opportunity to discuss possible highway related conditions and notes for inclusion in any decision notice issued.'

District Council – no response

Town Council – object to the proposals on the grounds that it is outside of the development boundary. The proposals would result in the loss of part of an agricultural field within the conservation area and is contrary to the emerging Bakewell Neighbourhood Plan.

Authority's Landscape Architect – *'It is clear that the site lies within the Limestone village farmlands landscape character type and that in particular the field forms the boundary of the built development in this part of Bakewell. There is a combination of roadside walls and hedgerows which is uncommon within the White Peak landscapes. The unauthorised works that have been carried out are detrimental to the character of the area and the site should be restored by: reducing the width of the opening back to original size, removing loose aggregate soiling and seeding the disturbed land with an agricultural grass seed mix the roadside wall being rebuilt and an informal hawthorn hedge replanted. The ash tree should be replaced with a field maple.'*

Authority's Archaeologist

An archaeological desk based assessment, including a walkover survey, has now been submitted in support of this application. This demonstrates that:

- *The earthwork features identified in the 2002 Bakewell Archaeological Survey still survive, these are in the vicinity of the site but have not be directly affected by the groundworks undertaken for the creation of the hardcore parking area.*
- *The groundworks undertaken to create the parking area had involved the stripping of topsoil to a depth of between 15-25cm from ground surface, but this has not penetrated the full depth of the topsoil. This means that the chances of any previously unrecorded belowground archaeological remains being affected by the works is low.*

This has addressed and removed my previous concerns about the archaeological impact of the groundworks already undertaken. The boundary wall is of importance and the narrow entrance way I previously highlighted has been lost. The archaeological report indicates this section of wall had been previously modified and impacts by a tree growth, and one of the original limestone gateposts was replaced with a larger and more substantial sandstone gatepost, but the original narrow width of the entrance survived, and these narrow cart width entrances are an increasingly rare survival in our landscape.

The loss of this features from this section of wall has resulted in a level of harm to the wall as heritage asset of historic interest. Even if the wall in repaired and restored as part of the development this feature cannot be reinstated and vehicle access to the field provided. This harm needs to be weighed in the planning balance.

Representations

Nine letters of support have been received raising the following points (in summary):

- Parking and congestion on Stanedge Rd is an ongoing issue for local residents. The proposals would help alleviate these problems.
- Proposed wildflower areas are eco-friendly.
- The proposals are sympathetic to their surroundings.
- Installation of electric charging points is a positive element.

Six letters of objection have been received raising the following issues (in summary):

- Concerns about impact on character and appearance of the area.
- Development would set a precedent for other encroachment into agricultural land.
- Development would cause more water run-off onto the road.
- The previous gateway had not been used for many years.
- Any gates on highway boundary would mean vehicles would have to stop on the road.
- Concerns about loss of ash tree.
- Development would not affect congestion from school traffic.

Main Policies

Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L1, L3, T7

Relevant Local Plan policies: DMC3, DMC5, DMC8, DMB1, DMT3, DMT8

National Planning Policy Framework

The National Planning Policy Framework (NPPF) was published on 27 March 2012 and replaced a significant proportion of central government planning policy with immediate effect. The Government's intention is that the document should be considered to be 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 the East Midlands Regional Plan 2009, the Authority's Core Strategy 2011 and saved policies in the Peak District National Park Local Plan 2001. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and more recent Government guidance in the NPPF with regard to the issues that are raised.'

Policy GSP1 sets out the broad strategy for achieving the National Park's objectives having regard to the Sandford Principle, (that is, where there are conflicting desired outcomes in achieving national park purposes, greater priority must be given to the conservation of the natural beauty, wildlife and cultural heritage of the area, even at the cost of socio-economic benefits).

Policy 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.

GSP4 says that to aid the achievement of its spatial outcomes, the National Park Authority 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.

Policy DS1 sets out the Development Strategy for the National Park. Part D says that in named settlements such as Bakewell there is additional scope to maintain and improve the sustainability and vitality of communities.

Core Strategy policy T7B sets the strategic principle that residential parking should be set at the 'minimum required for operational purposes', while having regard to environmental constraints and any future requirements.

DMB1 states that states that the future development of Bakewell will be contained within the Development Boundary.

Policy DMC3 expects a high standard of design that respects, protects and where possible enhances the natural beauty, quality and visual amenity of the landscape.

Development Management Policy DMC5 provides detailed advice relating to proposals affecting heritage assets and their settings, requiring new development to demonstrate how valued features will be conserved, as well as detailing the types and levels of information required to support such proposals. It also requires development to avoid harm to the significance, character, and appearance of heritage assets and details the exceptional circumstances in which development resulting in such harm may be supported.

Development Management policy DMC8 sets out considerations that should be taken into account in determining applications for development in Conservation Areas, including views and vistas into and out of it and the shape and character of spaces contributing to the character of the historic environment including important open spaces.

Development Management policy DMT8 C states that the design and number of parking spaces associated with residential development including any communal residential parking must respect the valued characteristics of the area, particularly in Conservation Areas.

DMT3 states that development which includes a new or improved access onto a public highway will only be permitted where, having regard to the standard, function, nature and use of the road, a safe access that is achievable for all people, can be provided in a way which does not detract from the character and appearance of the locality and where possible enhances it. Particular attention should be given to the need for the retention and where possible enhancement of hedges, wall and roadside trees.

Bakewell Neighbourhood Plan

Although not yet adopted, the plan is at an advanced stage of preparation and should be afforded some weight in making planning decisions. Policy DB1 states that the future development of Bakewell will be contained within the Development Boundary.

Assessment

Principle of Development

Core Strategy policy T7B sets the strategic principle that residential parking should be set at the '*minimum required for operational purposes*', while having regard to environmental constraints and any future requirements. Under policy DMT8 C – (Residential Off Street Parking), developers are directed to have regard to the valued characteristics of the surrounding area especially within Conservation Areas.

However the application site is outside of the Bakewell Development Boundary, within which policy DMB1 seeks to generally restrict the future development of Bakewell.

The current proposals are to provide residential off street parking and manoeuvring space outside of the existing residential curtilage of the property, within an adjacent field. Consequently one of the main planning considerations is the impact of the proposals on character of the area.

Impact on the character of the Bakewell Conservation Area and the surrounding area.

Hillside and its curtilage are within the Bakewell Conservation Area together with a strip of land adjacent to the roadside wall within the application site. We have used the Adopted Bakewell Conservation Area Appraisal (CAA) to help assess the impact of the proposals. CAAs identify the special qualities that make a place worthy of designation as a Conservation Area.

The site falls within the 'Western Edge' Character Area of the CAA. In this area the appraisal identifies that *'Stanedge Road leaves the settlement as a narrow road flanked by hedges, trees and green verges. Enclosed fields line the road continuing north west beyond St Anselms School. This edge of the Conservation Area provwellides a good transition from the urban to the rural landscape character.'* The appraisal also emphasises the importance of the wider landscape setting on this edge of the Conservation Area. It identifies Hillcrest itself as an 'Important unlisted building' and it identifies views from Stanedge Road westwards across the application site as being notable. It also emphasises the agricultural feel of the western approaches to the town.

Our view is that the way the agricultural field meets and butts up to the edge of Stanedge Road and the boundary walls to Hillcrest at present pays a positive contribution to the agricultural character of this part of the Conservation Area, and plays a role in providing a defined boundary to the built edge of the Conservation Area. The provision of hard surfacing and the presence of parked vehicles would domesticate and erode this established character. The proposed parking and manoeuvring space, together with the access track would cover a substantial area and the plans show that the vehicles would be parked some 17m back from the edge of the highway, all of which would add to the prominence of the proposed development. The parking area would interfere with and detract from the open views from the road across the field, which are identified to be a special quality of the Conservation Area.

The amended plans do indicate that the southern and western boundaries of the site would be defined by new hedgerow planting, but this limited landscaping would not mitigate the impact of the development sufficiently to overcome the concerns outlined above.

Prior to work commencing on the site, there was a drystone wall along the whole northern boundary with the road, with a narrow gate opening in the northern corner. A stretch of approximately 2m of the roadside wall to the south east of the opening has been demolished. The amended plans state that the wall would be re-built up to the edge of a widened vehicular opening . Whilst the re-building of the boundary wall is welcomed the previous narrow wall opening would be widened and therefore lost. The submitted archaeological report indicates this section of wall had been previously modified and impacted by tree growth, and one of the original limestone gateposts was replaced with a larger and more substantial sandstone gatepost, but the original narrow width of the entrance survived. As the Authority's Archaeologist states, these narrow cart width entrances are an increasingly rare survival in our landscape. The loss of this feature from this section of wall has resulted in a level of harm to the wall as a heritage asset of historic interest. Even if the wall is repaired and restored as part of the development, this feature cannot be reinstated and vehicular access to the field provided.

In summary the proposed site is outside of the Bakewell Development Boundary. The proposals would cause harm to the special qualities of the Bakewell Conservation Area and of the surrounding area, contrary to Core Strategy policy C3 and Development Management policies DMC5, DMC8 and DMT8.

Impacts on archaeology.

The site of the proposed development is known to have contained earthwork features and remains associated with medieval agriculture and Bakewell's medieval field system. The site forms part of an area recorded in the Derbyshire Historic Environment Record and the PDNPA Historic Buildings, Sites and Monuments Record as an area of well-preserved medieval strip lynchets. The area formed part of the Bakewell Archaeological Survey in 2002, which identified a number of features in the area

Following initial concerns raised by the Authority's archaeologist, an archaeological desk based assessment, including a walkover survey has been submitted during the course of the application.

This demonstrates that:

- The earthwork features identified in the 2002 Bakewell Archaeological Survey still survive, these are in the vicinity of the site but have not been directly affected by the groundworks undertaken for the creation of the hardcore parking area.
- The groundworks undertaken to create the parking area had involved the stripping of topsoil to a depth of between 15-25cm from ground surface, but this has not penetrated the full depth of the topsoil. This means that the chances of any previously unrecorded belowground archaeological remains being affected by the works is low. This has addressed and removed my previous concerns about the archaeological impact of the groundworks already undertaken.

Consequently subject to a condition to reinstate the boundary wall there are no overriding archaeological objections other than the removal of the narrow opening in the boundary wall, which remains of concern.

Any removal of the hardstanding and reinstatement of the grassland would need to be undertaken sensitively to prevent disturbance to below ground archaeology.

Highway and Parking issues.

In accordance with adopted policies and the NPPG the harm that has been described above can only be accepted if it is offset and outweighed by the public benefits of the scheme. It is clear that the proposals would result in private benefits to the applicant. At present there is no off street parking associated with 'Hillcrest' and so the occupiers have to park on street in the vicinity of Stanedge Rd. The proposals would provide dedicated off street parking for the benefit of the owners. It would be difficult to provide off-street parking within the existing curtilage of Hillcrest partly because the roadside boundary wall is an important historic wall which would be harmed by any demolition to create a new access and also because of issues of levels differences between the highway and the garden to the property.

In terms of public benefits of the proposals however, we consider that these would be limited. The submitted Design and Access statement states that congestion along Stanedge Rd at peak times is common partly due to its narrow nature and also because of traffic associated with the nearby school. It states that the proposals will increase parking opportunities for other residents by freeing up on street parking spaces. Congestion at peak times around school sites is commonplace in Bakewell and in other villages in the National Park and it is recognised that this can result in issues for local residents. However our view is that any impacts on overall parking availability within the vicinity of the site would not be significant and that this would not be sufficient justification to outweigh the permanent harm to the Conservation Area that has been outlined above.

There is a residents parking scheme in place along much of Stanedge Rd and the applicants can continue to make use of that scheme.

In terms of the new access, Stanedge Road is subject to a 30mph speed limit and therefore 2.4m x 43m visibility sight lines would normally be required. Because the road alignment bends to the east/south east, this would not be possible. Average (85%ile) vehicle speeds may well be less than 30mph in reality because of the narrow and steep nature of the road but this would need to be supported by a speed survey. Had the application been acceptable in all other respects, we would have asked for a survey to be undertaken. In the absence of such a survey however, it has not been demonstrated that the proposals would be served by a safe and suitable access contrary to policy DMT3.

Other considerations

During the course of the application a sketch alternative scheme was submitted showing the parking area reduced in size so that it didn't project out as far into the field from the roadside boundary. However, following advice from officers that this did not address the reasons for refusal, and concerns from the Authority's archaeologist with regard to additional excavations required to provide proposed screen embankments around the parking areas, the agent has reverted back to the submitted scheme with some additional annotations and clarifications provided.

The nearest neighbouring properties are 'School House' and 'Slieve Mor', on the opposite side of Stanedge Rd. Due to the intervening distances and the nature of the proposed use, it is not considered that there would be any significant impact on the amenity of these properties.

Conclusion

The proposals would domesticate and erode the character of the Bakewell Conservation Area and detract from open views to the west from Stanedge Rd. Consequently the scheme would cause significant harm to the special qualities of the Bakewell Conservation Area and the immediate locality. Whilst this harm would be below the "substantial" threshold as set out in the NPPF, the harm would still represent a harmful effect, adversely affecting the character and significance of the Conservation Area. The NPPF makes it clear that great weight should be given to the conservation of a Heritage Asset and that any harm should require clear and convincing justification. Whilst there would be private benefits to the applicant, the public benefits of the scheme (in terms of freeing up on street parking space) would be limited and would not outweigh the permanent harm that has been identified. As such the proposals are contrary to adopted policies and are recommended for refusal.

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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