

**8. FULL APPLICATION – NEW ENTRANCE PORCH, CHANGE OF USE OF FORMER MUSEUM SPACE TO CLASS E, REPLACEMENT HARDSTANDING AND INSTALLATION OF TWO ROOFLIGHTS (NP/HPK/1225/1219, HF)**

**APPLICANT: PEAK DISTRICT NATIONAL PARK AUTHORITY**

**Summary**

1. The application proposes construction of a new entrance porch, change of use of museum space to a Class E unit, replacement hardstanding and installation of rooflights.
2. The Class E use is acceptable in principle due to the location with the centre of Castleton, whilst the reduction in existing museum space is accepted on balance having regard to the re-organisation of the building and introduction of new Class E unit to support the continued provision of a smaller area of museum / interpretation space and the visitor centre. The extension and alterations are also acceptable in principle.
3. The development is concluded to be acceptable in all other respects relating to design, heritage, flood risk, highways and residential amenity, subject to a number of recommended conditions.
4. The application is recommended for approval.

**Proposal**

5. The application proposes change of use of the existing museum space to create a new Class E unit. The floorplans state the unit would be a retail let. There would be internal reconfiguration to achieve this, including removal of the ceiling above the unit to create a double storey room. The unit would continue to be accessed via the main entrance of the main building. Storage space for the unit is provided at first floor.
6. An area to the north of the new Class E unit would be retained as interpretation space. The existing National Park Centre area is also to be retained.
7. A glazed entrance area is proposed on the south elevation of the building, in front of the existing entrance doorway into the building which faces towards Buxton Road.
8. Other works include replacement of existing hardstanding around the building with like-for-like materials, and installation of two rooflights on the lean-to roof of the Class E unit.

**Site and Surroundings**

9. Castleton National Park Centre is at the western end of Castleton, north of the road to Winnat's Pass, around 110m north west of St Edmund's Church and within the Conservation Area. The 'Town defences 270m north and 350m north east of Peveril Castle' Scheduled Monument is 16m to the east. The site is within Flood Zone 2 and 3.
10. The centre has a mixed-use comprising museum, retail and café with ancillary storage. The building is made up of a range of limestone and render buildings with pitched roofs clad with concrete tiles and natural stone slate. Windows and doors are grey aluminium.
11. There are public toilets attached to the northern end of the centre and the public car park adjacent to the site, with a shared access, operated by High Peak Borough Council. Orchard House is approximately 6.5m to the west of the centre. A further mixture of properties are located 13.5m to the south.

**RECOMMENDATION:**

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

1. **Statutory time limit.**
2. **Accordance with approved plans and specifications.**
3. **No external refuse storage other than in accordance with submitted details.**
4. **Rooflights to be installed flush with roofslope and in accordance with submitted details.**
5. **The external finish of any new door and window frames shall match the existing.**
6. **Green roof to be installed in accordance with the submitted details.**
7. **Scheme for archaeological monitoring and recording.**
8. **Restrict the following Class E uses within the new unit: health and educational establishments.**
9. **Details of extraction and ventilation prior to occupation of the new unit as a café / restaurant.**
10. **Details of noise and any necessary mitigation prior to occupation of the new unit as a light industrial use.**

**Key Issues**

12. The principle of the proposed development and its impact on the character and appearance of the site, historic environment, neighbour amenity, flood risk and highways.

**History**

13. 2001: Planning permission granted conditionally for conversion and extension of existing building to form visitor / heritage centre. The above planning permission was granted subject to a planning condition which prevented any change between the approved layout of uses within the building along with a condition which restricts hours of opening to between 08:00 – 20:00 Monday to Saturday and 09:00 – 20:00 on Sundays.
14. 2003: Planning permission granted to vary condition 4 imposed upon the 2001 to allow for public opening hours to extend to 23:00 hours for up to 15 days a year.
15. 2003: Planning permission granted for external alterations to erect three shelters, boundary wall, two pieces of artwork and the installation of security shutters.
16. 2016: External alterations and internal re-configuration of existing visitor centre for retail area, tourist and information services, museum, café, classroom and interpretation space granted conditionally. The permission includes restrictions on activity and openings on the west elevation, and restricts hours of opening to 09:00 – 17:00 on any day.
17. 2017: Non-material amendment to 2016 accepted for reorganisation of internal space and repositioning of main entrance doors.
18. 2019: Planning permission granted for provision of outside eating/drinking area containing no more than 25 covers (8 tables, 25 chairs) to existing Blueberry Café.

## **Consultations**

19. Castleton Parish Council: No response received to date.
20. Derbyshire County Council (Highways): Site Access: It is noted that the red line boundary of applicant site does not include the car park to the rear of Castleton Visitor Centre. Therefore, please can the site access and egress point be confirmed on a scaled plan for both vehicles and pedestrians. Highway Safety: Please can a visibility splay drawing for both vehicles based on the legal speed limit and pedestrians be provided on a scaled plan from the proposed points of access. Internal Layout: Please can layout of the proposed parking provision be provided on a scaled plan with dimensions of parking bays. Trip Generation: Please can details of the predicted trip generation for the class E use be provided. This should be based on totals for the AM and PM peak periods, daily and weekly. Details of the existing trip generation from the visitor centre should also be provided. The trip generation can be utilised to demonstrate proposed parking demand and whether proposed parking provision is sufficient to accommodate the parking demand from the proposed use. It is also noted that the applicant site retains a number of other uses such as continued use as a visitor centre and community/visitor facility with café. Please can further clarity with regard to trip generation and parking availability/demand. Sustainable Travel: Please can details of the accessibility to public transport (including details of bus stops location/infrastructure and service information), local cycle routes and rail links be provided which can be utilised as opposed to reliance on single occupancy vehicle movements. Conclusion: In order to understand the full impact upon the local highway the information as detailed above is requested.
21. Environment Agency: The proposed extension sits within Flood Zone 3 and is impacted during the 0.1% AEP flood event from Peakshole water (the necessary proxy for the 1% AEP plus 30% climate change). While we are satisfied the stated depths of 300mm are representative, a 300mm freeboard allowance should be added to the proposed mitigation measures to account for real world uncertainty. The FRA should address the developments need for floodplain compensation due to the extension removing capacity from the floodplain during flood events, and how the proposed development will ensure it does not increase flood risk to third parties through its displacement of flood water. In the absence of an adequate flood risk assessment (FRA) we object to this application and recommend that planning permission is refused.
22. The FRA does not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 20 to 21 of the Flood Risk and Coastal Change Planning Practice Guidance and its site-specific flood risk assessment checklist. The FRA does not adequately assess whether the development will increase flood risk elsewhere. In particular, the FRA fails to consider the requirement for flood emergency planning including flood warning and evacuation of people for a range of flooding events up to and including the extreme event take the impacts of climate change into account.
23. Flood risk mitigation measures to address flood risk for the lifetime of the development included in the design are inadequate because they will not make the development resilient to the flood levels for 1% AEP plus 29% climate change flood event. Consequently, the development proposes inadequate flood storage compensation.
24. To overcome our objection, a revised FRA is required which addresses the points highlighted above. If this cannot be achieved, we are likely to maintain our objection.
25. High Peak Borough Council (Environmental Health): No response received to date.
26. High Peak Borough Council (Planning): No response received to date.

## **Representations**

27. No representations have been received to date.
28. The consultation period on the application has not yet concluded and members will receive a verbal update at planning committee if any representations or responses from consultees are received before then.

## **Main Policies**

Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L3, CC1, CC5, HC4, HC5

Relevant Development Management Plan policies: DMC3, DMC5, DMC6, DMC7, DMC8, DMC14, DMS1, DMS2, DMT3, DMT6, DMT7

## **National Planning Policy Framework (NPPF)**

29. 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: to conserve and enhance the natural beauty, wildlife and cultural heritage and promote opportunities for the understanding and enjoyment of the special qualities of National Parks by the public. When they carry out these purposes they also have the duty to; seek to foster the economic and social well-being of local communities in National Parks.
30. The NPPF is a material consideration and carries particular weight where a development plan is absent, silent or relevant policies are out of date. Paragraph 189 states that 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.
31. In the National Park, the development plan comprises the Authority's Core Strategy (2011) and the Development Management Policies (DMP) (2019). The development plan provides a clear starting point consistent with the National Park's statutory purposes for the determination of this application. In this case, it is considered there are no significant conflicts between prevailing policies in the development plan and the NPPF.

## **Assessment**

### **Principle of Development**

32. Extensions and alterations to existing buildings are acceptable under Policy DS1, however will be subject to other policy considerations including design, impact on character and other constraints.

### **Class E Use**

33. The submitted plans confirm the change of use of existing museum space to create a new commercial let (use class E) unit measuring 93sqm. Class E can include a mix of uses such as retail, financial and professional, café / restaurant, office, light industrial and indoor leisure. The applicant wishes to keep the nature of the use flexible as an occupier has not yet been identified.
34. Policy HC5 states shops, professional services and related activities must be in locations such as Castleton, and be of appropriate scale to serve the needs of the local community and the settlement's visitor capacity. Related activities such as professional services, and premises for sale and consumption of food and drink, will be permitted provided there is no harm to amenity or the role or character of the area, including vitality and viability.

35. Policy DMS1 indicates shops, professional services and premises for the sale and consumption of food and drink within Castleton will be encouraged provided there are adequate facilities and access for storage and disposal of goods, waste and deliveries.
36. The applicant has clarified that refuse for the commercial unit will be stored in the same location as the existing refuse area for the visitor centre and café. This is on the north elevation of the wider building, north of the public toilets. Breakout and store space for the commercial unit is proposed at first floor level as detailed on the floorplans.
37. As an occupier has not yet been identified, delivery details remain unclear. However, the applicant has indicated it is anticipated servicing and delivery will be to the east of the building.
38. The principle of providing a commercial unit for retail, food and drink, financial or professional uses, all of which fall within Class E, is acceptable under HC5 and DMS1. It is also considered indoor leisure uses (Class E) fall within the remit of the above, although for the avoidance of doubt the NPPF identifies indoor leisure as a main town centre use and paragraph 91 of the NPPF states such uses should be located within town centres. HC5 confirms uses such as retail (also a main town centre use) are directed to DS1 listed settlements such as Castleton.
39. Policy DS1 confirms community facilities and business uses are acceptable in settlements. The provision of health or education Class E uses would accord with Policy HC4 as the uses would be in settlement and achieved through change of use, replacing some of the existing museum space. A business use such as office or light industrial would accord with Policy E1 as the development comprises the change of use of a building in a settlement that is generally traditional in appearance.

Museum Space

40. Paragraph 20 of the NPPF states 'community facilities' include cultural infrastructure, and paragraph 88 states planning decisions should enable the retention of community facilities such as cultural buildings.
41. Policy HC4 states proposals to change the use of buildings which provide community services and facilities to non-community uses must demonstrate the facility is (I) no longer needed, (II) available elsewhere in the settlement; or (III) can no longer be viable.
42. Where possible, the new use must meet another community need or offer alternative community benefit. Evidence of reasonable attempts to secure such a use, such as marketing for a reasonable time period, must be provided before any use is permitted.
43. DMS2 states where an applicant is seeking change of use from a shop or 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 viability and marketing exercise for a period of at least 12 months to use the building as an alternate community use, marketing with the relevant economic development team, and details of contact made with the Parish Council and adjacent parishes to establish the needs existing in the local area.
44. Notwithstanding the above, supporting paragraph 7.27 is relevant. It states the loss or change of use of existing public services will be acceptable if it is shown this forms part of a wider estate reorganisation programme to ensure the continued delivery of services. Evidence of such a programme will be accepted as clear demonstration the facility under consideration is neither needed nor viable and that adequate facilities are or will be made available to meet the ongoing needs of the local population. In such cases, no viability or marketing information will be required.

45. The submission confirms the wider building will continue to be run as a visitor centre for the National Park. Regarding the museum / interpretation space, this will be reduced rather than removed completely. Submitted drawings clarify that a demise in the building will remain for the Castleton Historical Society including interpretation and storage space.
46. In the context of paragraph 7.27 and Policies HC4 and DMS2, the application states the introduction of the commercial let within the remainder of the existing museum space is required to support the long-term running of the wider visitor centre and interpretation offer, ensuring the building continues to provide a benefit to the area and contributes towards the National Park's second purpose (promoting understanding of the National Park's special qualities).
47. Whilst the reduction in museum space is regrettable, in light of the justification put forward, it is considered the re-organisation of space and uses in the building falls under appropriate re-organisation to support the ongoing provision of services as outlined under paragraph 7.27 of the DMP. The change in use is therefore considered to be acceptable on balance, as it would offer financial support for the continued provision of the visitor centre and an interpretation area for the Castleton Historical Society.
48. It is also a material consideration that the Authority previously granted planning permission for the reduction of the museum space in 2016. The area of public space remaining for interpretation reflects the previous approval granted in 2016.
49. In light of the justification put forward by the applicant and all material considerations, the proposals are not considered to unacceptably conflict with Policies HC4 and DMS2, and are considered to be acceptable on balance.

#### Impact on Character and Appearance

50. The site lies within the Castleton Conservation Area. The town defences Scheduled Monument is to the east. A number of Listed Buildings are further south east of the site, the nearest being the Grade II Listed Castle Hotel. Due to the scale of development proposed, the distance to the nearest Listed Buildings and intervening townscape, it is not considered the development would impact on the setting of any Listed Buildings.
51. A small extension is proposed to the south elevation of the building, creating a new entrance point into the building. The design comprises a glazed structure with aluminium framing and sedum flat roof. Whilst a pitched roof solution has been explored, the applicant has concluded this is not feasible as there is not an appropriate point on the existing glazing of the elevation to which the top of any pitched roof could attach.
52. The design of the roof on balance is considered to be acceptable due to the limited scale of the extension and its more contemporary glazed design, which responds to the appearance and materials of the existing large glazed opening on the south elevation of the building. The stone base responds to the stone base on the adjoining lean-to structure, and the aluminium framing would be coloured to match the existing.
53. On balance, having regard to the scale of the extension and the existing glazed character of the south elevation, the extension is considered to be appropriate in height, appearance, materials and detailing.
54. There are no objections to the rooflights, which are conservation style and the size of which has been reduced through discussion with the applicant. A condition requiring the rooflights to be fitted flush with the roofslope would be necessary to conserve the character of the building and all surrounding historic assets.

55. The resurfacing works are considered to be de minimus, although as like for like works they are considered to conserve the character of the area including historic assets.
56. It is concluded the development is appropriate in terms of form, height, materials, finishes and in all other aspects of design, and that it would conserve the character and appearance of the host building, the Conservation Area and the setting of the nearby scheduled monument. The development is compliant with Policies GSP3, L3, DMC3, DMC5, DMC, DMC7, DMC8 and DME8.

### Archaeology

57. The site lies within an area of archaeological interest and close to the town defences Scheduled Monument. An archaeological desk based assessment (DBA) is submitted.
58. It confirms the site is within 25m of the scheduled remains of the former town walls, and within 50m of an anticipated extent of Saxon Cemetery. The site remained undeveloped up until the post-Medieval period when buildings were constructed. Following this it was subject to various adaptations during the 20<sup>th</sup> Century until it eventually became the museum and visitor centre present today. Whilst the site has been subject to some disturbance during the construction of the buildings and road surfacing, it is otherwise largely undisturbed.
59. The DBA concludes there is high potential for post-Medieval remains of low significance, and moderate potential for early-Medieval remains of up to moderate (regional) significance. There is low potential for Romano-British and Prehistoric period remains which could be of moderate significance.
60. Groundworks which encounter any surviving below ground archaeological remains presents a risk that the remains are wholly or partially destroyed by the proposed works. This would have a negative impact on their significance. The DBA therefore advises a programme of archaeological monitoring is undertaken to secure the appropriate recording of archaeological remains.
61. The Authority's archaeologist accepts the findings of the DBA and has recommended a condition to agree a scheme of archaeological monitoring and recording, noting that even the small scale groundworks required for this development could encounter and destroy archaeological remains within their footprint, resulting in potential permanent and irreversible harm to the archaeological interest of the site, although the harm would be relatively minor in scale in the context of the wider visitor centre and plot it occupies.
62. A condition for a scheme of archaeological monitoring is however still necessary to mitigate the harm identified. Although the suggested condition is pre-commencement, officers consider the condition trigger can be prior to any groundworks, as there are elements of the proposal such as installation of rooflights and the material change of use of the building which do not raise archaeological concerns.
63. Subject to recommended condition, it is considered the development can be achieved without unacceptable impact on archaeological remains and that the development would comply with Policies L2, DMC5 and DMC6.

### Flood Risk

64. The submitted Flood Risk Assessment (FRA) confirms the site is located in an area of high flood risk (flood zone 3). An objection from the Environment Agency (EA) requested clarification around flood risk mitigation to the building to a flood depth of 600mm, details of how the development will prevent flood risk to third parties through displacement of water and what means of flood risk compensation is to be provided, based on the

proposed increase of built volume within the functional floodplain. Details of flood emergency planning are also requested.

65. A revised FRA has been received by the applicant which adopts the 600mm flood depth and flood risk mitigation measures accordingly. The FRA also outlines the increase in flood risk depth as a result of the volume ( $4.2m^3$ ) of the development is 1.7mm, which it indicates would be a negligible change in terms of flood risk to the area.
66. A further response from the EA removes their objection, confirming the amended FRA addresses the previous comments. Details have been provided to understand the site constraints and capacity taken out of the floodplain for the new small porch, which is demonstrated to be negligible. Having regard to this, the land levels around the building and down to the car park, the response concludes the direction of any flood flow would be maintained. Museums and the majority of uses that fall within Class E are classed as being 'less vulnerable' uses for the purposes of flood risk. Therefore, there is not an increase in flood risk vulnerability as a result of the use.
67. It is however noted the Planning Practice Guidance classes health and educational services including nurseries as being 'more vulnerable' in terms of flood risk. As those uses fall within Class E, it is necessary to restrict these within the new Class E unit due to the increase in flood risk vulnerability that would arise.
68. The EA response confirms the development will only be acceptable in terms of flood risk if a condition is imposed requiring development to accord with the FRA and its mitigation measures, requiring the finished floor levels to match the existing building floor levels, electrics to be set above 185.94m Above Ordnance Datum, and the mitigation measures in section 4 of the FRA to be adopted prior to occupation. These include installation of 0.60m demountable barriers across the new entrance door and signing up to the EA flood warning system, prior to occupation of the development. The FRA also recommends a flood evacuation plan which it states can be dealt with by condition.
69. Subject to the recommended conditions, it is considered the development is acceptable with regard to flood risk and is compliant with Policies GSP3, CC1, CC5 and DMC3 and Section 14 of the NPPF in this respect.

#### Residential Amenity

70. Policy DMC14 requires development which poses unacceptable risks in terms of amenity (through impacts such as but not limited to noise and odour) to provide appropriate mitigation. Policies GSP3, HC5, DMC3 and DME8 also require consideration of residential amenity.
71. The nearest residential properties are Orchard House (approximately 6.5m west) and Watercroft (around 13.5m to the south). There are other residential properties in the area.
72. The proposal includes limited physical works and due to the distance and intervening features between the site and residential properties, which include the main building and watercourse to the west, and the highway to the south, it is not considered the physical changes would harm residential amenity of any surrounding residential uses by unacceptable impact of overshadowing, loss of privacy or by being overbearing.
73. Regarding the potential for noise impact, the uses falling within Class E within the proposed unit are not considered to present noise concerns over the existing use, particularly given the commercial context of the area. Those uses include general retail, financial and professional services, indoor sport (excluding motorised vehicles), nurseries, offices and research and development.

74. Also included in Class E are uses comprising food and drink for consumption on the premises. There is already a café in the north part of the wider building which is closer to the nearest residential property than the new proposed unit, and other food and drink uses in the vicinity. It is however recognised that details of any ventilation or extraction systems associated with such a use would need to be understood in order to limit the impact of such a use on neighbouring properties. A condition to control such details is considered to be necessary, in the event the unit is occupied for such a purpose.
75. Light industrial uses also fall within Class E where they can be carried out in any residential area without detriment to local amenity through noise, vibration, smell, fumes or other impacts. Given limited impacts of light industrial uses on amenity is a prerequisite for their inclusion within Class E, it is not anticipated a use would cause harm to residential amenity. For the avoidance of doubt, details of any light industrial use and associated noise or other impacts and how these will be minimised is required prior to occupation of the new unit for such a purpose, in the interests of neighbouring amenity.
76. Subject to the above, it is concluded the development would not conflict with Policies GSP3, HC5, DMC3, DMC14 or DME8.

#### Highways & Access

77. The site is located within the centre of Castleton within close distance of public car parking, and walking distance of a number of properties.
78. The Highways Authority has requested clarification regarding the visibility splays for the site access, and the level of trips that are expected for the proposed use along with associated car parking details. However, it is noted that the existing public car park in the centre of Castleton is well visited and it is not considered that trips associated with the minor scale unit proposed are likely to have a material impact on the use of the car park or vehicular access to the site.
79. The Authority's parking standards require a maximum of 5 car parking spaces for a general retail use, whilst uses such as museums are assessed on an individual basis. Given the presence of a public pay and display car park directly next to the site, and on the basis that the Class E unit is a change of use of existing floorspace currently accessible to the public, and is in a central location within Castleton meaning that visits to the unit are likely to be linked trips due to the proliferation of other commercial and public units within Castleton, it is not considered the proposed change of use raises material concerns in respect of car parking, trip generations or vehicular access.
80. The applicant has indicated that servicing of the site will be confirmed once an occupier for the site has been identified, however that this will take place to the east of the building.
81. It is also noted that Castleton can be accessed by public transport, with bus services operating through the settlement. Therefore, whilst the response from the Highways Authority is acknowledged, officers do not consider the proposals raise a concern in respect of highways matters or Policies DMT3, DMT6, DMT7 or Section 9 of the NPPF (promoting sustainable transport).

#### Other Matters

82. Due to the limited nature of physical works, it is not considered the development raises concerns regarding ecology or protected species.

## **Conclusion**

83. The proposed Class E unit within the centre of Castleton, which is a Policy DS1 listed settlement, is concluded to comply with Policies DS1, HC4, HC5, DMS1 and E1.
84. Whilst the reduction in museum space is regrettable, it is recognised the development seeks to achieve re-organisation of the existing space and uses within the building to support ongoing provision of a reduced interpretation / museum area and visitor centre. It is also a material consideration that planning permission was granted in 2016 for the reduction of the museum space and that the area of public space remaining for interpretation reflects the 2016 approval. In light of the justification provided and all material considerations, the proposals are not considered to unacceptably conflict with Policies HC4 and DMS2, and are considered to be acceptable on balance.
85. The development is concluded to have an acceptable impact in respect of design, heritage, flood risk, highways and residential amenity, subject to a number of conditions which are recommended by this report.
86. The application is therefore recommended for approval.

## **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