

**10. FULL APPLICATION – PROPOSED CONSTRUCTION OF POND TO ENHANCE WILDLIFE, WITH SURROUNDING PROTECTIVE SHEEP NETTING FENCE WITH BARBED WIRE ABOVE PLUS SMALL ACCESS GATE, AT BROSTERFIELD CARAVAN PARK, FOLOW (NP/DDD/0522/0718, JK)**

**APPLICANT: PEAK DISTRICT NATIONAL PARK AUTHORITY**

**Summary**

1. The adjacent site benefits from planning permission for a caravan and camping site.
2. The proposal is for a new dew pond sited in the field immediately east of the Caravan and Camping field for the purpose of biodiversity enhancement.
3. The pond reflects the scale and design of traditional dewponds and can be accommodated within this landscape without harm to the special qualities of the National Park or the setting of the nearby Foolow Conservation Area.
4. The application is therefore recommended for approval subject to conditions.

**Site and surroundings**

5. The application site is a small 9m square section of grazing field abutting the boundary wall defining the eastern edge of the Brosterfield Caravan and Camping site about 24m back from the driveway down to Brosterfield Hall and Brosterfield Farm and some 130m back from the main road.
6. The site is located within the White Peak Landscape Character Area and specifically within the Limestone Village Farmlands Landscape Character Type.
7. The land is under the ownership and control of the Peak District National Park Authority, as applicant, and includes the remainder of the field and the adjoining one to the north as well as the adjacent Caravan and Camping Site.
8. For the avoidance of any doubt further references in this report to the applicant refer to the Authority solely in its role as applicant, rather than as the local planning authority.
9. The site is currently used for sheep grazing/grass and is accessed via field gates off the main road. The access drive to the southern boundary of the field serves Brosterfield Farm and Brosterfield Hall to the west which are the nearest neighbouring properties and also carries a public right of way.

**Proposal**

10. The construction of a dew pond 6m in diameter and up to 1m deep within a 9m square fenced compound. The fence would be a standard post and wire fence with sheep netting below a top strand of barbed wire and be fitted with single wooden access gate.
11. The edge of the pond would be sited 1.5m away from the adjacent field boundary wall.
12. The pond would be lined with an 'Exeleastic' pond liner laid over a geotextile membrane and would be finished with a 100mm deep layer of quarry chatter with the top edge of the liner secured/buried under the adjacent grass.
13. The pond would then be filled if an available water supply is nearby or left to fill naturally, no planting is proposed to allow natural colonisation.

14. Excess material would be removed from the site.

15. A post installation management plan is submitted with the application.

### **RECOMMENDATION:**

**That the application be APPROVED, subject to the following conditions:**

1. **Statutory 3 year time limit for implementation.**
2. **Development to be carried out in full accordance with the submitted plans/specification and the post construction management plan.**
3. **During construction, any materials shall be stored off the ground to prevent amphibians from using these as a terrestrial habitat before works are complete.**

### **Key Issues**

16. The impact of the proposed pond and fencing upon the landscape and the local area.

### **Relevant planning history**

17. None within the application field. The creation of biodiversity enhancement in the local area in the form of a pond for amphibians and other species was an aim identified by the applicant during the development of plans for the adjacent caravan and camping site.

### **Consultations**

18. Highway Authority: No highway safety comments.

19. District Council: No response to date.

20. Foolow Parish Meeting: No response to date.

21. PDNPA Archaeology: No archaeological concerns.

22. PDNPA Ecology: No objections, suggest following conditions;

- Works should be carried out in accordance to the specification for the creation of a dew pond, unless otherwise agreed in writing.
- During construction, any materials should be stored off the ground to prevent amphibians from using these as a terrestrial habitat before works are complete.

### **Representations**

23. None at the time of drafting the report

### **Main policies**

24. Relevant Core Strategy policies: DS1, GSP1, GSP2, GSP3, L1.

25. Relevant Development Management Plan policies: DM1, DMC1, DMC3, DMC11, DMC12.

### National planning policy framework

26. Paragraph 176 says that Great weight should be given to conserving and enhancing 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 these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight great...
27. Paragraph 174. States that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
28. Paragraph 180 states that when determining planning applications, development whose primary objective is to conserve or enhance biodiversity should be supported;

### Development plan

29. Core Strategy policy L1 says that all development must conserve and where possible enhance the landscape character of the National Park, as identified by the Authority's Landscape Strategy and Action Plan. Core Strategy policy GSP3 and Development Management policy DMC3 require all development to be of a high standard of design (in accordance with the design guide) and landscaping which conserves and enhances the character, appearance and amenity of the site (or buildings) its setting and that of neighboring properties.
30. Core Strategy policy L2 and Development Management policies DMC11 and DMC12 together require all development to conserve and enhance the biodiversity of the National Park including designated sites, and protected species and habitats.
31. Core Strategy policy L3 and Development Management policies DMC5 and DMC8 together require all development to conserve and enhance the significance of any affected archaeological, architectural, artistic or historic assets and their setting. DMC8 provides detailed criteria to assess proposals, which either are within or affect the setting of Conservation Areas.

### Assessment

#### Background / Context

32. The supporting statement explains that the White Peak was formerly covered with a dense network of dewponds, which were the only way to provide water for both livestock and many human habitations on the limestone before the advent of piped water supplies.
33. This network was the route whereby a naturally poor area for amphibians became widely colonised by them and eventually a nationally important stronghold for the great crested newt. Britain is estimated to support 50% of the world population of great crested newts, which are protected by international law.
34. Mains water supplies, changes in farming practice and the cost of maintenance have already resulted in the loss of two thirds of the ponds, with many of those remaining being in a very poor condition.
35. Ponds are now a National Biodiversity Action Plan Habitat. The Peak District Biodiversity Action Plan also includes a habitat action plan for ponds, aiming to maintain a coherent pond network based on pond clusters and the links between them. Aims include

enhancing the current network by repairing defunct dewponds and restoring ponds in a poor condition. Great crested newts are also a National Biodiversity Action Plan species.

36. There are records for great crested newts for a number of ponds within the parish of Foolow. Restoration and creation of ponds has the potential to provide important linking habitat between the existing pond network.
37. The proposed area for creating the pond is located some 320m east of an existing dew pond that supports amphibians but not Great crested newts (GCN). GCN have been recorded in a pond 600m north of the proposed location within the village of Foolow.
38. Creation of the pond therefore has the potential to provide suitable breeding habitat for great crested newts, a priority species for conservation which is protected at an international level.

#### Principle

39. The application site is located in open countryside within a grazing field where our Development Strategy set out in Policy DS1 allows for the principle of development that is needed to secure conservation and enhancement. This is reflected in NPPF para 180. As a development to enhance local biodiversity the proposal is therefore acceptable in principle at both a local and national policy level.
40. Therefore the key issue is the design of the dew pond and whether its impact upon the character and appearance of the local landscape is acceptable.

#### Design and Landscape impact considerations

41. The application site is located in the Limestone Village Farmlands character area within the White Peak. This is a small-scale settled agricultural landscape characterised by limestone villages, set within a repeating pattern of narrow strip fields bounded by drystone walls. Some of the key characteristics of this landscape type are gently undulating plateau, pastoral farmland enclosed by limestone drystone walls, scattered boundary trees and tree groups around buildings and discrete limestone villages and clusters of stone dwellings. As stated above a network of dew ponds are a valued characteristic of this limestone plateau landscape.
42. The application site and the surrounding landscape reflect the character identified in the Landscape Strategy and Action Plan. The application site comprises part of a grazing field on the plateau bounded by drystone walls.
43. Immediately adjacent the site to the west and on the other side of the field boundary wall is a semi-mature belt of native trees and hedging. These lie along the eastern boundary of the Brosterfield Caravan and Camping site and effectively screen it from the application site and from wider public view.
44. By its very nature and design the creation of a new dew pond would not be particularly visible in this landscape due to it being a shallow feature that is sunk into the natural ground levels. There are no design concerns given the pond would reflect the scale and design of other ponds which form a network in the wider local agricultural landscape. Other than the liner it would use natural materials in its construction with all excavated material not reused, being removed from the site.
45. The surrounding fence which forms a protective compound would be visible, especially when newly installed. However, being a visually lightweight sheep fence, once the wooden poles and gate weather to a pale grey colour it would not be a particularly noticeable feature in the landscape especially as it would be viewed mostly against the

background of the adjacent limestone field wall. Whilst it would be preferable not to have a fenced enclosure but this is essential to keep stock out of the pond.

46. The pond and fenced enclosure would be most visible in views over the field wall from the public footpath running down the access drive to Brosterfield Farm and Hall. In these closest views the dew pond would appear as a small and entirely appropriate feature in this farmed landscape reflecting the character and appearance of other dew ponds in the wider local landscape.
47. From the public highway, due to the distance and land form the pond would be barely if at all visible, as the land dips slightly down towards the highway.
48. In the wider landscape, the dew pond would not be particularly noticeable and where visible would be seen in the context of the surrounding pastoral field and drystone walls and set against the backdrop of the now established boundary planting screening the caravan site.
49. The site is well outside of the Foolow Conservation Area and well away from the nearest dwelling so there are no concerns about impact upon either the Conservation Area or local amenity.
50. Therefore, it is considered that the development of the dew pond would conserve the local landscape character and enhance biodiversity with an entirely appropriate feature which would sit comfortably within this pastoral landscape.
51. The Authority's Ecologist is supportive of the proposal as it takes the opportunity to enhance biodiversity in the local area highlighted during consideration of the amended planning application for the Brosterfield Caravan and Camping site next door. If permission is granted a condition, the ecologist suggest conditions which are incorporated into the recommendation above.
52. The application is therefore in accordance with Core Strategy policy GSP1, 2 & 3, L1, Development Management policies DMC3, DMC8 & DMC11 and the NPPF.

### **Conclusion**

53. The development of a small dew pond in this location will enhance biodiversity. It can be accommodated within this agricultural landscape without any visual harm as it is an entirely appropriate feature adding to an existing network of dew ponds in the local area.
54. In the absence of any further material considerations it is considered that the proposed development is in accordance with the development plan and therefore is recommended for approval subject to the conditions outlined above in this report.

### **Human Rights**

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

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

56. Nil

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