

FULL PLANNING APPLICATION – THE REDEVELOPMENT OF THE FORMER BROOKLANDS CHRISTIAN CARE HOME SITE ON COOMBS ROAD, AND THE CREATION OF 4 DWELLING HOUSES ON THE SITE AT THE BROOKLANDS, COOMBS ROAD, BAKEWELL (NP/DDD/0523/0494/MN)

APPLICANT: MR PETER HUNT

Summary

1. The application relates to proposals redevelop the site of the care home at The Brooklands, Coombs Road, Bakewell. The application has a number of elements:
 - the conversion of the main building from a residential care home to a single dwelling, with the refurbishment of the listed building, together with a replacement single storey extension and earth-sheltered garage;
 - the conversion and extension of former garden and agricultural buildings within the curtilage to a dwelling;
 - the demolition of an existing cottage and the erection of a new dwelling;
 - the demolition of ancillary accommodation and the erection of a dwelling.
2. This report concludes that the proposals are acceptable in principle, and are the minimum development required to support the viable conversion and restoration of the principal listed building back to a single dwellinghouse – it's optimal use. Whilst the development would result in some harm to the heritage significance of the listed buildings, the development is generally sensitively designed and it is concluded the arising harm is outweighed by the public benefits of bringing the listed buildings back in to viable use, securing their long-term conservation.
3. The application is therefore recommended for approval.

Site and Surroundings

4. The Brooklands lies off Coombs Road, a short distance to the east of Bakewell town centre. The site occupies a prominent location on sloping land overlooking Bakewell Showground and Agriculture Business Centre. The Monsal Trail is to the east of the site. The site comprises Brooklands, its associated access, landscaped gardens, outbuildings and former walled kitchen garden. The application site also includes a small group of former farm buildings, a two-bedroom house (Bethcar), and a staff accommodation bungalow. Access to the site is via a narrow drive which has an acute angled junction with Coombs Road. The gates at the junction between the drive and Coombs Road, and the associated boundary walls are Grade II listed structures.
5. The Brooklands is a Grade II listed building and was formerly a dwelling house which was last in use as a care home with 19 bedrooms. It was run as a Christian Residential Home for the elderly. The site contains three separate grade II listed buildings. These comprise:
6. The Brooklands including service range and linking wall. The building was included on the statutory list of buildings of special architectural or historic interest in January 1970;
7. Entrance gateway and attached garden wall at The Brooklands. The gateway and walls were placed on the statutory list in 1974;

8. Kitchen garden walls with attached potting sheds at The Brooklands. These structures were included on the statutory list in 1974.
9. All other structures are considered to be curtilage listed.
10. The submitted Heritage Statement explains that The Brooklands was formerly a residence and bleaching works and that around 1827 it was enlarged for use as a small country house. In 1954 it was converted to a residential care home, which it was until its closure in 2019.
11. The majority of the application site lies within Bakewell's Development Boundary, as shown in the Development Management DPD. However, the wooded area to the north east of the Brooklands is outside of the development boundary (DMB1, see inset map).
12. The entire application site lies outside of the designated Bakewell Conservation Area. To the south of Brooklands there is a grade II listed former coach house which has been extended and converted to a dwelling. To the west of the site there is a small estate of detached houses and bungalows. A public footpath runs from Coombs Road, through the Outrake, to the Monsal Trail and through the woods beyond. The rear of the site is visible from this footpath.

Proposal

13. The application is for the creation of four dwellinghouses on the site, two by conversion of existing buildings, and two by new build replacement dwellings.
14. In addition to the detailed plans, the application is accompanied by a Design, Access and Heritage Impact Assessment which also includes an assessment of landscape impact and the setting of the heritage assets. The application also includes a Planning Statement which sets out planning policies and addresses the key planning issues. The submission also includes an energy statement with reference to policy CC1 and CC2, and a full ecological report and a tree survey.
15. In more detail, the proposal is for four open market dwellings comprising:

Plot 1

The principal listed building and former residential home for the elderly: change of use to form a seven bedroomed dwelling. Repair, alterations, renewal of services with associated landscaping, and a detached subterranean garage. Repair and reinstatement of the historic entrance gates. The subterranean three car garage is proposed adjacent to Brook Lodge, the former stables to The Brooklands. The garage would be accessed via walled ramp.

Plot 2

The kitchen garden walls and former potting shed, cartshed, cowsheds, pigsties and kennels: conversion and extension to form a single 5-bed dwelling, including repair, consolidation and alterations to existing structures.

Plot 3

Demolition of Bethcar, an existing 2 storey dwelling with associated external ancillary structures, and erection of a single storey 5-bed dwelling over a semi-subterranean basement/garage

Plot 4

Demolition of staff accommodation bungalow, built in 1987, and erection of a two storey 5-bedroomed dwelling with garaging.

RECOMMENDATION:

That delegated power be granted to the Head of Planning, Development and Enforcement Manager and Area Team Manager to APPROVE the application subject to agreement of drainage matters and relevant conditions with the Lead Local Flood Authority and subject to the following conditions:

- 1 3-year time limit**
- 2 In accordance with amended plans and details**
- 3 Phasing of development to secure the conservation works to the principal listed building prior to the commencement of other parts of the development**
- 4 Scheme of archaeological recording and monitoring**
- 5 Scheme of landscaping**
- 6 Implement tree protection measures during construction.**
- 7 Remove permitted development rights for alterations, extensions, outbuildings, and boundaries**
- 8 Conversion of buildings only with no demolition other than shown on plans**
- 9 Design and repair details, to include amongst other things window retention, works to floors, and roof alterations**
- 10 Scheme of external lighting**
- 11 Climate change mitigation measures to be implemented**
- 12 Recommendations of the ecological assessment to be implemented**
- 14 Agree construction compound**
- 15 Provision and maintenance of modified access through lifetime of the development.**
- 16 Retain garages for the parking of domestic vehicles.**

Key Issues

16. Whether the development is acceptable in principle, including whether it is major development, whether the loss of a community facility is justified, and whether a scheme of exclusively open market housing complies with adopted planning policies that seek to provide affordable housing on schemes of this type wherever viable
17. The impact of the development on the landscape character of the National Park.
18. Other issues, including ecological impacts and site drainage

Relevant planning history

19. 1985: Planning permission granted for conversion of stable block to dwelling

20. 1987: Planning permission granted for extension to care home
21. 1987: Planning permission granted for extension of outbuildings to form dwelling
22. 2004: Planning application seeking planning permission for conversion of the Brooklands to 10 flats, a 40-bed care home and erection of two assisted living units (plus demolition of kitchen garden walls and outbuildings) and associated application for listed building consent. WITHDRAWN prior to determination.
23. 2005: Application REFUSED for planning permission for conversion of residential home to five apartments and the erection of a 40-bed care home, assisted living accommodation amenity block and access and associated application for listed building consent.
24. 2006: Planning permission and associated listed building consent GRANTED for conversion of the Brooklands to two dwellings and the construction of a 40-bed care home. A legal agreement was attached to the planning permission restricting long term occupancy of the care home to local people or dependents of local people
25. 2007: Listed building consent GRANTED for works to the listed buildings within the current application site to facilitate conversion of the Brooklands to two dwellings and construction of a 60-bed residential nursing home (NPIDDD/1007/0970). This scheme was a revision of that granted consent in 2006 and was approved taking into account that the revised scheme better preserved the listed structures.
26. 2008: Planning permission GRANTED for conversion of 'The Brooklands' to two dwellings and the construction of a 60-bed residential nursing home (NP/DDD/1007/0969). This scheme was a revision of that granted consent in 2006 and was approved taking into account the revised scheme better preserved the listed structures within the current application site and the proposed new build care home was considered to be of better design than that previously consented. A section 106 legal agreement was attached to the 2008 planning permission restricting long term occupancy of the care home to local people or dependents of local people. The plans approved in 2008 show a free-standing building with two three-storey stone-built buildings and a glass atrium, which would lie between them, arranged around a court yard on a horseshoe. A single storey wing would run off the east facing elevation of the second stone-built building. The single storey wing would be mainly constructed from stone but would also be provided with a significant amount of glazing. The design of the three-storey stone-built buildings broadly reflected the character and appearance of The Brooklands, the remaining elements of the care home were more contemporary in style.
27. 2011: Planning permission and listed building consent GRANTED for an extension to the time limit for implementing the planning permission granted in 2008 for the conversion of the Brooklands to two dwellings and the construction of a 60-bed care home (NP/DDD/1007/0969). The permissions were implemented by the demolition of a glass house. Although the works were very small, the Authority accepted that this constituted a commencement so the permissions (NP/DDD/1110/1185 and NP/DDD/1110/1186) were therefore saved in perpetuity.
28. 2021: Pre-application advice given on a draft masterplan which was submitted to prompt discussion about the key principles of redeveloping the site to allow for a large holiday let within the main house; a new house within the walled gardens; conversion and extension of the farm buildings to form a dwelling; and three new build dwellings to the north.
29. 2022: Planning permission and listed building consent REFUSED for the redevelopment of the former Brooklands Christian Care Home site on Coombs Road, and the creation

of 5 dwelling houses on the site; two by conversion of existing buildings, and three by new build. This was refused on the grounds of harm arising that was not demonstrated to be required to, or achieve, the conservation or enhancement of the principal listed building, that it failed to provide enough heritage assessment for impacts to be properly considered, that the proposed dwellings in some instances gave rise to adverse landscape impacts, and matters of surface water drainage remaining unresolved.

Consultations

30. Highway Authority – No objections subject to conditions.
31. District Council – No response.
32. Town Council – No objection overall to this application subject to the following;
33. The Development Boundary Breach disclosed must be addressed either by redesign by the developer or classed as an exception by the Planning Authority if not confirmed as a permitted development extension within a curtilage.
34. A Section 106 Agreement for Affordable Housing must be made, as this a major development of resultant high net value open market properties. Affordable Housing would not be reasonably expected to be provided on this heritage site and may affect viability of the project within this unique setting, whereas a Section 106 agreement would offset this.
35. The detached property built in 1897 show as “Bethcar”, represents a historical link to the whole estate, being built as a farm workers cottage. Although in a poor state of neglect, this property should be saved and sympathetically developed retaining an important heritage link to the history of the former estate as well as being a noticeable house within the current landscape.
36. PDNPA – Conservation – Advise that the scheme would result in less than substantial harm, largely caused by harm to the setting of Brooklands and the contribution this makes to the significance of the listed buildings. They state that furthermore, the scheme to the house has been amended to respond to their concerns, but that the risk is that the amended scheme does not comprise a full scheme of conservation which would provide the public benefits to outweigh the harm to the buildings’ significance. They note the importance of ensuring that the heritage benefits of enabling development are realised after an approval. The full response can be viewed on the Authority’s website.
37. PDNPA – Archaeology – Advise that the works have the potential to uncover or remove some features of archaeological significance, most notably the loss of Bethcar. Advise that if the planning balance supports the proposals as scheme of archaeological monitoring and recording should be secured. The full response can be viewed on the Authority’s website.
38. PDNPA – Tree officer – No objections.
39. PDNPA – Ecology – Advise that the mitigation measures set out in the submitted ecological assessment should be adhered to, and that a lighting plans should be secured.
40. PDNPA – Landscape – Objects to the proposals on the grounds of lack of information and recommends that a landscape and visual assessment is carried out, and that a landscaping plan is secured.
41. Historic England – No comments.

42. Lead Local Flood Authority – Following initial comments and the submission of additional information from the applicant, the following response was received:

43. the following points require addressing before we are able to formally comment.

- A suitable drainage layout and associated drainage calculations which display the existing drainage/drainage features, proposed surface water drainage, SuDS, and outfall for the site while demonstrating that the site will not cause flood risk to any proposed or existing infrastructure.
- Further explanation regarding how existing surface water flood risk will be diverted away from properties during the re-development.
- What is the flood risk posed by the private pipes referred to as land drains in the FRA? Where are they located? Will existing flows change during or following development?
- The surface water outfall would need to cross Coombs Road to enter the watercourse on the southwest side. How would this be achieved?
- The flow route of the watercourse shown as Figure 1 in the most recent drainage strategy does not align with our data records, i.e., the watercourse does not cross Coombs Road c.400m downstream of the proposed outfall. Is there evidence available to show that connectivity has been established between the watercourse on the southwest side and northeast side of Coombs Road?
- What is the total proposed impermeable area for the development?
- A range of sustainable drainage techniques must be considered prior to or in conjunction with the planning layout. Information regarding possible SuDS techniques can be seen within 1.1 of the CIRIA SuDS Manual C753 (page. 29).
- It needs be demonstrated that surface water will be treated in line with Table 26.3 of the CIRIA SuDS Manual C753 (page. 569).
- How the sustainable drainage systems integrate with the open space and green infrastructure should be described and what multifunctional benefits they provide should be stated, as per paragraph 59 of planning practice guidance (Aug 2022).
- Derbyshire County Council as LLFA would not adopt or maintain the proposed SuDS. Could further details be provided explaining who the responsible party would be to carry out maintenance of the SuDS.

44. The Victorian Society – the Victorian Society objects to these works due to the harm they represent to the setting and understanding of a listed building. The demolition of Bethcar is unjustified and would result in the complete loss of an important aspect of Brooklands setting and character. Secondly, the proposed designs for the site are wholly inappropriate for the Conservation Area of the National Park. They do not respect the historic nature of the site and would negatively impact the listed building and readability of its history. The Society recommends more appropriate architectural choices that would complement and enhance the historic character of the site, not challenge and disrupt it. The full response can be viewed on the Authority's website.

45. The Georgian Group – Conclude that the Georgian Group has considerable concerns about the impact of the proposed new development within the grounds of Brooklands on the setting and significance of the listed structures. The proposed development may also prejudice the future viability of the mansion as a single private dwelling. The full response can be viewed on the Authority's website.

46. Natural England – No objection.

Representations

47. None received at time of writing. However, one letter was received in relation to the parallel listed building consent application and is reported here as it has greater

relevance to planning matters than listed building ones. It seeks to bring the following matters to the Authority's attention:

i) Plot 3 Bethcar. We note it is intended to demolish the existing building and replace with a new build within the curtilage of current wall around the existing house (Bethcar). Having looked at the submitted plans it is clear that the proposed new dwelling extends well beyond the current wall on the west side of the development. In the previous planning application for the erection of a nursing home on the Brookland Christian Care home site there was a commitment to create a 'wildlife' buffer zone and bat run between the border of our property and the proposed care home – the west elevation of this proposed building was aligned to the current stone wall. Having stated that the proposed new building will be within the curtilage of the existing wall around Bethcar we are unclear why the plans show that this is not the case.

ii) We remain concerned (as outlined in our feedback on the previous planning application) with the impact of extensive evacuation of land required for the footings of the new build on the roots of the very tall preserved trees, rain water run-off and nearby springs. Please note, prior to the current owners, a spring (behind Bethcar) fed the pool/pond. This is no longer the situation and the pool/pond is empty of water. We would like reassurance that the impact on land drainage and feed to the swimming pool have been thoroughly considered prior to the commencement of any building.

Statutory Framework

48. 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:
49. Conserve and enhance the natural beauty, wildlife and cultural heritage
50. Promote opportunities for the understanding and enjoyment of the special qualities of national parks by the public
51. 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.
52. In the National Park, the development plan comprises the Authority's Core Strategy and the new Development Management Policies (DMP). These Development Plan Policies provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. This application must be determined in accordance with the development plan unless material considerations indicate otherwise.
53. Relevant Core Strategy policies: GSP1, GSP2, GSP3, GSP4, DS1, CC1, HC1, HC4, L1, L2 and L3.
54. Relevant Development Management policies: DMC3, DMC5, DMC7, DMC10, DMC11, DMC13, DMH9, DMS2, DMT3, DMT8, and DMB1.
55. The Authority has adopted three separate supplementary planning documents that offers design guidance on householder development, namely the Building Design Guide (1987), Design Guide (2007) and the Detailed Design Guide on Alterations and Extensions (2014).

National Planning Policy Framework

56. 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 prevailing policies in the development plan and the NPPF and our policies should be given full weight in the determination of this application.
57. Paragraph 189 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.”*
58. Paragraph 221 sets out that local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.

Peak District National Park Core Strategy

59. Policy GSP1 sets out the broad strategy for achieving the National Park's objectives having regard to the Sandford Principle, (that is, where there are conflicting desired outcomes in achieving national park purposes, greater priority must be given to the conservation of the natural beauty, wildlife and cultural heritage of the area, even at the cost of socio-economic benefits). GPS1 also sets out the need for sustainable development and to avoid major development unless it is essential, and the need to mitigate localised harm where essential major development is allowed.
60. Policy GSP2: *Enhancing the National Park* states that:
61. Opportunities for enhancing the valued characteristics of the National Park will be identified and acted upon.
62. 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.
63. When development is permitted, a design will be sought that respects the character of the area.
64. Opportunities will be taken to enhance the National Park by the treatment or removal of undesirable features or buildings. Work must be undertaken in a manner which conserves the valued characteristics of the site and its surroundings.
65. Development in settlements necessary for the treatment, removal or relocation of nonconforming uses to an acceptable site, or which would enhance the valued characteristics of the National Park will be permitted.
66. Policy GSP3 sets out development management principles and states that all development must respect, conserve and enhance all valued characteristics of the site and buildings, paying particular attention to, amongst other elements, impact on the character and setting of buildings, scale of the development appropriate to the character and appearance of the National Park, design in accordance with the National Park Authority Design Guide and impact on living conditions of communities.

67. Policy GSP4 says that to aid the achievement of its spatial outcomes, the National Park Authority will consider the contribution that a development can make directly and/or to its setting, including, where consistent with government guidance, using planning conditions and planning obligations.
68. Policy DS1 sets out the Development Strategy for the National Park.
69. Policy HC1 says that exceptionally, new housing can be accepted where the proposals would address eligible local needs and would be for homes that remain affordable with occupation restricted to local people in perpetuity. The provisions of HC1 are supported by policy DH1, DH2 and DH3 of the Development Management Policies, which gives more detailed criteria to assess applications for affordable housing to meet local need.
70. Policy HC4(C) states: *“C. Proposals to change the use of buildings or sites which provide community services and facilities including shops and financial and professional services to non-community uses must demonstrate that the service or facility is: i) no longer needed; or ii) available elsewhere in the settlement; or iii) can no longer be viable. Wherever possible, the new use must either meet another community need or offer alternative community benefit such as social housing. Evidence or reasonable attempts to secure such a use must be provided before any other use is permitted.”*
71. Policy L1 states that development must conserve and enhance valued landscape character and valued characteristics.
72. Policy L2 states that development must conserve and enhance any sites, features or species of biodiversity 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 importance or their setting that have statutory designation or are of international or national importance for their biodiversity.
73. Policy L3 ‘Cultural heritage assets of archaeological, architectural, artistic or historic significance’ states that:
74. *‘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 or special interest;*
75. *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 of archaeological, architectural, artistic or historic significance or its setting, including statutory designations or other heritage assets of international, national, regional or local importance or special interest;*
76. *Proposals for development will be expected to meet the objectives of any strategy, wholly or partly covering the National Park, that has, as an objective, the conservation and where possible the enhancement of cultural heritage assets. This includes, but is not exclusive to, the Cultural Heritage Strategy for the Peak District National Park and any successor strategy.*
77. Policy CC1 states that development must make the most efficient and sustainable use of land, buildings and natural resources, taking into account the energy hierarchy and achieving the highest possible standards of carbon reductions and water efficiency.

78. CC2 states that proposals for low carbon and renewable energy development will be encouraged provided that they can be accommodated without adversely affecting landscape character, cultural heritage assets, other valued characteristics, or other established uses of the area.
79. CC5: *Flood risk and water conservation states:*
80. *Development proposals which may have a harmful impact upon the functionality of floodwater storage, or surface water conveyance corridors, or which would otherwise unacceptably increase flood risk, will not be permitted unless net benefits can be secured for increased floodwater storage and surface water management from compensatory measures.*
81. *Where flood management schemes are proposed to reduce the risk of flooding to established material assets, they should wherever possible secure wider benefits for the natural environment, such as habitat creation or landscape enhancement.*
82. *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.*
83. *New development must allow an appropriate set-back distance for adequate maintenance of watercourses.*

Development Management Policies

84. The most relevant development management policies are DMC3, DMC5, DMC7, DMC10, DMC11, DMH9, DMS2 and DMB1.
85. Policy DMC3A 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.
86. Policy DMC3B 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.
87. Policy DMC5 provides detailed advice relating to proposals affecting heritage assets and their settings, requiring new development to demonstrate how valued features will be conserved, as well as detailing the types and levels of information required to support such proposals. It also requires development to avoid harm to the significance, character, and appearance of heritage assets and details the exceptional circumstances in which development resulting in such harm may be supported.
88. Policy DMC7 relates to listed buildings. It states that planning applications for development affecting a Listed Building and/or its setting should be determined in accordance with policy DMC5 and clearly demonstrate: (i) how their significance will be preserved; and (ii) why the proposed development and related works are desirable or necessary. Applications will not be considered if they do not contain sufficient information to assess impact on significance. Proposals that adversely affect the listed building will not be permitted, particularly if they lead to a loss of original fabric or seek unnecessary alterations to key features. DMC7 also resists the loss of curtilage features which complement the character and appearance of the building. Consistent with the NPPF, the policy allows for properly justified impacts that are less than substantial or that have

a public benefit. Where change to a Listed Building is acceptable, an appropriate record of the building will be required.

89. Policy DMC10 addresses conversion of heritage assets, permitting this where the new use would conserve its character and significance, and where the new use and associated infrastructure conserve the asset, its setting, and valued landscape character. It also notes that new uses or curtilages should not be visually intrusive in the landscape or have an adverse impact on tranquility, dark skies, or other valued characteristics.
90. Policy DMC11 Safeguarding, recording and enhancing nature conservation interests. Proposals should aim to achieve net gains to biodiversity or geodiversity as a result of development and that details of appropriate safeguards and enhancement measures for a site, feature or species of nature conservation importance must be provided in line with the Biodiversity Action Plan. For all sites, features and species development proposals must consider amongst other things, the setting of the development in relation to other features of importance, historical and cultural.
91. 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 which should be protected during the course of the development.
92. Policy DMH9 deals with replacement dwellings. Replacement dwellings will be permitted where the dwelling to be replaced: (i) is not Listed individually or as part of a group listing; and (ii) is not considered to have cultural heritage significance; and (iii) is not considered to contribute positively towards the valued landscape character or built environment in which it is located. Where replacement dwellings are larger than the original dwelling, it should be demonstrated that there will be significant overall enhancement to the site and the wider landscape. Replacement dwellings should also enhance the character of the site, not impact upon the amenity of neighbours, and must exhibit high sustainability standards.
93. Policy DMS2 deals with community services and facilities. It states:
94. *Where an applicant is seeking change of use from a shop or a community service/facility to a non-community use, evidence of reasonable attempts to sell or let the shop or community service/facility as a going concern must be provided including:*

evidence of a thorough viability assessment and a marketing exercise with a commercial property agent, sustained over at least 12 months, to sell or let the building for alternative community uses or facilities including local needs affordable housing; and

evidence of marketing of the property through the Economic Development Team of the appropriate local authority for at least 12 months; and

details of contact made with the Town Council, Parish Council or Meeting and other adjacent Parishes to establish the needs existing in the local area and an assessment of the local affordable housing needs in the Parish or adjoining Parishes with reference to an up to date Housing Needs Survey prepared by or in consultation with the district authority as Housing Authority.
95. *The Authority will consider favourably proposals for the change of use of shops, community services and facilities to mixed use community schemes including the provision of affordable housing for eligible local need and for workspace.*
96. *Where the ground floor of a dwelling is a mixed residential and retail use, residential amenity will be fully taken into account when considering change of use. Permission will*

be granted for change of use of the retail area to residential use if the retail use has an unacceptable impact on residential amenity, and segregation of the retail area from the dwelling would also have an unacceptable impact on residential amenity.

97. Policy DMB1 *Bakewell's Development Boundary* says that the future development of Bakewell will be contained within the Development Boundary.

Assessment

Principle of the development:

Major development tests

98. Paragraph 190 of the NPPF states that major development within National Parks should be refused unless it can be demonstrated that the proposals are in the public interest and pass the three tests set out in the NPPF (namely, need, scope for the development to take place elsewhere, and effect on the environment). This is reflected in policies GSP1 and DM1.
99. However, footnote 67 of the NPPF states that the definition of major development is that it is for the decision maker to define what is major development, considering its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.
100. The development is for a relatively small number of dwellings on the edge of Bakewell and is therefore not a major development in terms of its nature or scale. The site is however sensitive given the listed building and cultural heritage is a purpose for which the National Park has been designated.
101. While the development would impact the listed building, it is not considered to be major in nature or scale having regard to the NPPF. Consequently, Officers consider that the proposed development is not a "major" development in terms of the NPPF, so the presumption against major development in a National Park does not apply in this case.

Loss of a Community Facility

102. Before assessing the scheme in detail, it is necessary to consider whether the loss of a community facility is acceptable in principle. Core Strategy policy HC4 and Development Management policy DMS2 set out the Authority's approach to the loss of a community facility. These policies are consistent with paragraph 93(c) of the NPPF. The supporting statements submitted with application set out the case for the loss of the care home facilities. They explain that at its peak the Brooklands care home had capacity for 19 residents (10 with specialist dementia care requirements) and employed 22 staff members.
103. The operational care home was limited to the main house where corridor widths are limited (aside from the main entrance hall, corridors are 1m wide or less) and there is access to only one small lift. Most rooms had shared bathrooms and did not meet the requisite dimensions recommended by the Care Quality Commission (CQC). The floorplan of the building is complex, involving many level changes.
104. In their 2007 inspection report, the CQC stated that 'refurbishment of the home as detailed in the report must be undertaken as matter of urgency', but significant works were never undertaken. The CQC requires that modern care homes should ideally provide en-suite bedrooms of at least 12msq that allow carers to access both sides of a bed. The building should also be designed to take loadings so that hoists can be added over beds and showers to take the full weight of residents. Doorways should be 800mm

wide. Lift access should be provided to all floors and all parts of the building should be wheelchair accessible. The supporting statement says that the Brooklands would be unable to meet any of these requirements even after refurbishment.

105. These constraints were a significant factor in the Authority's approval in 2006 of an application for a large new-build facility to the west of the house. This was followed by subsequent approvals, resulting in an extant permission for a 60-bed unit. These were subject to a S.106 legal agreement which required all residents to be from the National Park.
106. However, in 2013, with the care home struggling to generate enough revenue to commence the construction of the new facility, the site was put on the market. Several parties expressed an interest in the site as a going concern but it was not sold. The submitted information says that the site was continuously marketed between 2013 and 2019 as 'The Brooklands' and the permissions for a new-build facility were referred to in the sale particulars. It adds that the description of the site would not have prevented operators of other community facilities (schools, training centres etc) from exploring the potential use of the property for alternative purposes. The Planning Statement says that all care home operators who initially showed interest were deterred by the S.106 agreement and the fact that the approved 60 bed care home had already become too small for modern standards and so would require new planning permission and listed building consent.
107. The need for refurbishment and/or redevelopment, coupled with the site failing to meet modern standards began to have significant viability implications for the care home. The application provides confidential accounting information for the period 2016-2019 which show the business only turned a reasonable profit in 2019 due to the sale of its main asset (the Brooklands property), otherwise it had been incurring small losses or at best breaking even for several years. It is acknowledged that the buildings and structures on the site clearly require a very high level of capital investment to ensure their long-term survival and beneficial use, which would be significant consideration for any prospective purchaser.
108. There are alternative residential care home facilities within Bakewell at Burton Closes Hall, Bakewell Cottage Nursing Home, and the Old Vicarage. There are also residential facilities for the elderly at Hoyle Court, off Dagnall Gardens.
109. In terms of the Development Plan policies, we are satisfied that policy HC4 is complied with because the community facility is no longer needed (because it does not meet modern standards, and because it was not taken on despite reasonable attempts at sale), is available elsewhere in the settlement, and can no longer be viable. The sales particulars also did not preclude operators of other community facilities from exploring alternative community use of the site, but none have come forward. Whilst the marketing was undertaken some time ago now, given the matters set out above we are not of the view that further marketing is now necessary, or would yield different results. For the same reasons, we are satisfied that policy DMS2 has been complied with to the extent necessary to accept the loss of the care home use.

Provision of open market housing

110. The Authority's adopted policies do not allow new housing in the National Park unless there are exceptional circumstances. With regards to the principle of residential use, policy HC1(C)I of the Core Strategy states that exceptionally new housing can be accepted where, in accordance with core policies GSP1 and GSP2, it is required in order to achieve conservation and/or enhancement of valued vernacular or listed buildings.

111. The main justification for the proposed development is that it will allow the main dwelling, The Brooklands, to be returned to its original use as a dwelling, together with consequential works of enhancement and restoration. It would also bring other listed buildings within the site in to viable use.
112. In principle, the restoration of a listed building to its original use would be in accordance with Authority's policies and with Historic England guidance, returning the building to what is accepted to be its optimal use. Similarly, conversion of other existing listed buildings to residential use is acceptable in principle, if it is required to secure their conservation.
113. Policy HC1, at part C, also requires that in the case of the provision of more than a dwellinghouse, provision be made for all further housing to be affordable housing so far as is financially viable. In this instance the application has been accompanied by a financial viability assessment. This seeks to establish not only that it would not be financially viable to provide any affordable housing as part of the redevelopment of the site as a whole, but that the conservation deficit of the proposals to restore the principal listed building are such that the proposed extent of redevelopment of the wider site is the minimum necessary to secure the building and return it to its optimal use.
114. The Authority has commissioned an independent review of this assessment. Following detailed discussions between the Authority's consultant and that of the applicant, the conclusions of the viability assessment have been found to be sound and therefore the redevelopment of the site for housing as proposed complies with policy HC1 in principle – because it is required for the conservation of the listed building, subject to achieving that conservation directly, or when weighing other public benefits in the planning balance.

Replacement dwellings

115. Policy DMH9 supports replacement dwellings where they are not listed or of heritage significance, or making a positive contribution to the area. Larger dwellings should demonstrate enhancement to their setting. These matters are considered in the assessment below.

Whether the development would conserve the heritage assets at the site

Main House

116. The Planning Statement explains that the house was first brought into use as a single, family dwelling following a period of development after 1832, and reversion to its original use would represent the optimum use of the asset. Inappropriate modern partitions to facilitate the care home use will be removed and the proposed layout will closely follow the original layout of the property whilst ensuring the house is attractive and functional as a modern dwelling.
117. National guidance recognises that ensuring heritage assets remain used and valued is likely to require sympathetic changes to be made from time to time. The conversion into a single dwelling would not require significant changes to the building's form. The proposed interventions to facilitate the conversion are set out in detail in the Heritage Statement, which concludes that they will ensure conservation and enhancement of the asset and are required for the future conservation of the asset which has been neglected in recent years. The change of use and restoration of Brooklands back to a single dwelling is proposed as a positive enhancement through the removal of inappropriate alterations which harm the heritage asset and through its overall restoration and repair.
118. The Authority's conservation officer raises some concerns regarding matters of detail in relation to the works to the house, including proposed window replacements, potential

works to floors, extent of roof damage and queries regarding services installations. The applicant's agent has since agreed to retain all but 2 (modern) windows, with others to be repaired. This is welcomed, and other matters could be controlled by planning condition.

119. The demolition of the 1987 extension and construction of a garden-room in structural glass and stainless-steel columns is considered to be a positive enhancement as the 1987 extension is of poor design and detailing. The replacement garden room would be a modern structure but its transparency which would reveal and enhance the elevation, and the significance of the heritage asset and contribute towards the conservation of the asset.
120. In addition to this, there would be other restoration works, including the aforementioned replacement of unsympathetic windows and the dismantling and rebuilding of the curved garden wall to the original geometry. The remaining section of retaining wall to be locally consolidated repaired. The original wall was straight with orthogonal steps and a gap, but this was reconstructed as a curve, abutting the east elevation of the house. This created an inaccessible, saturated and unmaintained lightwell to the east elevation of the house. It is therefore proposed to reinstate the original wall geometry and provide access to the lightwell for maintenance and access.
121. The proposals also include the erection of a subterranean, 3 car garage on land to the immediate south of the main house, in close proximity to the boundary of the neighbouring property. Whilst this is outside of the curtilage of the listed building, the proposals have been developed to ensure no adverse landscape impact. By virtue of its design and siting, it would not have a harmful impact on the setting of the listed building or on the wider landscape.
122. Overall the works are considered to be positive and would substantially contribute towards the conservation of the heritage asset, according with policies HC1, L3, DMC3, DMC5 and DMC7.

Plot 2 (Walled Garden)

123. It is arguable whether the proposals at Plot 2 amount to conversion with extension, or to a new build dwelling. Whilst the area of new footprint is large, it is less than half the footprint of the overall dwellinghouse proposed. Given this, and that the development seeks to utilise rather than replace or substantially alter the existing historic buildings comprises the majority of its volume, we are satisfied that it should be treated as a scheme of conversion.
124. In design terms, the scheme as a whole takes a different approach to the 2021 application, which was refused – amongst other reasons – on the grounds that the proposed new-build dwellings were not appropriate in their context.
125. Plot 2 is the dwelling proposed in the former kitchen garden area to the west of the main house, and would include the agricultural building and kennels north of the wall as an annexe as part of the same dwellinghouse. The proposals also include the listed potting shed abutted against the garden walls. The proposal is to convert the historic buildings, repair the walls, and to construct part of the new dwelling within the garden immediately south of the walls. The house would have five bedrooms, including two in the annexe, and a double garage. The potting sheds would be converted for use as a bathroom, plant room, a utility room and a home office.
126. The Planning Statement says that the concept of a house in the walled garden is based upon the conversion of the potting sheds, the stabilisation of the listed walls, and the development of a new house on the footprint of previous historic glasshouse structures.

This part of the building has been reduced in scale at the request of officers to reduce its encroachment towards the principal listed building and to reduce its dominance within the wider site.

127. In terms of its materials and form this section of new build development seeks to respond to both the historic development within the walled garden, and to integrate the building in to its setting. It has some success in doing so. Whilst seemingly occupying a much larger footprint than any historic glasshouses in this position, the use of extended glazed walling nods to that previous development, and the proposed use of brick walling reflects the parallel listed walling behind, both respecting and blending the new development with the historic fabric it sits alongside. It would however still obscure areas of the existing historic garden wall and affix to it, resulting in a degree of harm.
128. The former stone built agricultural buildings located just north of the existing wall that severs plot 2 consist of pig sties, a dairy, an abattoir, a cart shed and kennels, plus a later red brick estate office. These buildings would have formed a 'home farm' and, together with the kitchen gardens, would have supplied fresh produce to the main house. As such they were integral to the use and function of the household and make an important contribution to the significance of the site. They are in a very poor state of repair, having clearly been out of sustainable use for many years. These would be converted largely within their shells without extension (in stark contrast to the aforementioned 2021 proposals), and as such their significance would be largely maintained. The only notable exception was a previously-proposed forwards extension of a cartshed to become a garage, which the Authority's conservation officer objected to on the grounds that historic fabric, form and layout would be harmed. The applicant's agent has since submitted amended plans to address that matter.

Plot 3

129. This part of the development proposes the demolition of the existing dwelling in the north-west corner of the site, known as Bethcar, and its replacement with a new single storey five-bedroomed dwelling over a semi-subterranean basement/garage.
130. The Statement of Heritage Significance attributes a 'Neutral' significance to Bethcar, which was constructed in 1897 as an estate workers' cottage. It notes that no original fenestration survives, and that the building has been heavily altered. The Heritage Statement also says that Bethcar is in a poor condition, with decayed roof timbers, holed ceilings, and offers limited potential for an energy efficient refurbishment. It has no internal sanitation.
131. The responses of consultees – the Authority's conservation officer, the Georgian Society, and the Victorian Society – all place greater heritage value on Bethcar than the submitted statement does. There is, however, disagreement on its value with the Authority's Archaeologist describing it as being of low/local interest, the Georgian Society describing its significance as 'modest' whilst the Victorian Society indicate that its value to the heritage interest and understanding of the site is much greater.
132. It is noted that permission was previously granted for the demolition of Bethcar under the extant permissions for the site (NP/DDD/1110/1185 and NP/DDD/1110/1186), which must be afforded some weight. However, the planning balance for that scheme was different, with different considerations. Whilst that permission may still be extant, and Bethcar could therefore be demolished, it does not necessarily justify the demolition of the house as part of an alternative scheme with a different planning balance.
133. This matter, and the planning balance more generally, is considered in its own section following this discussion of each plot and their heritage implications.

134. Coming back to the proposed replacement dwelling on Plot 3, the dwelling has been significantly reduced in length by 7m at the request of officers. The overall massing of the replacement dwelling remains large, although its single storey design would mean it does not protrude higher within its setting.
135. The proposed materials are gritstone walling and glazing to the visible elevations and windows and doors would have narrow frames, recessed into the stonework, breaking the wide mass with shadow lines to some extent. This form and these materials would have an impact within the site, but less so than a taller or more traditionally designed building that would appear more prominent and draw greater attention. Given its scale, it is considered that the building would appear relatively recessive within its setting.

Plot 4

136. This involves the demolition of a staff accommodation bungalow, built in 1987, and erection of a two storey 5-bedroomed dwelling with garaging. This is located to the north of the main house on the site of the existing staff bungalow. Previous, extant permissions allow for the demolition of the existing building.
137. The new house would have five bedrooms, and a double garage.
138. As with the replacement house at Bethcar, the overall approach is contemporary, with extensive zinc cladding/roofing on the first floor of the building, with stone walling across the ground floor. This approach serves to break up the massing of the building and the reduction of scale across the first-floor area minimises the additional impacts on the setting of the principal listed building. Some such impact still arises, but is offset to some extent by the replacement of the unsympathetic bungalow with a new dwelling of higher quality design.
139. The proposed house sits on the boundary of the Bakewell Development Boundary and there would be minor encroachment beyond the boundary, but still within the curtilage of the site. This is not, however, detrimental to the integrity of the Development Boundary and does not represent a significant encroachment into open countryside, particularly given that its proposed footprint does not project any further east than the main house. The replacement house would not have an adverse landscape impact so it would accord with Core Strategy policy L1.

Overall design conclusions

140. Each of the dwellings is large in scale, necessitated by viability considerations.
141. However, they do respond to their positions and settings, seeking to respond with forms and designs that are unobtrusive, and materials that harmonise with those around them.
142. In these regards, they are considered to accord with adopted policies GSP1, GSP3, DMC3, and DMH9.
143. However, matters of impact on setting do arise, as discussed below.

Impacts on setting

144. Whilst the new buildings proposed are considered to generally respond well to their settings in terms of their designs there is, perhaps inevitably, an impact on the historic setting of the principal listed building.
145. The large, contemporary buildings would be visible within – and change – the setting in which The Brooklands is appreciated. There would be erosion of the relationship

between the existing historic outbuildings and the main house, both visually and in terms of their historic function – through the subdivision of the site and the changes to their character and appearance.

146. As identified by each of the heritage specialists consulted on the proposals, these changes would result in harm to the setting – and therefore the significance – of The Brooklands as a Grade II listed building.
147. Therefore, when taken as a whole, the proposed development would give rise to a degree of harm to the significance of the affected heritage assets by virtue of the impact of the new development within the setting of the principal listed building, and through the loss of some elements of heritage significance – most notably Bethcar.
148. The level of harm would be less than substantial, therefore, the harm must be weighed against any public benefits arising from the development, as required by policy DMC5 and the heritage provisions of the NPPF.

Public benefits

149. It is noted that the applicant argues that the proposed scheme would have a lower impact on the setting of the heritage assets at the site than the previously-approved (and extant) replacement care home development; that is not in contention.
150. However, that previous and extant decision was based on a different planning balance that included the retention/replacement of a community care home. That development was found to be acceptable in its own right and – whilst it would certainly result in greater adverse heritage impacts than the current proposals – the two developments cannot be directly compared based on that consideration alone. The development now proposed would not result in the community benefits of retaining a community care home.
151. On its own merits however, the proposed development would provide significant public benefits which must be weighed in the balance.
152. Most notably, with the exception of Bethcar it would bring all of the remaining listed and historic buildings back in to active use. Providing that phasing of the development was properly secured then the restoration of the principal building would be a significant benefit, returning it to its original and optimal use as a dwelling. Whilst some consultees have queried the impacts of the development on the appeal of the principal building as a single dwelling we have no evidence to suggest that it would cause difficulties with sale or occupation; it would remain a large and attractive dwelling in a desirable location.
153. Overall, officers do not dismiss or undervalue the views of specialist consultees in their concerns regarding the heritage impacts of the development – indeed, we broadly agree with them. However, the applicant has objectively demonstrated that the extent of development proposed is necessary in order to outweigh the conservation deficit arising from the works required to restore the house and to return it to its optimal use. Within those constraints, our view is that the design approach adopted is appropriate and sympathetic, and that harm arising has been minimised.
154. On balance, our view is that the public benefits of the proposals as set out above outweigh the arising harm and the resultant conflicts with adopted policies, and on that basis the proposals are supported, subject to being found acceptable in other regards.

Amenity

155. Policy GSP3 states, that all development must respect the living conditions of communities. Whilst policy DMC3 reiterates that where developments are acceptable in principle, particular attention will be paid to the amenity, privacy and security of the development and other properties that the development affects.
156. Whilst The Brooklands and its associated buildings are located on the edge of Bakewell, there are a number of immediate neighbours, some of whom have expressed concern about the impact of the development on their privacy and amenity. However, officers have assessed this and conclude that there would be no impact on the privacy and amenity of neighbouring properties given the arrangement of the site and distances from neighbouring properties. The proposal therefore accords with policies GSP3 and DMC3 in these respects.

Highway impacts

157. The site access splay is to be widened to improve visibility, as is the access drive within the site, and will include a designated turning area for larger vehicles.
158. The Local Highway Authority has raised no objections to the scheme, subject to conditions which are accepted.
159. Given these matters, and a reduced intensity of use of the access compared to the lawful care home use, the development is acceptable in highway safety terms and in accordance with policies DMT3 & DMT8 in these respects.

Landscape impacts

160. Whilst the Authority's landscape officer recommends a landscape impact assessment is provided, the application does include indicative images and following the receipt of amended plans officers consider that an assessment of impact can be made based on the information available.
161. The application site is located in a prominent location off Coombs Road, on the edge of Bakewell. The submitted photomontages give an impression of the appearance of the site from some – albeit limited – vantage points following redevelopment. The supporting statements say that the proposals have been developed to ensure that there will be no adverse landscape impact on the character and appearance of this part of the National Park. The site is almost entirely within the Bakewell Development Boundary and so lies within an area where some level of development is anticipated and where sensitivity to change is lower than in open countryside.
162. Most parts of the proposed scheme would have a lesser landscape impact than the approved and extant care home development, although this extant permission is afforded limited weight as set out previously. Concerns regarding the impacts of the dwellings proposed at Plot 2 and 3 have been reduced by amendments that have seen reductions in the scale of each, and we are satisfied that although the development will in part be visible from outside of the site, it would not extend the boundaries of the site or give rise to adverse landscape impacts, according with policies GSP3 and L1 of the Core Strategy and policy DMC3 of the Development Management policies.
163. This would be subject to securing a scheme of hard and soft landscaping across the site to ensure that the development is adequately integrated in to its setting. This could be secured by condition.

Tree impacts

164. The application is supported with a full tree survey. Aside from those trees classified as being category U, the proposed plans ensure that the tree root protection zones of each retained tree are free from development. The recommendations in terms of protection during construction periods will also be respected and can be conditioned to bring the scheme in line with the requirements of policy DMC13 of the Development Management policies.

Flooding and drainage

165. The Lead Local Flood Authority initially requested additional information in relation to drainage of surface water from the site, and proposed sustainable drainage measures. Following the submission of additional information by the applicant they have been re-consulted. Their view is that further information is still required in order to establish whether the proposed measures are sufficient.
166. In order to not further delay the determination of the application, this application has been brought before Members with the recommendation of this report being subject to the resolution of the drainage matters to the satisfaction of the LLFA – the negotiation of which is ongoing.

Climate change mitigation

167. Policy CC1 sets out that development must make the most efficient and sustainable use of land, buildings and natural resources.
168. The proposals integrate high levels of insulation and renewable energy provision – including PV panels to each flat roof and air source heat pumps.
169. This is considered sufficient to accord with policy CC1.

Ecology

170. The application is accompanied by a protected species survey that concludes the buildings support bat roosts, and mitigation measures are proposed to protect those bat interests. The Authority's Ecologist recommends that those mitigation measures are secured by condition and raises no objections to the proposals. They also recommend that a scheme of external lighting is secured to protect bat interests – that could be done by condition.
171. Due to the date the application was registered it is exempt from the requirements of biodiversity net gain legislation.
172. The development raises no further ecological matters or concerns.

Conclusion

173. The proposed development has been found to accord with adopted planning policy in principle. This report concludes that harm would arise to the significance of the heritage assets at the site, primarily due to the extent of development proposed within the setting of the principal Grade II listed building. However, that harm is concluded to be outweighed by the public benefits of restoring said building and bringing it back in to its optimal use – and also bringing the other retained historic buildings across the site in to such use and halting their decline.

174. There are no other policy or material considerations that would indicate that planning permission should be refused, and the application is therefore recommended for approval.

Human Rights

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

List of Background Papers (not previously published)

176. Nil
177. Report Author: Mark Nuttall, South Area