

8. FULL APPLICATION – DEMOLITION OF WATER WORKS BUILDING AND CHANGE OF USE FOR THE STATIONING OF CARAVANS FOR OCCUPATION BY GYPSY-TRAVELLER SITE, WITH ASSOCIATED DEVELOPMENT INCLUDING HARD STANDING, UTILITY BUILDING AND EXTERNAL LIGHTING, FORMER WATER WORKS, SHEFFIELD ROAD, CHARLESWORTH (NP/HPK/0514/0493, P.8289, 405242 / 393895, 24/6/2014/AM)

APPLICANT: MR DAVID HAY

Site and Surroundings

The application site includes the former water works building and its curtilage. The site is located approximately 1.7km to the east of Glossop. Glossop lies outside of the National Park, with Hurst Road, 180m to the west of the site indicating the boundary line at the nearest point. The site is separated from the edge of Glossop by open fields and the Glossop and District Golf Course and is therefore considered to be in open countryside.

The site is dominated by a substantial building which was erected in 1960 to serve the nearby Hurst Reservoir. The use has since ceased and the building is vacant. The building measures 23m by 7m with a further single storey flat roofed section measuring 21m by 5.2m almost covering the whole of the front elevation. The building is constructed from gritstone under a shallow pitched roof. The site area which forms the curtilage of the building extends to approximately 0.25 hectares. There is a block of woodland to the immediate south of the site and the golf course lies across the access lane to the north.

The nearest neighbouring properties are the buildings relating to the golf club to the north west and two domestic properties located to the south east and adjacent to the application site. Access to the building is via the existing private way which serves the golf club, the neighbouring dwellings and the former reservoir.

Proposal

This application seeks planning permission for the demolition of the former water works building and for the change of use of the site for the stationing of caravans for occupation by members of the gypsy and traveller community. The application also proposes associated development including the creation of hard standings, the erection of a utility building and external lighting.

The submitted plans show that an area of land measuring approximately 44m by 32m (1400 square metres) would be laid out to provide a total of six pitches, three on each side of the site, and a utility building and play area in the centre of the site. Access would be through the centre of the site and around the central area, with six parking places at the rear of the site. A passing point would be created to the front of the site adjacent to the private way.

Each pitch would measure 10m by 14m and would be provided with gravel hard standing and bounded by new 1m high solid panel fencing and iron gates. Lighting would be installed to the front and rear of the site and around the central play area. The application proposes additional native hedge planting around the boundaries of the proposed site.

RECOMMENDATION:

That the application be REFUSED for the following reasons:

- 1. The proposed change of use for the stationing of six caravans for permanent occupation by members of the gypsy and traveller community is contrary to CS policy HC3. The submitted application does not demonstrate any exceptional circumstances which would override national and local policy which seek to strictly limit new traveller site development in open countryside and outside areas**

allocated within the Development Plan. Therefore approval of the proposed development would also be contrary to National planning policy for traveller sites.

2. The provision of external lighting and light poles would be likely to generate light pollution which would harm the landscape character of an area which is characterised by profound night darkness and which forms an important buffer between Glossop and the surrounding open moorland contrary to CS policy L1.
3. The proposed built development, caravans and vehicles occupying the site would represent an intensive use which would give rise to a harmful visual change in the context of this site and its surroundings.
4. Noise, disturbance and light from generated from the proposed development would be likely to harm the residential amenity and privacy of the occupants of 1 Reservoir House, contrary to CS policy GSP3 and saved LP policy LC4.
5. The existing building on the application site has the potential to provide habitat for local bats. Insufficient evidence has been provided to enable the Authority to conclude that the demolition of the existing building would not harm local bat populations contrary to CS policy L2 and saved LP policy LC17.

Key Issues

- Whether the principle of the proposed development is acceptable and in accordance with Core Strategy policy HC3.
- Whether the proposed development would preserve the amenity of neighbouring properties.
- The impact of the proposal upon the character and appearance of the site and the immediate locality.
- Whether the proposed development would be acceptable in all other respects.

History

1998: NP/HPK/1098/151: Conversion of water treatment plant to dwelling, refused. Subsequent appeal was dismissed.

2011: NP/HPK/0811/0831: Change of use of building to dwelling and commercial office, refused.

2012: NP/HPK/0312/0239: Change of use of building to dwelling and office, refused.

2013: NP/HPK/0513/0441: Change of use from former waterworks to dwelling including partial demolition and re-modelling of building. The application was refused for the following reasons:

1. *The scheme proposes conversion of a non-traditional building, which is of no architectural, historic or vernacular merit. It is not considered to be of appropriate design, appearance or construction for conversion to an open market (unrestricted) dwelling and the proposed use would exacerbate the building's impact on its surroundings, resulting in unacceptable harm to the valued characteristics of the area and the character and appearance of the National Park. Conversion of this building to a dwelling is therefore contrary to Core Strategy Policies GSP1, GSP2, GSP3, HC1, and Local Plan policy LH1 and LC4.*
2. *Exceptionally, new housing from the reuse of existing traditional buildings can be accepted in the open countryside, provided that the dwelling will be affordable by size and*

type to local people on low or moderate incomes and meets a proven local need. In this case, there is no evidence provided in support of local needs and the proposed dwelling would not be of an affordable size or type within policy. The conversion would therefore be contrary to saved Local Plan Policy LH1 and Adopted Core Strategy Policy HC1.

2014: The subsequent appeal was dismissed. The Inspector concluded that the proposed dwelling was not to be affordable housing to meet local need and that the building was not 'valued vernacular' and therefore the conversion of the building to an open market dwelling would not be in accordance with Core Strategy policy HC1.

Consultations

Highway Authority – No objections, subject to conditions.

Whilst access to the site is of limited geometry, when bearing in mind the numbers and types of vehicles associated with the existing use of the route and former use of the site, the Highway Authority considers that any objection to the proposals on traffic generation grounds would be likely to prove unsustainable.

However, although a 'passing point' is demonstrated on the submitted plan, the proposed layout would appear to be somewhat restrictive with respect to turning opportunities for service and delivery vehicles. It is, therefore, recommended that the applicant be requested to demonstrate suitability of the layout, or revised layout, by means of appropriate vehicle swept paths to enable the largest vehicles likely to frequently visit the site to enter and exit the highway in a forward gear.

Derbyshire County Council – No objections.

Whilst the proposed development would generate some additional demand for waste management services at Glossop Household Waste Recycling Centre, the County Council does not require a financial contribution towards the provision of additional waste management capacity because the number of proposed pitches (dwellings) is less than ten.

The County Council's data on school capacity and pupil projections indicates that the normal area primary and secondary schools would have sufficient capacity to accommodate the additional pupils expected to arise from the proposed development. The County Council does not require a financial contribution towards the provision of pupil places from this development at this time.

Borough Council – No response received to date.

Parish Council - No objections provided the site is well-managed on a long-term basis.

Natural England – No response to date.

PDNPA Ecology – Recommend bat survey prior to determination. Neighbours report seeing bats coming in and out of the building. The property is empty and there are numerous gaps in the fabric of the building which could offer potential access points for bats. A recent survey to accompany the decommissioning of Hurst Reservoir recorded a number of bat species and high activity in the general area.

On the basis of the above a bat survey and report of the property is required prior to determination. The survey should also record any evidence of breeding birds. The local bat group are active in the area and may have additional records/information; they should be contacted as necessary. If bats are found the report should detail any mitigation/compensation as necessary.

Representations

At the time of writing, the Authority has received 914 representations in regard to the application. Of these, 908 object to the proposed development, 4 support and a further 2 representations make general comments. It should be noted that a significant number of representations do not give reasons to support the stated view. The material planning reasons given in representations are summarised below. The representation letters are available to read in full on the Authority's website.

Reasons for objection

- Principle of proposed development is not in accordance with CS policy HC3.
- No identified need for traveller sites.
- Potential adverse visual impact of proposed site and caravans.
- Potential adverse impact upon the landscape of the National Park.
- Potential adverse impact of light pollution.
- Potential adverse impact of proposed development upon highway safety due to the narrow nature and lack of pavement along Hurst Road and the private road to the development and access onto the main road.
- Insufficient capacity on the road network to support proposed development.
- Inadequate space and parking within the application site for the type of vehicles and caravans.
- Site layout not in accordance with good practice guide on size of pitches, access, play areas and amenity block.
- Potential adverse impact upon the residential amenity of occupants of neighbouring dwelling from noise and activity from the proposed development and from lighting. Potential loss of privacy to the neighbouring property and for the proposed development to be overbearing.
- Potential adverse impact of noise and pollution from the site and from vehicles visiting the site upon the wider local area.
- Potential adverse impact of the proposed development upon local service provision including police, schools and healthcare.
- Distance of the site from local amenities.
- Fear of crime.
- Potential for conflict between the proposed use and adjacent uses including the golf course.
- Potential adverse impact upon local businesses.
- Potential risk of flooding of the site and risk of increasing surface run-off off the site.
- Potential risk of pollution to the stream near the application site.

- Potential adverse impact upon protected species and designated sites around the application site. In particular bats have been seen flying in and out of the application building. Impact of proposed lighting on wildlife.
- Potential risk to occupants from ground pollution related to the tanks on site which were used for water treatment.
- Alternative uses of the building should be considered, for example industrial or research and development or affordable housing.
- Quality of application, inaccuracies on submitted plans and lack of technical supporting information for the Authority to determine the application.

Reasons for support

- Proposed development is likely to create jobs.
- Proposed development would regenerate the area.
- A site like this is essential to help the traveller community maintain their way of life.

Due to the volume of representations received, it is very likely that additional letters will be received before the meeting. The meeting will be updated verbally of any new representations which raise additional new planning issues.

Main Policies

Main Relevant Core Strategy policies: GSP1, GSP3, DS1, L1, L2 and HC3

Main Relevant Local Plan policies: LC4, LC17, LT11 and LT18

National Planning Policy Framework

The National Planning Policy Framework (NPPF) was published on 27 March 2012 and replaced a significant proportion of central government planning policy with immediate effect. The Government's intention is that the document should be considered to be a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date.

National Planning policy for traveller sites

The NPPF is supplemented by the Government's Planning policy for traveller sites which was also published in March 2012. This document sets out the Government's planning policy for traveler sites and should be read in conjunction with the NPPF.

This document requires planning authorities to use evidence to plan positively and manage development and plan for traveller sites by setting pitch targets for gypsies and travellers and plot targets for travelling showpeople which address the likely permanent and transit site accommodation needs of travellers in their area, working collaboratively with neighboring local planning authorities.

The document re-iterates that applications must be determined in accordance with the development plan unless material considerations indicate otherwise and that applications should be assessed and determined in accordance with National Policy. Paragraph 23 within policy H says that Local Planning Authority's should strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan.

Paragraph 22 within policy H states that local planning authorities should consider the following issues amongst other relevant matters when considering planning applications for traveller sites:

- a) the existing level of local provision and need for sites
- b) the availability (or lack) of alternative accommodation for the applicants
- c) other personal circumstances of the applicant
- d) that the locally specific criteria used to guide the allocation of sites in plans or which form the policy where there is no identified need for pitches/plots should be used to assess applications that may come forward on unallocated sites
- e) that they should determine applications for sites from any travellers and not just those with local connections

Paragraph 24 within policy H says that when considering applications, local planning authorities should attach weight to the following matters:

- a) effective use of previously developed (brownfield), untidy or derelict land
- b) sites being well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness
- c) promoting opportunities for healthy lifestyles, such as ensuring adequate landscaping and play areas for children
- d) not enclosing a site with so much hard landscaping, high walls or fences, that the impression may be given that the site and its occupants are deliberately isolated from the rest of the community.

Development Plan

In the National Park the Development Plan comprises the Authority's Core Strategy 2011 and saved policies in the Peak District National Park Local Plan 2001.

The most relevant policy is Core Strategy (CS) policy HC3 which states:

"Gypsy, traveller or travelling showpeople's caravan or mobile home sites may be permitted only where there are exceptional circumstances of proven need for a small site that can be met without compromising national park purposes".

The supporting text within paragraph 12.24 states that the accommodation needs of gypsies, travellers and travelling showpeople was assessed at a county level in the Derbyshire Gypsy and Traveller Accommodation Assessment in 2008. This assessment did not identify any need for pitches within the National Park. Therefore, policy retains an approach which accepts that in exceptional circumstances small scale provision (1 or 2 pitches) may be acceptable on a temporary basis.

The 2008 assessment formed the basis for adopted policy and is considered to be in accordance with national policies A and B which require planning authorities to use evidence to plan positively and manage development on a cross-authority basis, identifying a supply of deliverable sites to provide a five year supply and taking into account the special planning constraints that exist within the National Park.

The Draft Derbyshire Gypsy and Traveller Accommodation Assessment 2014 is currently being scrutinised by the Derbyshire planning authorities. The needs assessment for each district and the National Park to support this document has been carried out and are based upon recent surveys. The conclusions of the draft assessment are that the vast majority of new pitches from 2014 until 2034 will be required in Bolsover, Derby City, East Staffordshire, North East Derby and South Derbyshire and that zero new gypsy and traveller pitches are required within the National Park or High Peak Borough.

The approach taken in CS policy HC3 has been based upon a county wide assessment which has been carried out in accordance with National Policy for traveller sites. The assessment identified a requirement for zero pitches within the National Park and this assessment is reflected in the more recent survey carried out to support the 2014 Draft Derbyshire Gypsy and Traveller Accommodation Assessment. Therefore it is considered that there is no conflict between CS policy HC3 and National Policy for traveller sites which seek to promote sustainable development which conserves the National Park.

Other relevant development plan policies include CS policies L1 and L2 and saved LP policy LC17 which seek to ensure all development conserves and enhances the landscape and biodiversity of the National Park, CS policy GSP1 which seeks to secure development that is consistent with National Park purposes and is sustainable and CS policy GSP3 and saved Local Plan (LP) policy LC4 which requires development to conserve and enhance the site and building paying particular attention to the scale of development, siting, landscaping, intensity of proposed use, impact upon living conditions and access. Saved LP policies LT11 and LT18 require satisfactory parking and safe access as a pre-requisite for any development.

Assessment

Principle of proposed development

The most relevant policy within the development plan is CS policy HC3 which says that gypsy or traveller caravan or mobile home sites may be permitted only where there are exceptional circumstances of proven need for a small site (explained in the supporting policy text as one or two pitches on a temporary basis) that can be met without compromising National Park purposes.

The Authority's policy has been informed by the Derbyshire Gypsy and Traveller Accommodation Assessment in 2008 which stated a need for zero pitches in the National Park. The draft 2014 assessment which is currently being scrutinised by Local Authorities also states a need for zero pitches within the National Park over the next 5 years and also projected until 2034. These assessments have been carried out in accordance with up to date evidence base and plan making policies within Government policy.

The application site is considered to be in open countryside by virtue of its distance from the edge of Glossop and the open intervening fields and golf course. Government policy states that the Authority should strictly limit new traveller site development in open countryside, away from existing settlements or outside areas allocated within the plan. In all cases, the NPPF seeks to promote sustainable development which conserves and enhances the valued characteristics of the National Park.

Therefore, it is considered that CS policy HC3 is informed by an up to date evidence base carried out on a county-wide basis. On that basis, the Authority's policy of only allowing new development where there are exceptional circumstances of proven need for a small temporary site is considered to be up to date and in accordance with the more recently published National Planning policy for traveller sites.

This application seeks planning permission for the demolition of the former water works building and the re-development of the site to create a site to station up to six residential caravans for permanent occupation by members of the gypsy and traveller community.

There are no objections, in principle, to the demolition of the former water works building. The building is a substantial stone clad building which was erected in the 1960s to serve the Hurst Reservoir (which is currently being demolished and restored following the grant of planning permission in 2013). Despite being built from natural materials, the Authority has determined, on a number of occasions, that the former water works building is not a vernacular building of any significant architectural or historic merit. This view has been supported on appeal. Therefore the

demolition of the building in itself would not harm either the landscape or cultural heritage of the National Park.

The proposed redevelopment of the site would not be in accordance with CS policy HC3, in principle, because the proposed six pitch site would not be small scale as envisaged by policy and because the application proposes to create a permanent site.

In support of the application, the submitted planning statement says that there is a specific need for seven pitches within High Peak. This does not address need within the National Park, but notwithstanding this point, the reference to a need for seven pitches appears to be from older evidence from 2006 rather than the updated 2008 assessment or the draft 2014 assessment which both set a zero target (for both the National Park and the High Peak).

Initially, the submitted application did not identify a specific need for the proposed development. Subsequently, additional information has been submitted stating that a gypsy traveller family currently renting a field in Tameside would purchase and develop the site and occupy 5 out of the 6 proposed pitches (with the 6th pitch retained for visiting family members). The applicant states that the owner of the current site occupied by the family has given them notice to leave the site within the next 12 months and that therefore the family has a need for an affordable site.

The submitted information further states that members of the family work primarily across Tameside, High Peak and the National Park carrying out fencing, gardening and other building work, dry stone walling and carrying out contract work for farmers. The information also states that two more family groups have also expressed interest in this site, but no detailed information about their circumstances have been submitted. The submitted application asserts that there is a requirement for pitches within the National Park and that the 2008 assessment which informed CS policy HC3 is out of date.

Officers do not agree with this conclusion and consider that the submitted information does not amount to an exceptional or overriding justification for the proposed site which would be located in an area not allocated in the development plan. No information has been provided in regard to the availability of alternative accommodation for the family either in Tameside or in areas with targets for new pitches within Derbyshire or why the family has an essential requirement to live in an open countryside location within the National Park.

Therefore it is considered that, in principle, the proposed development is in conflict with CS policy HC3 and that the application does not demonstrate exceptional circumstances which would override national and local policy which seek to strictly limit new traveller site development in open countryside and outside areas allocated within the development plan.

Landscape and visual impact and impact upon neighbouring property.

Notwithstanding the fundamental conflict that has been identified with CS policy HC3, it is necessary to assess the potential positive or negative impacts of the proposed development upon the local area and the National Park.

The proposal would make use of a previously developed site and the proposed site would be effectively contained within what is the curtilage of the existing building. The application site is located in a slight dip to the south of the golf course and is generally well screened in the wider landscape by existing mature tree planting associated with the golf course and by the woodland to the immediate south of the site. However, part of the roof and upper wall of the existing two storey building is visible from elevated positions along the A57 Snake Pass road to the east.

Closer views into the site are limited to a section of the Derbyshire Level (a highway approximately 160m to the west of the application site) and from parts of the adjacent golf course, the two nearest neighbouring dwellings and from parts the private way which provides access to the site from Hurst Road.

It is considered that due to the established tree planting around the site, the siting of six touring caravans on the site and the associated amenity building and hard standings would not have an adverse impact upon the scenic beauty of the wider National Park landscape. However, the submitted application also proposes external lighting and, while no detailed information has been provided, officers are concerned that the provision of the eight lighting poles shown on the submitted plans would be very likely to generate light pollution which would encroach into an area of the National Park which is characterised by profound night darkness and provides a buffer between Glossop and surrounding moorland.

The proposed built development and caravans occupying the site would have a more significant visual impact when seen from Derbyshire Level but from this vantage point the proposed site would be framed by mature tree planting. Subject to the implementation of an appropriate planting scheme in the south-west of the application site, it is considered that the visual impact of caravans occupying the site and the proposed amenity block could be mitigated. However, lighting poles and light pollution from the site would be more readily apparent from this vantage point where it would potentially harm the character and appearance of the local area.

The proposed built development and caravans occupying the site would have a more significant visual impact where viewed from the adjacent golf course, private way and neighbouring domestic properties. From these closer vantage points, when occupied, caravans and parked vehicles (which, the submitted application states, would include commercial vehicles and a 1.5 ton digger and trailer) enclosed by solid panel fencing and iron gates would represent a more intensive use and visual change compared to the existing building and level of activity in its rural surroundings.

The proposed development would be sited adjacent an existing residential dwelling known as 1 Reservoir House. Due to the proximity of the dwelling to the application site and the proposed intensity of use, it is considered that noise and light generated from the proposed development would have the potential to harm the residential amenity and privacy of the occupants of 1 Reservoir House. However, it is not considered that the proposed development would cause any loss of light to that property or be overbearing in that sense.

Therefore, although the proposal would bring about redevelopment of the site, it is considered that there would no overriding benefits to the landscape or the local area which would justify the grant of planning permission as an exception to adopted policy. It is considered that light pollution generated by the proposed development would be likely to encroach into this part of the National Park which abuts Glossop. Furthermore the proposed development would be likely to have a harmful visual impact upon its immediate surroundings and would be likely to harm the residential amenity and privacy of the neighbouring residential property.

Approval of the proposed development would therefore be contrary to CS policy GSP3 and L1 and saved Local Plan policy LC4.

Highway safety and amenity of road users

Access is via a private way which serves the site, the golf course, neighbouring properties and the former reservoir site. The private way is single track with a passing place adjacent to the golf club car park. The private way joins Hurst Road, which is relatively narrow for 130m before meeting Fairways Close to the north, where the road widens up to the junction with the A57. There is no public footpath along the route other than this last section between the A57 and Fairways Close.

A number of concerns have been raised in representations with regard to potential adverse impact upon highway users, especially pedestrians, due to the narrow nature of the access. The Highway Authority's consultation response advises that whilst access to the site is of limited geometry, compared to the numbers and types of vehicles associated with the existing lawful use of the site, any objection on the grounds traffic generation would not be sustainable.

Having had regard to the Highway Authority comments, officers consider that traffic generated by the proposed use would not be likely to harm highway safety or the amenity of road users especially compared to the numbers and types of vehicles that would have been associated with the lawful use of the building. There are also no concerns that the road network around the application site and in the local area would not have sufficient capacity to support the proposed six pitch caravan site.

The Highway Authority has raised some concerns in respect of the proposed site layout and passing place which would be located at the front of the site. The proposed layout does appear to be restrictive with respect to turning opportunities for service and delivery vehicles and the proposed parking areas are smaller than the national requirement, which would be especially relevant in this case because occupants of the site would be likely to have larger vehicles or commercial vehicles to tow caravans.

The Highway Authority has recommended that a condition be imposed if permission is granted to require prior approval of revised layout details. This would be considered to be reasonable because there is adequate space within the red-edged site area to accommodate likely parking and turning space requirements and necessary to ensure that vehicles visiting the site can enter and exit the site in a forward gear. The revised site layout would not be in conflict with national good practice and would provide adequate amenity for occupants.

Subject to the above, it is not considered that traffic generated from the site would be likely to harm the amenity of road users. Noise, pollution and disturbance from vehicles moving to and from the site would not pose any significant conflict with nearby neighbouring uses or harm the amenity or character of the area.

Ecology

The application site is located approximately 260m to the north west of the land forming part of the South Pennine Moors Special Area of Conservation (SAC), Peak District Moors Special Protection Area (SPA) and the Dark Peak Site of Special Scientific Interest (SSSI). Given the scale of the proposed development, intervening distance and lack of direct access from the application site it is considered that the proposed development would be unlikely to have any significant impact upon designated sites.

The proposed development falls outside of the Authority's validation requirements for a protected species survey due to the age of the building. However, in this case letters of representation from neighbouring property have stated that bats have been witnessed emerging and entering the application building.

The Authority's ecologist has been consulted and advises that the Authority does have records of local bat populations around the application site. Due to the proximity of the building to bat habitats and the fact that the building has been vacant for a significant period of time it is considered that the former water works building does have potential to provide habitat for bats.

Bats are a European protected species and the potential impact of development upon bats and other protected species is a material consideration. This application proposes to demolish the existing building and therefore the proposed development would very clearly have any impact upon bats if they are present. Neighbours believe the existing property is being used as a bat roost and have seen bats coming in and out of the building. The Authority's Ecologist notes the property is empty and that there are numerous gaps in the fabric of the building e.g. fascia boards etc. which could offer potential access points for bats. The Ecologist further notes that a recent survey to accompany the decommissioning of Hurst Reservoir nearby, recorded a number of bat species and high activity in the general area.

On the basis of the above the ecologist recommendation is that a bat survey and report of the property is required prior to determination. The survey should be undertaken with regard to the

Bat Conservation Trust's 'Bat Surveys: Good Practice Guidelines, 2nd edition'. The survey should also record any evidence of breeding birds. If bats are found the report should detail any mitigation/compensation as necessary.

Given the objections in regard to the principle and impact of the proposed development, officers have not requested a protected species survey be carried out in this case. In the absence of the survey, however, officers consider that there is insufficient evidence for the Authority to conclude that the implementation of the proposed development would not harm local bat populations. Therefore approval of the proposed development would be contrary to CS policy L2 and saved LP policy LC17.

Other Issues

A number of representations raise the issue of flood risk and for the proposed development to potentially increase surface run-off and flooding to neighbouring properties. The whole of the application site is located in Flood Zone 1 which has the lowest risk of flooding and no part of the application site is located within 20m of a main river (Hurst Brook is not designated as a main river). The Environment Agency's standing advice for this location is that a flood risk assessment is not required.

The proposed site layout would not cover the existing site in any significant areas of hard standing (compared to the existing building and its curtilage). The application also proposes to use porous surface materials for the proposed pitches which would reduce surface run-off. Therefore it is considered that the proposed development would not be likely to increase surface run-off or increase risk of flooding to any nearby property.

There is no evidence to suggest that the proposed six pitch residential caravan site would be likely to pollute the nearby brook provided that appropriate foul and surface water drainage was installed in accordance with a scheme which could be secured by planning condition.

A number of representations have raised the question of whether the site has the potential to be contaminated due to its former use. The site was formerly used to treat water. No evidence has been put forward to indicate what processes took place or what chemicals were used on the site; however it is reasonable to conclude that there is a possibility that the land may be contaminated to a degree. Serious contamination is not known in this case and therefore in accordance with saved LP policy LC24 a condition would be required in the event of an approval to require an accredited assessment to be completed and implemented before development commences.

Concern has been raised in regard to the capacity of local police, school and healthcare services to serve the proposed development and potential for impact upon service delivery. Derbyshire County Council has written to the Authority and advised that the County Council would not require any contribution to the provision of additional waste management capacity and that the normal area primary and secondary schools would have sufficient capacity to accommodate pupils expected to arise from the development.

There is no substantive evidence to indicate that any of the local area service providers would not have capacity to serve the proposed six pitch residential caravan site. Therefore, having regard to the County Council advice, it is considered that the proposed development would not have any adverse impact upon local service provision.

Finally, a number of representations have raised the fear of crime as an issue. The fear of crime is a material consideration; however, in this case there is no substantive evidence that the creation of a six pitch residential caravan site on the application site would generate or contribute to crime. Therefore in this case, officers recommend that very little weight is given to this issue.

A number of representations refer to the site and to policies which relate to land designated as green belt. The application site is located within the National Park and not within designated

Green Belt, therefore these policies are not directly relevant.

A number of representations state that the proposed development will affect property prices. Officers advise that no weight is given to these concerns because this is not a material planning consideration.

Conclusion

It is considered that the proposed change of use of the site for the stationing of six caravans for permanent occupation by members of the gypsy and traveller community is in principle contrary to CS policy HC3. The submitted application does not demonstrate any exceptional circumstances which would override national and local policy which seek to strictly limit new traveller site development in open countryside and outside areas allocated within the development plan and therefore approval of the proposal would also be contrary to National Planning policy for traveller sites.

The provision of external lighting and light poles would be likely to generate light pollution which would harm the landscape character of an area which is characterised by profound night darkness and which forms an important buffer between Glossop and the surrounding open moorland, contrary to CS policy L1.

The proposed built development and caravans and vehicles occupying the site would represent an intensive use and give rise to a harmful visual change in the context of this site and its surroundings. Noise, disturbance and light from generated from the proposed development would be likely to harm the residential amenity and privacy of the occupants of 1 Reservoir House, contrary to CS policy GSP3 and saved Local Plan policy LC4.

It is considered that the existing building on site has the potential to provide habitat for local bats which are a European Protected Species. This is because the Authority is aware of significant bat populations around the application site and also because letters of representation do indicate that bats have been seen flying into and out of the building. The existing building has been disused for a significant period of time and the Authority's Ecologist reports that bats have the opportunity to enter the building via a number of access points.

A protected species would therefore be required to assess the use of the building by bats and in the absence of a survey the Authority is unable to conclude that the proposed demolition of the former water works building would not harm local bat populations, contrary to CS policy L2 and saved Local Plan policy LC17.

Therefore in this case it is considered that the proposed development is contrary in principle to relevant policies in the development plan. The proposed development would not give rise to any significant benefits to override the conflict that has been identified and would be likely to harm the valued characteristics of the National Park and the residential amenity of neighbouring property.

Having had regard to all other material considerations, including relevant issues raised in representations, it is recommended that the application be refused.

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