

**8. FULL APPLICATION – REPLACEMENT DWELLING – SELF-BUILD AT KEEPERS COTTAGE, MOORSIDE LANE, POTT SHRIGLEY (NP/CEC/1025/1086) HF**

**APPLICANT: MR & MRS JOHNSON**

**Summary**

1. The application proposes the demolition of the existing dwelling, Keepers Cottage, and replacement with a significantly larger 4-bedroom dwelling.
2. Policy DMH9.A permits the replacement of a dwelling provided the dwelling to be replaced does not have heritage significance or contribute positively towards the valued landscape character or built environment. DMH9.C requires larger replacement dwellings to demonstrate significant overall enhancement of the site and landscape.
3. Keepers Cottage is a non-designated heritage asset. Its historic relationship with Lyme Park and Shrigley Hall makes a positive contribution to the built environment of the National Park. Its replacement is therefore not acceptable under DMH9.A(ii). Whilst the existing condition of the building is a material consideration, there does not appear to be compelling evidence to suggest the building is not capable of repair.
4. The replacement dwelling is significantly larger than the existing and is not considered to achieve the significant overall enhancement to the valued character and appearance of the site and landscape required by DMH9.C. Conversely, the new would have a negative impact on the character and appearance of the site and area.
5. There is insufficient information to understand the impact of development on trees.
6. The application is contrary to Policies GSP1, GSP2, GSP3, L1, L3, DMC3, DMC5, DMC8, DMC9, DMC13 and DMH9 and it is therefore recommended for refusal.

**Site and Surroundings**

7. Keepers Cottage is a relatively isolated dwelling located on the south east side of Moorside Lane, off Bakestonedale Road, Pott Shrigley. The exact age of the property is unknown; however, it is believed to date from between 1840-1848 and to be an example of an early Victorian gamekeepers' cottage. It is a non-designated heritage asset historically associated with the nearby Grade II\* Listed Shrigley Hall and Lyme Park.
8. The house is a low two storey stone cottage with stone slate roof. It has a whitewashed front elevation and is of a traditional design and appearance with central doorway and 3 light windows (uPVC casements) either side on ground and first floor. There are chimneys at either side of the property of differing design and size. The property has been altered over time and now features an unpainted side extension on the south elevation, and a rear extension, both natural stone with matching stone rooftiles.
9. The property is adjacent to footpaths 244/FP10/2 and 244/FP10/03 which follow the route of Moorside Lane. 244/FP2/1 runs past Keepers Cottage to the south. The stone wall to the front has been recently re-built. There are trees north and east of the property.
10. The property is in close proximity to the boundary of Lyme Park and the associated Grade II\* Listed Registered Park and Garden and Conservation Area.

**Proposal**

11. The application seeks the demolition and replacement of the dwelling Keepers Cottage, along with re-landscaping of the site.

12. The replacement dwelling has a double fronted design with porch and an addition to the south elevation. A further two storey addition and single storey lean to are on the rear south east elevation. The dwelling would be constructed in natural gritstone with a reclaimed stone slate roof. External doors would be oak with composite window frames.
13. The new dwelling would be larger in height, width and volume compared with the existing. The dwelling would have a gross internal area of 202.9sqm. The supporting Design & Access Statement indicates the dwelling would represent a footprint increase of 32% (from 103sqm to 133sqm) and floorspace increase of 50% (134sqm to 202.9sqm).
14. Re-landscaping works are proposed around the new dwelling comprising a sunken path and patio around the dwelling and tiered landscaping to the rear.

### **RECOMMENDATION:**

**That the application be REFUSED for the following reasons:**

1. **The proposal would result in the total loss of a non-designated heritage asset and would result in less than substantial harm to the setting of Lyme Park (Grade II\* Park) and Lyme Park Conservation Area. There are no material planning considerations which outweigh the harm resulting from the loss of the building, and no public benefits which outweigh the harm to the setting of designated heritage assets. The development is therefore contrary to Policies GSP2, L3, DMC5, DMC8, DMC9, DMH9 and the National Planning Policy Framework.**
2. **The proposal would have an unacceptable design and would harm the character and appearance of the site, its setting and the wider landscape, contrary to Policies GSP1, GSP3, L1, DMC3 and DMH9.**
3. **There is insufficient information to understand the impact of the proposed development on trees, contrary to Policy DMC13.**

### **Key Issues**

15. The principle of the development, its design and impact on the character and appearance of the historic environment, landscape, trees, ecology, residential amenity and highways.

### **History**

16. 2022 – Agricultural Building, Creation of Yard Area, Alterations to Access. Erection of Retaining Walls, and Rebuilding of Store (NP/CEC/0222/0213) – Granted June 2023.
17. 2023 – Demolition of existing house and construction of a new dwelling (NP/CEC/0122/0080). Refused April 2023 due to loss of a heritage asset, inappropriate design, impact on landscape and insufficient climate change and sustainability mitigation.
18. 2024 – Replacement dwelling (NP/CEC/0324/0285) – Refused July 2024 due to loss of heritage asset, design, landscape impact and insufficient climate change mitigation.

### **Consultations**

19. Cheshire County Council Highways: No objection.
20. Cheshire East Council Planning: No response.
21. Natural England: No response.

22. Peak District National Park Authority Built Environment: Objection. The building is a non-designated heritage asset. Its total loss would be contrary to the first purpose of the National Parks Act and planning policy. Please refer to comments for NP/CEC/0324/0285 and NP/CEC/0122/0080.

Previously the applicant had argued the house is beyond saving. The Authority asked the applicant to consult a CARE registered structural engineer, who has detailed how the house could be repaired by installing tie rods and pattress plates through the building, connecting the front and rear walls and/or installing cintec ties between the external walls and the floor plate. The repair schedule allows for rebuilding part of the outer leaf of the front elevation, and underpinning. However, in further correspondence the engineer states they are not specifically recommending underpinning.

The applicant's agent has argued the house is of low significance and the repairs would compromise any remaining significance. I do not accept the partial rebuilding specified would undermine any significance the building had. The area of rebuilding would be limited, and if carefully carried out, the work would be unnoticeable, and would have little impact on significance. Larger areas of rebuilding have been approved by the PDNPA for several barn conversions and for the restoration of listed limekilns. I would argue that bringing the building into good condition would enhance its significance.

On repair costs: a single quote from a demolition contractor does not necessarily amount to a reliable estimate of the cost of repairs. That said, the quote of £68k (including underpinning, a worst-case scenario) seems better value than building a new house. If demolition is approved Historic Building Recording to Historic England level 3 is required.

23. Peak District National Park Authority Ecology: No objection subject to a precautionary approach to works being undertaken, and inclusion of bat boxes. Retention/provision of integral features are preferred to compensate for the loss of potential roosting features.

Biodiversity enhancement recommendations are outlined in the full response available on the application page, to be provided through an ecological enhancement plan. Advice is offered around ecological enhancements and suggested conditions / footnotes.

24. Peak District National Park Authority Trees: The proposed works including rear extension and tiered landscaping may have potential to impact the rooting areas and health of adjacent trees. In order to assess this application, we require an Arboricultural Impact Assessment (AIA) prepared following the guidance in *BS5837:2012*. If planning permission is granted, conditions will need to include a requirement for an Arboricultural Method Statement (AMS) with Tree Protection Plan (TPP).

25. Pott Shrigley Parish Council: No objection.

## **Representations**

26. 7 representations have been received in support of the application, raising the following:
- The house has been altered many times and has lost its character.
  - Existing house in poor state of repair with front wall pulling away from main part of house, damp, mold, leaks, poor and inefficient configuration, poor insulation, holes allowing for rodents to enter. It is not appropriate for a young family.
  - Significant expense required to stabilise the house, still resulting in a compromised and inefficient home not up to appropriate standards, whilst losing opportunity to improve the site. This would not be cost effective.
  - If no interventions are made the house would require some demolition and then the whole house and look would be lost all together.

- Existing house thermally and environmentally inefficient, expensive to heat and cold in winter. The proposal would be sustainable, efficient and cheaper to heat.
- The proposal would be undertaken by a skilled builder and is a high quality, appropriate in design, landscape impact and would significantly improve the site and immediate area. It would be a long-term solution for the site and compliant with current regulations. The proposal would improve the applicant's quality of life.

A single anonymous letter was received in respect of the application however in the absence of any contact information this is afforded no weight.

### **Main Policies**

27. Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L1, L2, L3, CC1
28. Relevant Development Management policies: DMC3, DMC5, DMC8, DMC9, DMC11, DMC12, DMC13, DMH9

### **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. Policy DMH9.A(ii) states the replacement of a dwelling will be permitted provided the dwelling to be replaced does not have cultural heritage significance and (iii) does not contribute positively towards the valued landscape character or built environment. In all cases DMH9 requires the replacement dwelling to achieve an enhancement, however part (C) of the policy requires larger replacement dwellings to demonstrate significant overall enhancement to the valued character and appearance of the site and landscape.
33. Considering part A(ii), a Statement of Significance ("SoS") has been submitted. It sets out that Keepers Cottage was likely to have been built between 1824 and 1848 as part of the Lyme Estate. The property was owned by Thomas Legh, who also owned Lyme Hall, indicating a connection to Lyme Park. It is accepted by both parties that the property is early-mid C19 and has a historic tie to either the Grade II\* Shrigley Hall, or the Grade II\* Lyme Hall/Lyme Park and their associated moorland and parkland.

34. The SoS indicates the dwelling originated as a small former T-plan house, and that the original plan form has been altered internally along with the principal frontage comprising the blocking of an original doorway and reworking of windows. The alterations are described as having a negative impact on significance.
35. The SoS nonetheless acknowledges the property is a non-designated heritage asset of low significance. Its setting is identified of high significance as it is *“located within an historic estate landscape that has remained largely unchanged from at least the early nineteenth century”*. The Planning Statement sets out that the building is of low significance with limited surviving fabric and harmful alterations.
36. The Authority’s Conservation Officer also identifies the property as a non-designated asset.
37. Notwithstanding responses received and the case made by the Planning Statement suggesting the building has lost its significance, for the purposes of DMH9.A(ii) and (iii) Keepers Cottage is identified as having cultural heritage significance and it makes a positive contribution to the valued landscape and built environment. A replacement dwelling is not acceptable in principle as it conflicts with DMH9.A (ii) and (iii), given the existing building is a non-designated asset.
38. Notwithstanding the above, the submitted Planning Statement sets out that the proposal is acceptable on balance having regard to the extent of historic fabric remaining, the poor condition of the building and due to the acceptability of the revised scheme. These matters are assessed below.

#### Impact on heritage assets

39. GSP1 requires development to be consistent with National Park legal purposes and duty, which include to conserve and enhance landscape and cultural heritage. L3 requires development to conserve or enhance the significance of heritage assets and their settings. Other than in exceptional circumstances, development will not be permitted which harms the significance of any heritage asset, including assets of local importance.
40. Policy DMC5 requires applications to describe the significance of any affected heritage assets and why the development is desirable or necessary. Development of a 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, unless for non-designated assets the development is considered to be acceptable by the Authority following a balanced judgement that takes into account the asset’s significance.
41. DMC8 requires applications to consider their relationship and impact on Conservation Areas, including their setting. DMC9 states applications involving a registered park and garden and / or its setting will be determined in accordance with DMC5.

#### Significance of Keepers Cottage

42. The Planning Statement indicates the existing house is of low significance due to alterations carried out to the building. The SoS indicates the original plan form has been much altered, including replacement of the original rear wing and remodelling of the ground floor plan form. Alterations have also been carried out to the front elevation. The SoS does however conclude the building is a non-designated asset of particular interest due to its association with the Lyme Estate.
43. The above is partly disputed, as the Authority’s Conservation Officer response under NP/CEC/0324/0285 confirmed the Statement shows a largely intact planform to the main range of the building as well as historic floors and doors, and that it would be surprising

to find much more in a building of this nature. Their latest response continues to identify the building as a non-designated heritage asset, and it is maintained that the building is of historic significance and contributes towards the National Park's first purpose.

44. Keepers Cottage is concluded to be a traditionally built early C19 gamekeepers' cottage of valued vernacular and a non-designated heritage asset which derives its significance from its aesthetic value, in addition to its historical relationship with the wider moorland landscape setting in connection with the nearby landed estates.

### Structural Matters

45. Keepers Cottage is identified to be in poor condition, and the application is supported by two Structural Reports (prepared by Peak Engineers and Castree, a CARE registered engineer). A number of responses also outline the existing condition of the building.
46. The Peak Engineers structural report advises the building's front elevation is bowing, and there is no easy way to tie the wall back to the floor joists. The roof lacks triangulation and the purlins are over-spanned by a significance margin. The report concludes given the size of the roof, magnitude of the lean in the front wall, combined by the lack of foundations under the main walls, there is no other option than to rebuild the front wall in its entirety and remove the main roof covering, rafters and purlins. Given the percentage of the building that would remain, it recommends demolishing the building and re-building using modern construction techniques in a sensitive manner.
47. Concern was raised during the 2024 application over the lack of a CARE registered structural report. The Castree Structural Report has consequently been submitted. It sets out that the front wall of Keepers Cottage is bulging externally at first floor to the centre and west corner of the original house. There are signs internally that this movement is longstanding, such as the infill to the timber floor. Externally, cracks have been reported as opening up since the applicant bought the house (the last 5 years).
48. The report states the combination of issues that may have caused movement of the front wall are likely to be due to lack of restraint at first floor, poor bonding across the wall, and due to foundations / ground conditions.
49. The report states there are a number of ways to remedy the issues although some may not be fully practical or economically viable. Some movement may be longstanding; hence a repair would be a large cost for little or no improvement into the future.
50. Methods to fix the building are described to include restraining of the first floor level by stiffening the existing first floor and installing ties between front and rear wall. Bonding between the thickness of the wall could be improved through installation of pins or dowels between the outer and inner stonework, and cleaning and grouting voids.
51. The report goes on to suggest underpinning if monitoring of ongoing movement suggests there is movement of foundations, but notes this is expensive and time consuming. The Planning Statement indicates a builder's quote for the repair works is around £68,000. The figure includes for underpinning, which the agent indicates is around £19,000.
52. Officers have asked for clarification as to how underpinning would be established, the timescales and what the likelihood was of underpinning being required. The Castree response stated it was important to note underpinning was not being recommended in the report. It was included in the report to outline to the applicant that there would be a cost involved if undertaken and to cover scenarios.

53. The response also stated the report sets out other possible causes of the wall bulge (poor typing, freeze / thaw or debris in the core of the wall pushing the front skin out) which they expect are more likely to have a current impact than the wall foundations.
54. Whilst it is appreciated the structural report cannot say with certainty that the cause of structural issues is only limited to the front elevation, the report and engineer response appear to suggest that works to the front elevation are the preferred works to rectify the building structural issues particularly given the deficiencies identified between the front wall and its bonding to the property, with the need for underpinning appearing to be a worst-case scenario.
55. Even if underpinning were necessary, the total quote provided appears to be far lower than the anticipated cost of demolition and construction of a new dwelling, albeit there is no comparison quote available.

#### Impact of Repair Works and Development

56. The Planning Statement indicates Keepers Cottage is of low significance and the physical repair works proposed would compromise any remaining significance.
57. This is disputed by the Conservation Officer, who does not consider partial rebuilding specified by the Castree Structural Report would undermine the building's significance. The area of re-building would be limited and could be achieved in a sensitive manner.
58. The Conservation Officer also notes the repair works detailed in the Castree report would not undermine any significance that the building possesses. The area of re-building would be limited and if carefully completed, would be unnoticeable. The Conservation Officer notes the Authority has approved barn conversions with a larger area of re-building than what is recommended here.
59. The development proposed would result in the total loss of the non-designated heritage asset. Based on the recommendations of the Castree Structural Report and submitted repair costs, and notwithstanding the case submitted and responses received, it is not considered there are exceptional reasons in this case to justify the total loss of Keepers Cottage for the purposes of L2.
60. It is also necessary to weigh the harm resulting from the total loss of the non-designated asset as part of the wider planning balance as required by DMC5 and 216 of the NPPF. This is undertaken as part of the planning balance, later in this report, however harm would arise through the loss of a historic building within a historic landscape setting.
61. In addition to the significance of the heritage asset itself, it is important to consider the impact of the proposal on the setting of Lyme Park, which is both a Grade II\* park and garden and designated Conservation Area. As such, policies DMC8 and DMC9 are engaged as well as paragraph 212 of the NPPF.
62. While the site is not within the designated parkland or Conservation Area, it nevertheless lies within their setting being approximately 275 south west of the designations. The parkland is bound by a drystone wall; however, the parkland characteristics extend beyond this wall, so while it has a set boundary, its influence extends beyond it. There are several rights of way providing access to Lyme Park, in addition to a large swathe of open access land immediately north of the site which extends into Lyme Park.
63. The property makes a positive contribution to this edge of moorland setting, with its scale and design representative of an early C19 gamekeepers' cottage and still read as a historic property. The loss of the cottage would have a minor but harmful impact on the setting of the adjacent designations through the loss of a building which is culturally and historically tied to their history, replaced with a building lacking the existing's character.

64. The loss of the property would amount to less than substantial harm to the setting of the designated Lyme Park Grade II\* park and garden and Conservation Area. NPPF paragraph 215 states that development proposals leading to less than substantial harm to the significance of a designated asset should be weighed against the public benefits of the proposal, including where appropriate securing its optimum viable use.
65. The following section of this report will assess the design and impact of the development on the landscape, and other matters, before going on to assess any public benefits or material considerations as part of the planning balance.
66. Should no material planning considerations or public benefits be identified, the proposal should be refused due to conflict with policies L3, DMC5, DMC8, DMC9 and the NPPF.

### Design and Landscape Impact

67. The new dwelling would be two storeys constructed from natural gritstone under a stone slate roof. The principal elevation would measure 13m, the height from dwelling base to eaves and ridge is 4.9m and 7.4m respectively. The gable width is 6.5m. Comparatively, the existing property is 12.7m wide, 3.75m to the eaves, 5.3m to the ridge and features a gable width of 5.4m (excluding the catslides and rear extensions).
68. The Planning Statement and elevations indicate the eaves of the new dwelling would be lower than the 2024 refusal, although the reduction in eaves height appears to be achieved by lowering the footprint of the dwelling rather than changing the overall height of the dwelling itself. It is also unclear if the eaves height of the existing building outlined on the proposed elevations is correct, given the difference between the existing and proposed eaves height identified above, albeit it is appreciated this depends on the total level change of the footprint. The ridge of the new property is undoubtedly taller.
69. The existing property, whilst small, is characteristic of its former function as a worker dwelling in a remote, moorland setting. In contrast, the design of the proposed replacement dwelling is considered to be larger in scale, height and mass.
70. The front elevation has been altered from the 2024 refusal, with the southern element of the dwelling designed as an 'extension' to the main aspect. The set back of the southern element is minimal, as is the set down of its height from the main aspect. To the rear the southern aspect is flush with the main part of the dwelling, creating a confusing design.
71. The rear projecting gable element is overly long, being as wide as the gable of the proposal, and would dominate the property. It would result in the property having an inappropriate massing and form, with the extent of roofing being visible in the landscape and being both bulkier and less simplistic than the existing. The path enclosing the dwelling with retaining edges would be perceptible from outside of the site, allowing for the increased scale of development that is partly 'sunken' into the site to be appreciated.
72. Overall, the scale of the replacement dwelling is concluded to be inappropriate. It would appear as an overly-large rendition of a farmhouse which could be found anywhere in the National Park, and does not relate to its immediate surrounding in any capacity beyond its building materials, whilst also lacking the historic character of the existing property. On this basis, the proposal is contrary to GSP3 and DMC3.
73. As the replacement dwelling is substantially larger than the existing, DMH9.C is engaged which requires the new dwelling to demonstrate significant overall enhancement to the valued character and appearance of the site, built environment and landscape.

74. It is concluded the development would harm the built environment through total demolition of a non-designated asset and replacement with an inappropriate form of development, having regard to site context, and that lacks the historic character of the existing. The dwelling would negatively impact on the landscape valued characteristics. The site is within the Dark Peak enclosed gritstone upland, characterised by:
- High rolling upland with some steeper slopes;
  - Permanent pasture and rough grazing enclosed by gritstone walls;
  - Straight roads with wide verges of grass and, in some places, heather;
  - Scattered gritstone farmsteads with stone roofs. Some relict mining sites;
  - Trees grouped around farmsteads for shelter
75. Whilst not a farmstead, the existing property does feature a stone roof, and is surrounded by trees. It provides a positive contribution to the landscape character it sits within.
76. It is acknowledged the new dwelling proposes to retain these features; however, the it would be significantly larger than the existing. This would invariably have a larger and more dominating landscape impact, particularly due to mass and height.
77. By virtue of its more dominating landscape impact, and notwithstanding representations received in support of the design and upkeep of the site, the proposal is not considered to conserve, nor contribute towards an enhancement of the landscape. Accordingly, it falls short of the requirement for a 'significant enhancement' to the valued character and appearance of the site itself, and the surrounding built environment and landscape.
78. Therefore, the proposal fails to comply with GSP3, L1, DMC3 and DMH9.C.

#### Sustainability

79. DMH9.E requires replacement dwellings to exhibit high sustainability standards. CC1 requires development to make the most sustainable and efficient use of land and to consider renewable and low-carbon energy sources.
80. The Planning Statement and representations indicate the replacement dwelling presents an opportunity to replace the existing building with an energy efficient dwelling, and references it is proposed to heat the property via an air source heat pump. The Climate Change Statement outlines measures around solar gain, ventilation, high levels of thermal insulation, low energy fittings, water conserving fittings.
81. Renewable technologies are indicated to potentially include solar panels, air source heat pumps and grey water recycling, although none of those features are actually included within the proposal. It is however recognised those details could be provided by condition to address the requirements of DMH9.E and CC1.

#### Trees

82. The application proposes a replacement dwelling and groundworks including excavated patio, retaining wall and a tiered garden. There are mature trees to the north and east.
83. The Authority's tree officer has confirmed the requirement for an arboricultural impact assessment (AIA) to understand what trees are present on site and how the development may impact them, as required by Policy DMC13. An arboricultural method statement and tree protection plan are also likely to be required but could be conditioned.
84. In the absence of an appropriate AIA, there is insufficient information to understand the impact of the development on trees contrary to Policy DMC13.

### Other Matters

85. L2 and DMC12 requires development to enhance the biodiversity interest of the site and requires development to comply with legislative provisions relating to protected species.
86. This application is supported by a Protected Species Survey including several bat emergence surveys. The surveys identified bats are present on site for foraging and commuting, but found no roosts. The report concludes there is no requirement for development to be carried out under a Natural England Licence, or require any mitigation. The Survey recommends that crevice boxes be installed on trees surrounding the site.
87. The Authority ecologist accepts the survey findings subject to a precautionary approach and has confirmed should permission be granted, bat boxes such as integral features should be provided to compensate loss of potential roosting features. Ecological enhancements are also advised under DMC12, details of which could be conditioned.
88. Subject to conditions, the development is compliant with L2 and DMC12. There is no statutory requirement for Biodiversity Net Gain as the development is for self-build.
89. The nearest property to Keepers Cottage is Park Moor Cottage, some 300m to the north. The proposal does not include any alterations or extensions to the curtilage of the property. On this basis, there would be no detrimental impact on neighbouring amenity.
90. The property has sufficient off-street parking and is compliant with Policy DMT8.
91. The site lies in a development low risk area in respect of coal. An advisory should be included with any planning approval.

### Planning Balance

92. NPPF paragraph 216 and DMC5 require the effect of an application on the significance of a non-designated heritage asset to be taken into account in determining applications as part of a balanced judgement, with regard to the scale of any harm or loss and the significance of the heritage asset.
93. Whilst the property is a non-designated heritage asset, it is still of significance and Policy L3 requires there to be *exceptional circumstances* to justify harm to cultural heritage assets, including non-designated assets. The asset also lies within the National Park. NPPF paragraph 189 states the conservation and enhancement of landscape, scenic beauty and cultural heritage in National Parks should be given *great weight*.
94. The replacement dwelling would result in harm due to the total loss of a heritage asset, plus introduction of a less sympathetic building of inappropriate scale, mass and detail in its place. The proposal would harm the valued characteristic of the Dark Peak landscape through the loss of a feature of valued character and historic merit.
95. The applicant outlines the existing building has little historic fabric remaining and that there is progressive structural failure of the building, with extensive remedial works required which may not be practical or viable and would result in a property that is both heavily altered and thermally inefficient.
96. However, the submitted evidence suggests measures that could be undertaken to repair the building, including works to stabilise the front elevation, rebuilding of the outer leaf

and underpinning. The engineer states they are not specifically recommending underpinning which appears to be a worst-case scenario.

97. The Report appears to suggest the existing building is capable of repair, and the cost of those repairs could be achieved at a value likely to be far lower than for demolition and replacement with a new dwelling. Furthermore, the Conservation Officer considers the repair works could be undertaken in a way that would not undermine the significance of the building, and that bringing the asset back into good condition would be an enhancement to significance, in comparison to its total loss.
98. In light of the above, there do not appear to be exceptional circumstances or material planning considerations which justify the loss of the building or outweigh the harm arising to cultural heritage and the landscape, or which suggest the application should not be determined in accordance with the development plan policies.
99. NPPF paragraph 215 and DMC5 require less than substantial harm arising towards designated heritage assets (the Lyme Park Conservation Area and Grade II\* Lyme Park registered park and garden) to be weighed against the public benefits of the development. Whilst it is indicated the new property would be thermally efficient and improve living conditions of the occupant, improvements could likely be undertaken to the existing building. It is not considered there would be public benefits resulting from the development that would outweigh the identified harm, and great weight should be afforded to conservation of designated heritage assets.
100. Accordingly, the proposed development would result in a high degree of harm via total loss of a non-designated heritage asset, in addition to a small degree of harm to the setting of two designated assets. Harm also arises to heritage and landscape through introduction of a new dwelling that is not sympathetic to the site and would be a clear contrast to the existing historic property. There are no public benefits, nor material planning considerations, considered to outweigh the harm to the significance of these assets or to the landscape as part of the wider planning balance.
101. Harm to cultural heritage would also conflict with the first statutory purpose of the National Park, which is to conserve and enhance the natural and cultural heritage of the area. The development therefore conflicts with Policies GSP1, GSP2, L1, L3, DMC5, DMC8, DMC9, and DMH9, in addition to Section 16 of the National Planning Policy Framework.

## **Conclusion**

102. This application seeks to demolish and replace Keepers Cottage, a property of early C19 architecture which is historically tied to the landed estates in this section of the National Park. The building is identified as a non-designated heritage asset.
103. The replacement of dwellings is permitted in principle, subject to the existing not having historical significance. As such, the proposed development is not acceptable in principle.
104. The proposal would harm both the cultural heritage and valued characteristics of the National Park landscape, and would not result in significant overall enhancement to the site itself, or the surrounding built environment and landscape.
105. There are no material planning considerations, nor public benefits, which would outweigh the harm to the special characteristics of the National Park. On this basis, the proposed development would be in direct conflict with the National Park's first statutory function.
106. There is also insufficient information to understand the impact of development on trees.
107. The application is 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