

12. NP/DDD/1125/1195: UNIT 7A, WHITECROSS INDUSTRIAL ESTATE, TIDESWELL (SW)

APPLICANT: EYAM BREWERY LTD

Background

1. The application was originally considered at the meeting of the Authority's Planning Committee on the 13th February 2026 (to be referred to here as "the first report"). The application was recommended for refusal but Members were minded to approve.
2. The Authority's Standing Orders (Section 1.48) state that where a Committee is proposing to make a decision which would be a departure from policy and/or the Officer recommendation, final determination shall be deferred until the next meeting.
3. The Head of Planning authorised such a deferral in order that the Planning Committee can consider a further paper to explore the policy implications and risks. This report sets out those implications and risks:
 1. The impact on adopted planning policies E1 and DME3

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4. The National Planning Policy Framework (NPPF) promotes a presumption in favour of sustainable development (paragraph 10). To do this it advocates approving development proposals that accord with an up-to-date development plan, but clarifies in para 12 that:
 5. *The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.*
6. This planning application does not demonstrate any material considerations to indicate departure from the Local Plan. The first report recommended that the application be refused because the proposal is unacceptable by virtue of the loss of the safeguarded use of the unit, and that information not been provided to demonstrate that the unit is not suitable for its safeguarded use or that there is a strategic need to justify mixed use development, contrary to Policies E1 & DME3.
7. The proposal is for a Tap Room and shop (sui generis) to provide a customer facing drinking establishment for a local business. The application site is located on a Local Plan policy DME3 safeguarded employment site at Whitecross Industrial Estate, Tideswell. The application is made by a local business that manufactures beer at Cartledge House Business Centre, Great Hucklow, another Local Plan policy DME3 safeguarded employment site.
8. Core Strategy Policy E1.D states, the National Park Authority will safeguard existing business land or buildings, particularly those which are of high quality and in a suitable location. Where the location, premises, activities or operations of an employment site are considered by the Authority to no longer be appropriate, opportunities for enhancement will be sought, which may include redevelopment to provide affordable housing or community uses.

9. The supporting text in paragraph 13.12 states, the National Park Authority wishes to keep the best business sites and buildings from other development pressures. It will also be important to retain some lower quality sites to offer a range of opportunities for business start-up and growth.
10. Development Management Policies (DMP) policy DME3 states, the following sites are identified on the Policies Map and will be safeguarded for Class B1, B2 or B8 industrial and employment uses unless the Development Plan and evidence of strategic need justifies mixed use development, in which case the predominant use(s) should remain in the B1, B2 or B8 Use Classes.
 - Tideswell, Whitecross Industrial Estate
11. The supporting text in paragraph 4.23 states, policy DME3 uses evidence of strategic need as a criterion against which proposals will be assessed. If there is a strategic need to retain these sites in business use there will be a presumption against loss of parts of the business space to other uses. If however, there is no such strategic need, or there is robust evidence provided by an applicant, and accepted by the Authority, that the proposed loss of the business space will not result in a strategic shortfall of business space, the Authority is able to consider proposals for alternative uses on part of sites more favourably. The predominant or main use of these sites should however remain business use.
12. Supporting text in paragraph 4.24 goes on to explain, in the context of policy DME3, the word 'predominant' means the character of a site rather than an absolute percentage or proportions of business use vis à vis other uses below which other uses could be considered in floor space terms to be the main uses. This is a pragmatic approach that recognises the differences in character between sites and locations, and the fact that some will be more suited to mixes of uses than others.
13. And finally, supporting text in paragraph 4.25 states, applications to change a use away from Use Class B must be accompanied by evidence that the business space is no longer needed in that location, and is unlikely to be needed in future.
14. Whilst it is understood the application is to support a local brewery business based in Great Hucklow, the application has to be assessed on its own merits as proposed; a drinking establishment and shop on a safeguarded employment site, which is not a B use. A drinking establishment use has the benefit of a much wider range of sites to locate on than industrial B use businesses, including existing drinking establishments and in town centres or village centres.
15. In assessing whether a change to use from B use class to another use on a safeguarded employment site is acceptable, the DMP paragraph 4.25 requires the applicant to submitted evidence to demonstrate that the proposed loss of business space would not result in a strategic shortfall of business space. In the context of employment policies in the Local Plan, business space refers to use classes B1 (now E2(g)), B2 and B8 uses.
16. To reduce the amount of Use Class B employment space limits opportunities for B class businesses to expand, develop or relocate. Businesses will be forced to locate outside of the National Park if there are no available sites for their use within it. The loss of B use from this site is removing a valuable lower quality site that offers cheaper space for business start-up and growth.

17. The Authority's evidence is based on the findings of the Employment Land Review for the Core Strategy¹, which identified no need to identify new employment land, but rather to focus on safeguarding strategic sites for employment uses (B1 now E1(g)), and B2 and B8 uses).
18. And, the recent Employment Development Needs Assessment (Icini, 2025), which confirmed there is a strategic need to continue to safeguard this site for B1 (now E1(g)), and B2 and B8 uses. As such neither the current Development Plan or the evidence to support the emerging Development Plan provide evidence of strategic need to justify mixed use development.
19. The purpose of protecting B use class space is to support the provision of employment space for businesses that are office, research and development, manufacturing, or storage. These types of business have particular business needs that need good access to the road network and are not generally compatible with town centres or residential areas. Hence their location on the edge of settlements.
20. Policy DME3 and the supporting paragraph in the DMP 4.24 refer to the predominant character of the site remaining in B use if evidence is forthcoming that it would not harm the provision of B use employment space strategically across the National Park. If Members are minded to approve the application, the character of site for B uses would remain, however that in itself is not reason to approve the development as the policy requires evidence to justify mixed use development on the safeguarded employment site and that in doing so would not adversely reduce the amount of B use employment space available to B use class businesses on strategic safeguarded employment sites.

¹ Nathaniel Lichfield and Partners (2008) Peak Sub-Region Employment Land Review

21. A decision to grant permission is considered to be a departure from the Development Plan.
22. Drinking establishments and shops are not B use businesses for which the site is safeguarded for. It is important the Local Plan continues to protect safeguarded employment space for businesses uses in the B use class that have specific site and location needs. The development of safeguarded employment sites for non B uses conflicts with our Local Plan approach to keep the best business sites and buildings from other development pressures in accordance with policies E1 and DME3.
23. If Members are minded to approve the application the integrity of the Local Plan approach to safeguard strategic employment sites is at risk of being undermined and the availability of B use employment land eroded. B use class businesses will be forced to locate outside of the National Park if there are no available sites for their use within it.
24. If the application is approved, it undermines development management policy and risks undermining the long-standing strategic policy of safeguarding the best business sites for B use, it is considered crucial that the Authority is able to maintain its policy position.
25. Experience has shown that by paying proper regard to the development plan, long term spatial objectives can be achieved for the rural economy. This furthers National Park purposes and duty.
26. There is an expectation amongst local communities and other communities of interest that the Authority applies policies in the Development Plan neutrally, fairly and consistently especially where they are up-to-date and relate specifically to the development concerned, as in this case.
27. In these circumstances, the Planning Committee is respectfully urged to reconsider its resolution to approve the current application.

Human Rights

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

List of Background Papers

Report and Minutes [NP/DDD/1125/1195](#)
Appendix 1

Report Author and Job Title

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