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25 April 2014

To: All Councillors

As a Member or Substitute of the **Central and Northern Area Planning Committee**, please treat this as your summons to attend a meeting on **Tuesday 6 May 2014** at 6.00pm in the **Council Chamber, Town Hall, Matlock.**

Yours sincerely



Sandra Lamb
Head of Corporate Services

AGENDA

SITE VISITS

The Committee is advised that the coach will leave the Town Hall, Matlock at **3.00pm prompt**. A schedule detailing the sites to be visited is attached to the Agenda.

1. APOLOGIES/SUBSTITUTES

Please advise Democratic Services on 01629 761133 or e-mail committee@derbyshiredales.gov.uk of any apologies for absence and substitute arrangements.

2. APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING

1 April 2014

3. INTERESTS

Members are required to declare the existence and nature of any interests they may have in subsequent agenda items in accordance with the District Council's Code of Conduct. Those Interests are matters that relate to money or that which can be valued in money, affecting the Member her/his partner, extended family and close friends.

Interests that become apparent at a later stage in the proceedings may be declared at that time.

4. APPLICATIONS FOR DETERMINATION

Please note that, for the following items, references to financial, legal and environmental considerations and equal opportunities and disability issues will be embodied within the text of the report, where applicable.

PUBLIC PARTICIPATION

To provide members of the public **WHO HAVE GIVEN PRIOR NOTICE (by no later than 12 noon on the working day prior to the meeting)** with the opportunity to express their views, ask questions or submit petitions relating to the planning application under consideration. Representations will be invited immediately before the relevant item of business/planning application is discussed.

	Page Nos
4.1 Application No.14/00117/FUL (Site Visit)	5 - 14
Change of use of land to use for siting of 6 No. holiday lodges (chalets) at The Woodyard, Homesford.	
4.2 Application No.14/00060/FUL (Site Visit)	15 - 18
Single-storey rear extension at 11 The Hill, Cromford.	
4.3 Application No. 14/00102/OUT (Site Visit)	19 - 25
Erection of Dwelling House (outline) at land to the rear of 106 Northwood Lane, Darley Dale.	
4.4 Application No. 14/00157/FUL (Site Visit)	26 - 28
Two storey extensions and alterations at The Lant, Sydnope Hill, Two Dales.	
4.5 Application No. 14/00018/FUL	29 - 34
Extensions and alterations and associated extension to domestic curtilage at Littlemoor Wood Farm, Littlemoor Wood Lane, Riber.	
5. TREES PROGRESS REPORT – DDDC APPLICATIONS	35 - 41
To note a report on action taken in respect of trees in Conservation Areas and Tree Preservation Orders.	
6. TREES PROGRESS REPORT – DCC APPLICATIONS	42 - 43
To note a report on action taken in respect of trees in Conservation Areas and Tree Preservation Orders.	
7. APPEALS PROGRESS REPORT	44 - 54
To note a report on appeals to the Planning Inspectorate.	

Members of the Committee

Councillors David Burton, Robert Cartwright, Mrs Ann Elliot, David Fearn, Neil Horton, Mike Longden, Jean Monks, Garry Purdy, Lewis Rose OBE, Peter Slack, Andrew Statham, Geoff Stevens MBE, Mrs Jacquie Stevens, Mrs Philippa Tilbrook, Barrie Tipping, Mrs Carol Walker, Ms Jo Wild.

Substitute Members

Councillors Richard Bright, Mrs Sue Burfoot, Albert Catt, Richard Fitzherbert, Steve Flitter, Chris Furness, Cate Hunt, Mike Ratcliffe, Colin Swindell, Mrs Judith Twigg

SITE VISITS

Members will leave the Town Hall, Matlock at 3.00pm prompt for the following site visits:

	Page Nos.
3.15pm Application No. 14/00117/FUL The Woodyard, Homesford Requested by Ward Members to assess the impact of the development upon the character and appearance of the open countryside and the Derwent Valley Mills World Heritage Site.	5 - 14
3.40pm Application No. 14/00060/FUL 11 The Hill, Cromford Requested by Ward Members to assess the impact of the development on the character and appearance of the listed building.	15 - 18
4.10pm Application No. 14/00102/OUT Land to the Rear of 106 Northwood Lane, Darley Dale Requested by Ward Member to assess the impact of the development on the locality in light of previous appeal decision.	19 - 25
4.35pm Application No. 14/00157/OUT The Lant, Sydnoppe Hill, Two Dales Requested by Ward Member to assess the impact of the Extension on the character and appearance of the dwellinghouse and the surrounding area.	26 - 28
5.00pm Return to Town Hall	

COMMITTEE SITE MEETINGS PROCEDURES

You have been invited to attend a site meeting of the Council's Planning Committee/Advisory Committee. The purpose of the meeting is to enable the Committee Members to appraise the application site. The site visit is not a public meeting. No new drawings, letters of representation or other documents may be introduced at the site meeting.

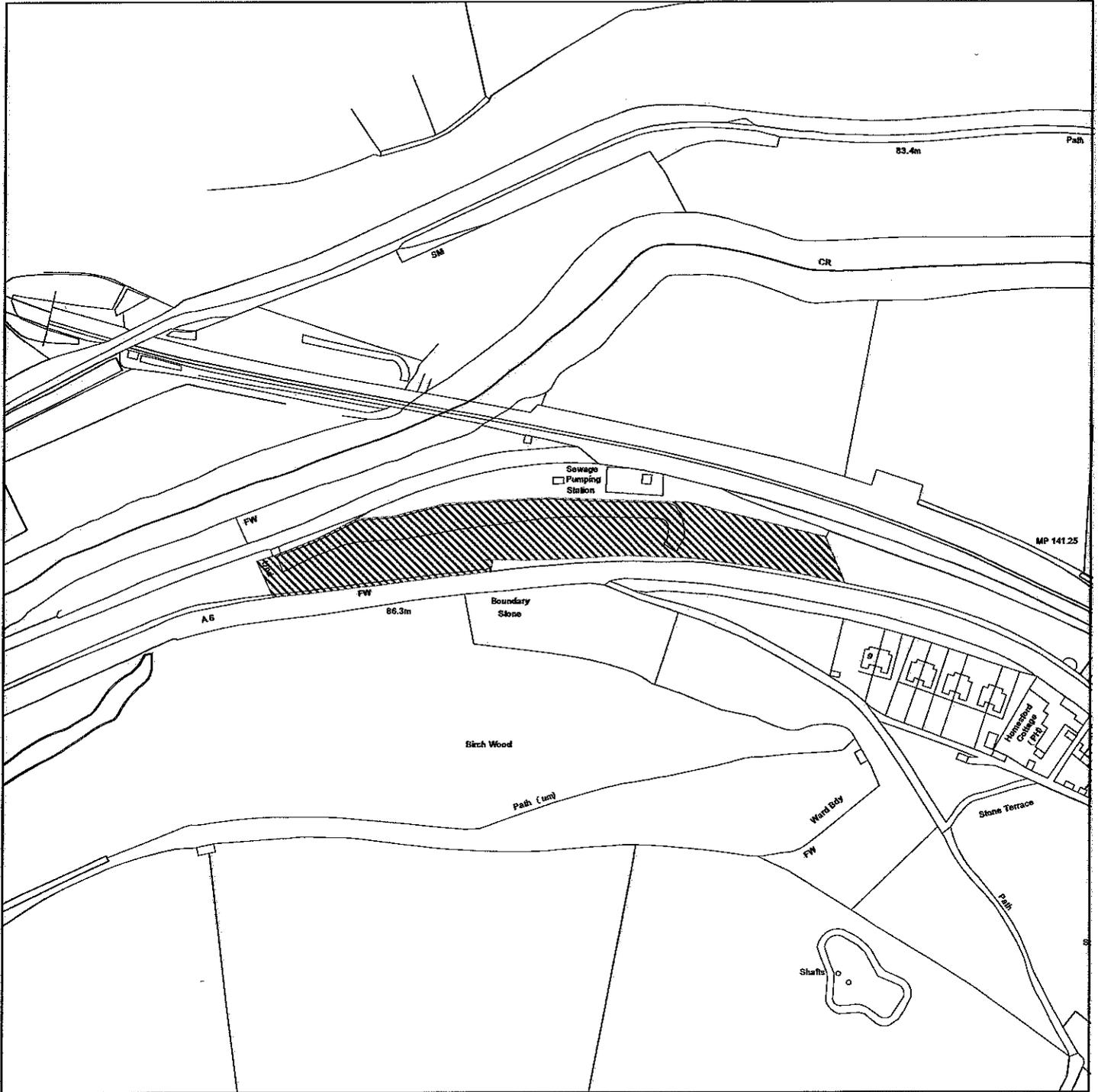
The procedure will be as follows:

1. A coach carrying Members of the Committee and a Planning Officer will arrive at the site as close as possible to the given time and Members will alight (weather permitting).
2. A representative of the Town/Parish Council and the applicant (or representative can attend).
3. The Chairman will ascertain who is present and address them to explain the purpose of the meeting and sequence of events.
4. The Planning Officer will give the reason for the site visit and point out site features.
5. Those present will be allowed to point out site features.
6. Those present will be allowed to give factual responses to questions from Members on site features.

7. The site meeting will be made with all those attending remaining together as a single group at all times.
8. The Chairman will terminate the meeting and Members will depart.
9. All persons attending are requested to refrain from smoking during site visits.

14/00117/FUL

The Woodyard, Homesford



Scale : 1:2500

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Derbyshire Dales District Council, Town Hall, Bank Road, Matlock, Derbyshire DE4 3NN. Telephone: (01629) 761100. Website: www.derbyshiredales.gov.uk

Organisation	Derbyshire Dales District Council
Department	Not Set
Comments	Not Set
Date	23 April 2014
Licence No.	100019785

14/00117/FUL CHANGE OF USE OF LAND TO USE FOR SITING OF 6 NO. HOLIDAY LODGES (CHALETS) AT THE WOODYARD, HOMESFORD FOR MS M. COXON

Town Council: Wirksworth
Application type: Full

Date of receipt: 25.02.14
Case Officer: Mr. G. Griffiths

THE SITE AND SURROUNDINGS:

The site is an area of open land bounded by woodland of mature trees to the north, east and west. The woodland is subject to a Tree Preservation Order (DCC/TPO/115/A5). The southern boundary is open to views from the A6 and bounded by a low stone wall. The site is within the Derwent Valley Mills World Heritage Site.

THE APPLICATION:

Full planning permission is sought for the provision of six holiday lodges. This application has been submitted further to the District Council refusing planning permission (13/00838/FUL) for 8 holiday lodges on the site in January 2014.

An indicative block plan has been submitted detailing the access to be relocated to the east of the site and with the access road travelling from east to west along the site. It is proposed to set five lodges at the back of the access road with one lodge set side on to the road at the turning area to the west of the site. To the north of the access point off the A6 it is proposed to provide a refuse/delivery vehicle turning point.

The applicant refers to the District Council's previous decision and considers that despite some support for the principle of the development and the acknowledgement that it would represent sustainable tourism, the harm to the character of the area through overdevelopment was held to outweigh the benefits of the scheme. In this respect, the applicant has submitted this revised application in order to seek to overcome concerns with regard to the potentially cramped appearance of the site. The applicant considers that reducing the numbers has allowed for greater distances between the lodges and more space for planting within the site and along the frontage. The applicant also advises that the proposed alignment of the lodges is less regular than previously proposed.

In terms of the landscaping, the applicant has given regard to comments of the District Council's Landscape Design Advisor with respect to amending the planting from a beech hedge with lime trees along the frontage to one incorporating a mix of hawthorn, hazel, holly, guelder rose, and goat willow. It is also proposed to provide groups of oak, small leaved lime, silver birch, rowan and wild cherry.

The applicant, in the previous submission, identified the following benefits of the site:

- it is close to tourist attractions of the Derwent Valley Mills World Heritage Site, the Peak District National Park, the historic towns of Matlock, Matlock Bath and Wirksworth and the historic village of Cromford.
- the site is close to public footpaths to Cromford and Whatstandwell.
- the site is in a sustainable location and accessible by a variety of transport modes.
- the site has been used for business purposes.
- the site would support sustainable rural tourism.
- the lodges would be manufactured by a local company (Pinelog Ltd of Bakewell).
- the development would not have a prominent or adverse impact on the character and appearance of the immediate or wider landscape.
- the lodges would have a natural timber appearance to blend into the site.

- any lodges would be screened by existing and planned landscape features for the whole of its proposed operating season, so they will not be visible from outside the site, and the landscaping would provide soundproofing and privacy.
- the income generated would assist with management of the land and its regeneration as a small, mixed broadleaf woodland.
- on-site facilities are of a scale appropriate to the location and the site itself.
- would provide alternatives to the car for local sightseeing.

In terms of flood risk assessment, the applicant acknowledges that the site lies partly within Flood Zone 2. However, the applicant advises that the development area has previously been built up and is therefore considered to not be at risk from flooding. The applicant also considers that the introduction of new planting on what is currently a hardsurfaced site would also be likely to reduce any potential for surface water run-off.

The applicant has also submitted a tree survey. This states that the trees on the site appear to be mainly about 60 years old and include numerous sycamore, many of which appear to have grown from stumps of trees cut down 60-70 years ago and now have several tall and rather crowded stems. Other trees include birch, wych elm, a beech and hawthorn, several elder and hazel bushes and ash and hazel saplings. It is advised that there is a need for woodland management. It is also advised that several trees have fallen recently as they have not had a secure roothold in the slope and given that part of the slope is of made up land.

RELEVANT HISTORY:

- 13/00838/FUL Change of use of land to use for siting of 8 no. holiday lodges (chalets) – Refused
- 08/00891/FUL Change of use of land and erection of 6 No. wooden camping huts and associated amenities building for tourism accommodation - Withdrawn
- 01/07/0536 Erection of agricultural building for livestock and storage of fodder and implements – Granted but not implemented

Applications prior to 1960 refused for residential, café and petrol station development

CONSULTATIONS:

Wirksworth Town Council – No objection.

Cromford Parish Council – No objection.

Local Highway Authority – No objection subject to conditions.

Environment Agency - No Comment:

- covered by standing advice (Flood Zone 2 – more vulnerable development).

Derwent Valley Mills World Heritage Site Conservation and Planning Panel – Object:

- one of the reasons why the Derwent Valley is a World Heritage Site is because of its industrial landscape arrested in a rural setting.
- A6 is a turnpike road introduced nearly two centuries ago and is one of the key transport routes developed along the Derwent Valley and is an attribute of the World Heritage Site.

- the development of the site as proposed will urbanise the setting of this section of the A6 and introduce incongruous landscape features i.e. managed hedgerow and formally laid out trees.
- will create a site with domestic character that is incongruous to broad-leaved woodland surrounding it.

REPRESENTATIONS:

- A total of seven letters of representation from local residents and interested parties in support of the application. The comments can be summarised as follows:
 - chalets will blend in with landscape and natural environment.
 - boost to tourism for the District – without it will travel elsewhere.
 - other options for the site would not bring money and tourists to the area.
 - adds to the amenities of the area.
 - welcome revenue and would benefit local business and employment.
 - complements nature of the area on the gateway to the World Heritage Site.
 - strikes a balance between the interests of the local community, public benefits of a development and economic use in the World Heritage Site.
 - would protect World Heritage Site area from inappropriate development.
 - reduction in number of lodges shows willingness of the applicant to comply with requirements of the Planning Committee.
- A total of four letters of representation from local residents objecting to the application. The comments can be summarised as follows:
 - creation of 12 parking spaces and associated vehicle movements would make for potentially hazardous entrance and exit from the site.
 - unsuitable with regard to safety of young children due to close proximity to A6, railway line and River Derwent.
 - of major detriment to the approach to the World Heritage Site despite screening.
 - within World Heritage Site and disqualify such development according to planning rules seeking to preserve or enhance heritage assets.
 - planning states that permission will only be granted for a development that protects or enhances the character and appearance and local distinctiveness of the landscape and planning permission will only be granted if it does not have an adverse impact on its character and appearance.
 - no sanitation, running water or electricity.
 - drainage concern.
 - would create a noise nuisance to local residents.
 - Council have done nothing to remove present owner from the site.
 - application refers to lodges defined as caravans – concern that any caravan could be placed on the site and conform with the definition.
 - lack of consultation.

POLICIES:

1. Adopted Local Plan (2005)
 - SF4 Development in the Countryside
 - SF5 Design and Appearance of Development
 - EDT19 Tourist Accommodation Outside Defined Settlement Frameworks
 - NBE5 Development Affecting Species Protected by Law or are Nationally Rare
 - NBE6 Trees and Woodlands
 - NBE7 Features Important in the Landscape
 - NBE8 Landscape Character
 - NBE25 Derwent Valley Mills World Heritage Site

NBE26	Landscape Design in Association with New Development
TR1	Access Requirements and the Impact of New Development
TR2	Travel Plans
TR8	Parking Requirements for New Development

2. Pre-submission Draft Local Plan (2013)
 - Strategic Policy 1 - Sustainable Development Principles
 - Strategic Policy 3 - Protecting and Enhancing the Natural and Historic Environment
 - Strategic Policy 6 - Promoting Peak District Tourism and Culture
 - Strategic Policy 11 - Accessibility
 - Development Management Policy 2 - Development in the Countryside
 - Development Management Policy 6 - Landscape Character
 - Development Management Policy 7 - Biodiversity and Geological Interests
 - Development Management Policy 8 - The Historic Environment
 - Development Management Policy 9 - Design and Appearance of Development
 - Development Management Policy 13 - Holiday Chalets, Caravan and Campsite Developments
 - Development Management Policy 22 - Access and Parking

3. National Planning Policy Framework

ISSUES:

1. Introduction

Before considering the merits of this application, there is a need to set out the planning background of the site and to set out the relevant planning policy considerations.

2. Background

The application site has a varied planning history. It was a former ash tip, which seems to have largely established its current land form profile. There have been separate applications between 1930s and 1960s for development on the site including a residential development of thirty dwellings, a transport café and a petrol filling station which were all refused.

An agricultural building for livestock and storage was granted on the site in 2001 and a commencement of the permission has been agreed with the works to the access. There has, in more recent times, been planning enforcement issues raised with regard to the unauthorised chalet and storage containers on the site. A recent planning application (13/00838/FUL) for eight holiday lodges on the site was refused permission in January 2014 for the following reason:

'The scale of development proposed, as detailed in the amended drawings received on 24th January 2014, would be inherently prominent and encroaching and detrimental to the character and appearance of the countryside in this area of high quality and historic landscape within the Derwent Valley Mills World Heritage Site. As such, the proposal fails to comply with Government policy contained in the National Planning Policy Framework, Policies SF4, SF5, NBE8 and NBE25 of the adopted Derbyshire Dales Local Plan (2005) and Strategic Policies 1 and 3 and Development Management Policies 2, 6, 8, 9 and 13 of the Pre-submission Draft Derbyshire Dales Local Plan (2013).'

3. Policy

There are several national and local planning policies that have relevance to the consideration of this application. Paragraph 6 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development and one of the core principles is to encourage the effective use of land by reusing land that has been previously developed. Paragraph 17 (Core Planning Principles) and Paragraph 109 of the NPPF, also stress the need to recognise the intrinsic character and beauty of the countryside in reaching planning judgements and are relevant to the consideration of this application. The Core Planning Principles and Paragraphs 126, 133, 134, 137 and 138 also refer to the need to seek to preserve or enhance heritage assets; this is particularly relevant given the application site is within the World Heritage Site.

In terms of other policy considerations, Paragraph 215 of the NPPF advises that beyond the end of March 2013, due weight should still be given to relevant policies in existing plans according to their degree of consistency with the framework (the closer the policies in the plan to the policies in the framework, the greater the weight that may be given). Paragraph 14 advises that for decision taking, this means approving development where the development plan is absent, silent or relevant policies are out-of-date unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.

In terms of the Adopted Local Plan (2005), Policy NBE8 states that planning permission will only be granted for development that protects or enhances the character, appearance and local distinctiveness of the landscape. Policy NBE25 also states that planning permission for development within the Derwent Valley Mills World Heritage site will only be granted where it does not have an adverse impact on its character and appearance. Other relevant policies of the Adopted Local Plan, which are considered to still reflect policy in the NPPF, include Policies SF4, SF5, NBE5, NBE6 and TR1. In addition, Policy EDT19 is relevant as the pre-amble to this policy advises that holiday chalets must be carefully controlled to ensure that they do not run contrary to the principles of sustainable development.

The proposal also has to be assessed in the context of the Pre-submission Draft Local Plan (2013). Development Management Policy 13 is the most pertinent and states that planning permission for holiday chalets will only be granted where the development would not have a prominent and adverse impact on the character and appearance of the immediate or wider landscape, any visual impact would be well screened by existing landscape features for the whole of the year from public vantage points, any on-site facilities are of an appropriate scale to the location and site and the site is in a sustainable location accessible by a variety of modes of transport.

Whilst the emerging Local Plan is yet to be adopted, it is considered that the above policy reflects policy in the NPPF and, therefore, can be given a degree of weight. Equally, this applies to the other policies of the Pre-submission Draft Local Plan referred to above in the 'Policies' section.

The recently superseded 'Good Practice Guide on Planning for Tourism' provided a useful indication of the matters to be taken into account when considering development proposals of this nature. These included consideration of the following in terms of assessing the impact of development:

where the development is located – developments need to be located where they are accessible to visitors (and for many, but not all developments, by means other than just by private car) and where they do not have an adverse impact upon sensitive environments;

how they are designed – developments should be attractive to users, they need to work well in functional terms and they need to use natural resources in an efficient manner; and

how they fit into their surroundings – developments need to respect their environs and complement them rather than detract from them. They should be designed to have a positive impact upon landscape, the historical setting and upon ecology.

Whilst the 'Good Practice Guide on Planning for Tourism' no longer constitutes a material consideration, the planning considerations relating to location, impact and design remain valid considerations in the assessment of development proposals of this nature. Such matters are addressed within the remainder of this report.

4. Sustainability

It is recognised that this development has the potential to create significant vehicle movements to and from the site as the site is located in the open countryside away from any significant settlement. However, it is along a main arterial route and can be accessed by public transport with a bus stop close by and access to the railway station at Whatstandwell. The land is also previously developed and there is a desire to see such sites re-used in preference to greenfield sites. The site is also within the Derwent Valley Mills World Heritage Site, which in itself is a tourist destination, and on the public footpath network. In this respect, whilst not located next to a settlement, the site is nevertheless considered a relatively sustainable location for tourism purposes.

Given the above, it is considered that the development would comply with the core principles for sustainable development contained in the NPPF and within the preamble to Policy EDT19 and with Policy SF4 of the adopted Local Plan.

5. Economic Benefit

There would be some benefits to the local economy arising from the proposal. The applicant has advised that the actual development would include six locally built Pinelog lodges, thus providing/retaining employment in the District. The site operations will also provide limited employment opportunities and there would be a likely requirement for contractor services to maintain the site. In addition, whilst the facility may be self-catering, it will in most instances, bring economic benefits to shops, tourist attractions and services in the area. In this respect, some weight has to be given to the economic benefits of the development in the short and long term.

Given the above, it is considered that the development would comply with the core principles for economic development through tourism contained in the NPPF.

6. Impact on Character and Appearance of the Open Countryside and the Derwent Valley Mills World Heritage Site

The site is well contained within the valley and by the surrounding woodland. As a result it is not widely visible within the surroundings except from the road and from the footpath and possible acute views from cottages at Homesford.

The applicant proposes roadside planting to mitigate adverse visual impact in this regard. The initial proposal was for a beech hedge and line of associated lime trees. However, this was considered by Officers to be inappropriate as it would introduce an overly formal and urbanising feature into the landscape. The beech itself is not native or characteristic of the local landscape. In addition to the above, a strip of landscaping approximately 2–4m width was proposed between the access road and the roadside wall.

In this respect, the applicant sought advice from the District Council's Landscape Design Officer. Given the above, and without prejudice to any decision the District Council makes with respect to this application, it was advised that the access road be reduced to 3.5m from 4m and the full width of the landscaping area adjacent to the site boundary be planted with a mix of native thicket forming with groups of native trees. It was also advised that, between the lodges, a similar mix of trees and shrubs should extend from the wooded embankment to the roadside with some wrapping around the fronts of the building while accommodating car parking. The applicant has now proposed more appropriate planting species, a wider planting strip of between 3-5m and planting around the lodges.

However, notwithstanding the above, the site is within a historically important and attractive landscape. Whilst there is a row of cottages to the southern side of the road to the east the site, the application site would be developed in isolation of any significant settlement on a relatively cramped site, in a prominent position in relation to the A6, hard up against a busy road in the open countryside. As a tourist site it offers little in the way of amenity apart from accommodation and parking. The timber lodges are not characteristic of the surrounding countryside and will be alien features within it even once the planting proposed has developed.

Whilst the applicant has proposed landscaping by way of mitigation, the extent of area proposed to be landscaped will take some considerable time to establish itself before it would effectively screen the buildings. In addition, the screen of planting, while less domestic in nature, would be an obvious screen of the site to accommodate the development. In this regard, it is still considered that there would be an adverse impact on local landscape character as a result of the development.

Given the above, it is considered that the development would fail to comply with the core principles for protecting the character and appearance of the open countryside and areas of historic importance as contained in the NPPF and reflected in Policies SF4, SF5, NBE8 and NBE25 of the adopted Local Plan.

7. Site Maintenance

The site will require maintenance and the applicant advises that the woodland and landscape would be managed as a result of the development. In this respect, it is likely that a building would be required for such maintenance equipment. Nevertheless, it is considered that such a building could be accommodated on the site, and permission has previously been granted for such a building. This would need further consideration if planning permission is granted for the holiday lodges as to the requisite scale, siting and appearance of such a building. This would need to be considered with a separate planning application if such a building is deemed necessary.

8. Highway Issues

The Local Highway Authority has raised no objection to the proposal given the repositioning of the access but requests that conditions be attached to any grant of planning permission with respect to providing storage, parking facilities, etc. during the

construction process, the closure of the existing access and provision of the revised access with appropriate visibility splays, parking provision and access gradient.

9. Amenity Issues

The site is very exposed to traffic noise and possible vibration from a busy arterial road. In this respect, there are some concerns regarding the attractiveness of the location to tourists and the consequential impact of road noise etc upon staying visitors. Whilst this is essentially a matter for the developer, such considerations place further doubt on the ability of this site to provide a sustainable, long term tourism enterprise.

10. Other Issues

Natural England advised on a previous planning application that there was no impact on the Cromford Canal SSSI or Local Nature Reserve. Whilst the applicant has not provided any information with regard to protected species, it is considered that given where the holiday lodges are proposed on this open and previously developed site, with little vegetation, that there will be no significant impact on protected species.

11. Conclusion

The provision of holiday lodges on this relatively accessible, previously used site may be acceptable in principle. However, this is a relatively narrow site and, in order to accommodate the lodges and allow for associated vehicle access to them, parking areas, manoeuvring space for cars and refuse lorries, amenity space and an appropriate level of landscaping to assimilate them into the landscape, the holiday lodges still need to be reduced in number.

In this respect, it is considered that the proposed development would be an overdevelopment of the site which would be harmful to the character and appearance of the countryside and the Derwent Valley Mills World Heritage site. As such, the proposal fails to comply with Government policy contained in the National Planning Policy Framework and to Policies SF4, SF5 NBE8 and NBE25 of the adopted Local Plan. As such, it is recommended that the application be refused permission on this basis.

OFFICER RECOMMENDATION:

Planning permission be refused for the following reasons:

1. The scale of development proposed, as detailed in the amended drawings received 11th April 2014, would be inherently prominent and encroaching and detrimental to the character and appearance of the countryside in this area of high quality and historic landscape within the Derwent Valley Mills World Heritage Site. As such, the proposal fails to comply with Government policy contained in the National Planning Policy Framework, Policies SF4, SF5, NBE8 and NBE25 of the adopted Derbyshire Dales Local Plan (2005) and Strategic Policies 1 and 3 and Development Management Policies 2, 6, 8, 9 and 13 of the Pre-submission Draft Derbyshire Dales Local Plan (2013).

NOTES TO APPLICANT:

The Local Planning Authority considered the merits of the submitted application and judged that there was no prospect of resolving the fundamental planning problems with it through negotiation. On this basis, the requirement to engage in a positive and proactive manner was considered to be best served by the Local Planning Authority issuing a decision on the application at the earliest opportunity and thereby allowing the applicant to exercise their right to appeal.

This decision notice relates to the following documents:

Site Location Plan 1:1250 received on 25th February 2014

Amended Drawing No. 8015-01D received on 11th April 2014

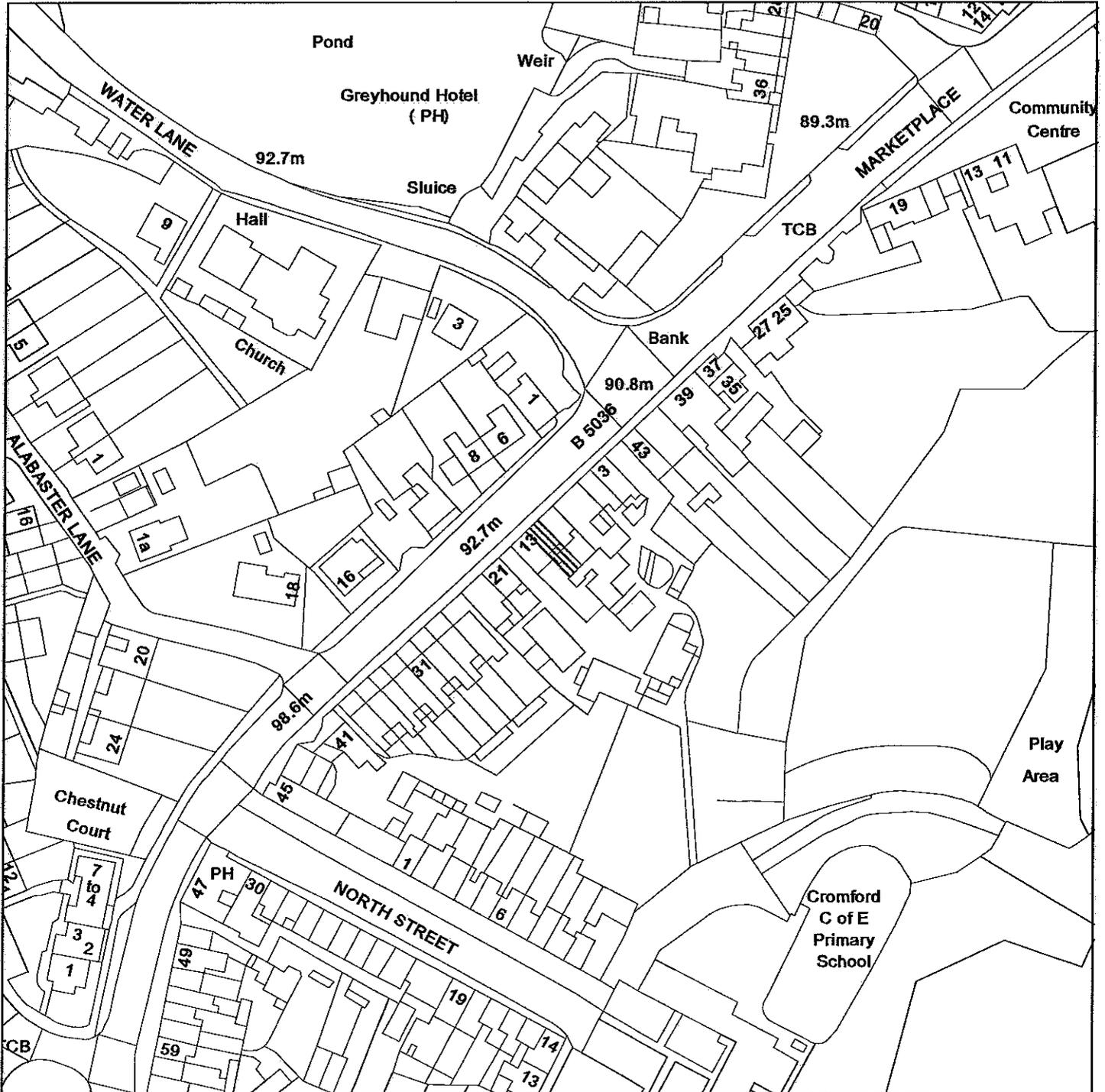
Design and Access Statement received on 25th February 2014

Details of Woodsman Pinelodges received on 25th February 2014

Tree Report received on 25th February 2014

14/00060/FUL

11 The Hill, Cromford



Scale : 1:1250

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Matlock, Derbyshire DE4 3NN. Telephone: (01629) 761100.
Website: www.derbyshiredales.gov.uk

Organisation	Derbyshire Dales District Council
Department	Not Set
Comments	Not Set
Date	23 April 2014
Licence No.	100019785

**14/00060/FUL SINGLE-STOREY REAR EXTENSION AT 11 THE HILL,
CROMFORD FOR MR. JOHNSON**

Parish Council: Cromford
Application type: FUL

Date of receipt: 20th February 2014
Case Officer: Mr. A. T. Ecclestone

THE SITE AND SURROUNDINGS

The application property is a Grade II Listed, mid-terraced house, situated at the lower end of Cromford Hill, just up from its junction with Water Lane. It has a small, old, brick-built outbuilding which is attached at the rear and offset to the side. It also has a small, lean-to structure which covers the whole of the rear elevation.

THE APPLICATION

The proposal is to refurbish the rear extension and outbuilding. The current lean-to structure will be replaced with a more substantial, brick-built, lean-to extension with a glazed, lean-to roof. It will have a similar footprint to the current structure, but it will have a slightly steeper roof-pitch. The window and door will be replaced, but the replacement door will be glazed, rather than solid as it currently is. The outbuilding will retain its slate roof.

RELEVANT HISTORY

None.

CONSULTATIONS

Local Highway Authority:
 No objection.

Parish Council:
 No objection.

REPRESENTATIONS:

One letter of representation received which makes the following points:

- Whilst generally in favour of improvements being made, the proposal changes one unsightly and inappropriate material – corrugated galvanised / rusted steel, for another inappropriate material – large, flat, glass sheets.
- The existing roof-line abuts the adjacent roofline of the neighbour's property whereas the proposal changes to something different. The details are vague due to lack of dimensions. The method of fixing glass does not appear commensurate with the method of fixing double-glazed units.
- The existing views suggest that the roof is complete, whereas it is not. The proposal changes a part open roof to an enclosed area where there is a fowl / waste water inspection point.

POLICIES:

Adopted Derbyshire Dales Local Plan (2005)
SF1 Development Within Settlement Framework Boundaries
SF5 Design And Appearance Of Development
H2 Extensions To Dwellings
NBE16 Development Affecting A Listed Building
NBE17 Alterations And Extensions To A Listed Building
NBE21 Development Affecting A Conservation Area

National Planning Policy Framework:
Chapter 7 Requiring Good Design
Chapter 12 Conserving and Enhancing the Historic Environment

Derbyshire Dales Local Plan Pre Submission Draft June 2013
Development Management Policy 1 – Development within Settlement Framework Boundaries
Strategic Policy 3 – Protecting and Enhancing the Natural and Historic Environment
Development Management Policy 8 – The Historic Environment
Development Management Policy 9 - Design and Appearance Of Development
Development Management Policy 14 – Development within Town and Local Centres

Other:
Cromford Conservation Area Appraisal

ISSUES

The main issues to assess are the impact that the refurbished outbuilding and lean-to extension will have on the setting of this Grade II Listed, mid-terraced house.

The current situation has the appearance of a dilapidated outbuilding and extension. The proposal to refurbish the outbuilding and build a more substantial lean-to rear extension has been submitted following pre-application advice. Further clarification has been asked for details of the roof abutment being below the cill of the first-floor window and the appearance of the glass over the brick walls. These details have been clarified in subsequent plans. It is intended to use grey paint for the window, door and cappings. For the new brick-work, it is intended to use reclaimed bricks which are already on site, or use matching brick from elsewhere if required. The proposed refurbishments, extensions and alterations are considered to be a visual improvement on the current situation.

The letter of representation has been taken into consideration whilst processing this application, but the issues raised do not provide sufficient grounds to oppose the scheme. The glazed lean-to roof has been proposed, following pre-application advice and is considered to be acceptable. The finer design details are also considered to be acceptable.

OFFICER RECOMMENDATION

Planning Permission be granted conditionally.

1. Condition ST02a: Time Limit on Full.
2. Condition DM4: Sample of Brickwork and Bond.

Reasons:

1. Reason ST02a.
2. Reason DM4...Policies NBE16, NBE17 and NBE21 of the Adopted Derbyshire Dales Local Plan (2005).

Note to applicant:

Summary of reasons for decision and relevant Development Plan Policies.

This Decision Notice relates to the following documents:

Drawings numbered 02, 03, 01 and 04, received by the Council on 20th February 2014 and drawing numbered 05, received by the Council on 14th April 2014.

The Town and Country Planning (Fees for Applications and Deemed Applications,

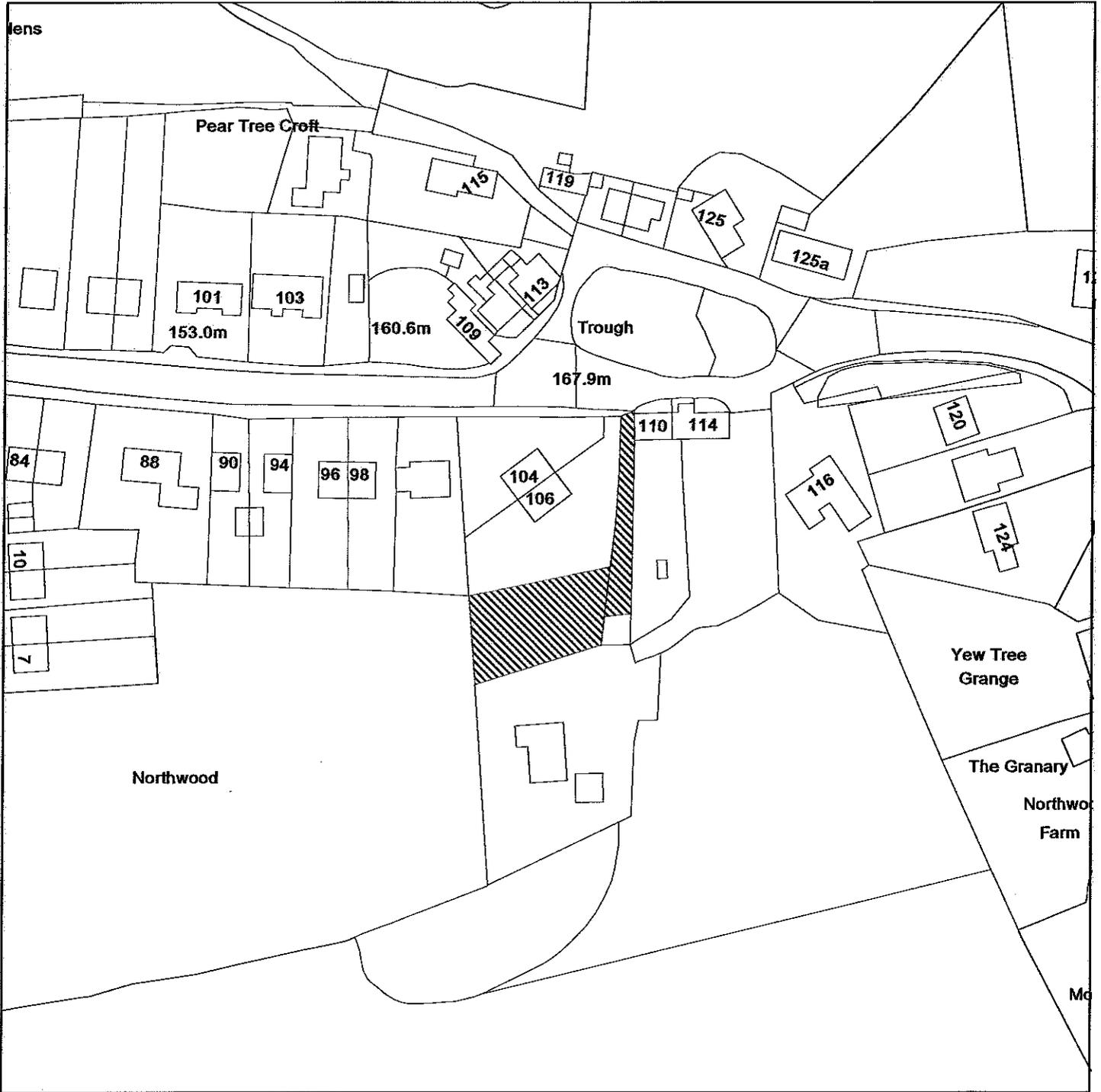
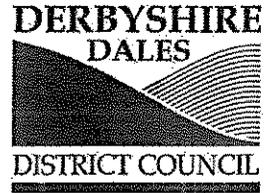
Requests and Site Visits) (England) Regulations 2012 (SI 2012/2920) stipulate that a fee will henceforth be payable where a written request is received in accordance with Article 30 of the Town and Country Planning (Development Management Procedure) Order 2010. Where written confirmation is required that one or more Conditions imposed on the same permission have been complied with, the fee chargeable by the Authority is £97 per request or £28 where the related permission was for extending or altering a dwelling house or other development in the curtilage of a dwelling house. The fee must be paid when the request is made and cannot be required retrospectively. Further advice in regard to these provisions is contained in DCLG Circular 04/2008.

The applicant is advised that, prior to works commencing, Listed Building Consent will also be required.

Both during and prior to the consideration of this application, the Local Planning Authority have engaged in a positive and proactive dialogue with the agent, which has resulted in the submission of a scheme that overcame initial concerns relating to the design, appearance and context of it being a Grade II Listed Building.

14/00102/OUT

Land to the rear of 106 Northwood Lane, Darley Dale



Scale : 1:1250

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Derbyshire Dales District Council, Town Hall, Bank Road, Matlock, Derbyshire DE4 3NN. Telephone: (01629) 761100. Website: www.derbyshiredales.gov.uk

Organisation	Derbyshire Dales District Council
Department	Not Set
Comments	Not Set
Date	23 April 2014
Licence No.	100019785

14/00102/OUT ERECTION OF DWELLING HOUSE (OUTLINE) AT LAND TO THE REAR OF 106 NORTHWOOD LANE, DARLEY DALE FOR MR STEVE MEAD

Parish Council: Northwood and Tinkersley
Application type: Outline

Date of receipt: 04.03.14
Case Officer: Mrs H Frith

THE SITE AND SURROUNDINGS:

The application relates to the garden land of the existing dwelling at no. 106 Northwood Lane. The land slopes downwards away from the access road towards the west. The site is accessed via a private shared driveway leading from Northwood Lane immediately adjacent to no. 108 Northwood Lane. A hedge encloses the garden land along the access road. The owner of no. 106 currently uses the south eastern corner of the site for parking. To the end of the driveway is the adjacent dwelling no. 110 Northwood lane which is a two storey modern property. The site is outside of any settlement framework boundary in what is classed as open countryside under the provisions of the Adopted Derbyshire Dales Local Plan (2005).

THE APPLICATION:

Outline planning permission is sought to erect a dwelling on the garden land of the existing property. Whilst the application is in outline, permission is sought at this stage for access, layout and scale of the proposed dwelling.

It is proposed that the existing pedestrian access to no. 106 will be widened to allow access for the parking of two vehicles to the frontage of no. 106. This will involve the construction of a retaining wall within the line of the existing hedge to ensure that the hedge will be retained. This will ensure that the existing dwelling will no longer use the shared private driveway.

Access and parking for the new property will be via the shared driveway and will be in front of and to the northern side of the proposed dwelling which is to be located to the eastern end of the site. The size of the proposed dwelling 14m by 11m positioned slightly forward of no. 106 and forward of no. 110. On the submitted plans, the applicant has shown a dwelling that is single storey to the eastern driveway side of the site and stepping down the hill becoming a two storey building with rear dormer with an eaves height of 2.8m to the front, 5m to the rear and an overall ridge height of 6.5m. It is noted in the Design and Access Statement that the dwelling would be of a simple rectangular design with dormer/gable roof utilising the slope to maximise internal space.

A bin storage area is proposed part way along the private driveway to ensure that bins can be easily collected.

RELEVANT HISTORY:

WED/1189/1011 House (Outline) – Refused and dismissed on appeal.

The application was refused for the following reasons:

1. The proposal represents an unsatisfactory form of development, the site having no road frontage and being poorly related to the existing pattern of development.
2. Approval of the proposal would intensify the use of an existing access with substandard visibility and as a consequence vehicles wishing to enter or cross the existing traffic stream would create additional hazards to existing road users.

3. Approval of the proposal would result in an excessive man carry distance to the proposed dwelling and as a consequence service vehicles would stand on the and virtually block the non-classified carriageway for longer periods than normal creating further hazards to existing road users.

The matter then went to appeal, the appeal was dismissed by the Inspector who noted in his statement that:

- The main issues are: whether the location of the development and the means of access would adversely affect the character of the area, the residential amenities of neighbouring residential property and free and safe movement of vehicular traffic.
- Back land development which takes access from a narrow unmade highway would be out of character with this area. The Inspector did not consider the existence of no. 110 to be a justification.
- The proposal has all the disadvantages of tandem development as it would share access with 3 other properties. This would affect the privacy of no. 110, would interfere with access to no. 110 and no. 108 and would cause extra noise and disturbance to no. 110 and to a lesser extent no. 108.
- The existing access does not meet the recommended visibility splays, therefore intensifying the use of the access would be to the detriment of highway safety.

CONSULTATIONS:

Parish Council:

Concerned about the very tight access from Northwood Lane to this property as it is at the narrowest part of the lane where visibility is very bad. The access also abuts 110 Northwood Lane and there is concern that construction traffic will be passing literally within inches of the house. Local residents have objected to the Local Planning Authority. The objections include the construction traffic, additional traffic post development and the dangerous nature of the access. Also note that permission to develop this plot has been refused in the past on appeal.

Local Highway Authority:

Emerging visibility from the existing access is substandard when looking in the eastern direction due to third party land. It is the applicant's intention to create a new vehicular access to the west of the existing access to serve the existing dwelling, assume this would be permitted development. If this is the case then the new dwelling being served off the existing access is acceptable to the highway authority as the traffic generation associated with the existing substandard access is unlikely to increase by any significant level. In order to prevent both the existing and proposed dwellings using the existing access a condition should be imposed. A bin storage area should be provided within 25m of Northwood Lane. Recommend conditions.

Members should note that the highway authority have been advised that the creation of the access to 106 Northwood Lane would not be permitted development due to the engineering works associated with it. A further response is awaited from the local highway authority as to whether or not this factor alters their view of the proposal. A verbal update will be provided at the Committee meeting.

REPRESENTATIONS:

5 representations have been received, the comments of which are summarised below :

Highway issues:

- No. 108 own the access road, the other properties have a right of access only.
- Construction vehicles would damage the driveway.
- Properties 110 and 108 are shown the wrong way round on the block plan.
- The applicant notes that there is no limit to the number of cars that could be parked to the rear of no. 106, this is incorrect as only 1 parking space is available at present.
- Northwood lane is narrow at the point of the access with a blind bend on a steep incline; additional traffic would be detrimental to highway safety.
- Access will be even worse in adverse weather conditions
- There is restricted visibility from the access especially when vehicles are reversing.
- There is no room for vehicles to pass on another.
- There have been near misses between vehicles in this locality.
- Pedestrian safety would be put at risk.
- The proposal would lead to more congestion.
- A new dwelling would affect the privacy of no. 110, interfere with our pedestrian access and cause noise and disturbance.
- No. 106 currently park on the road, there would be nothing to stop occupants of the new dwelling parking on the highway.
- Five properties in total have a right of access over the land, any additional properties would exacerbate the problem if all properties were to use the access.
- Creating a new access to no. 106 will merely add another access with similarly restricted visibility for emerging vehicles.
- There would be nothing to stop the applicant continuing to use the private driveway to access the rear of his property.
- Parking in poor weather will be more difficult.
- Permission should be refused due to earlier appeal decision, the highway issues remain unchanged.
- It would be irresponsible of the Local Planning Authority to disregard the Inspector's decision.
- The access lane is only just over a metre from our dining room window.

Other issues:

- This will not solve housing shortages in the locality.
- The proposed building would involve the removal of several trees.
- No. 108 is well screened by mature planting.
- The existing hedge and proposed fencing would not alleviate the detrimental visual impact of the proposed dwelling.
- The government is against garden grabbing.
- Any development in this rear garden would overlook surrounding properties causing a loss of privacy and a reduction in the quality of the environment.
- Bedroom windows will be directly overlooked.
- Mature trees and hedgerows would be lost through this development.
- The removal of trees will adversely affect privacy and visual amenity.
- The site is outside of a settlement.
- Large construction vehicles would cause disturbance to no's 110 and 108.
- Site is visible from recreation ground.

POLICIES:

1. Adopted Derbyshire Dales Local Plan (2005)
 - SF4: Development in the Countryside
 - SF5: Design and Appearance of Development
 - H4: Housing Development Outside Settlement Framework Boundaries
 - H9: Design and Appearance of New Housing
 - NBE6: Trees and Woodlands
 - TR1: Access Requirements and the Impact Of New Development
 - TR8: Parking Requirements for New Development
2. Pre Submission Draft Local Plan
 - Development Management Policy 2 – Development In The Countryside
 - Development Management Policy 9 – Design And Appearance Of Development
 - Development Management Policy 22 – Access and Parking
3. National Planning Policy Framework – Core Planning Principles, Part 6 and 7

ISSUES:

The issues for consideration arising from this application relate to the principle of development on this site, the principle of development in this location, the visual impact of the development, residential amenity and highway safety.

Previous appeal

The planning application submitted in 1989 was an outline application without details for the erection of a house on this same site. The permission was refused for the reasons stated under the 'Relevant History' section of this report. It should be noted that since the determination of that application local and national planning policy has altered significantly and in view of this, is it reasonable for the Local Planning Authority to reassess the validity of the appeal Inspectors considerations.

The only reason for refusal, which was not a highway reason was reason no. 1 which referred to the development of the site being an unsatisfactory form of development, the site having no road frontage and being poorly related to the existing pattern of development. The pattern of development within the locality is not specific to one type or form of development but is made up of a random mix of property and plot types and sizes. Due to this ad hoc pattern of development it is considered that contrary to the original refusal the development now proposed would sit more comfortably within this plot.

It is also considered by the Highway Authority that as parking for the existing dwelling is to transfer to the frontage of no. 106 there will be no significant intensification of traffic using the substandard access and that this can be controlled via an appropriate planning condition. There is a query over whether the opinion of the Highway Authority will alter as planning permission is required for the access to the frontage of no. 106. Members will be updated on this matter at the meeting. The issue regarding the man carry distance for bins has been resolved through this application by providing a dwell area for bins along the existing driveway.

It is therefore considered that the Inspectors earlier concerns have to some extent, been addressed b changes in policy and changing circumstances.

Principle of Development

At the time of the earlier appeal, the site was located within a defined settlement boundary where development was considered to be acceptable in principle. In the current Adopted Local Plan, the Northwood area no longer has a defined settlement boundary and is therefore classed as open countryside where restrictive planning policies apply. In accordance with Policies SF4 and H4 of the Adopted Derbyshire Dales Local Plan and the core planning principles of the National Planning Policy Framework, development on this site would be unsustainable and would constitute unwarranted development within the open countryside. There are numerous appeal decisions (post 2005) within the Northwood area which have consistently upheld this position.

'Garden grabbing' has been mentioned by local residents as a reason to refuse planning permission. Whilst the site is garden land and in the context of the NPPF does not constitute 'previously developed land', this does not in itself prevent development from taking place unless there is harm caused to the local area. The site sits comfortably as an infill plot and is a significant sized garden to a modest dwelling and therefore in this case the term 'garden grabbing' is not considered to be appropriate nor would it constitute a sustainable reason to refuse planning permission. There would be more than sufficient garden land retained for each dwelling should the development be considered appropriate.

Visual Impact

The design and finished appearance of the proposed dwelling is not to be considered at this stage and the plans submitted are indicative only. Only the scale and layout of the proposed dwelling is to be considered as part of this application.

The site is detached from neighbouring properties and is of a size that can accommodate an additional dwelling. The scale of the dwelling proposed being single storey to the eastern elevation and two storey to the rear western elevation assimilates well into the site context with two storey dwellings to either side of the site. It is considered that a dwelling of the scale and layout shown can be accommodated in this plot with an appropriate design solution. In terms of visual impact the proposal is considered to be acceptable.

Amenity

It has been noted by residents that the proposed dwelling would adversely affect neighbouring properties due to a loss of privacy particularly through overlooking. As stated above, the size of the plot is such that the dwelling can easily be accommodated on the site. The nearest neighbours would be roughly in alignment with the dwelling so that overlooking onto their properties would be no greater than any other residential development with neighbours located to either side. To the rear of the property facing west the site backs onto recreation land and so would not directly overlook the gardens of the properties fronting Northwood Lane such that a loss of amenity would warrant refusal.

Concern has been raised by no.110 that as the existing driveway is in such close proximity to the side windows of no. 110 the additional traffic would have an impact upon the amenity of that property. It should be noted that the existing dwelling, no. 106 already uses the driveway and that they would cease to use that driveway should the new dwelling be constructed, therefore there is no increase in the use of the driveway which could be considered to be sufficient to warrant refusal on the grounds of the impact upon amenity.

The proposal is therefore considered to be acceptable in terms of the impact upon amenity.

Conclusion

Notwithstanding the ability of the site to accommodate a dwelling, the site is located outside of any settlement framework boundary in open countryside where restrictive planning policies apply. As such the proposal would constitute an unsustainable and unwarranted development within the open countryside contrary to the requirements of policies SF4 and H4 of the Adopted Derbyshire Dales Local Plan and contrary to the core planning principles of the National Planning Policy Framework.

It is therefore recommended that planning permission be refused.

OFFICER RECOMMENDATION:

To refuse planning permission for the following reason:

1. The development is proposed in an unsustainable rural location outside of a defined Settlement Framework boundary. As the Council are able to demonstrate a five year supply of housing land plus 5% in accordance with the requirements of the National Planning Policy Framework, the development of this site for housing would be inherently unsustainable and unwarranted. As such, the proposal is contrary to national planning policy contained in the National Planning Policy Framework and to Policies SF4 and H4 of the adopted Derbyshire Dales Local Plan (2005).

FOOTNOTES:

The Local Planning Authority considered the merits of the submitted application and judged that there was no prospect of resolving the fundamental planning problems with it through negotiation. On this basis the requirement to engage in a positive and proactive manner was considered to be best served by the Local Planning Authority issuing a decision on the application at the earliest opportunity and thereby allowing the applicant to exercise their right to appeal.

With effect from the 6th April 2008, the Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations 2008 (SI 958/2008) stipulate that a fee will henceforth be payable where a written request is received in accordance with Article 21 of the General Development Procedure Order. Where written confirmation is required that one or more conditions imposed on the same permission have been complied with, the fee chargeable by the Authority is £97 per request. The fee must be paid when the request is made and cannot be required retrospectively. Further advice in regard to these provisions is contained in DCLG Circular 04/2008.

This decision notice relates to the following documents:

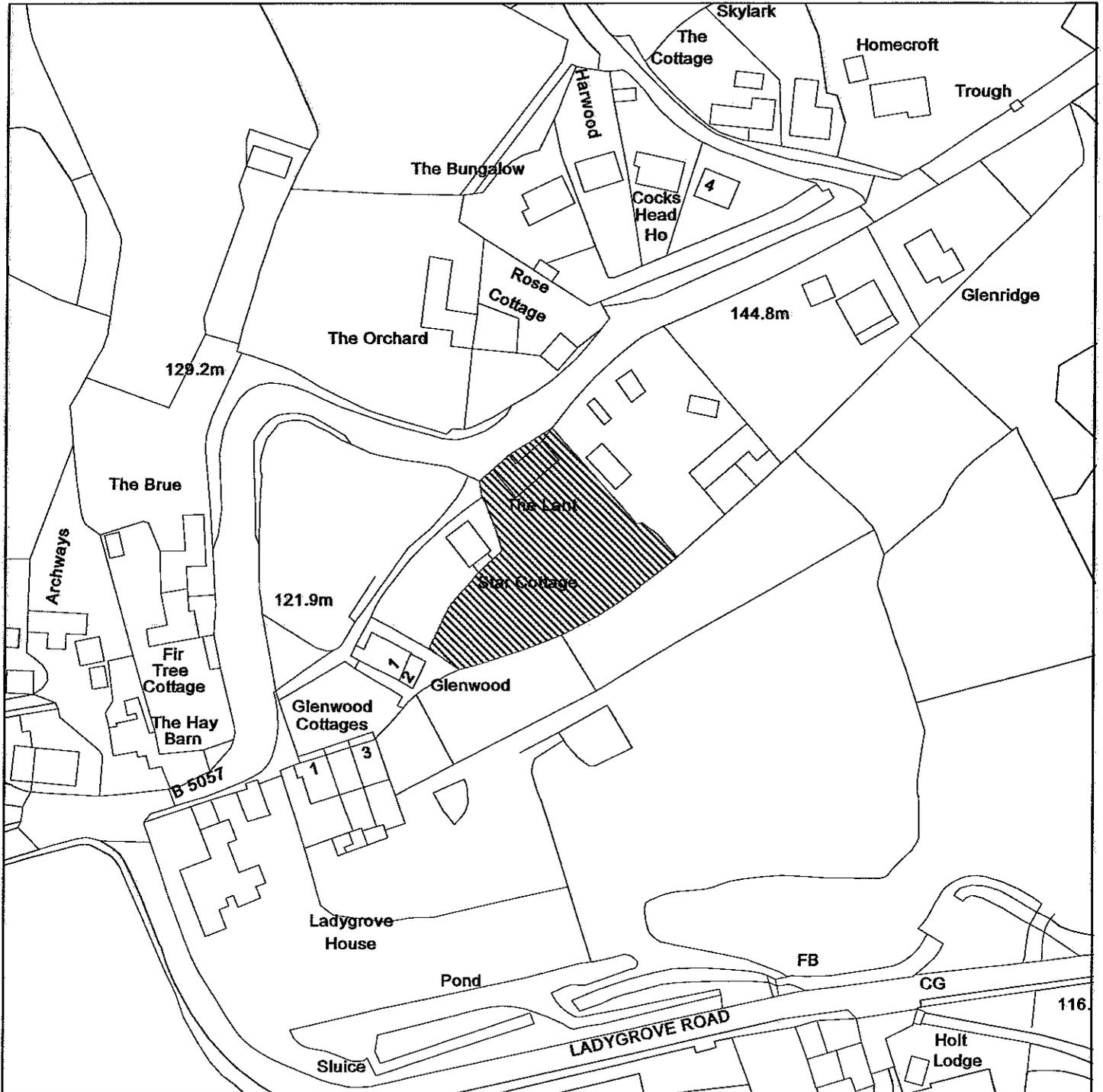
Site plan no. 001/2014-A, Design and access statement, Block plan existing no. 002/2014 Artists impression no. 004/2014, Photo montage, All received 4th March 2014

Proposed block plan no. 003/2014 received 14th April 2014

Proposed parking arrangements no. 006/2014, Typical elevation no. 007/2014, All received 16th April 2014

14/00157/FUL

The Lant, Sydnop Hill, Two Dales



Scale : 1:1250

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Derbyshire Dales District Council, Town Hall, Bank Road, Matlock, Derbyshire DE4 3NN. Telephone: (01629) 761100. Website: www.derbyshiredales.gov.uk

Organisation	Derbyshire Dales District Council
Department	Not Set
Comments	Not Set
Date	23 April 2014
Licence No.	100019785

**14/00157/FUL TWO-STOREY EXTENSIONS AND ALTERATIONS AT
THE LANT, SYDNOPE HILL, TWO DALES FOR MR. APPLEBY**

Town Council: Darley Dale Date of receipt: 10th March 2014
Application type: FUL Case Officer: Mr. A. T. Ecclestone

THE SITE AND SURROUNDINGS

The application property is an old, detached house, situated on one of the 'S' bends at the bottom end of Sydnope Hill. It stands with its rear elevation facing the road and its principle elevation facing the enclosed garden area to the south. It has a subordinate side extension.

THE APPLICATION

The proposal is for a part contemporary, two-storey 'link' extension, off-set to the side. The existing subordinate side extension will be modified with a glazed 'link' joining to the new two-storey extension which will be positioned in alignment to the south. From the roadside, it will appear as a traditional, two-storey 'link' extension with stone walls and a slate roof to match the main house. However, from the enclosed garden area it will have a contemporary design and appearance with large areas of glazing. It will form a large extension, almost doubling the size of the current house.

RELEVANT HISTORY

None.

CONSULTATIONS

Local Highway Authority:
No objection.

Town Council:
No comment.

REPRESENTATIONS

None received.

POLICIES

Adopted Derbyshire Dales Local Plan (2005)
SF5 Design And Appearance Of Development
H2 Extensions to Dwellings

National Planning Policy Framework (NPPF)
Chapter 7 – Requiring Good Design

Derbyshire Dales Local Plan Pre Submission Draft June 2013
Development Management Policy 9 – Design and Appearance Of Development

ISSUES

The main issues to assess are the impact that the proposed large, two-storey, 'link' side extension will have on the character and appearance of the house and also the impact that it will have on the surrounding area.

From the main road, it will appear as a traditional, two-storey 'link' side extension. Whilst the extension is substantial in nature and of contemporary design, a subordinate 'link' is

proposed which helps to break down the overall mass of the proposed extension from the main house.

From the enclosed garden area, the contemporary design of the extension will be more visible with large areas of glazing proposed on the west elevation.

Despite this being the principle elevation, with it being enclosed from public view and offset to the side, it is not considered to have an adverse impact on the character or appearance of the main house.

Similarly, it is not considered that the proposed extension will have an adverse impact on the surrounding area and no objections have been received. Approval is therefore recommended.

OFFICER RECOMMENDATION

Planning Permission be granted conditionally.

1. Condition ST02a: Time Limit on Full.

Reason:

1. Reason ST02a.

Note to applicant:

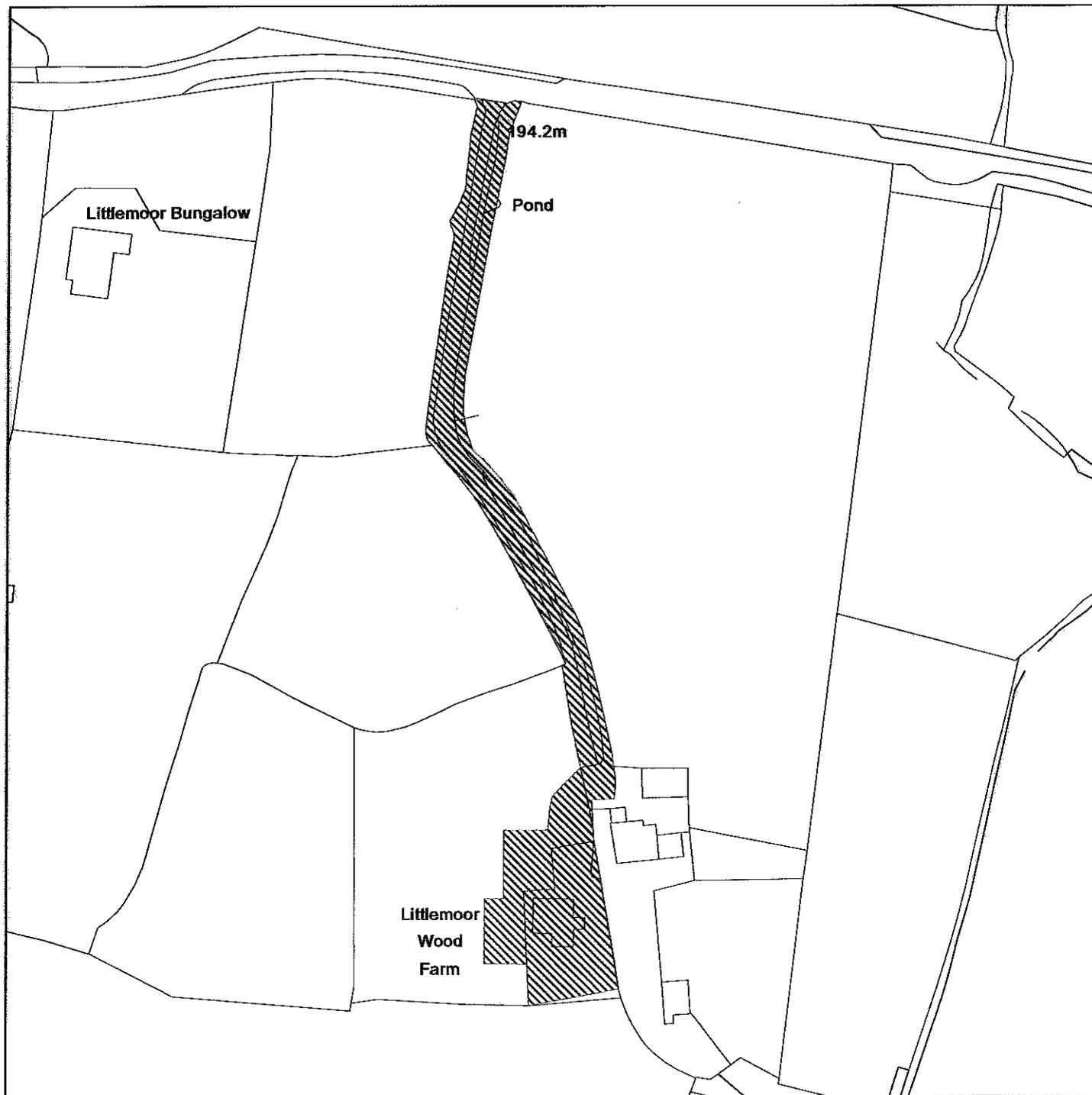
This Decision Notice relates to the following documents:

Drawings numbered 549TL.L02 and 549TL.P10A, received by the Council on 10th March 2014.

The Local Planning Authority considered the application as submitted to be acceptable. On this basis, there was no need to engage with the applicant in a positive and proactive manner to resolve any planning problems and permission was granted without negotiation.

14/00018/FUL

Littlemoor Wood Farm, Littlemoor Lane, Riber



Scale : 1:1250

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Organisation	Derbyshire Dales District Council
Department	Not Set
Comments	Not Set
Date	23 April 2014
Licence No.	100019785

**14/00018/FUL EXTENSIONS AND ALTERATIONS AND ASSOCIATED
EXTENSION TO DOMESTIC CURTILAGE AT LITTLEMOOR
WOOD FARM, LITTLEMOOR WOOD LANE, RIBER FOR MR
RICHARD BEAUMONT**

Town Council: Matlock
Application Type: Full

Date of Receipt: 14.01.2014
Case Officer: Mrs H. R. Frith

INTRODUCTION:

This application was initially considered at the meeting of the Central and Northern Area Planning Committee held on 1st April 2014 and was deferred in order to allow the applicant's agent the opportunity to amend the submitted scheme in order to address the concerns raised in the reason for refusal.

Following the deferral, the applicant's agent met with the Case Officer to discuss a number of proposals put forward by the agent in an attempt to resolve the matter. However, dialogue between the agent and officers has not resulted in an amended scheme being agreed which would overcome the concerns initially raised. The application is therefore, re-presented for determination by Committee in its original form.

THE SITE AND SURROUNDINGS:

The existing dwelling is a two storey stone building of traditional proportions with two storey and single storey later additions. The site is isolated and surrounded by the open countryside which is farmed by the applicant. Access to the site is via a driveway leading from Littlemoor Lane. There are a number of agricultural buildings associated with the property located within the immediate vicinity of the house.

THE APPLICATION:

Planning permission is sought to extend and alter the existing dwelling. The proposed extension is in the form of a gable extension from the rear of the existing house with a single storey grassed roofed element leading off from this and with a two storey element projecting from part way along the main gable extension. Overall the proposal would lead to a reception room, snug, hallway, study, dining area, kitchen, day room utility/plant room, and W.C on the ground floor with four bedrooms, 2 en-suites and bathroom on the upper floor. The proposed extension is to be constructed of render, stone and slate with more modern timber detailing on the less visible southern elevation. The main gable extension to the rear is proposed to be 12.5m in length and 5m in width with the northern projection from this being 7m in length and 5m in width. The highest part of the extension is in line with the roof line of the existing dwelling. A new driveway and parking is also proposed along with an associated extension to the domestic curtilage of the property.

The applicant has submitted a supporting statement which is summarised as follows:

- The applicant who is a Naval Officer is based in Cornwall the property is currently occupied by his parents.
- The family has a wider involvement in land at Riber and let High Leas on a long term until 2025. The family support community groups and invest in farming within the area.
- The existing dwelling is in need of improvement, the farm and woodland's infrastructure also need investment to facilitate farming and forestry, these projects cannot be done unless I am able to build my family a suitable home for the future.
- The current application includes an extension of curtilage.

- In the revised proposal I have looked at pre-application advice, the refusal and Inspector's decision. The appeal decision clarified that specifically the northern projection would have overwhelmed the traditional frontage and dominated the building as a whole.
- In this proposal the single storey elements of the northern projection have been removed, significantly reducing the width of the northern projection is significantly reduced, an 18% reduction of footprint. The design of the chimney has been altered.
- The proposed extensions are no longer dominant but are subordinate to the existing.
- This proposal if granted will take precedence over the existing permission for a dependent relative unit, if granted that building would remain as a storage building.

RELEVANT HISTORY:

13/00174/FUL Extensions and alterations – Refused – Appeal Dismissed

The reasons for refusal were as follows:

1. The size and scale of the proposed extensions are such that they will dominate the existing dwelling to the detriment of the character and appearance of the existing dwelling contrary to Policies SF5 and H2 of the Adopted Derbyshire Dales Local Plan.
2. The layout and scale of the proposed extensions are contrary to the traditional form of dwellings in this countryside location, detrimental to the prevailing landscape character of the area contrary to Policy NBE8 of the Adopted Derbyshire Dales Local Plan.

12/00003/FUL Conversion and extension of outbuilding to form dependant relative unit – Permitted with Conditions

11/00723/AGR Agricultural Prior Notification - Erection of tractor shelter – No Objection

09/00593/FUL Change of use and conversion/extension of outbuilding to form dependant relative unit - Permitted with Conditions

CONSULTATIONS:

Town Council:

No objection.

Local Highway Authority:

No objection providing extensions/alterations form private domestic ancillary living accommodation for the existing dwelling.

REPRESENTATIONS:

A representation has been received which makes the following points: -

1. The proposal secures the retention of the attractive east elevation whilst removing the unsightly 20th century extensions.
2. Careful attention is needed for the join between the old and new.
3. The rear elevation is an improvement.
4. The conservatory is in keeping.
5. Support the use of matching stone and slate to front and side elevations and full height windows.

POLICIES:

Adopted Derbyshire Dales Local Plan 2005:

SF4: Development In The Countryside

SF5: Design And Appearance Of Development

H2: Extensions To Dwellings

H8: Extending Domestic Curtilages Into The Countryside

NBE8: Landscape Character

TR1: Access Requirements And The Impact Of New Development

TR8: Parking Requirements For New Development

Pre Submission Draft Local Plan:

Development Management Policy 2 – Development In The Countryside

Development Management Policy 6 - Landscape Character

Development Management Policy 9 – Design And Appearance Of Development

Development Management Policy 22 – Access And Parking

National Planning Policy Framework - Parts 7 and 11.

ISSUES:

Planning permission was recently refused and an appeal dismissed for extensions and alterations to this property. Therefore in determining whether or not this proposal is acceptable the proposal has to be assessed in light of the Inspectors decision.

This revised proposal removes the single storey projections from the proposed northern gable, thereby leaving that projection at 7m length by 5m width. The size of the western gable has not been reduced although some small design changes have been made in terms of the finish to the northern facing elevation of the western gable and the chimney design has been altered to be of a more traditional design.

In the appeal decision the Inspector noted that:

“Due to the scale and mass of the proposed contemporary projections, I consider that they would appear as incongruous additions.”

“The traditional frontage of the dwelling would be totally overwhelmed by the scale of the proposal.”

“The traditional building would be unacceptably dominated, particularly by the proposed northern projection... to the detriment of the existing dwelling and wider landscape.”

“Due to the dominance of the scale of the proposal over the existing dwelling, I conclude that the proposal would not be a proportionate addition and thus would have an adverse effect on the character of the existing dwelling and the landscape character of the surrounding area.”

In order to grant planning permission the Local Planning Authority would need to be satisfied that the revised design has addressed the reasons for refusal and Inspectors concerns. In this regard the scale of the western gabled extension to the rear of the dwelling has not altered as a result of this revised scheme. The northern gable has been reduced in size but only the single storey elements have been removed. In view of this it is

still considered that the size and scale of the extensions proposed result in an incongruous addition which will dominate the existing dwelling and as such be harmful to the character and appearance of the existing dwelling. In addition to this negative impact they will have an adverse impact upon the character and appearance of the wider landscape.

Although the changes made are acknowledged they are not it is considered sufficiently comprehensive to address the concern of officers and the Planning Inspector and as such refusal is recommended.

OFFICER RECOMMENDATION:

To refuse planning permission for the following reasons:

1. The size and scale of the proposed extensions are such that they will dominate the existing dwelling to the detriment of the character and appearance of the existing dwelling contrary to Policies SF5 and H2 of the Adopted Derbyshire Dales Local Plan, Development Management Policy 9 – Design And Appearance Of Development of the Pre Submission Draft Local Plan and guidance contained within Part 7 of the National Planning Policy Framework.
2. The layout and scale of the proposed extensions are contrary to the traditional form of dwellings in this countryside location, detrimental to the prevailing landscape character of the area contrary to policy NBE8 of the Adopted Derbyshire Dales Local Plan, Development Management Policy 6 - Landscape Character of the Pre Submission Draft Local Plan and guidance contained within Part 11 of the National Planning Policy Framework.

NOTES TO APPLICANT:

The Local Planning Authority considered the merits of the submitted application and judged that there was no prospect of resolving the fundamental planning problems with it through negotiation. On this basis the requirement to engage in a positive and proactive manner was considered to be best served by the Local Planning Authority issuing a decision on the application at the earliest opportunity and thereby allowing the applicant to exercise their right to appeal.

This decision notice relates to the following documents:

Design and access statement

Proposed east elevation B1_E_E_G200_01 REV B

Proposed north elevation B1_E_N_G200_01 REV B

Proposed roof plan B1_P_RF_G200_01 REV B

Proposed south elevation B1_E_S_G200_01 REV B

Proposed section AA B1_S_AA_G200_01 REV B

Proposed section BB B1_S_BB_G200_01 REV B

Proposed section CC B1_S_CC_G200_01 REV A

Proposed section DD B1_S_DD_G200_01

Proposed west elevation B1_E_W_G200_01 REV B

Proposed first floor plan B1_P_01_G200_01 REV B

Proposed ground floor plan B1_P_00_G200_01 REV B

Proposed site plan P_RF_G100_01 REV B

Site location plan XP_RF_G100_01

Existing site plan XP_RF_G100_02

Existing ground floor plan B1_P_00_JA12_01

Existing first floor plan B1_P_01_JA12_01

Existing roof plan B1_P_RF_JA12_01
Existing north elevation B1_E_N_JA12_01
Existing south elevation B1_E_S_JA12_01
Existing west elevation B1_E_W_JA12_01
Existing east elevation B1_E_E_JA12_01
Existing section AA B1_S_AA_JA12_01
All received 14.01.14

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CENTRAL PLANNING COMMITTEE – 6th MAY, 2014

DISTRICT COUNCIL TREE APPLICATIONS/NOTIFICATIONS

Progress report for April 2014

APPLICATIONS TO CARRY OUT WORKS TO PRESERVED TREES:

TPO NO.	ADDRESS/APPLICATION	DECISION/COMMENT
98	BIRCH GROVE, 82a LUMSDALE ROAD, UPPER LUMSDALE, MATLOCK FELLING OF TWO SYCAMORES Reasons: Dangerous PRUNING OF WILLOW Reasons: Not given	PENDING DECISION
62 & 109	6 NORMANHURST PARK AND LAND TO THE SOUTH-WEST OF 6 NORMANHURST PARK, DARLEY DALE PRUNING OF TREES Reasons: General maintenance Clearance for tractor Clearance over garage	PENDING DECISION
21	CULVER CROFT, LEA ROAD, LEA BRIDGE FELLING OF BEECH TREE Reasons: Unsatisfactory branch structure Overlong branches Structurally poor with tight fork Not a good long term tree Largely hidden behind Birch trees Long term management of the site PRUNING OF HORSE CHESTNUT Reasons: Overhanging driveway causing accumulation of leaves	PENDING DECISION
10	LAND ADJACENT TO 9 PORTEOUS CLOSE, TWO DALES PRUNING OF WEEPING BEECH Reasons: To allow safe passage of vehicles Overhanging adjacent property Overhanging path	PENDING DECISION
43	28 BANK GARDENS, MATLOCK FELLING OF SILVER BIRCH Reasons: Disproportionally large for garden Negative amenity value Blocks light to dwellings Leaves block guttering and drains Close to retaining wall Close to services	PENDING DECISION
119	ST ELPHIN'S PARK, DARLEY DALE PRUNING & FELLING TREES Reasons: In the interests of Health & Safety	PENDING DECISION

TPO NO.	ADDRESS/APPLICATION	DECISION/COMMENT
	For the purposes of sound arboricultural management	
108	9 HACKNEY ROAD, MATLOCK PRUNING OF CEDAR Reasons: To reduce excessive shading	CONDITIONAL CONSENT
66	116 CHURCH STREET, MATLOCK TOPPING OF A SYCAMORE STEM Reasons: Lost a large limb Adjacent to footpath	PENDING DECISION
131	LAND ADJACENT TO THE RIVERSIDE RESTAURANT, SOUTH PARADE, MATLOCK BATH PRUNING OF BEECH Reasons: Branches touching building Safety	PENDING DECISION

NOTIFICATIONS OF INTENTION TO CARRY OUT WORKS TO TREES IN CONSERVATION AREAS:

CONS. AREA	ADDRESS/PROPOSED WORKS	DECISION/COMMENT
MATLOCK BANK	ST JOSEPH'S CATHOLIC PRIMARY SCHOOL, CHESTERFIELD ROAD, MATLOCK PRUNING & FELLING OF TREES Reasons: Self-set trees Overgrown vegetation Overhead cables Distorted growth Leaning Overhanging footpath Obstructing site sign Leader growing into Leylandii Crossing branches Growing over the school Playground	PENDING DECISION
MATLOCK BATH	YEW TREE COTTAGE, UPPERWOOD, MATLOCK BATH FELLING OF FIR Reasons: Excessive shading Top section broke off last year	PENDING DECISION
WIRKSWORTH	CLARE COTTAGE/THE OLD COACH HOUSE, GATEHOUSE DRIVE, WIRKSWORTH FELLING OF BEECH Reasons: Poor condition of tree	PENDING DECISION
MATLOCK BANK	ALL SAINTS VICARAGE, SMEDLEY STREET, MATLOCK FELLING & PRUNING OF TREES Reasons: Unsafe Obscuring light to house	PENDING DECISION

CONS. AREA	ADDRESS/PROPOSED WORKS	DECISION/COMMENT
	Overhanging the roof	
CROMFORD	CULVER CROFT, LEA ROAD, LEA BRIDGE WORKS TO TREES Reasons: Overcrowded Obscuring views To open up garden Affecting growth of other trees Excessive shading of driveway Slippery leaves Lop-sided Low canopy Weak fork Spindly Light to house	PENDING DECISION
MATLOCK BATH	WAPPING NATURE RESERVE, CLIFTON ROAD, MATLOCK BATH POLLARDING OF ASH Reasons: Structural failure.	PENDING DECISION
WIRKSWORTH	YOKECLIFFE HOUSE, WEST END, WIRKSWORTH PRUNING & FELLING OF TREES Reasons: Foliage rather sparse Heavily pruned in past Overhanging the road Vigorous tree in confined space Close to adjoining property Squirrel damage Growing above retaining wall To allow other trees to develop	PENDING DECISION
WIRKSWORTH	DALE WOOD, WEST END, WIRKSWORTH FELLING OF TREES Reasons: To maintain longterm stability & continuity of the woodland	PENDING DECISION
WIRKSWORTH	11 WASH GREEN, WIRKSWORTH FELLING OF GOAT WILLOW Reasons: Excessive shading Poor location	PENDING DECISION
LUMSDALE	MOORLAND VIEW, UPPER LUMSDALE, MATLOCK FELLING OF A SPRUCE & LARCH Reasons: Not given	PENDING DECISION
RIBER	THE HERMITAGE, RIBER ROAD, RIBER PRUNING & FELLING OF TREES Reasons: Diseased Multi-stemmed poor quality To create space for replanting Close proximity to stone wall To maintain the tree To increase light through	PENDING DECISION

CONS. AREA	ADDRESS/PROPOSED WORKS	DECISION/COMMENT
	<p>the canopy To promote the health of trees and aid fruit production To increase the light and usable garden space Forestry trees too large for the garden that dwarf a large section of the garden Unwanted self-set tree To provide space for the development of the neighbouring tree</p>	
MATLOCK BATH	<p>CROW PIE COTTAGE, 7 ORCHARD ROAD, MATLOCK BATH FELLING OF 7 TREES Reasons: Self-set, non specimen trees Almost totally shading the lawn Two lean badly</p>	PENDING DECISION
MATLOCK BATH	<p>YEW TREE COTTAGE, UPPERWOOD ROAD, MATLOCK BATH PRUNING OF TWO TREES Reasons: Not given</p>	PENDING DECISION
MATLOCK BATH	<p>ROCK WEIR, NEW BATH ROAD, MATLOCK BATH PRUNING & FELLING OF TREES Reasons: Growing out of boundary wall To remove liability for damage to parked cars</p>	PENDING DECISION
WIRKSWORTH	<p>DALE WOOD, WEST END, WIRKSWORTH FELLING OF TREES Reasons: Safety To allow other trees to develop</p>	PENDING DECISION
OLD MATLOCK	<p>THE HARRISON ALMSHOUSES, 3 – 11A MATLOCK GREEN, MATLOCK PRUNING OF WEEPING ASH Reasons: To provide clearance from overhead cables FELLING OF WEEPING ASH Reasons: Fungal decay in the stem FELLING OF CYPRESS Reasons: Light to properties</p>	PENDING DECISION
CROMFORD	<p>DERWENT HOUSE, WILLERSLEY LANE, CROMFORD PRUNING OF TWO YEW TREES Reasons: Not given FELLING OF THREE TREES Reasons: Leans over garden Suppressing adjacent tree Very close to building Causing heavy shading</p>	PENDING DECISION
MATLOCK BATH	<p>STONEYDALE, HOLME ROAD, MATLOCK BATH FELLING OF TREES</p>	PENDING DECISION

CONS. AREA	ADDRESS/PROPOSED WORKS	DECISION/COMMENT
	Reasons: Pushing retaining wall Leaning & close to neighbour's property Fear of size in relation to neighbouring property	
MATLOCK DALE	140 DALE ROAD, MATLOCK PRUNING & FELLING OF TREES Reasons: Concern about size in relation to property Poor specimen Low branch over neighbouring roof	PENDING DECISION
LUMSDALE	LAND TO THE REAR OF 59 RIBER VIEW CLOSE, TANSLEY FELLING OF SYCAMORE Reasons: To improve light Overcrowded	PENDING DECISION
BOLEHILL	9 NAN GELLS HILL, BOLEHILL FELLING OF WALNUT Reasons: Dead FELLING OF HORSE CHESTNUT Reasons: Bark wounds Deep cavity in trunk	PENDING DECISION
MIDDLETON-BY-WIRKSWORTH	LAND TO THE REAR OF 3 SANDY HILL, MIDDLETON FELLING OF MULTI-STEMMED ASH Reasons: Excessive lean towards buildings Potentially unstable as growing in loose rock bed	NO OBJECTIONS
MATLOCK BATH	GILDEROY EAST, UPPERWOOD ROAD, MATLOCK BATH PRUNING OF BEECH Reasons: Leaning towards house Extremely top heavy To reduce the weight To reduce the risk to properties in the event of the tree falling	NO OBJECTIONS
MATLOCK BANK	102 WELLINGTON STREET, MATLOCK FELLING OF CONIFER Reasons: Not given	NO OBJECTIONS
MATLOCK BANK	68 WELLINGTON STREET, MATLOCK PRUNING OF CONIFER Reasons: Outgrown location Overbearing in relation to neighbouring garden and house To remove danger of further damage to property or injury to neighbours	NO OBJECTIONS
MATLOCK BANK	36 WELLINGTON STREET, MATLOCK FELLING OF CHERRY Reasons: Damage to retaining wall	NO OBJECTIONS

CONS. AREA	ADDRESS/PROPOSED WORKS	DECISION/COMMENT
MATLOCK BATH	27 CLIFTON ROAD, MATLOCK BATH FELLING OF CEDAR Reasons: Safety concerns in relation to public footpaths and neighbouring property Interfering with BT cables	NO OBJECTIONS
WIRKSWORTH	JASMINE COTTAGE, 3 STONEY HILL, BOLEHILL FELLING OF LEYLANDII Reasons: Outgrown location Overshadows neighbouring property Concerns about tree in high winds	NO OBJECTIONS
MATLOCK BATH	23 CLIFTON ROAD, MATLOCK BATH PRUNING & FELLING OF TREES Reasons: Self-set Obstructing light to plants Overshadowing greenhouse Threatening overhead cables Perceived threat to house Leaning towards neighbouring garden Obstructing light to neighbouring garden Storm and snow damage Rot in root system	NO OBJECTIONS
LUMSDALE	THE STABLE YARD, UPPER LUMSDALE, MATLOCK FELLING OF TWO BEECH TREES Reasons: Excessive rot Damage to wall Threat to neighbouring outbuilding	PENDING DECISION
MATLOCK BANK	6 JACKSON TOR ROAD, MATLOCK PRUNING OF TREES Reasons: Not given	PENDING DECISION
MATLOCK BATH	DERWENT AMUSEMENTS, 64 – 70 NORTH PARADE, MATLOCK BATH FELLING OF ASH TREES Reasons: Damaging retaining wall	PENDING DECISION
OLD MATLOCK	62 – 64 CHURCH STREET, MATLOCK FELLING OF TREES Reason: Excessive shading Potential size Dying	PENDING DECISION
MATLOCK BRIDGE	43 DALE ROAD, MATLOCK PRUNING OF HORSE CHESTNUT Reasons: Encroaching on adjacent building	PENDING DECISION
OLD MATLOCK	MATLOCK GREEN SERVICE STATION, MATLOCK GREEN, MATLOCK FELLING OF MULTI-STEMMED ASH	PENDING DECISION

CONS. AREA	ADDRESS/PROPOSED WORKS	DECISION/COMMENT
	Reasons: Not given	
WIRKSWORTH	CHURCH VIEW, 2 THE CROFT, GREENHILL, WIRKSWORTH FELLING OF FLOWERING CHERRY Reasons: Outgrown location Perceived threat to two houses Affecting retaining wall	PENDING DECISION

OFFICER RECOMMENDATION: That the report be noted.

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CENTRAL PLANNING COMMITTEE – 6th MAY, 2014

COUNTY COUNCIL TREE APPLICATIONS

Progress report for April 2014

CONSULTATIONS RECEIVED ON APPLICATIONS TO CARRY OUT WORKS TO TREES PROTECTED BY A DERBYSHIRE COUNTY COUNCIL TREE PRESERVATION ORDER:

TPO NO.	ADDRESS/APPLICATION	DCC DECISION/COMMENT
123	ROCK LODGE, 69 DERBY ROAD, CROMFORD PRUNING & FELLING OF TREES Reasons: Potentially weak forks Clearance over the road To limit the spread of the tree To restrict the size To improve the shape of the crown To allow other trees to develop	PENDING DECISION
88	LAND ADJACENT TO 36 PARK AVENUE, DARLEY DALE PRUNING OF LIME Reasons: Overhanging neighbouring drive	PENDING DECISION
88	ABBEY HOUSE, CHURCH ROAD, DARLEY DALE PRUNING OF TREES Reasons: To reduce weight and leverage Growing over another tree FELLING OF TREES Over crowded To allow other trees to develop Spindly Not very attractive Poor form Poor condition Top of the tree broken off Leaning Forked Suffering from "Bleeding Canker" Extensive decay in stem Almost dead	CONDITIONAL CONSENT
25	TOR HILL, 204 DALE ROAD, MATLOCK BATH PRUNING OF A BEECH Reasons: To provide clearance over the A6 FELLING OF TWO BEECH TREES Reasons: Suppressed Unsuitable form To allow the other Beech to develop	CONDITIONAL CONSENT
25	GULLIVERS KINGDOM, TEMPLE ROAD, MATLOCK BATH PRUNING AND FELLING OF TREES	CONDITIONAL CONSENT

TPO NO.	ADDRESS/APPLICATION	DCC DECISION/COMMENT
	Reasons: Self-set To clear branches from building Leaning over the roof Dead Distorting wall	
84	23 PINWOOD ROAD, MATLOCK PRUNING OF OAK Reasons: General maintenance To control the growth of the tree Not pruned for at least 10 years	CONDITIONAL CONSENT
88	LAND TO THE REAR OF 9 PEAKLAND VIEW, DARLEY DALE FELLING OF ASH Reasons: Declining Pushing wall Outgrown location	PENDING DECISION
88	NORTH LODGE, WHITWORTH ROAD, DARLEY DALE PRUNING & FELLING OF TREES Reasons: To facilitate inspection for Ustulina To maintain as a hedge Poor specimens suppressed by larger Sycamore To improve light	PENDING DECISION
88	LIMESTONES, DALE ROAD NORTH, DARLEY DALE FELLING OF LIME Reasons: Evidence of Ganoderma fungi Decay in trunk Limited rooting area High risk target area PRUNING OF LIME Reasons: To improve safety Dieback/deadwood Wound/cavity at 3.5 metres	PENDING DECISION

OFFICER RECOMMENDATION: That the report be noted.

PLANNING APPEAL - PROGRESS REPORT

Report of the Director of Planning & Housing Services

REFERENCE	SITE/DESCRIPTION	TYPE	DECISION/COMMENT
12/00656/FUL	Land opposite 52 Greenhill, Wirksworth	WR	Appeal being processed
12/00732/FUL	Longway Bank Wood, Whatstandwell	IH	Appeal Dismissed – Decision Letter Attached
ENF/12/00099	Tipsy Cottage, 14 Main Road, Darley Bridge	WR	Appeal being processed
13/00138/FUL	Land off Flash Lane, Farley	WR	Appeal being processed
13/00417/FUL	The Three Stags, Darley Dale	WR	Appeal being processed
T/13/00112/TPO	9 Hackney Road, Hackney	IH	Appeal being processed
13/00569/FUL	27 Greenhill, Wirksworth	WR	Appeal being processed
13/00479/FUL	Barnes Croft, Canterbury Road, Wirksworth	WR	Appeal being processed
13/00779/FUL	Trevelyan House, Dimple Road, Matlock	WR	Appeal being processed

WR - Written Representations

IH - Informal Hearing

LI - Local Inquiry

PI – Public Inquiry

HH – Householder

OFFICER RECOMMENDATION:

That the report be noted.



Appeal Decision

Hearing held on 21 January 2014

Site Visit made on 21 January 2014

by D R Cullingford BA MPhil MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 24 March 2014

Appeal Ref: APP/P1045/A/13/2202140

Land at Longway Bank Wood, Whatstandwell, Wirksworth, Matlock, Derbyshire

- This appeal is made under section 78 of the Town and Country Planning Act 1990 against the refusal to grant planning permission.
 - The appeal is by Mr P Edgar for East Midlands Land and Property Limited against the decision of the Derbyshire Dales District Council.
 - The application (ref: 12/00732/FUL and dated 27 November 2012) was refused by notice dated 10 April 2013.
 - The development proposed is described as the 'change of use of woodlands to holiday lodge park with associated access and infrastructure'.
-

Decision

1. I dismiss this appeal.

Main issues

2. From what I have heard, read and seen, I consider that this appeal turns on whether:
 - i) the scheme would foster sustainable tourism, and
 - ii) respect the character of the countryside.

Reasons

The site

3. The appeal site is carved from 3 plantations that adorn the slopes and plateau-like knoll above Longway Bank and the road to Wirksworth (B5035). It lies high above the steep sides of the historic Derwent Valley, a World Heritage Site of Scheduled Monuments, Listed Buildings, SSSIs and nature reserves hidden below small fields and enclosing woods to the north. A long distance footpath (the Midshires Way) crosses the site and connects via steep footpaths to the A6 along the valley floor. It also connects to several other long distance trails, including the Derwent Valley Heritage Way, the High Peak Trail, The Ridgeway and Pennine Bridleway and the Trans-Pennine Trail. The A6 accommodates bus services, the nearest bus stop being some 700m (as the crow flies) from the proposed lodges with the 'TransPeak' service offering 13 buses daily between Nottingham and Manchester. Whatstandwell railway station lies about 2km to the east of the site entrance
-

along the B5035 and offers an hourly service between Matlock and Nottingham (reducing to a 2-hourly service on Sundays).

4. The plantations occupy the slopes and hill top above the Wirksworth road. Although they are all mixed woodland, Flat Wood and Longway Bank Wood, on the hill top are dominated by conifers while King's Lot, on the slopes beside the road, is more deciduous in character. The claim is that the woodlands have been neglected. A new entrance towards the western end of King's Lot has been constructed, together with a modest building, to aid in the management of the woodland. A steep track traverses the slopes from that entrance to reach the higher ground and the conifer plantations. The woodlands extend to some 12ha, although only about 4.5ha would be used for the proposed lodges in Flat Wood and Longway Bank Wood and, even then, barely 2.4ha would accommodate the lodges themselves, the rest remaining as 'enclosing screens'. There are signs of badgers throughout much of the woodland.

The proposal

5. The original proposal entailed the positioning of 40 timber holiday lodges in Flat Wood and Longway Bank Wood. It is now proposed to omit the 4 lodges shown beside the northern edge of Flat Wood to retain a wider tree screen and to provide an effective 'wildlife corridor'. The nature watch hide in the north west corner of Flat Wood is also to be omitted, that corner of the woodland being managed as a wildlife conservation area.
6. The lodges shown (the Woodsman and the Oasis) would contain 2 bedrooms, 2 bathrooms, a large lounge and a kitchen, the latter illustrated as accommodating a dishwasher and, in the Oasis, a washing machine. They would be single storey structures some 6m wide and either 10m or 12m long adorned with verandas and standing on 'geologic screw piles'; they would thus be raised slightly above the ground and require almost no excavation and no concrete base for support. They are shown arranged in 2 main groups around access tracks, usually positioned about 6m to 10m apart and, with the changes proposed, some 15m to 20m from the woodland periphery. There would be 2 additional buildings or lodges, one to provide reception facilities to what is intended to be known as 'Kings Lot Retreat' and the other to accommodate a manager of the site. Revenue from the enterprise is intended to provide resources to maintain, manage, regenerate and restore the woodland, generally with native deciduous species. Footpaths, including the Midshires Way, would be improved and enhanced and new paths and tracks would be created as nature and information trails or as cycle paths and links to existing rights of way. Bat boxes and bird nesting boxes would enhance ecological interest: interpretation boards would convey the attractions of the site to visitors.
7. Access to the lodges would utilise the new entrance to the woodlands at the western end of King's Lot from the B5035. The entrance would be 6m wide between 10m radii curbs and new dry stone walls; the first 20m or so would be paved with traditional setts. Existing tracks within the woodland would be surfaced in crushed stone and gravel to provide access to the lodges. The arrangement indicated would entail negotiating a steep and circuitous route from the entrance and, not far from where the track would double back on itself to reach the lodges, there are signs of considerable badger activity. An area beside

the entrance would serve as a refuse collection and re-cycling point, screened behind a closely woven timber fence. There would also be a package treatment plant installed here (a Klargestor Environsafe 55H or similar). The Environment Agency have now issued a permit for the daily discharge of up to 14m³ of treated effluent from the 40 holiday lodges originally proposed. The effluent would be discharged into a tributary of Mere Brook. The permit appears to be issued on the basis of the revised guidance in *Flows and Loads 4* and on the assumptions that neither the laundry nor the cooking and washing up of the main meal would generally be undertaken in the holiday lodges.

8. There would be no shop or bar on the site. There would be cycle hire facilities and various measures would be employed to encourage visitors to make use of public transport or travel modes other than the private car in visiting local attractions, shops, pubs and restaurants. It is suggested that the 'Retreat' might provide a minibus to augment connections to public transport facilities and to the surrounding attractions. There would also be wi-fi to aid searches for local information and orders for pre-bookable food deliveries.

Planning policy and the main issues

9. The Development Plan currently consists of the 'saved' policies of the Derbyshire Dales Local Plan adopted in 2005. A Revised Derbyshire Dales Local Plan is emerging in the form of a 'pre-submission draft'; the Examination is anticipated in the summer of this year.
10. In relation to the adopted Local Plan, policy EDT20 (which addresses proposals for holiday chalets directly) has not been 'saved': policy EDT19, which has been 'saved', seeks to control proposals for tourist accommodation beyond settlement boundaries, but it is confined to schemes entailing the re-use, adaptation or change of use of existing buildings. Policy SF4 aims to 'assist the growth of tourism' in the countryside provided that the scale and nature of schemes are appropriate to a rural area and preserve or enhance the character and appearance of the countryside; policy SF5 provides complementary support with the aim of maintaining the local distinctiveness of buildings and landscapes, the latter aim also specifically addressed by policy NBE8.
11. Although still some way from adoption, the emerging Revised Local Plan seeks to promote tourism by encouraging appropriate provision in the countryside that does not prejudice the character of the Peak District and ensures that new 'chalet' sites can be accommodated without adverse impact (Strategic Policy 6). To that end, Development Management Policy 13 insists that 'holiday chalets' should not be prominent or adversely affect the character or appearance of the immediate or wider landscape; they should be well screened and be in a sustainable location accessible by a variety of transport modes.
12. It seems to me that both relevant 'saved' policies and those now emerging broadly chime with the advice in the Framework (NPPF). This indicates that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. As part of that approach sustainable rural tourism that respects the character of the countryside is to be supported and facilities fostered in appropriate locations where identified needs are not met by existing facilities in rural service centres. Indeed, 'core principles' of the Framework require that the intrinsic character and

beauty of the countryside should be recognised in making planning decisions and that schemes should properly reflect local character and reinforce local distinctiveness. The *Good Practice Guide* once endorsed a rather similar stance, though this has now been superseded by the Planning Practice Guidance. This simply indicates that policies should *support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres.* Accordingly, I identify the issues outlined above.

Sustainable tourism

13. I fully accept that tourism can be a key element in rural diversification and that these holiday lodges could entice more people to stay longer within reach of the numerous attractions in Matlock, the Derwent Valley and nearby. I read that tourism generated some £271.35m here in 2010 and that the 4.7m visitors to the area supported over 5,700 jobs, day visitors spending about £119m. I appreciate that the proposal might contribute about £700,000 each year to the local economy and foster local employment; indeed, 8 full-time jobs could materialise on the site itself, involving managerial, marketing, reception, maintenance and groundwork tasks, with additional demands for cleaning and domestic services. Certainly the intention is that the lodges would be manufactured by a local firm (Pinelog Limited) from locally sourced materials. And, the spending of prospective customers might well offer some additional support for local businesses, such as public houses (the Malt Shovel at Wirksworth Moor and the Derwent Hotel at Whatstandwell, both some 2km distant to the west and east respectively), restaurants, shops, services and existing tourist attractions. In all those ways I think that the scheme would fulfil many elements inherent in the 'economic role' envisaged by the Framework as one of the 3 fundamental dimensions of 'sustainable development'.
14. Nor do I doubt that the proposal would offer a high quality holiday environment close to long distance footpaths and cycle ways, augmented by new paths and tracks, nature and information trails with the ecological interest of the woodlands enhanced by appropriate management and interpretation displays. This would, I think, contribute to the health, social and cultural well-being of visitors and so also fulfil elements of the 'social role' identified by the Framework as a fundamental dimension of 'sustainable development'.
15. But running through the concept of 'sustainable development' propounded in the Framework are the exhortations that schemes should be in the right place, be sustained by accessible local services, protect and enhance the natural and built environment and foster a low carbon economy. More specifically, the document indicates that rural tourism should be 'sustainable' and facilities fostered in appropriate locations; it also requires that 'sustainable rural tourism' should respect the character of the countryside. And, although 'holiday lodges' may well not be appropriate in a 'rural service centre', it remains important (in the words of the emerging policies and as endorsed by the Framework) that they should not adversely affect the character or appearance of the immediate or wider landscape and that they should be in a sustainable location accessible by a variety of transport modes. I consider the impact of this scheme on the character and

appearance of the landscape in the next section and turn now to address the sustainability of the proposed location and its accessibility by a variety of transport modes.

16. I consider that the site is not in a 'sustainable' location. It is not close to any existing settlement, but isolated amongst hill-top woodlands in the midst of the countryside. It is some 4km from Wirksworth and 2km from Whatstandwell both reached via a country road without lighting or footpaths over steep hills and round some sharp bends. And, although it may be only 700m from the A6 and the Derwent Valley as the crow flies, the effective route from the lodges would entail negotiating almost 1.4km of steep tracks and footpaths to reach the main road along the valley floor. It follows that visits to shops for provisions, to restaurants for meals and to many of the local attractions would inevitably be by car. All the more so if accompanied by younger children since the paths are steep and the roads unsuitable for young pedestrians. Of course, some families may choose to arrive at their lodge loaded with provisions and thereby reduce the need for subsequent car-borne travel (and also the potential spending in local businesses). And, I acknowledge that the possible provision of a minibus to the nearest railway station or to local attractions could also reduce reliance on the private car. But it seems to me that the isolated location of these lodges and the character of the available roads and footpaths would mean that most prospective holiday-makers would rely primarily on their cars for a significant proportion of their holiday travel.
17. Nor would the lodges be accessible by a variety of transport modes. The nearest bus stops would entail negotiating almost 1.4km of steep footpaths to reach the A6, there to await the hourly service towards Matlock or Ambergate beside the Holmesford Cottage Inn. The nearest railway station at Whatstandwell lies about 2km to the east of the site entrance and would entail either negotiating a significant section of the B5035 or, rather more pleasantly, walking about 1.6km along the Midshires Way and local footpaths for the (mainly) hourly service to Matlock or Nottingham; Cromford Station is over 3km distant to the north west. Intake Lane (close to the site entrance) would provide 'mountain bikers' with access to an extensive network of cycle-ways, but the Midshires Way is just a footpath through the site so that routes to the nearest settlements would probably entail cyclists using sections of the B5305. In those circumstances, I see little effective alternative for a significant proportion of the travel back and forth between the lodges and surrounding attractions to be made by any means other than the private car. The mooted minibus might offer an occasional alternative, but it could not cater for the wide variety of journeys and timings inherent in 'holiday travel'.
18. For those reasons I consider that the scheme would not occupy a sustainable location and would not be accessible by a variety of transport modes. It would not, therefore, constitute an appropriate form of 'sustainable tourism', contrary to the advice in the Framework and the emerging policies reflecting that guidance.

The countryside

19. The Framework indicates that, for 'sustainable rural tourism' to be supported, schemes should respect the character of the countryside, an aim endorsed by the emerging policy in seeking to prevent adverse affects on the character or

appearance of the immediate or wider landscape. And, of course, a 'core planning principle' underpinning both plan-making and decision-taking in the Framework entails recognising the intrinsic character and beauty of the countryside.

20. The lodges would lie within the open countryside, immersed amongst conifer plantations on an isolated hill-top. Within the wider landscape, I agree that the timber structures would appear to merge with the enveloping trees behind the retained tree belts, all now being some 15-20m deep. The additional planting intended would further obscure the scheme from afar. I am less certain that that would be sufficient to prevent the incongruously isolated presence of the lodges being evident at night, since I rather doubt that holiday makers would wish to turn their lights out before midnight or always remember to close their curtains and, in any case, car headlights might well be evident negotiating the slopes and bends to and from the lodges. However, I concede that removing the roof-lights in the lodges and enclosing the scheme behind woven timber fences some 2m high would minimise much of the potential intrusive impact that might otherwise be caused by such an isolated source of illumination in the countryside. Nevertheless, the installation of such fencing would, in my view, radically alter the character of the woodland.
21. On the other hand, within the immediate landscape I think that the scheme would be all too evident. First, although a 15-20m wide tree belt would remain around the periphery of the woodlands and beside the Midshires Way, the lodges would be clearly visible beyond the bare tree trunks in approaching the woodland and from the long distance footpath passing through the site; under-storey planting may provide some additional screening in time, but I doubt that it would totally obscure the structures. Second, because the lodges would be positioned barely 10m apart (less in some cases) and quite tightly arranged around 'looped' tracks, the central core of both Flat Wood and Longway Bank would be practically 'hollowed out', thereby emphasising the presence of, and the expanse covered by, the lodges at close quarters. Third, the chatter and clamour of so many holiday makers so close to the footpath, playing games, or enjoying a drink at a barbecue or out and about in the woodlands or driving into, or out of, the site would accentuate the presence of the development and transform a tranquil hill-top into something more akin to a busy holiday camp. I consider that such harmful effects would be very damaging and completely alter the character and quality of the Midshires Way.
22. Moreover, it seems to me that the scheme would undermine a fundamental characteristic of the settlement pattern here. There is an evident and striking contrast between the busy valleys, which accommodate the main transport corridors as well as the towns and villages, and the empty hill-tops or open moors. The siting of some 38 lodges on this 'empty' tranquil hill-top would thus serve as an incongruous incursion into the countryside and thus accentuate the intrusive impact of the scheme. The fact that the conifers are themselves untypical of the landscape here does not warrant such an incongruous incursion of so many wooden structures on to this isolated hill-top.
23. I am afraid that I disagree with the predicted visual impact of the proposal from viewpoints on the Midshires Way. Although the revised assessment now properly corrects for the sensitivity of walkers on the long distance footpath, the overall impact remains unchanged. While there might be some legitimate debate about

whether the magnitude of perceived change might be medium or high (and thus the significance of any adverse impact extend over a similar range), I can see no justification for the magnitude of change being negligible, even 20m from the periphery of Flat Wood. I do not agree, therefore, that the significance of such an adverse impact could be categorised as low. My own view is (in the terms of the submitted assessment) that the visual impact of the scheme from the viewpoints on the Midshires Way would range in significance from medium to high.

24. Taking all those matters into account, I find that this scheme would not respect the character of the countryside here and, although unlikely to be especially evident in the wider landscape, it would create a damaging and incongruous incursion into the immediate countryside undermining the tranquillity of this isolated hill-top and the remoteness perceived by walkers on the long distance footpath. The scheme would thus fail to reflect the advice in the Framework and contravene the relevant adopted and emerging policies cited above.

Other matters

25. The farmhouse at Whatfield Farm stands about 50m beneath the southern edge of Flat Wood below a small paddock and intervening farm buildings; the Midshires Way runs through the farmstead to reach a section of Blunderstone Lane. The proposal would substantially increase the activity in the woodland and is likely to add to the number of people traversing the footpath, so that the chatter and clamour of holiday makers and the proximity of more people passing by could, all too easily, impinge on the peace and privacy residents might otherwise reasonably expect to enjoy.
26. I agree that the Extended Phase 1 Habitat Survey has been carefully carried out; it identifies the main nature conservation concerns particularly badger, and possibly roosting bats and Schedule I bird species. However, detailed work remains to be done and although some of that might be undertaken in the context of implementing the 'woodland management plan' or in fulfilling the suggested conditions, I think that aspects would be more fundamental. In particular, without more detailed work it is not possible to be certain that the layout and access roads could accommodate the intended 50m stand-off around badger setts. On the contrary, the site inspection demonstrated that not even a more normal 30m stand-off could necessarily be achieved.
27. Such potential proximity could well be exacerbated because I do not accept that simply resurfacing the existing tracks within the woodland with crushed stone or gravel would suffice as an appropriate access to the proposed lodges. I think that substantial engineering operations would be required to make the steep incline from the entrance suitable for 'holiday traffic'. And, there would need to be reasonable inter-visibility across the sharp bend at the top, and over the incline itself, to avoid the possible need for particularly awkward reversing manoeuvres back along the single track access road. Such works would increase the impact on the woodland wildlife and threaten important elements of their habitat.
28. I note that the Environment Agency have now issued a permit for the daily discharge of up to 14m³ of treated effluent from the 40 holiday lodges originally proposed. The explanation that I now have indicates that the daily discharge is estimated on the basis of the revised guidance in *Flows and Loads 4* and on the assumptions that neither the laundry nor the cooking and washing up of the main

meal would generally be undertaken in the holiday lodges, thereby justifying a reduction in emissions from 150/ per person per day to 100/. My concern is that those assumptions do not square with the facilities shown as provided in the lodges or with the likely behaviour of holiday makers. All the lodges contain 2 bathrooms and a kitchen with a dishwasher; several also appear to have the benefit of a washing machine. The likelihood that wet and muddy garments (after walks or cycle rides) are unlikely to be laundered or that families with children might eat all their main meals in pubs or restaurants seems remote to me. It follows that there must be a real possibility that the terms of the permit could not be met without altering the proposal as currently envisaged.

Conclusion

29. I have found that, although the scheme would fulfil elements of the 'economic' and 'social' role inherent in 'sustainable development', it would not occupy a sustainable location or be accessible by a variety of transport modes. Nor would the scheme respect the character of the countryside, but rather create a damaging and incongruous incursion into its immediate surroundings undermining the tranquillity of this isolated hill-top and the remoteness perceived by walkers on the long distance footpath. The scheme would thus fail to reflect the advice in the Framework and contravene the relevant adopted and emerging policies cited above. Hence, and in spite of considering all the other matters raised, I conclude that this appeal should be dismissed.

David Cullingford
INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Paul Edgar	East Midlands Land and Property Limited
Stephen Heathcote	Bakewell & Partners
Jeremy Lambe	Lambe Planning and Design Limited
James Parker	PTB Transport Planning Limited
Jonathan Brickland	Peak Ecology Limited

FOR THE LOCAL PLANNING AUTHORITY:

Gareth Griffiths	Senior Planning Officer, Derbyshire Dales District Council
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FOR INTERESTED PERSONS

Alan and Susan Inkle	Local residents
Steven and Jane Ward	Local residents
Graham Wagstaff	Local resident
Margaret and Eddie Berrisford	Local residents
David Hall	Woodsman and local resident
Irene Brierton	Mid Derbyshire Badger Group
Sue Holland	Local resident
Sue Todd	Local resident
Ken Macarthur	Local resident
Rosemary Plang	Local resident
Tim Twist	Local resident
Jan Gregory	Local resident
Helen Minsmill	Local resident
Matt Savage	Local resident
Mr & Mrs Mason	Local residents

DOCUMENTS

- Document 1 List of persons present at the Hearing
 - Document 2 Circulation letter, lists and advertisement
 - Document 3 Letter of support from Visit Peak District and Derbyshire Destination Management Organisation
 - Document 4 High Court Judgement; Anita Coleman v SoS, North Devon District Council and RWE NPower Renewables Ltd
 - Document 5 Lighting Assessment (part 2)
 - Document 6 Appeal decision; 65 dwellings at Ashbourne
 - Document 7 Letter from Stephen Heathcote enclosing submissions requested
 - Document 8 Letter from James Webb explaining the basis of the 'loads' calculation
 - Document 9 Discharge permit granted by the Environment Agency; 30.12.2013
 - Document 10 Revised landscape and visual impact assessment
 - Document 11 Landscape Character and Design; SPD July 2007
 - Document 12 Ecological issues and map
 - Document 13 Schedule of objections
- All other statements, submissions, plans and communications are on the file*

PLANS

- Plans A
 - 1 Application site plan
 - 2 New access 7981-04C
 - 3 New access 7981-04A
 - 4 Layout and landscaping LPD/KLMP01A full size
- Plan B Location plan
- Plan C Local footpaths
- Plan D Layout and landscaping LPD/KLMP01A reduced to A3
- Plan E The woodland; Extended Phase 1 Habitat Survey
- Plan F
 - 1 Elevations and plan of Oasis Lodge
 - 2 Elevations and plan of Woodsman Lodge