

**6. CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2019 – RESTORATION AND EXTENSION OF THORNSEAT LODGE AND ANCILLARY BUILDINGS TO FORM HOLIDAY ACCOMMODATION AND ANCILLARY GUEST FACILITIES. RESTORATION OF HISTORIC STABLE BLOCK FOR WEDDING VENUE, RESTORATION OF EXISTING ACCESS AND CREATION OF NEW CAR PARK AND ASSOCIATED LANDSCAPING AND MANAGEMENT AT THORNSEAT LODGE, MORTIMER ROAD, SHEFFIELD (NP/S/0620/0511, AM)**

**APPLICANT: THORNSEAT LODGE LTD**

**Summary**

1. Thornseate lodge is located in open countryside adjacent to Bradfield Moors 2.2km west of Low Bradfield.
2. The application proposes the conversion and extension of the Lodge to create six units of holiday accommodation and the erection of a wedding venue and bunkhouse along with alteration to the existing access, creation of internal driveways, car park and associated landscaping.
3. Land to the west of the site is within the Peak District Moors (South Pennine Moors Phase 1) Special Protection Area (SPA) and the South Pennine Moors Special Area of Conservation (SAC). The proposed development is considered likely to have a significant effect on designated sites and therefore an appropriate assessment is required.
4. We agree with the conclusions of the submitted Shadow Habitats Regulations Assessment that, taking into account proposed mitigation that there would be no adverse effects upon the integrity of designated sites either alone or in combination with other plans or projects.

**Site and Surroundings**

5. Thornseate Lodge is located in open countryside approximately 2.2km west of Low Bradfield and adjacent to Bradfield Moors. The site was originally built and occupied as a shooting lodge and later occupied as a children's home. The building has been unoccupied for the past thirty years and the condition of the building has deteriorated significantly.
6. To the south west of the Lodge is the remains of a former stable block set within woodland comprising conifer plantation and self-set deciduous trees.
7. Land to the west of the site is within the Peak District Moors (South Pennine Moors Phase 1) Special Protection Area (SPA), South Pennine Moors Special Area of Conservation (SAC) and the Dark Peak Site of Special Scientific Interest (SSSI).

**Proposal**

**Lodge accommodation**

8. Restoration and extension of Thornseate Lodge and ancillary buildings to form holiday accommodation and ancillary guest facilities.
9. The plans show that the south-east elevation (front), north-east elevation (side), south – west elevation (side) and part of the north-west (rear elevation) would be retained. The remaining elevations and roof structure would be re-built and a new floor plan and two-storey rear extension would be constructed. New and replacement window and door frames would be provided.

10. The extension would be two storey projecting from the rear of the lodge. The extension would have two projecting gables and connecting flat roof structure reflecting the elevation behind and the roof and walls would be clad with natural stone and slate.
11. The lodge would be sub-divided internally to provide six holiday cottages, five with three bedrooms and one single bedroom. Each holiday cottage would have bathroom(s), kitchen / living room and a separate external access. A shared lounge / sitting room would be provided at ground floor.
12. The existing pool to the rear of the lodge would be removed / filled in. The existing modern garage to the rear of the lodge appears to be retained but is shown on the submitted visuals as a different structure constructed from stone with a pitched roof.

#### Wedding venue

13. The application states that the development would restore a historic stable block. However, the stable block buildings no longer exist. Therefore, the application proposes the erection of a new building in the location of the former stable block to be used as a wedding venue.
14. The wedding venue would have a total floor space of 868m<sup>2</sup> and include a dining area, stage, external courtyards, meeting rooms, catering area, entrance foyer, toilets and storage. The building would have a square plan form with one and two storey stone buildings with pitched roofs around the perimeter of an internal 'courtyard'. The whole of the internal courtyard would be provided with a glazed roof.
15. To the south west of the proposed wedding venue, an external courtyard would be created with stone retaining walls and stone steps down to the access road and car park.
16. An existing building known as the 'engine room' would be converted or re-built to create an open space with mezzanine above for use associated with the wedding venue.
17. A new detached building forming two-storey bunkhouse accommodation would be constructed on the ruins of a former building. This building would provide four bedrooms with 13 sleeping spaces, bathrooms, living room and kitchen.

#### Access, parking and landscaping

18. A landscaping scheme has been submitted. This shows that the existing access would be altered. The existing driveway to the lodge would be retained with the existing stone setts. Two new internal access roads would be created from the main access and existing drive to a proposed parking area. The new access roads along with hardstanding around the Lodge would have a tarmac surface.
19. The car park would provide 80 spaces for cars along with an additional overflow parking area. The car park would be surfaced with a mixture of tarmac and grass reinforcement mesh. Outside patio areas would be surfaced with paving flagstones.

#### Sustainable building, climate change and utilities

20. The application states that conversion of existing buildings is a sustainable form of development. The development will be built to meet modern standards of insulation, heating, lighting, glazing and draught-proofing. No low carbon or renewable energy technologies are proposed but the application does state that air source heat pumps will be explored at the detailed design stage.

21. The application states that foul drainage will be to a package treatment plant discharging to a drainage field or ditch. No other information or specification has been submitted with the application.
22. Surface drainage would be dealt with by a sustainable urban drainage strategy (SUDS). This would include cellular trench soakaways, oversized pipes, and storage with a restricted outfall managing runoff from surfaces and connecting downpipes to water butts.

### **RECOMMENDATION:**

**That this report be adopted as the Authority's assessment of likely significant effects on internationally important protected habitats and species under Regulation 63 of the Conservation of Habitats and Species Regulations 2019 (as amended) in relation to the current planning application at Thornseat Lodge.**

### **Key Issues**

23. Under Section 63 of the Conservation of Habitats and Species Regulations 2019 (as amended) (the Habitats Regulations) any development that has the potential to result in a likely significant effect (LSE) on a European site and is not directly connected with the management of the site for nature conservation reasons, must be subject to a Habitat Regulations Assessment (HRA).
24. Where the potential for likely significant effects cannot be excluded, a competent authority (in this case the National Park Authority) must make an appropriate assessment of the implications of the development for that site, in view the site's conservation objectives. The competent authority may agree to the plan or project only after having ruled out adverse effects on the integrity of the habitats site.
25. Where an adverse effect on the site's integrity cannot be ruled out, and where there are no alternative solutions, the plan or project can only proceed if there are imperative reasons of over-riding public interest and if the necessary compensatory measures can be secured.
26. The Habitat Regulation Assessment (HRA) process involves several stages, which can be summarised as follows:
27. Stage 1 – Likely Significant Effect Test (HRA screening). This stage requires a risk assessment to be undertaken utilising existing data, records and specialist knowledge. This stage identifies the likely impacts of a project upon a European Site and considers whether the impacts are likely to be significant. The purpose of the test is to screen whether a full appropriate assessment is required. Where likely significant effects cannot be excluded, assessing them in more detail through an appropriate assessment is required to reach a conclusion as to whether an adverse effect on the integrity of the site can be ruled out.
28. Stage 2 - Appropriate Assessment. This stage involves consideration of the impacts on the integrity of the European Site with regard to the structure and function of the conservation site and its objectives. Where there are adverse effects an assessment of mitigation options is carried out. If the mitigation cannot avoid any adverse effect or cannot mitigate it to the extent that it is no longer significant, then development consent can only be given if an assessment of alternative solutions is successfully carried out or the Imperative Reasons of Overriding Public Interest (IROPI) test is satisfied.
29. Stage 3&4 - Assessment of Alternative Solutions and Imperative Reasons of Overriding Public Interest Test (IROPI). If a project will have a significant adverse effect and this cannot be either avoided or mitigated, the project cannot go ahead unless it passes the IROPI test. In order to pass the test, it must be objectively concluded that no alternative solutions exist.

The project must be referred to the Secretary of State because there are imperative reasons of overriding public interest as to why the project must proceed. Potential compensatory measures needed to maintain the overall coherence of the site or integrity of the European Site network must also be considered.

### **Assessment**

30. A 'Shadow Habitats Regulations Assessment' (sHRA) has been submitted with the planning application. This document sets out a summary of the law, the conservation objectives of the relevant designated sites, assesses likely significant effects of the proposals and undertakes an appropriate assessment. The sHRA report is supported by breeding bird and bat survey reports.
31. The development is not directly connected with or necessary for the conservation management of the designated sites. Therefore, it is necessary to screen the development for likely significant impacts upon the designated sites.
32. The possible pathways for likely significant effect are:
  - Noise, illumination and visual disturbance impacts
  - Recreational disturbance impacts; and
  - Impacts related to fire / arson.
33. Given the proximity of the development to the designated sites likely significant effect from noise during construction and from noise and light disturbance during operation of the wedding venue cannot be screened out.
34. There is no direct access from the development site to the designated sites. Access is available from footpaths on Mortimer Road and Thompson House Green a short walk from the site. Visitors to the wedding venue would be unlikely to visit for recreation in the designated sites. Visitors to the holiday accommodation would be more likely to visit for this purpose, however, given the small scale of the holiday accommodation and absence of a direct route from the site there would be no significant increase in visitor pressure compared to the background level.
35. Therefore, likely significant effects from recreational activities that could lead to disturbance of birds, trampling or disturbance of habitats, littering or impacts from pet dogs is screened out.
36. Given the proximity of the development to the designated sites, the potential release of fireworks or sky lanterns related to celebrations could lead to a risk of wild fire at the heathland habitats of the sites, which are particularly susceptible to combustion. Likely significant effects in relation to the risk of fire cannot be screened out.
37. The screening stage cannot rule out likely significant effects. Therefore, an appropriate assessment of the potential impacts needs to be carried out.
38. The sHRA proposes a package of on-site mitigation measures to mitigate the impacts of the proposed development. These are intended to mitigate the potential for noise spill from the site (during construction and operation) and eliminate the risk of impacts from noise, illumination and fire by fireworks and lanterns and from the venue itself. The proposed mitigation measures are:

- The release of fireworks or sky lanterns, or any other such devices that cause short-term but significant noise and light disturbance, and fire risk, will not be permitted during any function held at Thornseat Lodge, at any time of the year. Guests of the holiday apartments will also be subject to the same restriction during their stay.
  - Acoustic insulation will be used in renovations and extensions at all site buildings where loud music could be played during functions, to reduce the level of noise that punctuates the outside space from internal function rooms.
  - An upper-decibel limit on any PA music system that may be generated from the outdoor and terrace spaces at the wedding venue between the hours of operation (13:00 to 00:00) will be implemented during the bird breeding season (March to August, inclusive).
  - Finally, the existing woodland buffer at the western site boundary will be strengthened with new planting of a well-vegetated boundary of native fruiting species, maintained during and post construction to help minimise disturbance of birds using nearby habitat, and managed for biodiversity and nature conservation through a Management Plan.
39. We have consulted Natural England and they agree with the conclusions of the sHRA report that taking into account the proposed mitigation that there would be no adverse effects upon the integrity of designated sites either alone or combination with other plans or projects.
40. We agree with Natural England that provided mitigation is secured by planning condition or planning obligation (as appropriate) that any potentially significant impacts upon the SAC and SPA can be avoided and that the pre-mitigation assessment of 'likely significant effect' can be revised to no likely significant effect.

### **Conclusion**

41. At stage 1 of the HRA, that in view of potential impacts of the development during construction and operation that an appropriate assessment is required.
42. At stage 2 of the HRA, we conclude that provided mitigation is implemented in full that any potentially significant impacts upon the SAC and SPA can be avoided and that the development would have no likely significant effect. Mitigation can be secured by planning condition or obligation (as appropriate).
43. The application proposal is therefore not considered to be contrary to the provisions of the Conservation of Habitats and Species Regulations 2019.

### **Human Rights**

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

### **List of Background Papers** (not previously published)

45. Nil
46. Report Author: Adam Maxwell, Senior Planner