

11. OUTLINE APPLICATION – SITING OF 3 CABINS AT NEW HOUSE FARM, BEET LANE, THE WASH, CHAPEL-EN-LE-FRITH (NP/HPK/0725/0672) WE

APPLICANT: MRS ERICA LEIGH

Summary

1. The application seeks outline planning permission for the siting of 3 cabins for holiday accommodation.
2. The development is contrary in principle to the Authority's recreation policies which do not allow for either new build holiday accommodation or chalets or lodges.
3. The development would also result in significant harm to the landscape and setting of nearby heritage assets. Insufficient information has been provided in regard to biodiversity and foul drainage.
4. The development is therefore contrary to the development plan when read as a whole and the application is recommended for refusal.

Site and Surroundings

5. The application site comprises a field adjacent to Beet Lane which runs along the western boundary. New House Farm is located to the east. New House farmhouse is a Grade II listed building.
6. The field comprises a mixture of scrub and newly planted trees. Access is via an existing track from Beet Lane which runs along the southern boundary of the field towards the farmstead. A public footpath runs along this track (HP8/58).
7. The land rises steeply from Beet Lane to the north and west and there are clear views into the site from Beet Lane and the rising land to the north.
8. The nearest neighbouring property is Beet Farm which is located approximately 60m to the north of the site.

Proposal

9. The application seeks outline planning permission for the siting of 3 cabins on the land.
10. As part of the application approval is sought for matters of layout and scale. All other matters including access, appearance and landscaping are reserved. If outline planning permission were granted a further application for approval of reserved matters would be required.
11. The proposed cabins would be for residential use as holiday accommodation. The applicant has trialled an on-site wild campsite and now proposes this development to provide additional income for the farm. The applicant intends to install one cabin as a pilot with two further cabins added over five years if successful.
12. Each cabin would be approximately 10m by 6.7m and have its own plot with parking. Examples of similar structures have been provided showing timber clad cabins of a variety of designs with one or two bedrooms.
13. Access is a reserved matter; however, the application indicates that this would be via the existing single track lane.

14. Landscaping is a reserved matter; however, the proposed site plan indicates proposed planting within the site.

RECOMMENDATION:

That the application be REFUSED for the following reasons

- 1. The development of new building holiday accommodation, chalet or lodges on this site is not acceptable in principle and contrary to policies DS1, RT2, RT3 and DMR1.**
- 2. The development would result in a significant adverse visual impact and harm the scenic beauty and landscape of the National Park contrary to policies GSP1, GSP3, L1, DM1 and DMC1 and the National Planning Policy Framework.**
- 3. The development would result in less than substantial harm to the setting of New House farmhouse (Grade II listed) and Beet Farm (a non-designated heritage asset of local significance). The harm would not be outweighed by public benefits and therefore the development is contrary to policies L3, DMC5, DMC7 and the National Planning Policy Framework.**
- 4. Insufficient information has been provided to demonstrate that the development would result in enhancement to biodiversity or that the development could be carried out without harm to protected species or their habitat contrary to policies L2, DMC11, DMC12 and the National Planning Policy Framework.**
- 5. Insufficient information has been provided to demonstrate that foul drainage would be dealt with in a satisfactory manner without harm to the environment contrary to policies CC5 and DMC14.**

Key Issues

- Whether the development is acceptable in principle
- Landscape impact
- Impact upon biodiversity
- Impact upon cultural heritage
- Transport and highway safety
- Flood risk and drainage

History

15. Non relevant

Consultations

16. Where applicable, comments on the application as originally submitted and as amended are referred to. Comments are summarised and can be read in full on the Authority's website.
17. Parish Council:

Supports the principle of this small scale farm diversification project, but raises concerns about the proposed siting of the cabins, particularly 2 and 3 which they are concerned would be very prominent in the landscape. Could the Peak Park suggest a less prominent location within the farm that might be used for this purpose instead?

- 18. Borough Council: No response to date.
- 19. Environment Agency: No comment.
- 20. Lead Local Flood Authority: No comment.
- 21. PDNPA Ecology: Object, lack of information.

The biodiversity metric and accompanying documents submitted are not considered acceptable to assess Biodiversity Net Gain as part of the application.

The site has previously been recorded a Priority Habitat Lowland Dry Acid Grassland, while the site is no longer listed as Priority Habitat, aerial imagery indicates the site offers other habitat in addition to 'modified grassland' which must be considered within the metric.

22. PDNPA Landscape:

Based on the information supplied, the cabins would constitute a conflict with landscape character and be a detrimental feature in views – and therefore does not satisfy Policy L1 in my view.

However, with some design input and additional details it may be possible for the scheme to satisfy L1. The south cabin appears to be located in an area of existing trees / scrub – this should move NE into an open area.

There needs to be details, specification and maintenance proposals for the proposed planting – while this may not require permission itself, it is an integral part of demonstrating enhancement on the site – without this woodland creation, the proposal will cause landscape and visual harm.

In terms of details, are paths required? Is any surfacing required arounds cabins? Detail of cabins is required - height etc needs to be defined. In addition, details of landscape around the cabins e.g. hedges and standard trees around cabins for privacy / screening in views from the wider landscape etc are required.

This should all be shown on a Landscape Plan – as this is fundamental to potential compliance with L1, this cannot be conditioned and must be supplied as part of the application or I cannot withdraw my objection.

23. PDNPA Tree Officer: No comment.

Representations

- 24. The Authority has received no letters of representation to date. If any representations are received, they will be updated at the meeting.

Main Policies

- 25. Relevant Core Strategy policies: GSP1, GSP3, GSP4, DS1, L1, L2, L3, CC1, RT1, RT2, RT3, T2 & T7
- 26. Relevant Development Management policies: DM1, DMC1, DMC3, DMC5, DMC7, DMC11, DMC12, DMC13, DMC14, DMR1, DMR2, DMR3, DMT3, DMT5, DMT8 & DMU1

27. Supplementary Planning Documents:

Climate Change and Sustainable Building (2013)
Design Guide (2007)
Building Design Guide (1987)

Wider Policy Context

28. 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:

1. Conserve and enhance the natural beauty, wildlife and cultural heritage
2. 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)

29. In the National Park the Development Plan comprises the Authority's Core Strategy 2011 and the Peak District National Park Development Management Policies document 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 policies in the Development Plan and the NPPF.

30. Paragraph 189 of the NPPF 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 issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.

Peak District National Park Core Strategy

31. GSP1: Securing national park purposes and sustainable development

- A. All policies must be read in combination.
- B. All development shall be consistent with the National Park's legal purposes and duty.
- C. Where there is an irreconcilable conflict between the statutory purposes, the Sandford Principle will be applied and the conservation and enhancement of the National Park will be given priority.
- D. Where national park purposes can be secured, opportunities must be taken to contribute to the sustainable development of the area.
- E. In securing national park purposes major development should not take place within the Peak District National Park other than in exceptional circumstances. Major development will only be permitted following rigorous consideration of the criteria in national policy.

- F. Where a proposal for major development can demonstrate a significant net benefit to the National Park, every effort to mitigate potential localised harm and compensate for any residual harm to the area's valued characteristics would be expected to be secured.

32. GSP3: Development management principles

All development must conform to the following principles:

Development must respect, conserve and enhance all valued characteristics of the site and buildings that are subject to the development proposal. Particular attention will be paid to:

- A. impact on the character and setting of buildings
- B. scale of development appropriate to the character and appearance of the National Park
- C. siting, landscaping and building materials
- D. design in accordance with the National Park Authority Design Guide
- E. form and intensity of proposed use or activity
- F. impact on living conditions of communities
- G. impact on access and traffic levels
- H. use of sustainable modes of transport
- I. use of sustainable building techniques
- J. ground conditions including any land instability from former mining, quarrying or industrial uses
- K. adapting to and mitigating the impact of climate change, particularly in respect of carbon emissions, energy and water demand

33. GSP4: Planning conditions and legal agreements

- A. 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.
- B. The National Park Authority's use of broader mechanisms will pay close regard to the advice of County and District Councils and other relevant service and infrastructure providers in each part of the National Park.

34. DS1: Development strategy

- A. To promote a sustainable distribution and level of growth and support the effective conservation and enhancement of the National Park, the following principles will be applied to determine proposals for new development. These principles must be considered in relation to the specific core policies in this plan and the subsequent Development Management Policies DPD.

- B. The majority of new development (including about 80 to 90% of new homes) will be directed into Bakewell and named settlements, with the remainder occurring in other settlements and the rest of the countryside.
- C. In all settlements and in the countryside outside the Natural Zone the following forms of development will be acceptable in principle (where permission is required):
 - agriculture, forestry, and other rural enterprises requiring a rural location, including farm diversification;
 - extensions to existing buildings;
 - recreation and tourism;
 - mineral working;
 - conversion or change of use for housing, community facilities and business use including visitor accommodation, preferably by re-use of traditional buildings;
 - renewable energy infrastructure;
 - utilities infrastructure;
 - other development and alternative uses needed to secure effective conservation and enhancement.
- D. In Bakewell and the following named settlements there is additional scope to maintain and improve the sustainability and vitality of communities across the National Park. In or on the edge of these settlements new build development will be acceptable for affordable housing, community facilities and small-scale retail and business premises. Other than in Bakewell, no development boundaries will be drawn.

35. L1: Landscape character and valued characteristics

- A. Development must conserve and enhance valued landscape character, as identified in the Landscape Strategy and Action Plan, and other valued characteristics.
- B. Other than in exceptional circumstances, proposals for development in the Natural Zone will not be permitted.

36. L2: Sites of biodiversity or geodiversity importance

- A. Development must conserve and enhance any sites, features or species of biodiversity importance and where appropriate their setting.
- B. 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.
- C. Development must conserve and enhance any sites or features of geodiversity importance and where appropriate their setting.
- D. Other than in exceptional circumstances, development will not be permitted where it is likely to have an adverse impact on any sites or features of geodiversity importance or their setting that have statutory designation or are of international or national importance for their geodiversity.

37. L3: Cultural heritage assets of archaeological, architectural, artistic or historic significance

- A. 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;

- B. 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;
- C. 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.

38. CC1: Climate change mitigation and adaptation

In order to build in resilience to and mitigate the causes of climate change all development must:

- A. Make the most efficient and sustainable use of land, buildings and natural resources.
- B. Take account of the energy hierarchy by:
 - I. reducing the need for energy;
 - II. using energy more efficiently;
 - III. supplying energy efficiently; and
 - IV. using low carbon and renewable energy.
- C. Be directed away from flood risk areas, and seek to reduce overall risk from flooding within the National Park and areas outside it, upstream and downstream.
- D. Achieve the highest possible standards of carbon reductions.
- E. Achieve the highest possible standards of water efficiency.

In all new and replacement housing, other than affordable housing of less than 3 units, a minimum sustainability standard, equivalent to that required by the government of affordable housing, shall be achieved unless the applicant provides evidence to demonstrate that it is not viable for a particular development.

Non-residential major development above 1000m² floorspace must achieve a Buildings Emissions Rate at least 10% less than the Target Emissions Rate.

39. CC5: Flood risk and water conservation

- A. 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.
- B. 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.

- C. 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.
- D. New development must allow an appropriate set-back distance for adequate maintenance of watercourses.

40. RT1: Recreation, environmental education and interpretation

Proposals for recreation, environmental education and interpretation must conform to the following principles:

- A. The National Park Authority will support facilities which enable recreation, environmental education and interpretation, which encourage understanding and enjoyment of the National Park, and are appropriate to the National Park's valued characteristics. Opportunities for access by sustainable means will be encouraged.
- B. New provision must justify its location in relation to environmental capacity, scale and intensity of use or activity, and be informed by the Landscape Strategy. Where appropriate, development should be focused in or on the edge of settlements. In the open countryside, clear demonstration of need for such a location will be necessary.
- C. Wherever possible, development must reuse existing traditional buildings of historic or vernacular merit, and should enhance any appropriate existing facilities. Where this is not possible, the construction of new buildings may be acceptable.
- D. Development must not on its own, or cumulatively with other development and uses, prejudice or disadvantage peoples' enjoyment of other existing and appropriate recreation, environmental education or interpretation activities, including the informal quiet enjoyment of the National Park.

41. RT2: Hotels, bed and breakfast and self-catering accommodation

Proposals for hotels, bed and breakfast and self-catering accommodation must conform to the following principles:

- A. The change of use of a traditional building of historic or vernacular merit to serviced or self-catering holiday accommodation will be permitted, except where it would create unacceptable landscape impact in open countryside. The change of use of entire farmsteads to holiday accommodation will not be permitted.
- B. Appropriate minor developments which extend or make quality improvements to existing holiday accommodation will be permitted.
- C. New build holiday accommodation will not be permitted, except for a new hotel in Bakewell.

42. RT3: Caravans and camping

Proposals for caravan and camping sites must conform to the following principles:

- A. Small touring camping and caravan sites and backpack camping sites will be permitted, particularly in areas where there are few existing sites, provided that they are well screened, have appropriate access to the road network, and do not adversely affect living conditions.

- B. Static caravans, chalets or lodges will not be permitted.
- C. Provision of improved facilities on existing caravan and camping sites, including shops and recreation opportunities, must be of a scale appropriate to the site itself.
- D. Development that would improve the quality of existing sites, including improvements to upgrade facilities, access, landscaping, or the appearance of existing static caravans, will be encouraged.

43. T2: Reducing and directing traffic

- A. Transport developments, including traffic management schemes, which reduce the amount of cross-Park traffic, will be supported if they can be accommodated without adverse impact on the National Park's valued characteristics. Transport developments which increase the amount of cross-Park traffic or have other adverse effects on its setting and character, amenity and enjoyment will be opposed.
 - B. In exceptional circumstances, transport developments (including expansion of capacity, widening or a new route) that increase the amount of cross-Park traffic may be accepted where: there is a demonstrable long term net environmental benefit within the National Park;
 - C. No new road schemes will be permitted unless they provide access to new businesses or housing development or there are exceptional circumstances. Those road schemes (including improvements) that fall outside of the Planning Authority's direct jurisdiction will be strongly resisted except in exceptional circumstances.
 - D. For spatial planning purposes, the road hierarchy will comprise:
 - I. the Strategic Road Network, including the majority of A class roads;
 - II. the Secondary Network: including links between the Strategic Road Network and industrial sites, settlements and recreation areas; and
 - III. all other roads.
 - E. Road traffic which must enter or cross the National Park will be directed first towards the Strategic Road Network, and only to the other two levels of the hierarchy as required locally. The third level of the hierarchy will be only for light traffic.
 - F. Sustainable transport patterns will be sought that complement the development strategy (DS1). Travel Plans will be used to encourage behavioural change to achieve a reduction in the need to travel, and to change public attitudes toward car usage and public transport, walking and cycling. Travel Plans to reduce traffic movements and safeguard transport infrastructure will be required on appropriate new developments and encouraged on existing developments.
44. T7: Minimising the adverse impact of motor vehicles and managing the demand for car and coach parks
- A. Existing traffic management schemes will be reviewed in partnership with the relevant Highway Authorities, to ensure that they accord with policy T1, encouraging a modal shift away from motor vehicles. Within environmentally sensitive locations, additional traffic management schemes will be undertaken where there is a demonstrable need.
 - B. Residential parking and operational parking for service and delivery vehicles will be the minimum required for operational purposes, taking into account environmental constraints and future requirements.

- C. Non-residential parking will be restricted in order to discourage car use, and will be managed to ensure that the location and nature of car and coach parking does not exceed environmental capacity. New non-operational parking will normally be matched by a reduction of related parking spaces elsewhere, and wherever possible it will be made available for public use.
- D. Park and ride schemes will be encouraged to the main visitor areas, where they can be accommodated without harm to the valued characteristics of the area and will provide a net environmental benefit to the National Park.

Development Management Policies

45. DM1 The presumption of sustainable development in the context of National Park purposes

- A. When considering development proposals, the National Park Authority will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (2012). It will work proactively with applicants to find solutions that are consistent with National Park purposes:
 - (i) to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park; and
 - (ii) to promote opportunities for the understanding and enjoyment of the valued characteristics of the National Park.
- B. Planning applications that accord with the policies in the Development Plan will be approved without unnecessary delay, unless material considerations indicate otherwise.

46. DMC1 Conservation and enhancement of nationally significant landscapes

- A. In countryside beyond the edge of settlements listed in Core Strategy policy DS1, any development proposal with a wide scale landscape impact must provide a landscape assessment with reference to the Landscape Strategy and Action Plan. The assessment must be proportionate to the proposed development and clearly demonstrate how valued landscape character, including natural beauty, biodiversity, cultural heritage features and other valued characteristics will be conserved and, where possible, enhanced taking into account:
 - (i) the respective overall strategy for the following Landscape Strategy and Action Plan character areas:
 - White Peak;
 - Dark Peak;
 - Dark Peak Western Fringe;
 - Dark Peak Yorkshire Fringe;
 - Derbyshire Peak Fringe;
 - Derwent Valley;
 - Eastern Moors;
 - South West Peak; and
 - (ii) any cumulative impact of existing or proposed development including outside the National Park boundary; and

- (iii) the effect of the proposal on the landscape and, if necessary, the scope to modify it to ensure a positive contribution to landscape character.
- B. Where a development has potential to have significant adverse impact on the purposes for which the area has been designated (e.g. by reason of its nature, scale and setting) the Authority will consider the proposal in accordance with major development tests set out in national policy.
- C. Where a building or structure is no longer needed or being used for the purposes for which it was approved and its continued presence or use is considered by the Authority, on the evidence available to it, to be harmful to the valued character of the landscape, its removal will be required by use of planning condition or obligation where appropriate and in accordance with the tests in national policy and legislation.

47. DMC3 Siting, design, layout and landscaping

- A. 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.
- B. Particular attention will be paid to:
 - (i) siting, scale, form, mass, levels, height and orientation in relation to existing buildings, settlement form and character, including impact on open spaces, landscape features and the wider landscape setting which contribute to the valued character and appearance of the area; and
 - (ii) the degree to which buildings and their design, details, materials and finishes reflect or complement the style and traditions of the locality as well as other valued characteristics of the area such as the character of the historic landscape and varied biodiversity assets; and
 - (iii) the use and maintenance of landscaping to enhance new development, and the degree to which this makes use of local features, colours, and boundary treatments and an appropriate mix of species suited to both the landscape and biodiversity interests of the locality; and
 - (iv) access, utility services, vehicle parking, siting of services, refuse bins and cycle storage; and
 - (v) flood risk, water conservation and sustainable drainage; and
 - (vi) the detailed design of existing buildings, where ancillary buildings, extensions or alterations are proposed; and
 - (vii) amenity, privacy and security of the development and other properties that the development affects; and
 - (viii) the accessibility or the impact on accessibility of the development; and
 - (ix) visual context provided by the Landscape Strategy and Action Plan, strategic, local and other specific views including skylines; and
 - (x) (x) the principles embedded in the design related Supplementary Planning Documents and related technical guides.

48. DMC5 Assessing the impact of development on designated and non-designated heritage assets and their settings

- A. Planning applications for development affecting a heritage asset, including its setting must clearly demonstrate:
 - (i) its significance including how any identified features of value will be conserved and where possible enhanced; and
 - (ii) why the proposed development and related works are desirable or necessary.
- B. The supporting evidence must be proportionate to the significance of the asset. It may be included as part of a Heritage Statement or Design and Access Statement where relevant.
- C. Proposals likely to affect heritage assets with archaeological and potential archaeological interest should be supported by appropriate information that identifies the impacts or a programme of archaeological works to a methodology approved by the Authority.
- D. Non-designated heritage assets of archaeological interest demonstrably of equivalent significance to Scheduled Monuments will be considered in accordance with policies for designated heritage assets.
- E. If applicants fail to provide adequate or accurate detailed information to show the effect of the development on the significance, character and appearance of the heritage asset and its setting, the application will be refused.
- F. Development of a designated or non-designated heritage asset will not be permitted if it would result in any harm to, or loss of, the significance, character and appearance of a heritage asset (from its alteration or destruction, or from development within its setting), unless:
 - (i) for designated heritage assets, clear and convincing justification is provided, to the satisfaction of the Authority, that the:
 - a) substantial harm or loss of significance is necessary to achieve substantial public benefits that outweigh that harm or loss; or
 - b) in the case of less than substantial harm to its significance, the harm is weighed against the public benefits of the proposal, including securing its optimum viable use.
 - (ii) for non-designated heritage assets, the development is considered by the Authority to be acceptable following a balanced judgement that takes into account the significance of the heritage asset.

49. DMC7 Listed Buildings

- A. 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.

B. Development will not be permitted if applicants fail to provide adequate or accurate detailed information to show the effect on the significance and architectural and historic interest of the Listed Building and its setting and any curtilage listed features.

C. Development will not be permitted if it would:

- (i) adversely affect the character, scale, proportion, design, detailing of, or materials used in the Listed Building; or
- (ii) result in the loss of or irreversible change to original features or other features of importance or interest.

D. In particular, development will not be permitted if it would directly, indirectly or cumulatively lead to:

- (i) removal of original walls, stairs, or entrances, or subdivision of large interior spaces;
- (ii) removal, alteration or unnecessary replacement of structural elements including walls, roof structures, beams and floors;
- (iii) the unnecessary removal, alteration or replacement of features such as windows, doors, fireplaces and plasterwork;
- (iv) (iv) the loss of curtilage features which complement the character and appearance of the Listed Building (e.g. boundary walls, railings or gates);
- (v) (v) repairs or alterations involving materials, techniques and detailing inappropriate to a Listed Building;
- (vi) (vi) the replacement of traditional features other than with like for like, authentic or original materials and using appropriate techniques;
- (vii) (vii) extensions to the front of Listed Buildings;
- (viii) (viii) extensions of more than one storey to the rear of listed small houses or terraced properties;
- (ix) (ix) inappropriate impact on the setting of the Listed Building.

unless justified to the satisfaction of the Authority, that the proposed changes, loss or irreversible damage, and/or addition of new features to the Listed Building and its setting are:

- a) less than substantial in terms of impact on the character and significance of the Listed Building and its setting; and
- b) off-set by the public benefit from making the changes, including enabling optimum viable use, and net enhancement to the Listed Building and its setting.

E. Where change to a Listed Building is acceptable, an appropriate record of the building will be required to a methodology approved in writing by the Authority prior to any works commencing.

50. DMC11 Safeguarding, recording and enhancing nature conservation interests

A. Proposals should aim to achieve net gains to biodiversity or geodiversity as a result of development. In considering whether a proposal conserves and enhances sites, features or species of wildlife, geological or geomorphological importance all reasonable measures must be taken to avoid net loss by demonstrating that in the below order of priority the following matters have been taken into consideration:

- (i) enhancement proportionate to the development;
- (ii) adverse effects have been avoided;

- (iii) the 'do nothing' option and alternative sites that cause less harm;
 - (iv) appropriate mitigation; and
 - (v) in rare cases, as a last resort, compensation measures to offset loss.
- B. Details of appropriate safeguards and enhancement measures for a site, feature or species of nature conservation importance which could be affected by the development must be provided, in line with the Biodiversity Action Plan and any action plan for geodiversity sites, including provision for the beneficial future management of the interests. Development will not be permitted if applicants fail to provide adequate or accurate detailed information to show the impact of a development proposal on a site, feature or species including:
- (i) an assessment of the nature conservation importance of the site; and
 - (ii) adequate information about the special interests of the site; and
 - (iii) an assessment of the direct and indirect effects of the development; and
 - (iv) details of any mitigating and/or compensatory measures and details setting out the degree to which net gain in biodiversity has been sought; and
 - (v) details of provisions made for the beneficial future management of the nature conservation interests of the site. Where the likely success of these measures is uncertain, development will not be permitted.
- C. For all sites, features and species development proposals must also consider:
- (i) cumulative impacts of other developments or proposals; and
 - (ii) the setting of the development in relation to other features of importance, taking into account historical, cultural and landscape context.
51. DMC12 Sites, features or species of wildlife, geological or geomorphological importance
- A. For Internationally designated or candidate sites, or European Protected Species, the exceptional circumstances where development may be permitted are those where it can be demonstrated that the legislative provisions to protect such sites or species can be fully met.
- B. For sites, features or species of national importance, exceptional circumstances are those where development is essential:
- (i) for the management of those sites, features or species; or
 - (ii) for the conservation and enhancement of the National Park's valued characteristics; or
 - (iii) where the benefits of the development at a site clearly outweigh the impacts on the features of the site that make it of special scientific interest and any broader impacts on the national network of SSSIs.
- C. For all other sites, features and species, development will only be permitted where:
- (i) significant harm can be avoided and the conservation status of the population of the species or habitat concerned is maintained; and

- (ii) the need for, and the benefits of, the development in that location clearly outweigh any adverse effect

52. DMC13 Protecting trees, woodland or other landscape features put at risk by development

- A. Planning applications should provide sufficient information to enable their impact on trees, woodlands and other landscape features to be properly considered in accordance with 'BS 5837: 2012 Trees in relation to design, demolition and construction – Recommendations' or equivalent.
- B. Trees and hedgerows, including ancient woodland and ancient and veteran trees, which positively contribute, either as individual specimens or as part of a wider group, to the visual amenity or biodiversity of the location will be protected. Other than in exceptional circumstances development involving loss of these features will not be permitted.
- C. Development should incorporate existing trees, hedgerows or other landscape features within the site layout. Where this cannot be achieved the onus is on the applicant to justify the loss of trees and/or other features as part of the development proposal.
- D. Trees, woodlands and other landscape features should be protected during the course of the development.

53. DMC14 Pollution and disturbance

- A. Development that presents a risk of pollution or disturbance including soil, air, light, water or noise pollution, or odour that could adversely affect any of the following interests will not be permitted unless adequate control measures are put in place to bring the pollution within acceptable limits:
 - (i) the amenity of neighbours and neighbouring uses; or
 - (ii) the amenity, tranquillity, biodiversity or other valued characteristics of the area; or
 - (iii) existing recreation activities; or
 - (iv) extensive land uses such as forestry and agriculture; or
 - (v) ecosystem services including water supply, groundwater resources and the water environment; or
 - (vi) established businesses; or
 - (vii) potential future uses of the land; or
 - (viii) any nuisance, or harm to the rural character and dark skies of the area, caused by lighting schemes.
- B. Development will only be permitted where, upon cessation of a permitted use, the appropriate removal of any pollutants arising from development can be assured.
- C. Development affecting a Source Protection Zone, Safeguard Zone or Water Protection Zone must assess any risk to water quality and demonstrate that it will be protected throughout the construction and operational phases of development.

54. DMT8 Residential off-street parking

- A. Off-street car parking for residential development should be provided unless it can be demonstrated that on-street parking meets highway standards and does not negatively impact on the visual and other amenity of the local community. This should be either within the curtilage of the property or allocated elsewhere. Full details of the appropriate range of parking provision for residential developments can be found within the Parking Standards at Appendix 9.
- B. Off-street car parking space provided as part of a development will be protected where there is evidence that loss of such space would exacerbate local traffic circulation problems.
- C. The design and number of parking spaces associated with residential development, including any communal residential parking, must respect the valued characteristics of the area, particularly in Conservation Areas.

55. DMU1 Development that requires new or upgraded service infrastructure

New or upgraded service infrastructure for new development will be permitted subject to the requirement that full details are provided in the planning application and it:

- (i) does not adversely affect the valued characteristics of the area; and
- (ii) any new land use does not commence prior to the appropriate delivery of the services.

Assessment

Principle

- 56. The application does not state whether the proposed cabins would fall within the statutory definition of a caravan or if they would be buildings. The application does state that the cabins would 'meet mobile home dimensions', however the cabins are also referred to as structures within the application. It is therefore necessary to consider the proposal against the provisions of both policies RT2 and RT3.
- 57. Policies DS1 and RT2 make no provision for new build holiday accommodation within the open countryside. RT2 C states explicitly that new build holiday accommodation will not be permitted. The site is an undeveloped field and currently makes a positive contribution to the landscape. There is no case that the erection of new build holiday accommodation is required to achieve significant enhancement. Therefore, the erection of holiday cabins on the site is not acceptable in principle.
- 58. Policies DS1, RT3 and DMR1 do make provision for camping and caravan development in the open countryside. However, policy RT3 B states explicitly that static caravans, chalets or lodges will not be permitted. From the description of the application and indicative photographs it is clear that the proposed development would have the character and appearance of chalets or lodges.
- 59. Policy DMR1 C states that exceptionally, the development of structures may be permitted where they are small, simple, wooden pod structures in woodland locations with minimal landscape impact or a single shepherd's hut where this can be located close to the facilities of a farmstead without harm.
- 60. From the information provided the proposed cabins would have a floor space of around 67m² and form either one or two bedroom dwellings with bedrooms, bathroom and living space. The proposed cabins therefore would not be small or simple structures and as

outlined earlier in the report would have the character and appearance of chalets or lodges rather than pods. Furthermore, while it is noted that planting has been carried out on site, the proposed cabins would not be in woodland.

61. It is therefore concluded that in principle the proposed development is not in accordance with relevant development plan policies. These policies are considered to be up-to-date and therefore should be afforded full weight in the determination of this application.

Landscape

62. The application site is located in open countryside north east of Chinley for the purposes of the Authority's adopted Landscape Character Assessment within the Enclosed gritstone upland Landscape Character Type (LCT).
63. This is an enclosed upland landscape associated with high, gently undulating upland tops. This is a landscape of isolated stone farmsteads, straight roads and regular fields enclosed by drystone walls. Patches of remnant moorland vegetation are a feature in places within this landscape character type. The landscape around the application site reflects this character.
64. A Landscape and Visual Impact Assessment (LVIA) has not been submitted with the application in conflict with the requirements of policy DMC1.
65. The Authority's Landscape Officer has raised concerns about the impact of the proposed development which as submitted is considered to conflict with the prevailing landscape character and be detrimental in views.
66. The field is located in a prominent position where there are clear views from the adjacent lane and the higher ground to the north. The proposed structures would be of a significant size and their design and use of materials would introduce an alien feature which conflicts with built form found within this landscape. Additional impacts from tracks, parking areas, parked cars, lighting and domestic activity would further exacerbate the harm.
67. It is noted that tree planting has been carried out by the applicant recently in consultation with the Woodland Trust and the Authority. This is welcomed; however, the tree planting will take a significant amount of time to establish during which the adverse impact of the proposed structures would be very significant. The view of the Landscape Officer is noted; however, it is considered that even when established the tree planting would not mitigate the impact of the development, particularly where viewed from the north. The planting would also not make the development acceptable in principle.
68. It is therefore concluded that a development of the proposed character and scale could not be accommodated on this site without significant harm to the scenic beauty or landscape character of the National Park contrary to policy L1.

Biodiversity

69. The application is subject to the requirements of statutory Biodiversity Net Gain (BNG). The Authority's ecologist has raised concerns about the metric and documents submitted as these do not use the statutory biodiversity metric tool to demonstrate calculation of biodiversity units for existing habitat or habitat enhancements.
70. The application therefore does not establish the baseline habitat and the Authority is therefore unable to conclude what the impact of the development upon biodiversity would be and whether the development would deliver an enhancement in accordance with statutory and policy requirements contrary to policies L2, DMC11 and DMC12.

71. The application is not supported by ecological assessment and surveys. This site has previously recorded a priority habitat Lowland Dry Acid Grassland. The site is no longer listed as priority habitat, however aerial imagery indicates that the site offers other habitat in addition to modified grassland.
72. A development of this nature and scale would be very likely impact upon habitat on the site and without ecological assessment and surveys it is not possible for the Authority to assess or conclude what the impact of development upon protected species or habitats could be or whether these impacts could be mitigated. There is therefore insufficient information in this regard contrary to policies L2, DMC11 and DMC12.

Cultural heritage

73. The nearest listed building is New House Farmhouse a Grade II listed building. The property is located east of the site along the track which runs along the southern boundary of the field.
74. Due to the distance and intervening topography the development would not have any significant direct impact upon the setting of New House Farmhouse. The development would however have a visual impact on the approach to the farmhouse along the access track. This is one aspect of how the listed building is experienced. The introduction of the development would result in a visual impact and a negative change in character along the track. Therefore, there would be a limited degree of harm to the setting of New House Farmhouse.
75. Beet farm comprises a range of traditional buildings including farmhouse and barns. These buildings are of historic and architectural interest and are therefore considered to be a non-designated heritage asset. The application site forms part of the open landscape which provides outlook for Beet Farm and within which it is experienced.
76. The development would have a significant visual impact in the context of the setting of Beet farm and introduce an inappropriate form of development which would result in a significant adverse visual impact as described earlier in the report. The development would as a result harm to the setting of Beet farm. Officers consider that the development would result in a moderate degree of harm.
77. In accordance with policy DMC5 and the NPPF, the conservation of cultural heritage must within the National Park be given great weight and must be considered as part of the planning balance which is carried out later in the report.

Transport and highway safety

78. Access is a reserved matter and would be considered in a separate application if outline planning permission were granted. However, the submitted plans indicate that access would be by the existing track extended up onto the field.
79. The site is not located in a sustainable location and is accessed along a single-track lane with limited passing places. Paragraph 116 of the NPPF states that development should only be refused on highway grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.
80. The development would result in additional vehicle movements, however, even taking into account the single-track nature of Beet Lane it is not considered that additional vehicle movements would result in any severe impact upon the highway network.

81. Visibility from the track onto Beet Lane is limited and it is noted that the Highway Authority has requested further information on the access. However, as noted above access is a reserved matter. Despite limited visibility Beet Lane at this point is used very lightly by traffic likely travelling well below the national speed limit. It is therefore considered unlikely that the development would result in harm to highway safety.
82. Limited information on proposed access within the site and parking has been provided. This would be dealt with as part of any application for reserved matters approval. There is ample space within the site to provide access and an adequate amount of off-street parking in accordance with relevant policies.

Flood risk and drainage

83. The application is not supported by a Flood Risk Assessment (FRA) or Drainage Strategy (DS). The site is located in Flood Zone 1 and therefore would pass the sequential test and there is no requirement to pass the exemption test set out by the NPPF and Planning Practice Guidance (PPG).
84. Therefore, despite the lack of FRA it is considered likely that the development would be safe from flooding throughout its lifetime.
85. There is limited detail on how foul and surface water would be dealt with. No details have been provided on surface water, however, there is ample space on the site for this to be dealt with by infiltration to the ground. It is therefore considered that surface water could in principle be dealt with in an appropriate manner.
86. The application states that foul drainage would be to composting toilets and that a treatment plant may be added later. Given the scale of the proposed accommodation the use of composting toilets is unlikely to be suitable and without a drainage assessment it is not possible to conclude that this would be an appropriate for the development. Given the location of the development a connection to the main sewer is unlikely to be viable or practicable, however, this has not been explored and no details of any package treatment plant or septic tank have been provided.
87. It is considered likely that foul drainage could in principle be dealt with in an acceptable manner and without harm to the water environment. However, insufficient information has been provided to demonstrate how foul water is proposed to be dealt with contrary to policies CC5 and DMC14.

Amenity

88. Given the distance between the development and existing neighbouring properties it is considered unlikely that the proposal would result in any significant loss of residential amenity. Additional noise from the development from occupation and vehicle movements would also be of a limited nature and unlikely to result in harm to the amenity of occupants of neighbouring properties.

Conclusion

89. The application proposes three cabins on the land to be used as holiday accommodation. The proposed development is contrary in principle to the Authority's recreation policies. Furthermore, the development in this location would result in significant harm to the scenic beauty of the landscape. The development would also result in harm to the setting of New House farmhouse (Grade II listed building) and Beet Farm (a non-designated heritage asset).

90. Insufficient evidence has been submitted to demonstrate that the development would result in enhancement to biodiversity or to demonstrate that the development can be accommodated without harm to protected species or their habitat. Insufficient information has also been provided in terms of foul drainage.
91. It is recognised that the development would result in some public benefit, it would provide opportunities for the public to visit the National Park while providing an income for the farm which could be put towards beneficial management of the land. When visiting, occupants of the development would be likely to spend in the local area which would benefit the economy.
92. The development has been concluded to be not acceptable in principle and would result in significant harm to the scenic beauty of the landscape and harm to the setting of heritage assets. Furthermore, insufficient information has been provided in regard to biodiversity or foul drainage. The public benefit that has been identified would be relatively limited in comparison and would be clearly be outweighed by the harm identified.
93. The development is therefore contrary to the development plan when read as a whole. Any other matters that have been raised have been considered but do not indicate that permission should be granted.
94. The application is therefore recommended for refusal.

Human Rights

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

List of Background Papers (not previously published)

Nil

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