

6. FULL APPLICATION – PROPOSED RE-USE OF GARAGE/STORE AS A MIXED USE BUILDING WITH FLEXIBLE SPACE THAT CAN BE PURPOSED FOR RESIDENTIAL AND BUSINESS USE AT GARAGE/STORE LAND TO THE REAR OF THE FORMER RBS MAIN ROAD HATHERSAGE (NP/DDD/0724/0684)

APPLICANT: SIMON GEDYE – STUDIO GEDYE LTD

Summary

1. The application proposes the re-use of an existing garage/store to provide a mixed use business and residential development. The residential aspect of the development would not be for local needs housing or a rural worker dwelling and for the purposes of the development plan, it would effectively be a market dwelling.
2. The existing building is not considered to make a positive contribution to the character or appearance of the area.
3. The application proposes to repurpose, albeit through substantial alteration, the existing building and introduce extensions and alterations which would harm the character and appearance of the site and the Hathersage Conservation Area. The development would not achieve any enhancement to justify the proposed market dwelling. Whilst a business use would be acceptable in principle in this location re-using a previously developed site, the proposals do not take up sufficient opportunities for enhancement.
4. The application is therefore recommended for refusal.

Site and Surroundings

5. The application site lies behind Main Road, Hathersage to the rear of the Open House (formerly RBS Bank). It is accessed from Main Road by a lane between the Open House and no.6 Main Road (Go Outdoors). Public Right of Way (PRoW) FP5 runs to the east of the site.
6. To site is bounded to the west by the rear garden to Cintra's Tea Room. There are mature trees to the north, and residential properties to the north east beyond the PRoW.
7. The site is occupied by a building clad in corrugated metal sheeting, painted black. It is understood the building has historically been used for vehicle storage, with the submission confirming the building is currently used to store two vehicles with other storage. Land to the front of the building is currently used for parking by a number of residents and in association with the applicant's nearby business.
8. The site levels sit above the adjoining garden to Cintra's Tea Room, and above the passage to the south which runs to the rear of the Open House.
9. The application site is located within the Hathersage Conservation Area.

Proposal

10. The application states the proposals are not for a replacement building, but for the re-use and repurposing of an existing building to provide a flexible mixed business and residential use.
11. Nevertheless, there would be a considerable amount of alteration, with much of the existing building to be replaced. A summary of elements of the proposed alterations, replacement and retention of the building has been provided by the applicant:

- Foundations: Existing foundations and building base retained. New supplementary building structure supported off the base. No new structural foundations cast.
 - Floor: Existing floor retained with a secondary, insulated floor proposed above.
 - Walls: Existing wall structure retained and supplemented with additional timber studwork added to give width required for insulation and ventilation.
 - Roof: Existing structure partly retained. Trusses retained and supplemented. Existing purlins and trusses propped to allow retention and repair of existing structure in situ. Additional timber studwork added to give width required for insulation and ventilation. Roof sheet to raise and roof finish to straighten due to required depth of insulation.
 - Cladding: To be renewed. Existing sheeting is damaged.
 - Lean-to Section: To be rebuilt as the timber structure is rotten. The section will be extended slightly and re-built slightly higher due to the raised internal floor.
12. Other works include a hipped roof extension to the south and the insertion of doors and windows including a large fixed glazing panel to the east elevation of the rebuilt lean-to, overlaid with sliding timber louvres. Six rooflights are proposed, as is an air source heat pump contained in timber louvred boxing.
13. Internally there would be space to be used as a small business such as an architectural studio although that is not fixed, with bed and kitchen space in the east of the building. The kitchen and bathroom would be shared with the studio space, which would function as domestic living space, office and meeting area in a flexible manner. The use extends beyond incidental home working, with room for employees and clients.
14. Four car parking spaces would remain to the east.

RECOMMENDATION:

That the application be REFUSED for the following reason:

- 1. The proposed development would have an unacceptable design and would result in harm to the character and appearance of the site and the Hathersage Conservation Area. The harm identified would be less than substantial but would not be outweighed by any public benefits. The development is therefore contrary to Core Strategy Policies GSP1, GSP2, GSP3 and L3, Development Management Policies DMC3, DMC5, DMC8 and DME8 and the National Planning Policy Framework.**
- 2. The proposed development would not be required to achieve the conservation or enhancement of the settlement and therefore the proposed development is not acceptable in principle and contrary to Core Strategy Policies DS1 and HC1 and Development Management Policy DMH6. The development proposes a business use on previously developed land and does not take up opportunities for enhancement contrary to Core Strategy Policy E1.**

Key Issues

- The principle of the proposed flexible residential and business use;
- The impact of the development on the character and appearance of the area, including the Hathersage Conservation Area;
- Other impacts in respect of trees, highways and residential amenity.

History

15. NP/DDD/0804/0927: Demolish of existing corrugated metal garage and store and form new double garage with ancillary accommodation over – Withdrawn.
16. PE\2019\ENQ\37723: Pre-Application advice for 'Conversion of dilapidated garage building into a new studio for the practice with residential over and parking' with sketch plan provided for a two storey building with similar footprint to the current proposal.

Officer advice indicated the existing building did not make a positive contribution and in principle its replacement could represent an enhancement. Constraints associated with the site access and nearby trees were raised. The response concluded that whilst policies in principle support for commercial or domestic use in the settlement, the site constraints suggested the development potential of the site was very limited, likely only to a single storey garage building.

Consultations

17. Highway Authority: Earlier advice in 2019 to the applicant indicated a single dwelling on the site was likely to be comparable in terms of trip generation compared with existing activity on the site. Therefore, the principle of development for a single dwelling is accepted from a highways perspective.

A Construction Management Plan should be conditioned to avoid disruption to the PRoW during construction. Other conditions recommended in respect of provision of access, parking and turning facilities, and the provision of bicycle parking facilities.

18. DCC (PRoW): Hathersage Public Footpath No.5 runs along the eastern edge of the site with access via this route. Provided the width of the path is not encroached upon, there is no objection as the route would be unaffected. A number of advisories are recommended. If there were to be an increase in vehicle manoeuvring, necessary cautionary signage should be considered.
19. Environmental Health: The proposal will bring a residential dwelling closer to existing commercial uses, therefore a noise assessment should establish the levels of insulation required and any building specifications to protect the amenity of the property. A condition has been suggested to secure this information.

An additional response raises concerns regarding the proximity of the development to outside seating at a nearby food establishment and concerns if the proposals include an external garden area to the residential use.

20. Derbyshire Dales District Council (Planning): No response received to date.
21. Hathersage Parish Council: No objection.
22. Archaeology: No archaeology comments.
23. Conservation Officer: The building is of industrial appearance, utilitarian and incongruous in its location where all other properties and buildings are of stone. It makes a negative contribution to the character and appearance of the Conservation Area.

The heritage statement comments the development will provide a neutral impact upon the character and appearance of the Conservation Area. The application would extend the building in the same matching covering and as such this will result in harm to the Conservation Area. The work will merely serve to extend the already visually negative impact the building makes as a whole to this part of the Conservation Area where it stands out of accord with the architecture and character of other buildings in the locality. The use

of corrugated metal sheet is inappropriate and as such the new use extends the life of the structure and compounds its negative impact.

It is not desirable to preserve what is a building of poor appearance, industrial in character and that detracts from the existing Conservation Area character. The application fails to preserve the character and appearance of the Conservation Area in accordance with the 1990 Act and the level of harm is less than substantial. The application is contrary to the above national and local heritage policy guidance.

24. Tree Officer: The development requires the removal of one elder tree and works in the root protection area of a sycamore. A condition is advised that works are carried out in accordance with the Arboricultural Method Statement and Tree Protection Plan.

Representations

25. A total of 9 letters have been received in relation to the application.
26. This includes a response from the Ramblers Derbyshire Dales Group who confirm they have no objections, provided the Hathersage FP5 remains unaffected at all times, that consideration is given towards the safety of members of the public using the route during and after the proposed works, and that there should be no encroachment on to the path. DCC Rights of Way Team to be asked for advice on such matters.
27. The remaining 8 letters are submitted in support of the application. A summary of matters raised in those representations is set out below.
- a) The development will modernise a run-down building in an untidy part of the Conservation Area. The use of modern materials and the creative design will benefit the area which is a busy thoroughfare for walkers;
 - b) The proposal looks in keeping with the local area;
 - c) The proposals are an opportunity to create business and housing space from a rare piece of brownfield land in the middle of the Conservation Area;
 - d) Support that the proposals will have a lesser impact on the environment and re-use aspects and materials of the existing building;
 - e) The proposal would be a welcome addition to the re-use of manufacturing and functional buildings which do not reflect the local building tradition, such as the cutlery factory at David Mellor which references previous activity on the site. The applicant is keeping the site context relevant in the same way;
 - f) The proposals are made by a local resident and would provide a work space for a local craftsperson;
 - g) There is a shortage of business space in Hathersage.

Main Policies

28. Relevant Core Strategy policies: GSP1, GSP2, GSP3, L3, CC1, HC1, E1
29. Relevant Development Management policies: DMC3, DMC5, DMC8, DMC13, DMC14, DME8, DMH6

30. National Park designation is the highest level of landscape designation in the UK. The Environment Act 1995 sets out two statutory purposes for national parks in England and Wales: Which are; to conserve and enhance the natural beauty, wildlife and cultural heritage and promote opportunities for the understanding and enjoyment of the special qualities of national parks by the public. When national parks carry out these purposes they also have the duty to; seek to foster the economic and social well-being of local communities within the National Parks.

National Planning Policy Framework (NPPF)

31. The NPPF was revised in December 2023 and is a material consideration which carries particular weight where a development plan is absent, silent or relevant policies are out of date.
32. The development plan for the National Park comprises the Core Strategy (2011) and Development Management Policies (2019). Policies in the development plan provide a clear starting point consistent with the National Park's statutory purposes for determining this application. In this case there is no conflict between policies in the development plan and the NPPF.
33. Paragraph 182 states great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, which have the highest status of protection in relation to these matters. The conservation and enhancement of wildlife and heritage are also important considerations and should be given great weight.
34. Paragraph 205 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
35. Paragraph 208 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Peak District National Park Core Strategy

36. GSP1 – Sets out the broad strategy for achieving the National Park's objectives and seeks to secure national park legal purposes and duties through the conservation and enhancement of the National Park's landscape and its wildlife and heritage. Where there is irreconcilable conflict between the statutory purposes, the Sandford Principle will be applied and the conservation and enhancement of the National Park given priority.
37. GSP2 – Opportunities for enhancing the valued characteristics of the National Park will be identified and acted upon. Proposals intended to enhance the National Park will need to demonstrate that they offer significant overall benefit to the natural beauty, wildlife and cultural heritage of the area.
38. GSP3 – All development must respect, conserve and enhance all valued characteristics of the site and buildings, paying particular attention to impact on the character and setting of buildings, scale of the development and accordance with the Authority's Design Guide, impact on living conditions and access.
39. DS1 – Forms of development in all settlements which are acceptable in principle include conversion or change of use of buildings for housing and business, preferably by re-use

- of traditional buildings. In named settlements, new build development will be acceptable for affordable housing and small-scale business premises.
40. L3 – Development must conserve and where appropriate enhance or reveal the significance of historic assets and their settings.
 41. CC1 – All development must make the most efficient and sustainable use of land, buildings and natural resources and take account for the energy hierarchy. Development should be directed away from areas of flood risk, and achieve the highest possible standards of carbon reductions.
 42. HC1 – Provision will not be made for housing solely to meet open market demand. Exceptionally, new housing can be accepted where:
 - A. It addresses eligible local needs, including for homes that remain affordable with occupation restricted to local people in perpetuity;
 - 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.
 43. E1.A – New sites and buildings for business development will be permitted within or on the edge of Hathersage. Proposals must be of a scale consistent with the needs of the local population. Wherever possible, proposals must re-use existing traditional buildings of historic or vernacular merit or previously developed sites, and take up opportunities for enhancement. Where this is not possible, new buildings may be permitted.

Peak District Development Management Policies

44. DMC3 – Where developments are acceptable in principle, design is required to be of a high standard which where possible enhances the landscape. Particular attention will be paid towards the degree to which buildings and their design, materials and finishes reflect or complement the style and traditions of the locality and other valued characteristics such as the character of the historic landscape. Amenity is also a consideration.
45. DMC5 – Planning applications for development affecting a heritage asset, including its setting, must clearly demonstrate its significance and why the proposed works are desirable or necessary. Development of a designated heritage asset will not be permitted if it would result in any harm to the significance, character and appearance of a heritage asset unless in the case of less than substantial harm the harm is outweighed by the public benefits of the proposal including securing its optimum viable use.
46. DMC8 – Requires development in a Conservation Area to assess and clearly demonstrate how the character or appearance and significance of a Conservation Area will be preserved or enhanced.
47. DMC10 - Conversions of heritage assets will be permitted provided the asset can accommodate the new use without changes that adversely affect its character, and that the building is capable of conversion without comprising the significance and character of the building. The changes should also conserve or enhance the asset.

48. DMC13 – Trees which contribute positively to the visual amenity or biodiversity of the location will be protected as part of development, including during any construction.
49. DMC14 – Development that presents a risk of pollution or disturbance, including noise pollution, will not be permitted unless adequate control measures are put in place to bring pollution within acceptable limits.
50. DME8 – Where development for employment purposes is acceptable in principle, it will only be permitted where every practicable means is used to minimise any adverse impacts on the valued characteristics and amenity of the surrounding area.
51. DMH6 – Re-development of previously developed land for housing will be permitted provided the development conserves and enhances the valued characteristics of the built environment or landscape on and around the site.

Supplementary Guidance

52. Conversion of Historic Buildings SPD – Sets out the principles of conversion should work with the existing form and character. Schemes should work within the shell of the building, avoiding additions and extensions. The insertion of new openings in otherwise blank elevations should be avoided particularly where visible from public vantages.
53. The Building Design Guide (1987) & Design Guide (2007) offer design guidance on development, including in relation to traditional solid to void ratios and use of materials.

Assessment

Principle

54. The application proposes a flexible residential and business use within Hathersage, which is a named settlement under Policy DS1. The mixed residential and business uses are assessed below under the relevant policies for housing and business.

Residential

55. DS1 supports conversions for housing, preferably by re-use of traditional buildings. The building is not considered to be traditional. New build development is supported for affordable housing in named settlements such as Hathersage
56. Policy HC1 is clear that provision will not be made solely for housing to meet open market demand in the National Park and sets out the exceptions where new housing is permitted, through either conversion or new development.
57. The proposals are not for affordable housing and the development therefore would not accord with HC1.A.
58. Whilst the proposal is effectively a live-work unit, the use would not be for a key worker in agriculture, forestry or other rural enterprises as required by HC1.B, with the Planning Statement suggesting the business may potentially be used as an architectural studio, although that is not fixed.
59. The submitted application suggests restricting the building's occupation by condition so that the building is not occupied solely for residential use, with a business use running from the premises at all time, and a condition requiring one of the occupants to be employed in the business use present on site.
60. However, for the purposes of the development plan, the proposal would in effect create a market dwelling with shared space for a flexible business use. If it were considered that

a market dwelling was justified and acceptable under policy, then such a restriction would not be necessary to make the development acceptable. In any event any permission would be for a mixed use as proposed.

61. Policy HC1.C states the exceptions under which market housing may be provided. It applies where the development is required either (I) to achieve conservation and/or enhancement of valued vernacular or listed buildings, or (II) to achieve conservation or enhancement in settlements such as Hathersage.
62. The existing building is not of valued vernacular or a listed building and therefore cannot be considered under HC1.C(I). As discussed later in this report under 'Heritage', whilst the Applicant's heritage consultant has suggested the building could be considered as a non-designated asset, the Authority's Conservation Officer does not consider this to be the case.
63. However, even if this were the case, the 'Heritage' section also confirms the development would not conserve or enhance the existing building due to the substantial alterations proposed to the existing structure. The proposals therefore do not meet the requirements of HC1.C(I).
64. HC1.C(II) supports new housing where development is required to conserve or enhance a settlement. Pre-application advice given in 2019 indicated the existing building was not considered to make a positive contribution and therefore in principle, its replacement could represent an enhancement. However, scope to do so was very limited due to the site's constraints.
65. The building is in poor condition and comprises corrugated metal which is not reflective of the surrounding built context and general buildings materials in Hathersage, which are generally stone. Therefore, as advised in 2019, there is scope to provide an enhancement to the site under HC1.C(II), although there is limited space to do so.
66. In addition, GSP2.B requires that proposals intended to enhance the National Park will need to demonstrate a significant overall benefit to the natural beauty, wildlife and cultural heritage of the area.
67. It is recognised there have been a number of representations submitted in support of the proposals which consider the development would modernise and tidy up a run-down part of the settlement and Conservation Area, using modern materials and achieving a creative design appropriate to the area and site history.
68. Whilst Officers recognise the existing building does not contribute positively to the area, the proposals are not considered to conserve or enhance the settlement.
69. In contrast, the proposal would substantially alter and formalise a building which is not considered to contribute positively to Hathersage, with aspects of the changes such as the like-for-like replacement of metal sheeting seeking to reflect the existing building's appearance. The submission states the use of metal sheeting seeks to respond to the existing site character and its subservience to buildings on Main Road. It also references its sustainability compared with gritstone, with the metal sheeting using 4.6% of the embodied energy than the masonry equivalent. Notwithstanding this, the existing building does not contribute positively to the area and the approach to reflect its existing character and materials would not achieve any significant enhancement of the site.
70. The proposals would also introduce features which would be contrary to the Authority's Building Design Guide and Design Guide, including a large panel of fixed glazing to the east elevation which is not in keeping with the traditional solid to void ratio of buildings in the Peak District, and the use of timber louvres.

71. The irregular shape of the hipped roof extension to the south would not reflect the generally simple form of the existing building or its pitched roof. There would be a large number of rooflights to the west roof slope.
72. Although the site is tucked to the rear of the main building line on Main Road, it is visible by limited glimpsed views from Main Road, from along the adjoining PRow and from the tea room garden and car park of The George to the west.
73. The development would therefore not conserve or enhance the settlement contrary to HC1.C(II), and contrary to GSP2.B the application does not achieve a significant overall benefit to the cultural heritage of the National Park. Officers consider the design would harm the character of the settlement and the Conservation Area and be contrary to the Design Guide, Building Design Guide and policies GSP3 and DMC3.
74. DMH6(i) 'Re-development of previously developed land to dwelling use' is also relevant. It confirms that re-development of previously developed land will be permitted provided that development conserves and enhances the valued character of the built environment or landscape on, around or adjacent to the site. As established above, officers do not consider the development would conserve or enhance the built environment.
75. Therefore, while in principle re-development of the site may be acceptable. The proposed scheme would not deliver enhancement contrary to the requirements of policies DMC2, DMS1, HC1 and DMH6.

Business

76. The development also includes for a business use and a number of representations received outline support for the provision of such a use.
77. DS1 is supportive of business uses either through conversion of existing buildings that are preferably traditional, or through small-scale new business premises in named settlements such as Hathersage.
78. Policy E1 expands on DS1, confirming that proposals for business development in named settlements must take account of the policy criteria. Part (A) confirms new sites and buildings for business use will be permitted in Hathersage, but that wherever possible proposals must re-use existing traditional buildings, or previously developed sites.
79. It is recognised that a business use could in principle be provided on the site which is previously developed land, however E1.A goes on to state that wherever possible such development must take up opportunities for enhancement. It has been established that the development would not achieve enhancement and would harm the character of the site. The proposals are therefore not compliant with E1.A.
80. The proposals would also conflict with DME8, which requires employment development to minimise any adverse impacts on the valued characteristics of the surrounding area.

Heritage Considerations

81. The site lies within the Hathersage Conservation Area. Nearby listed buildings include the Grade II* Listed Roman Catholic Church of St Michael and its adjoining Grade II Listed Presbytery (c.65m north west of the site) however due to intervening woodland there is very limited inter visibility between the site and Church. To the east is the Grade II Listed Valerian Cottage although again the relationship between the two is limited.
82. The Heritage Statement confirms buildings were present on site in 1898, with the format and layout of buildings changing in the period to 1964 where the site was largely cleared,

leaving one footprint on site. It suggests the site constitutes a fragment of late C19 backland development attached to a property to Main Road, potentially as a working yard. It suggests the site makes a neutral contribution to the Conservation Area, with the building's subordinate scale reading ancillary to properties on Main Road and preserving the street hierarchy. It describes the building's metal cladding as giving a temporary ramshackle appearance which does not reflect the traditional materials of the village, although the materials are considered to contribute to the buildings subservience.

83. The Statement considers the slight increase in the scale and mass of the development would have a positive effect on the significance of the Conservation Area. Alterations to the appearance of the building, which is utilitarian in appearance, are considered to have a limited negative effect on the heritage significance of the Conservation Area.
84. The Authority's Conservation Officer considers that the building makes a negative contribution towards the Conservation Area, due to its external materials, industrial and utilitarian appearance which is not in keeping with the surrounding setting and stone buildings. The response considers the proposals would have a harmful impact on the Conservation Area by altering and extending the existing building and extending its life, thereby compounding its negative impact.
85. An additional response from the applicant's heritage consultant has been received which disputes this view, outlining that the industrial past of Hathersage is an essential part of its development and should not be viewed as incongruous. It states that whilst gritstone and stone slate are the prevalent traditional materials, these are not the only acceptable materials as focusing only on those materials risks removing the legibility of Hathersage's industrial history. The response suggests the building is over 130 years old, and that elements of the building are characteristic of materials available in the late C19 including sheet cladding, a machine sawn softwood timber structure, and stone set floor.
86. The response concludes that although the building could be described as of poor appearance and utilitarian, that does not mean it is not of heritage value especially due to its rarity and difference with surrounding buildings. It states the building should be considered as a non-designated heritage asset, albeit of limited significance.
87. The building is not considered to be of historic interest. Through discussion with the Authority's Conservation Officer the building is not considered to be 130 years old and is more likely to have been constructed in the 20th Century as the building present on the 1964 mapping is both shorter and wider than structures shown on the 1922 historic map.
88. Whilst sheet metal is recognised to have been available during the late 19th Century, it is not a prevalent material on buildings in the area and is not identified under the Hathersage Conservation Area Appraisal section on 'Prevalent and Traditional Building Materials'.
89. Due to the suspected age of the building and any substantial alterations to the structure that may have arisen as part of the clearance of other structures on the site present on 1922 mapping, the building is not considered to be a good surviving example of industrial activity in Hathersage. It is not identified in the Conservation Area Appraisal as an important unlisted building. The Authority do not consider the building to be a non-designated asset.
90. Even if the building were of historic interest, the proposals would be contrary to DMC10 which requires that conversions of heritage assets do not adversely affect their character, that the building is capable of conversion without comprising its significance and character, and that changes conserve or enhance the asset. Nor would the development comply with the Conversion of Historic Buildings SPD which requires work to be carried out within the building's shell, avoiding extensions and new openings in blank elevations.

91. The existing structure would be substantially altered and the development could accurately be described as substantial demolition and re-building. Whilst the replacement external sheeting would be similar to that on the current building, none of the existing external features would remain. The building's height would change to accommodate the new use and internal insulation depth. The lean-to would be demolished and re-built, and its height and connection with the eaves to the east of the building raised considerably to accommodate an internal raised floor.
92. There would also be an extension, albeit limited size, to the south which the SPD discourages, and which would be unsympathetic in form. The new glazing and timber louvres would alter and would not conserve the building's character simple character.
93. Therefore, whilst the Authority do not consider the building to be a non-designated asset, even if it were, the proposals would not comply with Policy DMC5 (which requires the conservation and enhancement of historic assets), Policy DMC10, or the Conversion's SPD.
94. Irrespective of the difference in views regarding the materials and significance of the building itself, aspects of the development outlined at paragraphs 94 - 95 are considered to result in harm towards the character and appearance of the Conservation Area.
95. The changes would have an inconsistent appearance with the surrounding area on a small backland plot within the Conservation Area that can be glimpsed from Main Road and which is visible along the adjoining PRoW. The roof lights to the west would be visible from the tea room garden to the west, and The George car park further west.
96. The development is therefore considered to harm the character and appearance of the Conservation Area, contrary to Policies L3, DMC5 and DMC8 of the development plan. This harm would be less than substantial.
97. Policy DMC5 and paragraph 208 of the NPPF require less than substantial harm to be outweighed by the public benefits of any development.
98. The benefits of the development outlined in the submission and by a number of representations include the sustainability credentials of the development which are recognised, as is the benefit of providing new local business space.
99. Notwithstanding this, the business use does not take up opportunities for enhancement. It is proposed alongside a flexible residential use which would in effect be market housing and which is unacceptable in principle. In light of the above, the provision is afforded little weight in the planning balance.
100. The harm arising towards the Conservation Area is therefore not outweighed by the public benefits of the proposed development.

Highways

101. An enquiry regarding the proposals was submitted to DCC Highways in 2019. The response confirmed there would need to be no intensification of the use of the access to the site from Main Road. However, the 2019 response did accept the provision of a single dwelling was likely to be comparable in terms of trip generation associated with the site's existing use.
102. Given the limited planning history associated with the site, it is difficult for Officers to be clear on the site's lawful use although it is considered likely the site has been used for residential car parking since 2004, following an application that year to redevelop the site for a domestic garage. It is therefore likely a number of cars could be lawfully stored in the building and parked on site. The current application proposes 4 parking spaces.

103. In light of the above, the Highways Authority and PRow Officer have not raised an objection in relation to the proposed development and its access as this would not represent intensification. In addition, the proposals would not appear to encroach on the width of the PRow. A Construction Management Plan could be conditioned to ensure development does not impact the PRow.

Residential Amenity

104. Uses surrounding the application site include the Open House café immediately to the south, and Cintra's Tea Room and outdoor seating area to the west.
105. The response from Environmental Health does raise some concern regarding the proximity of a proposed residential use close to commercial properties, due to the potential for noise disturbance. Whilst discussions with Environmental Health have suggested it would have been preferable to have information regarding the noise environment of the site up front to establish the levels of insulation required and any building specifications, a condition has been recommended by Environmental Health in order to deal with those details by condition.
106. The condition wording requires that prior to the proposed use commencing, a noise mitigation scheme is to be submitted detailing the measures to be implemented to ensure satisfactory amenity for future occupants of the building.
107. Environmental Health have also raised concerns about the use of any external amenity space to the building in connection with the residential use from an amenity perspective, due to potential noise. The Agent has confirmed that the proposal does not seek to create any external garden area and this could be controlled by condition.
108. A condition requiring the business and residential use to remain as part of the same planning unit would be required in order to protect the amenity of the residential use. The glazed doors on the south elevation would also likely need to be obscure glazed due to proximity with the building to the south.

Trees

109. The submitted Tree Survey confirms there is a mature elder to the west of the existing building which is in poor condition and a mature sycamore to the north in good condition.
110. The development would require the removal of the declining elder. The submitted Arboricultural Impact Assessment sets out mitigation measures including tree protective fencing to be installed prior to development commencing, the construction of the northern steps, installation of the bin store and any drainage works.
111. The Authority's Tree Officer has raised no objection provided the development is carried out in accordance with the recommendations of the Arboricultural Method Statement.
112. The development would therefore accord with DMC13 of the development plan.

Sustainability

113. It is recognised the development has sought to follow a sustainable approach to development, with a specific focus being to reduce embodied carbon during construction. A number of representations support the sustainability of the development.
114. The development proposes use of high insulating walls, sealing of the building envelope to achieve low air change rates, installation of a mechanical ventilation and heat recovery system to ventilate the building in a sustainable manner, installation of an air source heat pump, use of low energy lighting and low use water conserving fittings for taps.

115. The Sustainability Statement indicates the construction materials and finishes would have a low environmental impact to minimise the overall embodied carbon and energy of the proposals. The Statement indicates the proposed solution uses 4.6% of the embodied carbon compared with the masonry equivalent (stone and concrete alternative).
116. The development would therefore comply with Policy CC1.

Other

117. The development is exempt from the statutory requirement for Biodiversity Net Gain. The majority of the site would remain gravelled, with some wildflower planting and hedgerow planting to the north. This would result in some modest enhancement to biodiversity which is welcomed and in accordance with policy L2, however enhancements would not be significant and would not outweigh the concerns outlined above.

Conclusion

118. The existing building is not considered to contribute positively to the area. The application seeks to substantially alter the building, which would be re-clad in like-for-like external sheeting, and would be extended and altered in an unacceptable manner.
119. The proposed development would not convert a traditional building or conserve or enhance the settlement contrary to Policies DS1, HC1 and DMH6, and in creating a new business it does not take up opportunities for enhancement contrary to Policy E1. Furthermore, the proposal would not provide any significant overall benefit to the special qualities of the National Park, contrary to GSP2.
120. The proposed development would result in harm to the character and appearance of the area and the Hathersage Conservation Area, contrary to Policies GSP3, L3, DMC3, DMC5 and DMC8. This harm is less than substantial and no public benefits have been identified which would outweigh that harm.
121. Therefore, it is concluded that having had regard to all matters raised that the development would be contrary to the development plan there are no material considerations that indicate that permission should be otherwise granted. The application is therefore recommended for refusal.

Human Rights

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

List of Background Papers (not previously published)

Nil

Report Author

Hannah Freer – Planner – North Area