

5. FULL APPLICATION – RE-ESTABLISHING THE MARQUIS OF GRANBY, PROVIDING 21 OPEN MARKET APARTMENTS (USE CLASS C3) WITH CAR PARKING AND LANDSCAPING, INCLUDING CIRCA 2.1 ACRES OF WOODLAND/GRASS AREA AT MARQUIS OF GRANBY, HATHERSAGE ROAD, SICKLEHOLME, BAMFORD (NP/HPK/0821/0890, AM)

APPLICANT: MARQUIS OF GRANBY (PEAK PARK) LTD

Summary

1. The site is located on Hathersage Road, approximately 1.1km south of the centre of Bamford.
2. The application proposes a major housing development comprising 21 open market apartments along with associated car parking and landscaping.
3. The application would not deliver public benefits to justify major development, would not deliver affordable housing to meet local need and would harm the landscape character of the National Park.
4. The application is recommended for refusal.

Site and Surroundings

5. The site is located on Hathersage Road, approximately 1.1km south of St John the Baptist's church in Bamford.
6. The site was formerly occupied by the Marquis of Granby hotel. The former buildings have been demolished as part of works to commence re-development of the site to a hotel.
7. Other works completed on site to date in relation to the development include the erection of a stone wall along part of the boundary to Hathersage Road and excavations in preparation for the development. There are mounds of spoil from the excavations on the east side of the site.
8. There are two access points onto the site from Hathersage Road, located on the west and east sides of the site respectively. The nearest neighbouring properties are Educational Planning Books Ltd and Sickleholme service station.
9. The site is adjacent to the River Derwent at Hathersage site of special scientific interest (SSSI). Parts of the site closest to the river are within flood zones 2 and 3.

Proposal

10. The erection of 21 open market residential apartments (within use class C3) along with car park, landscaping and creation of woodland / grass area on the site.
11. The plans show a mix of 15 x 2 bedroom apartments and 6 x 3 bedroom apartments within a three storey building in the north-west corner of the site.
12. The design of the building comprises four stone built elements with a mixture of pitched and flat roofs. These elements would be linked together with flat roofed sections recessed from the stone walls. The easternmost part of the building has been designed to emulate the main former Marquis building. Additional storage would be provided within a basement level.

13. The buildings would be constructed from nature gritstone with natural slate for the pitched roofs. Windows to the stone buildings would be timber within stone surrounds windows and doors within the linking structures would be aluminium. Full height glazing and balconies would be provided to the rear (south) elevation.
14. The existing access to the east created for as part of the approved hotel re-development is proposed to serve the proposed apartments. The access point to the west boundary would also be retained for use by refuse and emergency vehicles exiting the site along with pedestrian access for disabled people. A 50 space car park would be created to the north of the building with bin stores to the west and north boundary.
15. A communal garden area is proposed to the south of the building, which would be grass with a central pond, pathways and community orchard. An area of 'species rich grass' is proposed around the garden and access drive which would be enclosed by post and rail fencing. In the area beyond to the east of the building additional tree and shrub planting is proposed along with the creation of wildflower meadow and riparian woodland.
16. The scheme proposes the provision of air source heat pumps to provide heating and hot water along with primary and secondary ventilation to minimise energy consumption. The application documents refer to the potential to accommodate solar PV panels on the roof and a ground source heat pump but these are not shown on the submitted plans.

RECOMMENDATION:

That the application be REFUSED for the following reasons

- 1 The development would not be in the public interest and exceptional circumstances do not exist to justify the proposed major housing development. The proposed development is therefore contrary to policies GSP1, GSP2, DS1 and the National Planning Policy Framework.**
- 2 The development does not address local need for affordable housing contrary to policies HC1, DMH6 and the National Planning Policy Framework.**
- 3 The scale, design and character of the development would harm valued landscape character, as identified in the Landscape Strategy and Action Plan. The development is therefore contrary to policies L1, DMC1, DMC3 and the National Planning Policy Framework.**
- 4 Insufficient information has been provided to assess the impact of the development upon protected species and their habitat in and around the site contrary to policies L2, DMC11 and DMC12 and the National Planning Policy Framework.**

Key Issues

17. Whether there is a justification for the proposed major development
18. The impact of the proposed development upon the landscape, biodiversity and cultural heritage of the National Park
19. Whether a housing scheme on this site should deliver local need affordable housing.
20. Whether the development is acceptable in all other respects.

Relevant Planning History

21. 2007: NP/HPK/0506/0454: Planning permission granted conditionally for redevelopment to 35 x 2 bed apartments, 9 x 1 bed apartments, 3 x single rooms with restaurant, bar, meeting room, leisure and service functions within a hotel. Creation of new vehicular and pedestrian access.
22. 2009: NP/HPK/0309/0245: Planning permission granted to vary conditions 2 and 4 to allow variation to letting room layout and revision of plan numbers.
23. 2013: NP/NMA/0113/0078: Non-material amendment to application NP/HPK/0309/0245 – alterations to entrance to site.
24. 2013: NP/NMA/0513/0341: Non-material amendment – change to roof plan to incorporate plant and escape hatch and changes to function entrance and windows to north elevation.
25. 2017: NP/NMA/0309/0245: Non-material amendment to NP/HPK/0309/0245 – conditions 2, 4 and 6. This approved reversion of layout to apartments and single rooms as originally approved by application NP/HPK/0506/0454.
26. 2018: ENQ32958: Pre-application enquiry about 30 apartments and 8 affordable houses.
27. The Officer report concluded that the proposal was major development and explained the policy position set out by the NPPF and the development plan. Acknowledged that the site benefited from an extant planning permission for a hotel, however, this would be given limited weight as a fall-back position as the proposal was for a different development, which must be considered on its own merits and against current planning policies.
28. Significant concerns were raised about the scale and impact of the development (proposed at that time) and the need for the development. The proposed affordable housing would not offset or override this impact. The focus should be to consider what development is appropriate, if any, to achieve conservation and / or enhancement of the site. The primary objective of such a scheme would be effective conservation or enhancement. Then affordable housing should be considered as part of that scheme.

Consultations

29. Bamford Parish Council – Broadly supportive and hopes the application will be approved.
30. *“One aspect of the proposal is unsatisfactory however. The area has a need for affordable housing, yet this application proposes to provide no affordable housing in the mix because, as we understand it, the Authority’s policies do not encourage affordable housing to be created outside of established settlements. But this is a lost opportunity to provide Bamford with a number of affordable homes.*
31. *While we recognise that the policy aims, sensibly, to prevent affordable housing ‘in the middle of nowhere’, this site could hardly be so described. It is right next to Bamford’s only food shop (so is closer to that shop than almost every other home in the parish) and is within a couple of minutes’ walk from a bus terminal and a railway station - so, hardly in the middle of nowhere.*
32. *If there is no way in which PDNPA policies can be interpreted so as to include some affordable housing in this scheme, then so be it. The Parish Council will nevertheless regard this as a poor outcome (on this particular aspect of the scheme).”*

33. Hathersage Parish Council – General comment.

34. *“Councillors support the application on the basis that the site is an eyesore which the Hope Valley community has long been eager to finally see addressed/developed. Councillors note regret for a lost opportunity to include some affordable housing which could have benefited Hope Valley residents”.*

35. Highway Authority – No objection subject to conditions.

36. Borough Council – Object to the proposed development.

37. *“Although the site sits outside the settlement boundary, it is disappointing that no affordable housing is included within the application. Given the sites sustainable location, with easy access to both the bus, train and shop make it ideally situated for affordable housing. The Borough Council strives to deliver more affordable housing both in and out of the National Park which helps communities remain vibrant and thriving.*

38. *The Council worked in partnership with the PDNPA to undertake a parish housing need survey in 2015. The survey identified a need for 23 dwellings, predominately for 1 bed flats with a smaller need for 2 bed houses, 1 bed bungalows and 3 bed houses. Although the survey is over 5 years old, the Council consider this to still be relevant information and can be backed up by further data from the councils housing register. A considerable amount of work was undertaken to identify suitable sites following the 2015 surveys but due to a number of constraints we were not able to progress any to delivery stage.*

39. *There are currently 18 households registered on the Council housing register, who are seeking accommodation in Bamford, of which 8 households would meet the requirements of policy DMH2. It is important to acknowledge that a considerable amount of housing need is ‘hidden’, this was demonstrated in the 2015 housing need survey. The 2015 survey identified 22 households in need, of which only 9 households were registered on Home Options. It is likely that the unmet housing need in Bamford is significantly higher than the 18 households currently registered on Home Options, as this doesn’t not include households whose needs would be met by intermediate housing products such as shared ownership or Discount Market Sale/ Starter Homes. Given that house prices have continued to rise, it is highly probable that more average or lower quartile income families will be priced out of the market.*

40. *The Council would seek to secure a contribution in line with the outcome of the housing need survey 2015, but with regard to more recent data informing the need for rented accommodation. High Peak Borough Council object to the proposed development due to lack of affordable housing.”*

41. Lead Local Flood Authority – No objection subject to conditions.

42. Environment Agency – No objection subject to condition.

43. Emergency Planning Team – No response to date.

44. Natural England – No objection subject to appropriate mitigation being secured.

45. Civil Aviation Authority – No response to date.

46. PDNPA Archaeology – No objection.

47. PDNPA Conservation Officer – Makes the following comments:

48. *“The current proposal for a new scheme to reconstruct part of the Marquis building in a different position to the historic buildings. Further buildings are proposed, linked to this main one that will follow the line of the road, although set back to enable the service road and parking to be located away from the river.*
49. *The scale and massing of the current proposals is less than that of the extant permission, the buildings retain the two end buildings, makes amendments to that in the middle and removes the more extensive buildings.*
50. *The current proposals, whilst moving the building line away from the historic Marquis layout and the road, they do have a slight courtyard form, paying reference to the demolished buildings and their historical development.*
51. *The location and orientation of the proposed buildings are different to those of the historic buildings. The buildings are to be set back from the road and at a differing angle, the applicant says this is to open up the site and the roadside views as illustrated in the supporting information.*
52. *The building proposed is to reconstruct the Hathersage end of the Marquis of Granby using traditional materials and to a similar look of the demolished historic building. The building will be linked to the rest with glazed links and stone building with slate roof. The design proposed appears to include the key details of the historic building, including the hipped roof, chimney stacks and pots, and window surrounds. The adjacent parts use traditional design features such as a string course, stone window surrounds and roofing details.*
53. *The windows themselves will be timber and reflect the large paned windows from the historic photographs submitted. The balcony openings are large and modern openings with full height glazing, they are less sensitive on the main buildings, not the reconstructed element. The balconies are on the private side of the development, however they do have an impact on the character of the development. These details would need to be carefully designed to ensure they are of the quality this prominent site requires.*
54. *The overall design and scale of the buildings proposed appear sensitive to the site and the historic buildings that have unfortunately been demolished, and the quality of the architectural details could be conditioned.”*
55. PDNPA Ecology – Object to application as submitted and makes the following comments:
 56. *“The current Ecological Appraisal is poor. The habitat assessment has lumped together the ephemeral/ruderal vegetation and the drainage channels into one category and the habitat is best described as it was in the 2018 Ecological appraisal. I would like to see a full species list and also percentage cover of indicator species included in the information provided.*
 57. *Although an Ecological Protection Zone is proposed (with no details given), the development would still encroach onto the watercourse due to the proposals including an outflow structure. Therefore there will be an impact on the river and protected species present. In addition, there is likely to be an indirect impact on these as a result of the development (e.g. increased disturbance/predation on water voles due to the presence of cats and dogs, as well as increased disturbance by people). The Ecological Appraisal makes a number of assumptions regarding the presence of protected species, but not survey works have been carried out to ascertain their presence. Further survey is required to determine the presence of water vole, otter and key riparian bird species using appropriate methods. If they are found to be present then appropriate mitigation*

and compensation measures must be provided with the report. Enhancement measures for these species must also be considered.

58. *The potential for reptiles was flagged previously, but not flagged this time and no mitigation/precautionary measures have been provided.*
59. *My colleague has alerted me to the presence of suitable amphibian habitat on site. I would suggest a terrestrial survey coupled with surveying the deeper drainage channels is required to establish whether great crested newts (GCN) or other amphibians are present on site. Appropriate mitigation, compensation and enhancement measures will be required if GCN or any other amphibians are present on site.*
60. *The development has potential to impact on bats, but no further survey has been carried out. A transect survey, coupled with anabat recordings should be carried out in accordance with BTC guidelines. The survey should concentrate on the river along with any other flight corridors (e.g. hedgerows). Impacts of the development on commuting bats must be considered, especially Myotis species, which are light sensitive.*
61. *Himalayan balsam is known to be present along the river and we also have recent records for Crassula helmsii at this site. A thorough survey for invasive species needs to be carried out. Invasive species found on site need to be mapped and a management plan will be required for any invasive plant species found on the site. Invasive species will also need to be considered during the construction period, ensuring that strict biosecurity measures are put in place during the works to prevent spread around the site and elsewhere. I am particularly concerned about Crassula helmsii, which is very invasive and can even be transported in the tread of shoes. A 5mm fragment of Crassula helmsii is sufficient to cause an invasion in another water body. Its presence is particularly concerning given the proximity to the river and proposals for any SUDs systems at this site. I would recommend that a programme of control for this species is initiated as soon as possible.”*
62. Officer Note: The applicant has submitted a revised ecological appraisal to address the concerns raised by our ecologist. We await further comments from our ecologist, which will be verbally updated at the meeting.
63. PDNPA Landscape – Object to application as submitted and makes the following comments:
 64. *“While it is accepted that the site contains detracting features (such as the mounds and its overall derelict nature), it is not correct to assume that therefore the form of development proposed would necessarily be positive. In terms of susceptibility, due to its visibility from a major road / proximity to junction – I consider that the site has a high susceptibility to the form of change proposed, not low as stated.*
 65. *The landscape and visual appraisal (LVA) identification of landscape receptors is poor – in no way should the overall national character area (NCA) or Derwent Valley landscape character area (LCA) be considered as landscape receptors for the scheme – the scale of these is far too large. While it is probably fair to consider the landscape character type (LCT) as a landscape receptor, the LVA should define a more appropriate scale landscape receptor (between site scale and LCT scale). This has not been carried out, so the findings of the LVA on wider landscape character will not be robust and should effectively be discounted – for example, the finding that Year 15 effects on the LCA / LCTs as ‘negligible beneficial’ does not stand any scrutiny.*

66. *Effects at the construction phase are also not considered within the LVA. In terms of visual effects, the viewpoint selection appears unusual – some viewpoints seem to be sited in areas where the development cannot be seen? The assessment of effects is generally poorly considered and poorly defined within the LVA and I do not therefore consider the supplied LVA to be a robust or accurate assessment of the potential effects of the application scheme.*
67. *In terms of the supplied masterplan, the design objectives and detail of the design are also weak. For example, in terms of scheme design, the relationship of the building frontage to the A6187 is weak and the built form is too prominent. I would prefer to see a stronger ‘landscape buffer’ between the building and the A6187, with parking areas moved to the side (east) of the communal garden area. This can be seen from the photomontages, where the proposed building (while admittedly less prominent than the extant scheme) is a prominent new element which is not well accommodated – a few trees set in amongst extensive areas of parking is not strong enough in this location in my view.*
68. *The design/layout of the communal gardens have the potential to be a positive feature, but no detail of this area is supplied (it simply seems to be ‘lawn’ grading into ‘species rich grassland’?) and is therefore a missed opportunity. Design / concepts for the open spaces on site are also weak - what is the difference in terms of design objectives between ‘species rich grassland’ and ‘wildflower meadow’? What is the purpose of these 2 mixes, how are they to be maintained and what is their long term purpose?*
69. *Is there scope for extending the riparian woodland areas through additional tree planting in addition to the proposed scrub edge? How are the scrub areas going to be maintained – is the intention to allow them to develop into woodland or will they be maintained as a scrub edge?*
70. *While the derelict nature of the application site is not a positive feature, I do not support this application as it stands. While I think that the landscape proposals do not respond adequately to the site and its surroundings, I think the scheme could be accommodated into the landscape to an acceptable degree with some relatively simple but fundamental changes to the landscape layout.”*
71. **Officer Note:** Amended plans have been submitted following the comments from our Landscape Officer. However, our Landscape Officer has commented that these do not address the concerns and therefore that they object to the scheme as submitted.
72. **PDNPA Policy** – Object to the application for the following reasons:
73. *“Policy DS1c sets out that in the countryside outside the Natural Zone, development is acceptable if it secures effective conservation and enhancement and it is clear from para 4.4 of the applicant’s Planning Statement that they are justifying the development on this basis and on Development Management Policy (DMP) policy DMH6: Re-development of previously developed land to dwelling use. However, in both cases conservation and enhancement is key, linking it back to Core Strategy policies GSP1 GSP2 and National Park purposes. The applicant, in their Planning Statement, notes NPPF para 177, that it is a major housing development in a National Park and that exceptional circumstances are required. However, they fail to set out what the exceptional circumstances are to justify the development. They refer to landscape, visual and design improvements and to enhancing the site as a result of the development (which I leave to my landscape and ecology colleagues to comment on) but to no specific exceptional circumstances. Conservation and enhancement is a requirement of all development in the National Park it is not an exceptional circumstance.*

74. *The applicant states in their planning statement, they have a ‘fall back’ position (NP/HPK/0506/0454) to develop the site as approved for 35 x 2 Bed Apartments, 9 x 1 Bed Apartments, 3 x Single Rooms with Restaurant, Bar, Meeting Room, Leisure and service functions within a hotel. This planning consent was confirmed valid by a QC even though the buildings are no more, and the application has been started on site. This has not been challenged by the Authority and the applicant can pursue this route. I have no objection to the applicant pursuing this route as this is an extant permission, however it is not a comparable use, and should not be used as leverage to gain planning permission for a different end use. This site has historically been used for the purpose for which planning permission was granted.*
75. *The application is for major market housing development in the National Park. The National Planning Policy Framework (NPPF) at paragraph 177 states that applications for major development should be refused other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest, and that this should include an assessment of the need for development. The PDNPA does not have a housing delivery target to deliver market housing as it is a National Park and is exempt from this requirement. Core Strategy Policy GSP1: securing national park purposes and sustainable development states E. In securing national park purposes major development should not take place within the Peak District National Park other than in exceptional circumstances. Major development will only be permitted following rigorous consideration of the criteria in national policy.*
76. *No exceptional circumstances have been demonstrated for the proposed major development and is contrary to policy GSP1 of the Local Plan and NPPF para 177.*
77. *The application is for market housing. It is understood that there is a need for affordable housing in the area and High Peak Borough Council is submitting a formal consultation response to set out the need in Bamford. It is disappointing that no affordable housing has been included as part of the application after discussions with the Authority officers have indicated a need in the area. Whilst the site is outside of Bamford settlement, it is in a highly accessible location, close to the train station, bus stop, and local shop/petrol station. If it is considered that market housing is acceptable in this location then the provision of affordable housing must form part of the consideration process too. The applicant refers to DMH6 as one of the main policies for determining this application. As stated in the DMP for previously developed sites in para 6.104 - If affordable houses are needed in the location, a contribution towards meeting this need should be provided on site.*
78. *It is important in the decision making process that it is understood that this proposal is for a major housing development outside of a named settlement and the Local Plan is silent on the issue of affordable housing in this context. Consequently we look to the NPPF for the policy direction. At the national planning level, the NPPF Para 65 clearly states - where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the total number of homes to be available for affordable home ownership. The applicant has failed to submit a scheme that includes affordable housing provision. The proposal is contrary to NPPF para 65 as it fails to provide affordable housing as part of the development scheme.*
79. *It is important to note that the provision of affordable housing is a requirement of any major housing development in accordance with the NPPF and as such the provision of affordable housing as part of a market housing scheme is not an exceptional circumstance to justify the proposal. I would also stress that the expectation is for at least 10% of the total number of homes to be made available for affordable housing, the Authority could ask for more if the need is identified.”*

80. Officer Note: PDNPA Policy have made the following additional comment in response to the submission of correspondence from the applicant:
81. *“The applicant argues that sites have been assessed in Bamford for affordable housing as part of a housing need survey (HNS) and therefore they do not need to provide affordable housing on the Marquis of Granby site. My response to this point is a village appraisal of possible sites in Bamford to address the housing need arising from the HNS does not mean the sites assessed were available. The assessment was carried out early 2016 and no site has progressed.*
82. *What is clear and cannot be contested is that providing affordable housing on major development sites is a requirement clearly set out in the NPPF, as I referenced in my previous email.*
83. *It is not the role of the Local Plan to repeat the NPPF. Neither is it the role of the Authority to ignore the NPPF when determining applications for proposals for which the Local Plan is silent on. Being silent on a matter does not imply it was considered at a Local Plan examination and that the Local Plan overruled the policy direction of the NPPF. That would make the Local Plan unsound.*
84. *To approve a major housing scheme without affordable housing (and no forthcoming reasons to demonstrate it is unviable) would not be consistent with national policy.*
85. *Finally, if there was any doubt in the Authority’s approach to affordable housing on sites developed for housing (whatever their site size may be), Core Strategy para 12.18 clarifies this by stating.*
86. *Occasionally, new housing (whether newly built or from re-use of an existing building) may be the best way to achieve conservation and enhancement (for example of a valued building) or the treatment of a despoiled site. Sometimes this requires the impetus provided by open market values, but wherever possible and financially viable such developments should add to the stock of affordable housing, either on the site itself or elsewhere in the National Park.”*
87. PDNPA Transport Policy – No objection subject to planning conditions to require cycle storage for visitors, provision of electric vehicle charge points and a resident’s travel plan.
88. PDNPA Tree Officer – No response to date.

Representations

89. We have received 42 letters of representation to date. Of the total 21 support the application, 10 object to the application and 11 make general comments. The letters are summarised below.

Support

- The site is derelict and detracts from the area.
- The development will enhance the area.
- The design will rebuild the Marquis of Granby to a similar but better design.
- The design incorporates traditional materials and detailing.
- The proposed landscaping scheme will enhance the site.

- The development will enhance biodiversity.
- The development will address the shortage of housing in the National Park in an ideal location.
- The development will incorporate air and ground source heat pumps.
- The development will bring in more residents and boost the local economy.

Object

- Access and egress from the site onto a main road with a 60mph limit – query if this will be traffic light controlled.
- The development does not include any affordable housing.
- There is a lack of affordable housing within the Hope Valley.
- This site is located within a sustainable location and is suitable for affordable housing.
- The proposed housing is likely to be purchased by investors or as holiday lets.
- The development should include a mixture of market and affordable housing to meet the needs of local communities.
- Affordable housing is a requirement of the Local Plan.
- This site is on the edge of Bamford and therefore there is a requirement for the development to provide affordable housing.
- There is a demonstrable need for affordable housing upwards of 50 dwellings in Bamford and Hathersage. No other sites in the vicinity have been identified for affordable housing.
- Even if the site were removed from Bamford the provision of affordable housing should be welcomed.
- The original plans for a hotel would have provided employment and some amenities to the village. It is unlikely that this development will provide anything for the village and not provide any local employment.
- The proposed 50 car parking spaces seems excessive while space for only 6 bicycles is too little.
- The proximity of the development to the river will create a serious safety risk for future residents, particularly children. There should be no direct access to the river from anywhere in the site.
- Surprised that the development does not require a full environmental impact assessment because it adjoins the banks of the river and it is important to ensure that wildlife habitats are not disturbed and that water quality is not adversely affected by the site works and the final design.

General comment

- Careful consideration is needed for increased traffic on an already busy section.

- The development does not include any affordable housing.
- Query if anyone locally could afford the proposed apartments and if the apartments could be bought or let as holiday homes.
- The apartments would not provide employment for local people.
- Raise legal issues about right of way / right of access from the site along the land to the west.
- Query how traffic using the west access will be limited to emergency and refuse vehicles only. How will residents be prevented from using this access?
- Query why the Authority does not have the powers to order that this land be restored.
- Query why the apartment block has to be positioned in this part of the site close to the petrol station and traffic lights. Locating the block more centrally will be more attractive to buyers.
- Request that a planning condition is imposed requiring that habitat for swifts is provided as a universal biodiversity enhancement for urban bird species.
- Raise procedural issues in relation to the application.
- Raise errors in the submitted application and plans.
- The high and steep riverbank poses a risk to persons that would be living, working and visiting the site.
- Upper Hurst Brook flows North to South into the Derwent either within the site or at its Eastern boundary. This is a potential wildlife corridor from the river up to the moorland of Bamford Edge. It does not seem to be mentioned in the Ecological Appraisal or the Landscape and Visual Appraisal documents and this seems to be an omission from the study. The impact of the development may be none or insignificant depending upon the plans for that end of the site but the impact should have been analysed and it would be good to see some statement of future intent for that part of the site such as preventing access from the site during development and subsequently in order to ensure that it remains undisturbed for wildlife.
- Query how it has been established that the public sewers available are adequate for the number of new properties and that the additional use will not create a problem or blockage?
- Query what measures will be put in place to stop residents from parking on the main road?

Main Policies

90. Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L1, L2, L3, CC1, CC5, HC1, T1, T2 and T7
91. Relevant Development Management policies: DMC1, DMC3, DMC4, DMC5, DMC8, DMC11, DMC12, DMC13, DMC14, DMH6, DMT3, DMT8, DMU1 and DMU2.

National Planning Policy Framework

92. The National Planning Policy Framework (NPPF) should be considered as a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. In the National Park, the development plan comprises our Core Strategy 2011 and the Development Management Policies 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. There is no significant conflict between the development plan and the NPPF and therefore our policies should be given full weight in the determination of this application.
93. Paragraph 176 states that great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads.'
94. Paragraph 177 states that planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:
- a) The need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy.
 - b) The cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
 - c) Any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.
95. Paragraph 65 states that where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the total number of homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups. Exemptions to this 10% requirement should also be made where the site or proposed development:
- a) Provides solely for Build to Rent homes;
 - b) Provides specialist accommodation for a group of people with specific needs (such as purpose-built accommodation for the elderly or students);
 - c) Is proposed to be development by people who wish to build or commission their own homes; or
 - d) Is exclusively for affordable housing, an entry-level exception site or a rural exception site.
96. Paragraph 78 states that in rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs, and consider whether allowing some market housing on these sites would help to facilitate this.

97. Paragraph 79 states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.
98. Paragraph 80 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 building; or
 - e) the design is of exceptional quality, in that it:
 - i. is truly outstanding, 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.
99. Paragraph 113 states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.
100. Paragraph 119 states that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed land (except where this would conflict with other policies in the NPPF).
101. Paragraph 120 a) says that planning decisions should encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside.
102. Paragraph 159 states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.
103. Paragraph 167 says that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:

- a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
- b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;
- c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
- d) any residual risk can be safely managed; and
- e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

Peak District National Park Core Strategy

- 104. Policy DS1 sets out the Development Strategy for the National Park. DS1.C. sets out the forms of development that are acceptable in principle in the countryside outside of the Natural Zone. There is no scope for the erection of new housing here other than as part of development needed to secure effective conservation and enhancement.
- 105. Policy GSP1 requires all development to be consistent with the National Park's legal purposes and duty. Where there is an irreconcilable conflict between the statutory purposes, the Sandford Principle will be applied and the conservation and enhancement of the National Park will be given priority.
- 106. GSP1. E says that in securing national park purposes major development should not take place other than in exceptional circumstances. Major development will only be permitted following rigorous consideration of the criteria in national policy. GSP1. F says that where a proposal for major development can demonstrate a significant net benefit to the national park, every effort to mitigate potential localised harm and compensate for any residual harm to the area's valued characteristics would be expected to be secured.
- 107. GSP2 says that opportunities for enhancing the national park will be identified and acted upon. Proposals must demonstrate that they offer significant overall net benefit to the natural beauty, wildlife and cultural heritage of the area. They should not undermine the achievement of other core policies.
- 108. 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, impact on living conditions of communities, impact on access and traffic levels and use of sustainable modes of transport.
- 109. L1 says that development must conserve and enhance valued landscape character, as identified in the Landscape Strategy and Action Plan, and other valued characteristics.
- 110. L2 says that development must conserve or enhance any sites, features or species of biodiversity or geodiversity importance and where appropriate their setting. Other than in exceptional circumstances development will not be permitted where it is likely to have an adverse impact on any sites, features or species of biodiversity or geodiversity importance.

111. L3 says that development must conserve and where appropriate enhance or reveal the significance of archaeological, architectural, artistic or historic assets and their settings, including statutory designations and other heritage assets of international, national, regional or local importance. Other than, in exceptional circumstances development will not be permitted where it is likely to cause harm to the significance of any cultural heritage asset.
112. CC1 says that in order to build in resilience to and mitigate the causes of climate change all development must: make the most efficient and sustainable use of land, buildings and natural resources; take account of the energy hierarchy; be directed away from flood risk areas and reduce overall risk from flooding; achieve the highest possible standards of carbon reductions and water efficiency.
113. CC5. C says that development which increases roof and hard surface area must include adequate measures such as Sustainable Drainage Systems to deal with the run-off of surface water. Such measures must not increase the risk of a local water course flooding.
114. HC1 says that provision will not be made for housing solely to meet open market demand. Housing land will not be allocated in the development plan. Exceptionally, new housing can be accepted where:
 - A. It addresses eligible local needs:
 - I. For homes that remain affordable with occupation restricted to local people in perpetuity; or
 - II. For aged persons' assisted accommodation including residential institutions offering care, where adequate care or assistance cannot be provided within the existing housing stock. In such cases, sufficient flexibility will be allowed in determining the local residential qualification to take into account their short term business needs whilst maintaining local residency restrictions for the long term.
 - B. It provides for key workers in agriculture, forestry or other rural enterprises in accordance with core policy HC2.
 - C. In accordance with core policies GSP1 and GSP2:
 - I. It is required in order to achieve conservation and/or enhancement of valued vernacular or listed buildings; or
 - II. It is required in order to achieve conservation or enhancement in settlements listed in core policy DS1.

Any scheme proposed under C1 or CII that is able to accommodate more than one dwelling unit, must also address identified eligible local need and be affordable with occupation restricted to local people in perpetuity, unless:

- III. It is not financially viable, although the intention will still be to maximise the proportion of affordable homes within viability constraints; or
- IV. it would provide more affordable homes than are needed in the parish and the adjacent parishes, now and in the near future: in which case (also subject to viability considerations), a financial contribution will be required towards affordable housing needed elsewhere in the National Park.

115. T1 aims to reduce the general need to travel within the National Park and encourage sustainable transport. T2. C says that modal shift to sustainable transport will be encouraged. T2. E says that impacts of traffic within environmentally sensitive locations will be minimised. T2. F says that sustainable access for the quiet enjoyment of the National Park, that does not cause harm to the valued characteristics, will be promoted.
116. T2. F says that sustainable transport patterns will be sought that complement the development strategy. Travel plans will be used to encourage behavioural change to achieve a reduction in the need to travel, and to change public attitudes toward car usage and public transport, walking and cycling. Travel plans to reduce traffic movements and safeguard transport infrastructure will be required on appropriate new developments and encouraged on existing developments.
117. T7. B says that residential parking and operational parking for service and delivery vehicles will be the minimum required for operational purposes, taking into account environmental constraints and future requirements.

Development Management Policies

118. DMC1. A says that in countryside beyond the edge of designated settlements any development proposal with a wide scale landscape impact must provide a landscape assessment with reference to the Landscape Strategy and Action Plan. The assessment must be proportionate to the proposed development and clearly 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: the overall strategy for the relevant Landscape Strategy and Action Plan area, any cumulative impact and the effect of the proposal on the landscape.
119. Policy DMC3. A says where development is acceptable in principle, it will be permitted provided that 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 that contribute to the distinctive sense of place.
120. Policy DMC3. B sets out various aspects that particular attention will be paid to including: siting, scale, form, mass, levels, height and orientation, settlement form and character, landscape, details, materials and finishes landscaping, access, utilities and parking, amenity, accessibility and the principles embedded in the design related SPD and the technical guide.
121. Policy DMC4. A says that applications should provide sufficient information to allow proper consideration of the relationship between a proposed development and the settlement's historic pattern of development including the relationship of the settlement to local landscape character. The siting of the development should complement and not harm the character of these settlements.
122. Policy DMC4. B states that development that is separated from the existing settlement to such a degree that it no longer forms part of the whole, or is likely to result in pressure to infill an intervening gap, will not be permitted.
123. Policy DMC5 says that applications for development affecting a heritage asset, including its setting must clearly demonstrate its significance including how any identified features of value will be conserved and where possible enhanced and why the proposed development is desirable or necessary. The supporting evidence must be proportionate to the significance of the asset and proposals likely to affect archaeological and potential archaeological interest should be supported by appropriate information.

124. DMC5. E says that if applicants fail to provide adequate or accurate detailed information the application will be refused. DMC5. F says that development of a non-designated heritage asset will not be permitted if it would result in any harm to, or loss of, the significance, character and appearance of a heritage asset unless the development is considered by the Authority to be acceptable following a balanced judgement that takes into account the significance of the heritage asset.
125. Policy DMC8. A says that applications for development that affects the setting of a conservation area should assess and clearly demonstrate how the character or appearance and significance of the conservation area will be preserved or enhanced in accordance with policy DMC5.
126. Policy DMC11. A says that proposals should aim to achieve net gains to biodiversity or geodiversity as a result of development. In considering whether a proposal conserves and enhances sites, features or species of wildlife, geological or geomorphological importance all reasonable measures must be taken to avoid net loss.
127. DMC11. B says details of appropriate safeguards and enhancement measures for a site, feature or species of nature conservation importance which could be affected by the development must be provided, in line with the Biodiversity Action Plan and any action plan for geodiversity sites, including provision for the beneficial future management of the interests. Development will not be permitted if applicants fail to provide adequate or accurate detailed information to show the impact of a development proposal on a site, feature or species including:
- i. an assessment of the nature conservation importance of the site; and
 - ii. adequate information about the special interests of the site; and
 - iii. an assessment of the direct and indirect effects of the development; and
 - iv. details of any mitigating and/or compensatory measures and details setting out the degree to which net gain in biodiversity has been sought; and
 - v. details of provisions made for the beneficial future management of the nature conservation interests of the site. Where the likely success of these measures is uncertain, development will not be permitted.
128. DMC11. C says that for all sites features and species development proposals must also consider cumulative impacts and the setting of the development in relation to other features of importance, taking into account historic, cultural and other landscape context.
129. DMC12. A says that for Internationally designated or candidate sites, or European Protected Species, the exceptional circumstances where development may be permitted are those where it can be demonstrated that the legislative provisions to protect such sites or species can be fully met.
130. DMC12. B says that for sites, features or species of national importance, exceptional circumstances are where the development is essential for the management of those sites, features or species; or for the conservation and enhancement of the National Park's valued characteristics; or where the benefits of the development at a site clearly outweigh the impacts on the features of the site that make it of special scientific interest and any broader impacts on the national network of SSSIs.

131. DMC12. C says that for all other sites, features and species, development will only be permitted where significant harm can be avoided and the conservation status of the population of the species or habitat concerned is maintained; and the need for, and the benefits of, the development in that location clearly outweigh any adverse effect.
132. Policy DMC13 says that planning applications should provide sufficient information to enable impact on trees, woodlands and other landscape features to be properly considered. Development should incorporate existing trees and hedgerows which positively contribute which should be protected during the course of the development.
133. Policy 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.
134. Policy DMH6 states that re-development of previously developed land for housing will be permitted provided that:
 - i. the development conserves and enhances the valued character of the built environment or landscape on, around or adjacent to the site; and
 - ii. where the land is inside or on the edge of a Core Strategy policy DS1 settlement, and subject to viability, an element of the housing addresses local need for affordable housing potentially including starter home or custom or self-build housing provision.
135. Policy DMT3. B says 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.
136. Policy DMT8. A states that off-street car parking for residential development should be provided unless it can be demonstrated that on-street parking meets highway standards and does not negatively impact on the visual and other amenity of the local community. This should be either within the curtilage of the property or allocated elsewhere. DMT8. C says 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.
137. DMU1 says that new or upgraded service infrastructure for new development will be permitted subject to the requirement that full details are provided in the planning application and it: does not adversely affect the valued characteristics of the area; and any new land use does not commence prior to the appropriate delivery of the services.
138. DMU2 A. says that development of utilities infrastructure will not be permitted unless it is to improve or extend the service to the communities and businesses of the National Park, and can be provided without harm to the valued characteristics of the area or to other established uses. Infrastructure and ancillary works or buildings should be located, designed and landscaped to minimise their impact on the built and natural environment, and on any other established activities.
139. DMU2. B says that infrastructure services to new development or improved services to existing uses should be placed underground.

Supplementary planning documents (SPD) and other material considerations

140. The adopted climate change and sustainable building SPD provides detailed guidance on construction methods and renewable technologies along with a framework for how development can demonstrate compliance with policy CC1.
141. The adopted design guide SPD and supporting building design guide provides detailed guidance on the local building tradition within the National Park and how this should be utilised to inform high quality new design that conserves and enhances the National Park.
142. The adopted transport design guide SPD provides detailed guidance on the design of transport infrastructure including access layouts, parking and future technology such as electric vehicle charge points and autonomous vehicles.

Assessment

Principle

143. The application proposes the erection of a residential apartment block comprising 21 dwellings along with associated landscaping works and car park. Due to the nature and scale of the development and potential impact upon the National Park, we consider that proposal is major development for the purposes of paragraph 177 of the NPPF and policy GSP1.
144. These policies state that within National Parks permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. When considering such applications policy GSP1 says we must make a rigorous assessment of the application in accordance with paragraph 177 of the NPPF.
145. The long-standing housing policy within the National Park is that it is not acceptable in principle to provide housing simply to meet market demand. There are no housing targets within the National park and housing development is only acceptable in exceptional circumstances.
146. Chapter 12 of the Core Strategy establishes where new housing is acceptable in principle. It firstly directs the majority of new build development to a range of settlements set out in policy DS1 and then describes the more limited scope for development elsewhere in the National Park. Outside of policy DS1 settlements new housing is only acceptable where it is required in order to achieve conservation and/or enhancement of valued vernacular or listed buildings in accordance with policy HC1. C. II or exceptionally where development and alternative uses are needed to secure effective conservation and enhancement in accordance with policies DS1. C and GSP2.
147. We note representations received arguing that the site should be considered within or on the edge of Bamford. There is no defined settlement boundary for Bamford, instead policy DMC4. C is relevant and says that development that is separated from the existing settlement to such a degree that it no longer forms part of the whole, or is likely to result in pressure to infill an intervening gap will not be permitted.
148. This site is located approximately 1.1km from the centre of Bamford. To the south of Mill Lane there is a substantial gap of open fields punctuated by industrial buildings, the recreation ground, the caravan site and culminating at Mytham Bridge / Bamford Station. The garage / petrol station lies further beyond with the application site again further away on the far side of Hathersage Road. Given the significant distance and intervening open fields between this site and the centre of Bamford our view is that this site is not within or on the edge of Bamford.

149. The site was formerly occupied by the Marquis of Granby hotel. The former hotel buildings were demolished between 2009 and 2011 following the grant of planning permission for redevelopment of the site for a hotel (see planning history). Works to implement the planning permission have also been carried out including the excavations of part of the site to formation level, completion of the northern roadside boundary wall, works to services and completion of the new layby and access.
150. Construction works subsequently stalled and the general condition of the site has remained largely unchanged over the past ten years. Nevertheless, the planning permission for redevelopment of the site for a hotel has been implemented and remains extant. The site falls within the definition of previously developed land and therefore policy DMH6 is relevant.
151. Policy DMH6 allows housing development on previously developed land in principle. However, paragraph 6.9 of the housing chapter of the Development Management Policies (DMP) states that Core Strategy policy HC1 must be read in conjunction with policy DMH6. Paragraph 6.97 also states that outside of DS1 settlements applications for housing will be assessed against policies DS1 and GSP2.
152. Fundamentally, however, the proposal is for a major housing development in the National Park. Therefore, the first policy test is to determine if there are exceptional circumstances to justify the development and if the development is in the public interest following rigorous examination of the tests in paragraph 177 of the NPPF. If major development is justified then the erection of housing is acceptable in principle if it would deliver conservation and enhancement in accordance with policies DS1. C and GSP2.
153. Therefore, the key issue in assessing the principle of this development is whether there are exceptional circumstances to justify a major housing scheme in the National Park and if the development is in the public interest in accordance with policies GSP1, GSP2, DS1, HC1, DMH6 and paragraph 177 of the NPPF.

Affordable housing

154. We note the consultation response from High Peak Borough Council and representations about the need for affordable housing in the local area and that this site should provide affordable housing. We recognise that while the site is outside of Bamford that compared to many sites in the open countryside, it is in a relatively sustainable location due to its close proximity to Bamford railway station, bus stops and the nearby shop / garage. This is a material consideration particularly in the assessment of whether the site could be appropriate for affordable housing.
155. The latest housing need survey carried out in 2015 for Bamford identified a need for 21 affordable dwellings. Based upon the current housing register the Borough Council advise that the need is now likely to be significantly higher. Hathersage is an adjacent parish and the 2015 survey identified a minimum of 16 households in need of affordable housing.
156. This application proposes open market housing. None of the proposed apartments would be local need affordable housing. The applicant has referred to advice from the former Head of Conservation and Planning that policy DMH6 makes no requirement for affordable housing for sites outside of a DS1 named settlement.
157. Notwithstanding the advice previously given, we must assess the application against policies in the development plan, the NPPF and any other material considerations. We have sought advice from the policy team on this matter (see consultation section of this report).

158. Policy DMH6 does not state a requirement for affordable housing on previously developed sites outside of named settlements. However, the supporting text states that DMH6 must be read in the context of core policies including HC1 and that if affordable housing is needed in the location it should be provided on site.
159. The advice from the policy team is that while DMH6 is silent on the issue of affordable housing on sites outside of named settlements this policy must be applied in the context of our core housing policies and national policies, which are restrictive and focus on providing housing to meet identified local needs. Where new housing may be the best way to achieve conservation and enhancement this may require the impetus of open market values but wherever possible such development should add to the stock of affordable housing.
160. Paragraph 65 of the NPPF also sets a general requirement of a minimum 10% affordable housing on all proposals for major housing development. Taken as a whole, policies do recognise that market housing may be required to achieve conservation and enhancement but wherever possible require developments to provide affordable housing to meet local needs.

Extant planning permission for a hotel as a fall-back position

161. The application site benefits from an extant planning permission for a hotel. Since planning permission was granted the former hotel buildings have been demolished and the development implemented, but construction works have since stalled. The applicant has stated during previous discussions that the approved hotel is not viable. However, this application makes the case that there is a realistic prospect of the hotel development being carried out and that the erection of the approved hotel development is a fall-back position available to the applicant, which is therefore a material consideration in the determination of the current application.
162. The application refers to the approved hotel scheme as a permission for 'non-permanent residential use'. However, it is clear that the approved scheme is for a hotel and not for residential development.
163. The application also argues that in a number of respects that the proposed housing scheme represents an enhancement in design, scale, landscaping and environmental benefits compared with the approved hotel development.
164. It is not clear what the likelihood of the approved hotel development being completed is. The applicant has previously stated that the hotel scheme is not viable. However, we accept that the planning permission for the hotel remains extant and that it is possible that the applicant or another developer may carry out the development at some point in the future. Therefore, the implemented hotel permission is a material consideration in the assessment of this scheme as a fall-back position.
165. However, the Authority made the decision to approve planning permission for the hotel scheme on its own merits. We took the decision that the redevelopment and expansion of a hotel on this site was acceptable in the context of the historic use of the site and the desire to restore the buildings. We considered that the redevelopment would provide additional visitor accommodation and employment on an important gateway site in the valley and that any additional landscape impact could be mitigated by the design.
166. It therefore does not automatically follow that because redevelopment for a hotel was granted that the site is now acceptable or more acceptable for a major housing development. This application is for a different category of development, which raises materially different planning issues and must be considered now on its own merits.

167. The hotel planning permission remains extant and could be completed at any time. However, there is no justification for the proposed major housing development on the basis that there is an extant permission for a hotel or that the development would in some way avoid or prevent the prospect of the hotel development being completed. Therefore, the fall-back position of a hotel should be given very little weight in the consideration of this application.

Design and landscape impact

168. The former hotel buildings have been completely demolished and the site is beginning to green over behind the stone boundary wall and hedging which runs approximately two thirds along the length of the main road. From the road and in the wider landscape the spoil piles to the east of the site and beyond the hedge are the only obvious indications that development has commenced.
169. Therefore, while the condition of the site is unsatisfactory, any adverse impact upon the amenity of the local area is mostly limited to closer vantage points from the adjacent main road. The current condition of the site has only a very limited adverse impact upon the landscape character of the National Park and any assessment of need for the proposed development as enhancement must be weighed in that context.
170. For the purposes of the Authority's Landscape Character Assessment, the site is located within the Derwent Valley and specifically within the Riverside Meadows landscape character type. This is a flat alluvial river corridor with a meandering river channel, marginal vegetation, seasonally waterlogged alluvial soils, grazing meadows, dense waterside and scattered hedgerow trees, small to medium sized fields and historic mills with races, weirs and ponds.
171. This is mainly an unsettled landscape with occasional farmsteads and some modern development. Historically, settlement would have been restricted on the floodplain due to seasonal flooding, but a series of local water-powered flour mills were built, as at Bakewell and Ashford, in the medieval period. This was supplemented during the Industrial Revolution with large textile mills at Bakewell, Calver and Bamford, although these have now been converted into apartments, modern industry or other uses. Where there is settlement it is usually farmsteads, and buildings are predominantly gritstone with stone slate roofs. In places, there are limestone rubble constructed buildings with blue slate roofs.
172. The landscape around the application site reflects this identified character. The former Marquis hotel was developed historically from a farmhouse and this reflected established landscape character for settlement here. Historically larger settlements have formed outside the meadow away from the river. What further development there has been has been more recent, for example, the houses north of Shatton, along Saltergate Lane and at Mytham Bridge.
173. These inter-war and post war housing developments have ultimately undermined what is now valued landscape character within the National Park and therefore these developments do not provide justification for further development, which could exacerbate this pattern and impact.
174. The proposed development would be of a substantial scale in terms of both the proposed number of units and the height and footprint of the proposed buildings. While the buildings have a smaller footprint than the approved hotel, on its own merits, the development would create a substantial residential apartment block on the site.
175. The scale and character of the development would not reflect valued landscape character, settlement pattern or the historic uses of this site. The proposed buildings

despite the use of local materials and traditional fenestration to the most prominent elevations would have the appearance of a residential apartment block and therefore would be out of place within this part of the National Park because the development would be incompatible with established landscape character contrary to policies L1 and DMC1.

176. The development includes the 'reinstatement' of the Marquis building on the site. This refers to the main three-storey building of the former hotel. The easternmost part of the residential apartments have been designed to reflect this part of the former hotel. The replication of this part of the former hotel is generally welcomed.
177. However, the overall character of the development would be that of a residential apartment block. The easternmost apartment block would have a similar appearance of part of the former Marquis buildings but would be clearly read as one of the blocks at the same height as the others and with full height glazed balconies to the internal facing elevations. While this element of the scheme would be prominent on the approach from the east, it would otherwise not be a dominant feature and read as part of the overall block.
178. Therefore, while the incorporation of elements of the former hotel into the design is generally welcomed, the development would not re-establish the Marquis of Granby other than one part of the proposed building would have the external appearance of part of the former hotel, albeit with some alterations and in a slightly different position on the site.
179. In terms of detailed design, the development would incorporate traditional materials, which is welcomed, and we note the points raised by our Conservation Officer. However, the building has been designed with a very deep plan form with stone elements linked together with recessed glazing. This has the effect of breaking up the block into discrete elements with a strong vertical emphasis and square plan, which does not reflect the local vernacular and contributes to the strong character of blocks of residential apartments.
180. The proposed form and massing does not reflect our design guidance because it does not result in design appropriate within this landscape or reflect the local vernacular either by taking a traditional or contemporary approach but while respecting traditional forms, massing and materials. The application is therefore contrary to policies GSP3 and DMC3 in these respects.
181. The application is supported by a Landscape and Visual Impact Assessment (LVA) as required by policy DMC1. We have consulted our Landscape Officer who considers that the site has a high susceptibility to the proposed development and raises significant issues about how the LVA has been carried out, its conclusions along with providing comments on the proposed landscaping.
182. We recognise that the implementation of landscape works such as the proposed wildflower meadows and tree and hedge planting would have the potential to enhance the character of the site. However, these works would not outweigh or offset the impact of the overall development.
183. Therefore, we disagree with the conclusions of the submitted LVA and consider that the development would have a significant adverse impact upon the character and appearance of the site and upon landscape character from nearby vantage points and from a range of viewpoints in the wider landscape.

Sustainable building and climate change

184. The application is supported by a sustainable construction and energy statement. This proposes a strategy to maximise carbon savings includes highly efficient building fabric, low energy lighting, air source heat pumps for heating and hot water, ground source heat pumps, mechanical ventilation, provision of roof-mounted solar photovoltaics and inclusion of electric vehicle charging.
185. These proposals are welcomed in principle and if implemented would significant reduce energy consumption in accordance with policy CC1. If permission were granted, we would recommend planning conditions requiring the approval of details and then implementation of heat pumps, mechanical ventilation, solar photovoltaics and electric vehicle charging points in accordance with the submitted statement.
186. The statement makes little reference to minimising water consumption, which is an equally important requirement of CC1. The statement rules out grey and rainwater harvesting on the basis that there is ‘very limited’ space to incorporate this and little in the way of fixtures or fittings that would facilitate such a system. It is unclear what the reference to fixtures or fittings means or what assessment lead to the conclusion on the lack of space.
187. There would appear to be ample space on site for storage tanks and any plant required for either grey water or rainwater storage. The apartments would also appear to have use for such systems to reduce water consumption on site (for example use for flushing toilets, external cleaning or watering communal areas). Therefore, the application does not demonstrate that the development would reduce water consumption and therefore this element of policy CC1 is not met.

Biodiversity

188. The development has the potential to impact upon local biodiversity interest due to its proximity to the River Derwent, which runs just beyond the southern boundary of the site and the associated habitats within the river and on the riverbank. There are also a number of trees and hedges along the river and within the site likely to be of interest or provide habitat. The River Derwent at Hathersage Site of Special Scientific Interest (SSSI) also runs alongside the majority of the site.
189. The application is supported by an ecological appraisal. The site is located some 1.8km from the South Pennine Moors/Peak District Moors Special Area of Conservation (SAC) and Special Protection Area (SPA). Given the distance and scale of the proposals, we agree that the development would not be likely to have any significant impact upon the SAC or SPA.
190. Natural England raise no objection to the proposed development if the Sustainable Drainage System (SuDS) incorporates sediment removal. This SSSI is notified for its active fluvial geomorphology features. Natural England advise that one of the main potential impacts on the fluvial geomorphology of watercourses are increases in fine sediment. We therefore agree with Natural England that if permission were granted a planning condition would be reasonable and necessary to conserve the interest features of the River Derwent SSSI in accordance with policy L2 and DMC11.
191. The submitted ecological appraisal identifies the River Derwent as a potential constraint along with hedgerows and broadleaved woodland at the peripheries of the site. An ecological protection zone is proposed around retained trees and vegetation along the riverbank along with general measures to prevent pollution during construction. The report recommends that these be delivered through an Ecological Construction Method Statement (ECMS).

192. The development would result in the total loss of the the grassland and bare ground on the remainder of the site. However, these are considered to be of limited ecological value and would be enhanced by creation of mixed scrub planting along the woodland corridor, creation of additional native hedgerows along the northern boundary, planting of trees within the site and the creation of a neutral grassland meadow in the remainder of the site as shown on the submitted landscaping scheme.
193. Using Biodiversity Impact Assessment (BIA) calculations the report states that the development would (assuming landscape works are appropriately managed) result in a 91.5% net gain in biodiversity and a 711% net hedgerow gain. This would represent a significant net gain to biodiversity in accordance with policies DMC11 and DMC12.
194. We have consulted our Ecologist on the application and a number of issues have been raised about the lack of protected species surveys to inform the ecological appraisal. Our Ecologist considers that the submitted appraisal is poor because the habitat assessment does not properly describe vegetation and no species list is provided. The report also does not take into account the proposed outflow structure, which would encroach onto the watercourse within the proposed ecological protection zone for the river.
195. Our Ecologist advises that the development will impact upon the river and protected species present directly and indirectly. The submitted ecological appraisal makes a number of assumptions regarding the presence of protected species, but no survey has been carried out to ascertain their presence. Our Ecologist advises that survey is required to determine the presence of water vole, otter and key riparian bird species to inform the development and any mitigation, compensation and enhancement measures.
196. Furthermore, on the wider site, there is the potential for the development to impact upon reptiles, bats and amphibian habitat and therefore appropriate mitigation / surveys are also required to determine their presence. Finally, Himalayan balsam is known to be present along the river and there are recent records for *Crassula helmsii* on this site. This is an invasive species, which is easily transported. A survey for invasive species is therefore required to inform management and control during development.
197. As submitted there are significant concerns about the lack of survey work carried out and therefore that there is insufficient information to assess the potential impact of the development upon protected species contrary to policy L2, DMC11 and DMC12.
198. The applicant's ecologist has responded further and provided an amended ecological assessment. However, no further survey work has been carried out. We have re-consulted our Ecologist and await a further response, which will be updated verbally at the meeting.

Flood risk and drainage

199. The application site falls within Flood Zones 1, 2 and 3. Zones 2 and 3 are at a higher risk of flooding related to the River Derwent. The NPPF and policy CC5 require development to be sited to avoid, where possible, flood risk to people and property and to avoid increasing flood risk elsewhere. Paragraph 167 of the NPPF requires applications to be supported by a site-specific flood risk assessment and development to be sited in areas of lowest flood risk, be designed to be flood resistant and resilient incorporating sustainable drainage systems and safe access and escape routes.

200. A revised flood risk assessment (FRA) has been submitted. The Environment Agency and the Lead Local Flood Authority raise no objection to the development based on the revised FRA subject to conditions related to approval of drainage details and implementation of finished floor levels and flood resilience measures set out in the FRA. Foul sewage would be to the main sewer, which is acceptable.
201. Paragraph 159 of the NPPF states we should avoid inappropriate development in areas at risk of flooding by directing such development away from areas at highest risk. Paragraphs 161 and 162 says we should apply a sequential test to steer new development to areas with the lowest risk of flooding from any source. Development should not be permitted if there are reasonably available sites for the proposed development in areas with a lower risk of flooding.
202. This application is for a major housing development. There is no provision for market housing in the National Park unless there are exceptional circumstances. There are many sites outside of the National Park where open market housing is allocated and approved which would contribute to the national need for new housing. Therefore, unless there are exceptional circumstances to approve the development new housing on this site would not meet the sequential test.
203. However, if it were accepted that there are exceptional circumstances to justify this major development in accordance with policies then the sequential test would be met because there would be no other sites at a lower risk of flooding where development could achieve the same benefits. The submitted FRA demonstrates that the development would be safe for its lifetime and that subject to conditions to secure appropriate drainage that the development will not increase flood risk elsewhere. Therefore, in these circumstances the development would also meet the exception test set out in paragraphs 163 and 164 of the NPPF.
204. The new buildings have been sited to avoid the parts of the site at a higher risk from flooding from the river (flood zones 2 and 3). Open areas within the site (for example the proposed shared garden and wildflower meadow) do fall within flood zone 2 but there are no proposed change in levels (once the current excavations on site are restored). The application proposes to mitigate risk of overland floodwater by providing a route through the site for floodwater away from the proposed apartments. Finished floor levels have been set taking into account flood risk and flood resilient construction techniques are proposed.
205. The submitted FRA and the Environment Agency both raise the issue of flooding in the event of reservoir failure. This is extremely unlikely provided the reservoirs are appropriately managed and maintained. However, failure of a reservoir has the potential to cause catastrophic damage and would represent a danger to residents and the emergency services. We have consulted the Emergency Planning Team and the meeting will be updated with any response.
206. Therefore, if the proposed major development is considered to be justified and in the public interest, we consider that the development would meet the sequential and exception tests. The development has been sited in areas of lowest flood risk on the site and has been designed to be flood resistant and resilient. The development would incorporate sustainable drainage systems and safe access / escape routes and subject to advice from the Emergency Planning Team, residual risk in the event of reservoir failure could be managed.

Transport and highway safety

207. A transport statement has been submitted to support the application. The transport statement recognises that the site is in a relatively sustainable location and in walking distance of the convenience store at the nearby garage and facilities in Bamford. Nearby settlements within the Hope Valley are also potentially accessible by foot or cycle.
208. The nearest bus stops are located beside the main entrance into the site and at the bus turnaround facility approximately 250m north of the site. Three bus services and two school bus services stop here and destinations served include Sheffield, Bakewell, Castleton, Hathersage, Bradwell, Baslow and Grindleford. Bamford station is located 300m north of the site and provides regular services between Manchester and Sheffield in both directions.
209. The development would utilise the vehicular access created for the approved hotel onto Hathersage Road and seeks to retain an access point at the north-west entrance. The north-west entrance would be used by refuse vehicles, emergency vehicles and occasionally large delivery vehicles. Residents would be prevented from using the north-west entrance and would exclusively use the main entrance to the east.
210. A total of 50 car parking spaces are proposed equating to two spaces per dwelling and eight spaces for visitors. Storage would be provided within the basement for each dwelling which could be utilised for cycles and cycle hoops would be provided outside each entrance for visitors.
211. The report predicts that the development would generate a total of 6 vehicle movements during the morning peak hour (8am to 9am) and 9 movements during the evening peak (5pm to 6pm).
212. We have consulted the Highway Authority and our Transport Officer on the application. The Highway Authority raises no objection subject to standard conditions to require the provision and maintenance of the proposed access and parking arrangements, prevention of gates, access gradients and the approval of a construction method statement. Our Transport Officer also raises no objection but recommends that we ensure that cycle parking and EV charge points are provided and that a travel plan is incorporated.
213. We agree with the Highway Authority that the development would be served by a safe access and that the development would not result in an adverse impact upon the local highway network or traffic levels. We note concern in representations about the retention of the north-west access. We consider that it would be preferable for all vehicles visiting the site to use the main entrance and to be able to turn on site. However, the Highway Authority raise no objection to use of the north-west access as proposed and therefore there would not be strong grounds to require that access be omitted on highway safety grounds.
214. The development would be provided with an appropriate level of parking in accordance with our local standards. The scheme does incorporate cycle parking facilities, which along with EV charge points could be secured by planning conditions. Our policies do require the provision of a travel plan to encourage use of sustainable travel modes and this could be secured by planning condition.
215. Therefore, subject to conditions we consider that the development would be located close to local facilities and residents would have a range of sustainable travel options available. Traffic generated by the development would not harm the local road network or amenity. The development would be served by safe access and adequate parking.

Therefore, there is no objection to the development on the grounds of transport or highway safety.

Other issues

216. Given the distance of the proposed development from neighbours and the layout of the apartments there are no concerns that the development would harm the amenity, security or privacy of any neighbouring property. All occupants of the apartments would also have a sufficient level of amenity and would be provided with a communal garden within the site.
217. Concern has been raised about the proximity of the apartments to the existing book warehouse to the west. Occupants of the nearest apartments would have views over this site but this would not be an unacceptable outlook and therefore the presence of the book warehouse does not constitute a reason to refuse this application.
218. The issue of public safety has been raised in representations in relation to the proximity of the river. The site is adjacent to the river where there is a steep bank down. This would represent a potential danger for residents especially children. However, the edge of the communal gardens is set above the bank with fencing and planting between. The communal gardens would also be overlooked by all the apartments. It would be possible to design a secure boundary here to prevent access to the riverbank and therefore the proximity to the river does not represent reasons for refusal in terms of public safety.
219. Finally, the issue of lack of assessment under the Environmental Impact Assessment (EIA) regulations has been raised. This application was screened by the Planning Manager when it was submitted. It was determined that an EIA is not required because the development does not have a significant impact on the environment due to its characteristics, location and potential impact.
220. It must be noted that the screening of the application is a procedural matter to inform if an EIA is required. The screening opinion does not pre-determine the planning assessment on impact or indicate that the planning application is acceptable or has no impact upon the environment.

Justification for major housing development

221. Paragraph 177 of the NPPF says that permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of three tests which are set out below:
 - a) *the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it upon the local economy.*
222. This application proposes market housing. None of the proposed apartments would be restricted to meet eligible local need for affordable housing. As set out in national and local policies, there are no targets for market housing within the National Parks. The long standing policy position is that housing will not be permitted in the National Parks solely to meet the significant demand to live in its sought after environment.
223. The site is located within Bamford parish and adjacent to Hathersage parish where we are aware of a significant unmet need for affordable housing. Sites for affordable housing have been identified within Bamford but none have yet come forward. There has been significant difficulties identifying sites within Hathersage that can accommodate the numbers of needed affordable houses without harming the landscape.

224. Our policies and the NPPF require all applications for housing (including market housing schemes) to provide a mix of housing to meet local need. The application proposes a mixture of 2 and 3 bedroom apartments. There is no evidence within the application that the type and mix of housing needed locally has been identified.
225. The last parish housing need survey in Bamford was undertaken in 2015 and is therefore now out of date (the surveys have a 5 year lifespan). However, High Peak Borough Council advise that the survey is still relevant. The Bamford survey identified a need for 21 dwellings predominately for 1 bedroom flats with a smaller need for 2 bedroom houses, 1 bedroom bungalows and 3 bedroom houses. Based upon the current housing register the Borough Council advise that there is likely now significantly higher need than the 23 dwellings identified in the 2015 survey.
226. The current housing need survey for Hathersage was undertaken in 2016 and is still in date. This identified a minimum of 16 households in need of affordable housing. The need identified is for 2 bedroom houses, 2 bedroom bungalows and a lesser requirement for 3 bedroom houses. The survey concluded that Hathersage has sufficient 1 and 2 bedroom affordable flats.
227. There is no demonstrable need for market housing as an end use. Market housing to meet general need is expected to be delivered outside of the National Park. There is significant evidence of local need for affordable housing; however, the development would not deliver any affordable housing to meet local need. Finally, having regard to the Bamford and Hathersage housing need surveys the proposed housing mix of 2 and 3 bedroom apartments would not improve the housing mix in the local area.
228. The development is primarily justified on the basis of enhancement that would be brought about by the re-establishment of the Marquis of Granby and by biodiversity enhancements on site. The application also argues that the scheme would be an enhancement compared to the approved hotel.
229. The site does benefit from an extant planning permission for a hotel. The Authority approved planning permission for the replacement hotel in the context that this site had historically been used as a hotel and that the development would provide additional tourist accommodation and employment on a gateway site within the heart of the valley. The design of the hotel reflected the historic buildings and the increase in size was accepted as capable of being accommodated within the landscape.
230. This application proposes a different category of development, which must be considered on its own merits on the basis of current policies. The fact that that the site benefits from an extant planning permission for a hotel does not provide any compelling justification to approve a major housing development on the site. There is no need to approve the proposed development to prevent the hotel scheme from being completed.
231. The hotel development has stalled following the demolition of the former hotel buildings. From the road and in the wider landscape the spoil piles to the east of the site and beyond the hedge are the only obvious indications that development has commenced. The current condition of the site is unsatisfactory; however, its impact upon the National Park is mostly limited to closer vantage points from the adjacent main road with only a very limited adverse impact upon the landscape character of the National Park. The condition and impact of the site therefore does not justify the proposed major development.
232. The application states that the development would re-establish the Marquis of Granby. This is an issue raised in a number of representations, which indicate that the recreation of the former hotel buildings would be in the public interest.

233. The former hotel would under current planning policies have likely been considered a heritage asset due to its historic, architectural and cultural significance. However, the former hotel has been totally lost. It would not be possible for any development to replace what has been lost; however, we recognise that this site historically has been an important and prominent gateway site within the valley. Therefore, there is benefit for any development on this site to be designed in that context.
234. Part of the proposed apartment block has been designed to reflect the former hotel. However, this element is located in a slightly different position and would be read as one element of a residential apartment block. The character of the development would be materially different to that of the former hotel. The development would therefore not re-establish the Marquis of Granby and the element that would be replicated does not justify the proposed major development.
235. The development would deliver enhancements to biodiversity on site. There are concerns about lack of protected species surveys, however, provided this was resolved it is clear that the layout of the development has the potential to result in significant enhancement to biodiversity if works were implemented and properly maintained. Our policies require an enhancement to biodiversity for all development, however, we recognise that the scale of potential enhancement is significant and goes beyond our normal policy requirement.
236. Turning to potential impacts upon the local economy. Allowing the development would result in some benefit to the local economy during construction and the lifetime of the development. However, these benefits would be limited and capable of being delivered by any housing development and therefore do not represent an exceptional circumstance to approve new housing within the National Park.
237. Development of the site for housing would also prevent any opportunity of the site being re-developed as a hotel. A hotel development (either the approved or a revised scheme) would be likely to result in substantially greater benefits to the local economy as occupants on holiday could be expected to spend significantly more in the local area and the hotel itself would be likely to provide significantly more employment opportunities.
- b) *the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and*
238. There is significant scope for the development of market housing outside of the National Park. The expectation of national and local policy is that general housing need should be met outside of the National Parks.
239. The current condition of the site is unsatisfactory but this could be remedied in the short term by re-grading spoil piles so they are less prominent and potentially planting a native hedge along the site boundary. The cost of carrying out these works would be limited. In the longer term, the site benefits from an extant planning permission for a hotel, which could be completed. If the extant hotel scheme is not viable then a revised scheme could be considered.
240. Similarly, the re-building of the former Marquis of Granby could be achieved through the implementation of the extant hotel scheme or potentially a revised scheme.
241. The proposed development would significantly enhance biodiversity on site. It is possible that biodiversity enhancements could be achieved on the existing site, however, it is accepted that this is unlikely. The implementation of the approved hotel scheme would also not achieve the same benefits, as a much larger part of the site would be occupied by the building footprint and car park. A revised hotel scheme could have the potential to achieve biodiversity enhancement.

- c) *any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.*
242. We have concluded that the development can be accommodated without harm to the nearby SSSI subject to planning conditions. We are however concerned that insufficient survey work has been undertaken to inform the potential impact of the development upon protected species or their habitats.
243. We consider that the development would be an inappropriate design and scale and that the development would have a significant adverse impact upon the character and appearance of the site and upon landscape character from nearby vantage points and from a range of viewpoints in the wider landscape.
244. The development would have no detrimental effect upon existing recreation opportunities within the National Park. However, approval of the proposed development would prevent any opportunity of the site being developed as a hotel.
245. It is likely that any detrimental impacts upon the environment could be moderated through the submission of further survey work and potentially amendments. However, we would need to be provided with this information before we could fully assess the scheme. The detrimental impact upon the landscape identified is fundamentally a result of the scale and design of the development and therefore there is very limited scope to moderate this impact.

Conclusion

246. The site is previously developed land having formerly been occupied by the Marquis of Granby Hotel. Local and national policies make a presumption against major development unless there are exceptional circumstances and the development is demonstrated to be in the public interest. The development is justified by the application on the basis that it is required to enhance the site, re-establish the Marquis of Granby, enhance biodiversity and on the basis that the scheme would have less impact than the extant planning permission for a hotel.
247. For the reasons set out in this report, we conclude that the proposal would not be in the public interest and that exceptional circumstances do not exist to justify the proposed major housing development. The development would result in harm to the landscape character of the National Park and would not respond to local need for affordable housing.
248. The proposed development is therefore contrary to the development plan. Material considerations do not indicate that planning permission should be granted. The application is therefore recommended for refusal.

Human Rights

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

List of Background Papers (not previously published)

250. Nil

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