

Development Management Policies

Part 2 of the Local Plan for the
Peak District National Park

Publication Version for Consultation
October 2016



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1

Introduction

- 1.1 This is the Development Management Policies Document for the Peak District National Park. It contains a written statement of policies for the positive management and control of development and the use of land¹.
- 1.2 This introduction explains:
- the policy background
 - understanding the statutory purposes and the attendant duty of the National Park
 - the purpose of the Development Management Policies Document
 - the relationship to the National Park Management Plan
 - how to use the following chapters
 - the presumption in favour of sustainable development in the context of National Park purposes.
 - securing planning benefits

Policy Background

- 1.3 The Peak District National Park is classified as a 'Category V Protected Area' in the International Union for Conservation of Nature (IUCN) World Commission on Protected Areas classification system. The definition of a Category V area is:
- An area of land... where the interaction of people and nature over time has produced an area of distinct character with significant aesthetic, ecological and/or cultural value, and often with high biological diversity. Safeguarding the integrity of this traditional interaction is vital to the protection, maintenance and evolution of such an area.*²
- 1.4 International Directives also drive planning matters in the National Park. The EC Habitats Directive³ gives protection to a range of important habitats and species, and the European Directive on Strategic Environmental

Assessment (SEA),⁴ ensures that social and environmental factors are given proper weight in plan making decisions.

- 1.5 Development Management Policies build on the strategic principles set out in the Core Strategy Development Plan Document (Core Strategy), adopted in October 2011. The Core Strategy sets out the spatial planning framework for the National Park over a 20 year horizon. It is the Core Strategy that decides basic directions and policies, taking into account key local issues and trends, Government policy and the policies of neighbouring authorities.
- 1.6 The Government published the National Planning Policy Framework (NPPF) in March 2012. It explains that national policy does not change the statutory status of the development plan. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration in itself and sets out the Government's planning policies and how these should be applied. The NPPF recognises that plans and decisions need to take local circumstances into account so that they respond to the different opportunities for achieving sustainable development. It also explains that 'Planning policies and decisions must reflect and where appropriate promote relevant EU obligations and statutory requirements'.⁵
- 1.7 Forward planning by National Park Authorities is very different to other normal local authorities who must 'ensure choice and competition in the market for land'⁶. Development management in National Parks, which 'have the highest status of protection in relation to landscape and scenic beauty'⁷, is conservation led, rather than market led. Paragraph 115 of the NPPF refers to further guidance and information about the statutory purposes of National Parks provided through the English National Parks and the Broads: UK Government Vision and Circular 2010 (2010 National Parks Circular), thereby bringing consideration of the statutory purposes of the National Park into the National Planning Policy

1 Development is defined in section 55 of the Town and Country Planning Act 1990

2 IUCN World Commission on Protected Areas, Europarc Federation, with the assistance of the World Conservation Monitoring Centre (1994) Guidelines for applying Protected Area Management Categories.

3 European Council Directive 92/43/EEC, which has been transposed into national legislation through the Conservation of Habitats and Species Regulations 2010 (Habitat Regulations 2010).

4 SEA-an environmental assessment of certain plans and programmes, including those relating to spatial planning, required under European Directive 2001/42/EC.

5 NPPF para2

6 NPPF para 47

7 NPPF para 115

Framework.

- 1.8 The 2010 National Parks Circular paragraph 20 reiterates paragraph 115 of the NPPF⁸ and confirms that National Park designation confers the highest status of protection as far as landscape and natural beauty is concerned. National Parks make a significant contribution to the cultural and natural heritage of the UK. The Circular states that National Parks ‘are living and working landscapes and over the centuries their natural beauty has been influenced by human activity such as farming and land management activities. They contain important wildlife species, habitats and geodiversity, many of which have been formally recognised as being part of national and international importance (28% by area of SSSI in England is found in National Parks)’. Furthermore ‘Cultural heritage and landscape are fundamental to quality of place and, as they are central to attractiveness, distinctiveness, diversity and quality of place in the Parks, should be protected and enhanced’.

What is the Development Management Policies Document?

- 1.9 The Development Management Policies Document conforms with and helps implement the policies and objectives of the Core Strategy. It supplements the spatial strategy and core policies of the Core Strategy with detailed operational policies.
- 1.10 Development management policies provide a positive policy framework in which high quality development that fits the core strategic aims and policy principles of the Core Strategy should be approved, and poor development that conflicts should be refused unless other material considerations indicate otherwise. **Policies GSP1-4 of the Core Strategy** lay down the principles of the development plan reflecting the primary legislation⁹. **Policy GSP1** makes it clear that ‘All policies must be read in combination’ and that ‘All development shall be consistent with the National Park’s legal purposes and duty’. If it appears that there is a conflict between these purposes the National Park Authority must attach greater weight to the conservation and enhancement of natural beauty, wildlife and cultural heritage. This is known as the Sandford Principle.

- 1.11 The Development Management Policies Document forms Part 2 of the Peak District National Park Authority’s statutory Local Plan. Policies within the document will be used alongside the adopted Core Strategy and adopted Supplementary Planning Documents in the determination of planning applications. All previously ‘saved’ policies in the Local Plan (2001) have already expired or are replaced by the policies in this document.
- 1.12 This document was prepared in consultation with residents, businesses, Parish Councils, statutory bodies and the voluntary and community sector. Further information about the consultation and details on how the responses have informed this document are set out in the Consultation Statement submitted alongside the Development Management Policies Document for examination. The evidence base ensures that policies are based on sound principles.
- 1.13 Development management policies provide the detailed criteria to inform planning decisions. The National Park Authority’s validation criteria are also important since they set out the detailed requirements for each type of development proposal.
- 1.14 The National Planning Policy Framework (NPPF) sets out the Government’s requirements for the planning system and provides a framework for locally distinctive plans and policies. The designation of the National Park as a nationally significant landscape area enables National Park Authorities to fulfil two statutory purposes:
- to conserve and enhance the natural beauty, wildlife and cultural heritage of the area; and
 - to promote opportunities for the understanding and enjoyment of the valued characteristics of the National Park.
- 1.15 Other matters also need careful consideration such as residential amenity, traffic impacts and more general environmental quality, so again it is the role of development management policy to ensure that all the necessary considerations are laid out for each form of development proposal.

8 NPPF para 115 ref 25

9 The National Parks and Countryside Act 1949 (as amended).

Understanding the statutory purposes and duty of the National Park

- 1.16 A key function of a National Park Authority in achieving its statutory purposes is through the planning process, both plan making and decision making. The National Park Authority has full responsibility for planning including those responsibilities that normally fall with a County or Unitary Authority, such as minerals and waste planning. However matters that lie outside the planning system remain with the relevant local authority e.g. for highways, housing, education, health and waste collection.
- 1.17 Paragraph 14 of the National Planning Policy Framework (NPPF) recognises that policies in National Parks will need to restrict development in order to fulfil statutory purposes. This is consistent with the duty placed on relevant authorities¹⁰ under the primary legislation¹¹ to 'have regard to the purposes'.... 'in exercising or performing any functions in relation to, or so as to affect, land in a National Park'. Primary legislation, the NPPF and the Core Strategy for the National Park, put the conservation and enhancement of natural beauty, wildlife, cultural heritage first if there is a conflict with the other statutory purpose of promoting opportunities for the understanding and enjoyment of the valued characteristics of the National Park by the public (**Core Strategy policy GSP1 C**).
- 1.18 In pursuing the two statutory purposes under the primary legislation the Authority has a duty to seek to foster the economic and social wellbeing of local communities, co-operating with other local authorities in order to do so. It is important to seek common ground between conservation, enjoyment and socio-economic wellbeing wherever possible. In many cases they can be interdependent but where there are conflicting considerations the purposes take precedence.
- 1.19 The valued characteristics of the National Park include opportunities for quiet enjoyment; wildness and remoteness; landscape and wildlife; geology and geomorphology; clean earth, air and water; the cultural heritage of history, archaeology, buildings, customs and literary associations; and any other features which make up its special quality. They are often referred to in the policies in this Development Management Policies Document, sometimes singly, sometimes under the

generic name 'valued characteristics'. They are referred to as 'special qualities' in the primary legislation. The Core Strategy contains additional description under each chapter heading. Protection of the ability of the public to enjoy these valued characteristics underlies the purposes of National Parks and the policies of this Development Management Policies Document.

Relationship with the National Park Management Plan

- 1.20 The current National Park Management Plan (NPMP) was produced in 2012 and sets out a refreshed vision. The NPMP is reviewed every 5 years and this provides the overarching context for all stakeholders managing the National Park. As such the NPMP is a material consideration in planning decisions. However where there is a conflict between the documents the Local Plan has primacy.

How to use the following chapters

- 1.21 Each chapter sets out policies and proposals related to a particular development management issue. Policies apply throughout the entire National Park unless stated otherwise. The areas to which policies for only parts of the Park apply are shown on the Policies Map. It is fundamental to the use of the whole Local Plan that policies are not read in isolation. Several policies may apply to any given situation. In particular the Core Strategy must always be used as the starting point. The Development Management Policies supplement, but do not seek to repeat, policy already agreed in the Core Strategy. Planning proposals will be tested against the National Park Authority's policies in the Core Strategy and the Development Management Policies Document, as well as any Neighbourhood Plan covering an area. The text which precedes a development management policy often refers in bold to one or more key Core Strategy policies, but other Core Strategy policies may also be relevant. For example:

¹⁰ Any Minister of the Crown, any public body, any statutory undertaker or any person holding public office

¹¹ The National Parks and Countryside Act 1949 (as amended).

1.22 Any proposal for development will need to be considered against **Core Strategy policies GSP1 and DS1** as these address the Park's statutory purposes and the overarching development strategy for the area. There would also be a need to consider any enhancement opportunities (**GSP2**) and general development management principles laid down in policy **GSP3**. There may also be landscape and conservation issues (**L1, L2, and L3 of the Core Strategy**). The relevant Core Strategy policy would then need to be applied for the type of development proposed along with the relevant development management policies. Any specific valued characteristics affected such as a Conservation Area, a heritage asset, or nature conservation interests would require detailed consideration under the relevant development management policies. Other material considerations are addressed in the Core Strategy, this Development Management Policies Document and other Supplementary Planning Documents. Applicants should familiarise themselves with both documents prior to making an application.

Operating the presumption in favour of sustainable development in the context of National Park purposes

1.23 Policy DM1 sets out how the presumption in favour of sustainable development, as set down in the National Planning Policy Framework (NPPF), should be applied to ensure that it does not conflict with the National Park's statutory purposes. The government has given a commitment to maintain key protections for the countryside. The National Planning Policy Framework reflects this commitment. The special role of National Parks is recognised in the framing of the presumption in favour of sustainable development which sets out that authorities should meet objectively assessed needs unless specific policies in the Framework indicate development should be restricted. Crucially, National Parks are identified as one such area of statutory protection reflected in policy.¹²

DM1: The presumption of sustainable development in the context of National Park purposes

- A. When considering development proposals the National Park Authority will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will work proactively with applicants to find solutions that are consistent with National Park purposes:
- to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park; and
 - to promote opportunities for the understanding and enjoyment of the valued characteristics of the National Park.
- B. Planning applications that accord with the policies in the development plan will be approved without unnecessary delay, unless material considerations indicate otherwise.

Securing planning benefits

1.24 Since the adoption of the Core Strategy in 2011 the Authority has considered the potential for and viability of using the Community Infrastructure Levy (CIL) as a means of securing funds for strategic infrastructure. A joint study with Derbyshire Dales District Council, High Peak Borough Council and Staffordshire Moorlands District Council was completed in July 2013 and considered the viability of applying a CIL in the National Park. The outcome of the study was that in the National Park there is minimal strategic infrastructure need, and that there did not appear to be evidence of a significant funding gap, which is required for the introduction of CIL to be justified.

1.25 Further, the costs involved in the collection and administration of CIL within the National Park could outweigh the benefits of the revenues from CIL, given the limited scale of development likely to take place. That said, given the limited infrastructure requirements, there is still scope to utilise s106 agreements to fund local infrastructure needs. The levels

¹² NPPF paras 14 (including reference 9) and 115 (including reference 25). Letter from DCLG to Sir Michael Pitt (3 March 2014).

of funding required are relatively small and infrastructure investment needs could therefore be delivered using pooled S106 revenues (from less than 5 schemes, in line with regulations).

- 1.26 In addition, a proportion of the infrastructure needs in the National Park could be delivered by the districts that cover the National Park. It is suggested that their Regulation 123 lists could include an allocation to sub-regional strategic infrastructure funding to be used, for example, to meet the cost of green infrastructure requirements in the National Park. The National Park Authority could press this case.
- 1.27 In light of these findings, consultants recommended that whilst there may be potential to introduce CIL implementing CIL should not be the preferred means for funding strategic infrastructure investment within the National Park.
- 1.28 Since 2011 monitoring has highlighted that the main use of s106 has been to secure affordable housing to address local housing needs in the National Park. S106 is also used for a range of other occupancy ties and further explanation of the role of these legal agreements is set out in Chapter 6 in relation to housing policies.
- 1.29 Monitoring has also highlighted a number of areas where approval of planning permission has been granted contrary to policy, particularly in schemes involving

judgement over the degree of conservation and enhancement benefit achieved in furtherance of National Park purposes. This has raised concern over the potential for loss of valued features and characteristics of the National Park prompting the call for further investigation of the use of s106 to seek wider benefits in order to mitigate such losses, particularly those involving heritage assets, areas of biodiversity or areas where the quiet enjoyment of the National Park is adversely affected.

- 1.30 It is vital that priority remains with the achievement of the conservation and enhancement of the National Park's valued characteristics. In many cases planning conditions will provide an appropriate mechanism to mitigate the impact and allow sustainable development to progress. However in some cases planning conditions may not be sufficient to outweigh the harm to the National Park. Here, planning permission should be refused. Nevertheless if approval is otherwise granted for material planning reasons but contrary to policy, s106 agreements could be used to mitigate the impacts of the development and, where appropriate, secure wider benefit specifically in order to secure National Park purposes. Such benefits could include financial contributions towards landscape scale projects conservation projects or the pursuit of recreation opportunities.

2

Development Management Practice

Assessing planning applications

- 2.1 Proposals for development will be assessed against all relevant policies that constitute the Local Plan for the Peak District National Park, including the Core Strategy Development Plan Document adopted October 2011, this Development Management Policies Document and any other adopted Neighbourhood Plans. Other material considerations which will be taken into account where appropriate in determining applications include:
- The National Planning Policy Framework and Planning Practice Guidance and in particular paragraph 14 and paragraph 115. Paragraph 14 explains how sustainable development should be achieved in the context of policies for national parks. Paragraph 115 recognises the protected status of national parks and requires that great weight be given to conserving landscape, scenic beauty, wildlife and cultural heritage
 - The English National Parks and the Broads: UK Government Vision and Circular 2010¹³ which explains the primary legislation¹⁴
 - Supplementary Planning Documents published by the National Park Authority
 - The Peak District National Park Landscape Strategy and Action Plan (Landscape Strategy and Action Plan)
 - the views expressed by those consulted: local councils, statutory consultees and such other authorities and agencies as seem appropriate to the particular case
 - the views expressed by neighbours and other third parties including individuals, organisations and interest groups
 - the likely effects on nearby residents and users of the area
 - the desirability of meeting special needs such as those of people with disability
 - current best information on any matters of specific importance such as the conservation of wildlife sites and species, historic gardens and buildings, archaeological or geological sites.

- 2.2 Where development is not compatible with the suite of policies that form the Local Plan, either through its individual impact or through potential cumulative impact, planning permission will be refused unless material considerations indicate otherwise. Any appeal arising from refusal will be firmly contested.

Relationship to Validation process

- 2.3 The National Park Authority must make informed decisions on planning applications and to do this the right information needs to be submitted. Before an application can be determined the documents submitted must be validated. To ensure planning applications can be validated, applicants are advised to read the Authority's Validation Checklist document in order to understand the list of National and Local Requirements that are relevant to each application. It is recommended that applicants seek pre-application advice from the Authority to understand what is required before you submit your application.

¹³ NPPF para 115 ref 25

¹⁴ The National Parks and Countryside Act 1949 (as amended).

3

Conserving and enhancing the National Park's valued characteristics

Strategic Context

- 3.1 One of the statutory purposes of a National Park is to conserve and enhance natural beauty, wildlife and cultural heritage¹⁵ **Chapter 8 of the Core Strategy** defines the broad differences in approach to conservation and development across 3 spatial areas -The Dark Peak and Moorland Fringes, White Peak and Derwent Valley, and the South West Peak.
- 3.2 **Chapter 9 of the Core Strategy** deals with the strategic principles for the conservation and enhancement of the National Park's nationally significant landscapes and valued characteristics. **Core Strategy policy L1** incorporates a landscape character led approach for all development, providing strict protection for the Natural Zone, and ensuring the conservation and enhancement of all valued characteristics, as set out in **Core Strategy paragraph 9.15**.
- 3.3 The principles of the European Landscape Convention are embodied in the Peak District National Park Landscape Strategy and Action Plan (Landscape Strategy and Action Plan) which under **Core Strategy Policy L1** is a material consideration in all planning decisions affecting landscape in the National Park.¹⁶
- 3.4 **Core Strategy policy L2** requires that all development conserves and enhances sites, features or species of biodiversity and geodiversity importance and their setting.
- 3.5 **Core Strategy policy L3** provides core policy principles for cultural heritage assets and requires that all development conserves and where appropriate enhances or reveals the significance of archaeological, architectural, artistic or historic assets and their settings. Development will not be permitted where there is harm to the acknowledged significance of a heritage asset.
- 3.6 Government policy and legislation expects the integrity and quality of National Park landscapes and the setting of National Park landscapes to be maintained. The varied landscapes of the Peak District National Park are exceptional for their scenic beauty, cultural heritage and biodiversity. The National Park also contains areas of tranquillity which have remained relatively undeveloped and undisturbed by noise and artificial light, bringing with it superb recreational and amenity value.
- 3.7 The Landscape Strategy and Action Plan (2009-19) maps the eight broad character areas of common identity (see figures 1 and 2) and gives details of landscape features that are particularly important to protect. It also outlines land management guidance for each landscape character type. Paragraph 9.15 of the Core Strategy states that 'applicants are advised to familiarise themselves with the full Landscape Strategy as an aid to making an application for planning permission which has landscape implications.'
- 3.8 The Peak District Historic Landscape Characterisation has also informed the Landscape Strategy and is essential to an understanding of many important cultural heritage features such as field walls, field patterns and field systems, traditional field barns, lanes and historic settlement patterns. Such features form valued characteristics of the National Park. Development which would not respect, would adversely affect, or would lead to undesirable changes to these features will not be permitted.

¹⁵ National Parks and Access to the Countryside Act 1949 (as amended).

¹⁶ English National Parks and the Broads: UK Government Vision and Circular 2010 para 49

Conservation and enhancement of the National Park's nationally significant landscapes

3.9 An understanding of the impact of proposals on landscape character, biodiversity and geodiversity and cultural heritage assets and their settings is key to a successful planning application. Development Management Policies give details of other assessments and information required to support planning applications. Further detail is set out in the Authority's validation criteria for the particular type of application. The Authority encourages pre-application consultation in order to give further guidance.

Applying the 'Landscape First' approach

- 3.10 A 'Landscape First' approach means using the Landscape Strategy and Action Plan (**Core Strategy policy L1**) to assess whether the character and quality of the landscape will be conserved and enhanced by a development. Alternative approaches should be considered if development would not conserve the character and quality of the landscape.
- 3.11 For clarity and avoidance of doubt, some areas of the National Park continue to be identified as Natural Zone (**para 9.17 Core Strategy**). Land in the Natural Zone has the wildest character, where development has the most likelihood of creating adverse impact. Development in such areas is not permitted other than in exceptional circumstances.

- 3.12 Applicants must follow the steps below to fully address landscape considerations:
1. Ascertain whether the development proposal is in the Natural Zone and check the exceptional criteria for development in the Natural Zone (see policy DMC2).
 2. Identify the 'Landscape Character Area' and 'Landscape Character Type' of the development site using the Landscape Strategy and Action Plan interactive map on the National Park Authority website.
 3. Identify the key characteristics of this 'Landscape Character Type' from the Landscape Strategy and Action Plan.
 4. Note general comments from the 'Issues of Change' section for the development. (For low carbon and renewable energy projects note comments from the 'Energy and Infrastructure' section).
 5. Identify the key landscape features for each character landscape type from the 'Landscape Guidelines' and the 'Plan' section of the Landscape Strategy.
 6. Consider historic landscapes and cultural heritage features using the Historic Environment Record of the relevant constituent local authority (see Appendix 1).
 7. Assess the effect of the proposal on the landscape and, if necessary, modify it to ensure a positive contribution to landscape character and sense of place.
- 3.13 Cumulative effects on visual amenity arise when two or more developments are introduced into the landscape and they are visible from one viewpoint and/or by the sequential effects of seeing them when travelling through a landscape on footpaths or on other routes such as cycle trails. This may mean that other developments which are not visible from a proposed development site may still create an adverse cumulative impact.

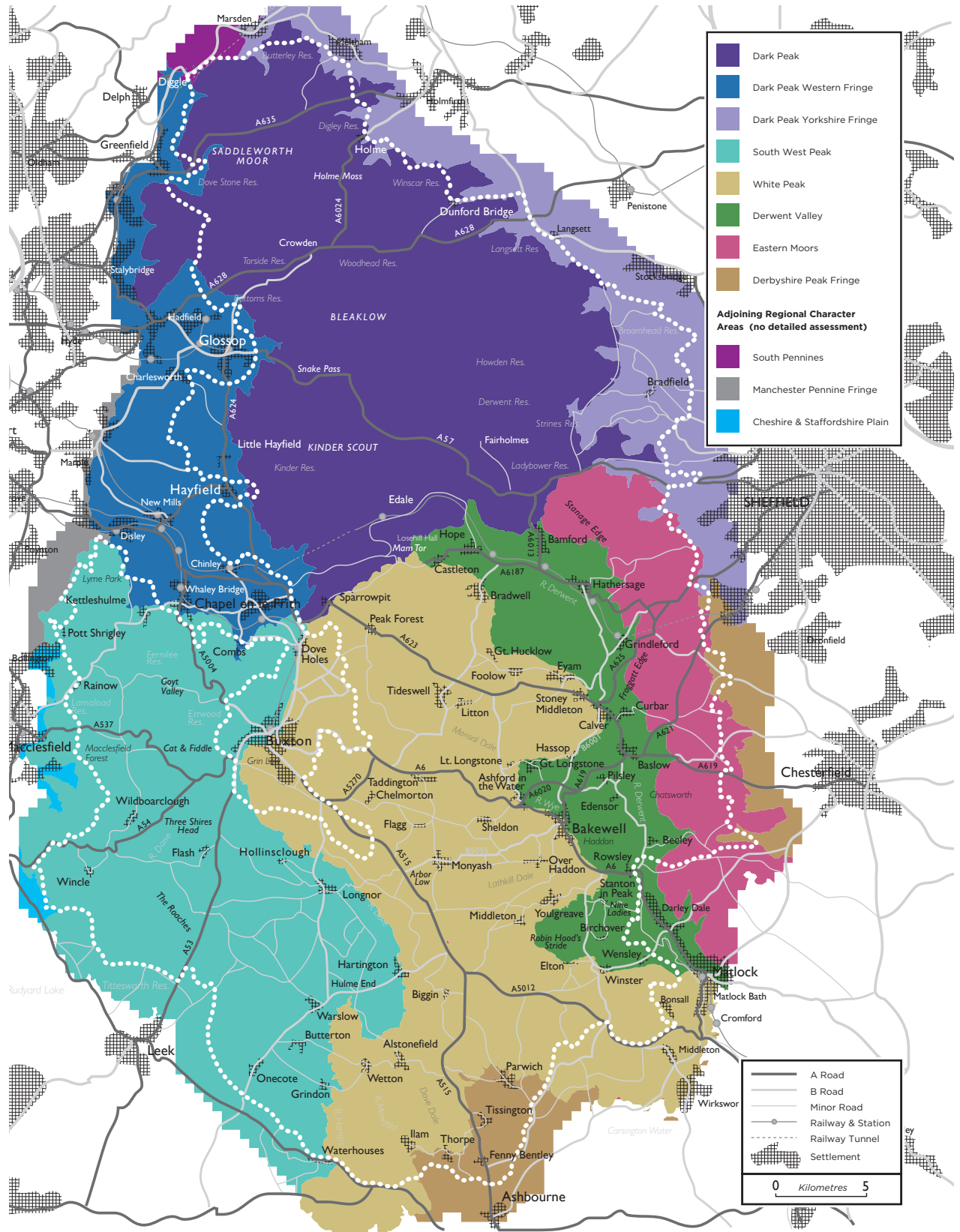
- 3.14 An assessment of cumulative impacts should encompass the effects of the proposal on existing development, but also the anticipated impacts from development as yet unbuilt, where it either has a planning permission or is awaiting a planning decision. This should include proposals or development in constituent authorities.
- 3.15 Development that can no longer serve an essential purpose e.g. in supporting sustainable farming, and which does not conserve and enhance, should be removed. Conditions may be applied to require removal where alternative uses enabled in principle by this plan would be un-suitable.

DMC1: Conservation and enhancement of nationally significant landscapes

- A. In countryside beyond the edge of settlements listed in policy DS1 of the Core Strategy, any development with a wide scale landscape impact must provide a landscape assessment with reference to the Landscape Strategy and Action Plan. The assessment must be proportionate to the proposed development and clearly demonstrate how valued landscape character, including natural beauty, biodiversity, cultural heritage features and other valued characteristics will be conserved and, where possible, enhanced taking into account:
- (i) the respective overall strategy for the following Landscape Strategy and Action Plan character areas:
 - White Peak;
 - Dark Peak;
 - Dark Peak Western Fringe;
 - Dark Peak Yorkshire Fringe;
 - Derbyshire Peak Fringe;
 - Derwent Valley;
 - Eastern Moors;
 - South West Peak; and
 - (ii) any cumulative impact of existing or proposed development including outside the National Park boundary.
- B. Development which would not respect, would adversely affect, or would lead to undesirable changes in landscape character or any other valued characteristics¹⁷ of the site and the area will not be permitted;
- C. Where a building or structure is no longer needed or being used for the purposes for which it was approved and its continued presence or use is considered by the Authority, on the evidence available to it, to be harmful to the valued character of the landscape, its removal will be required

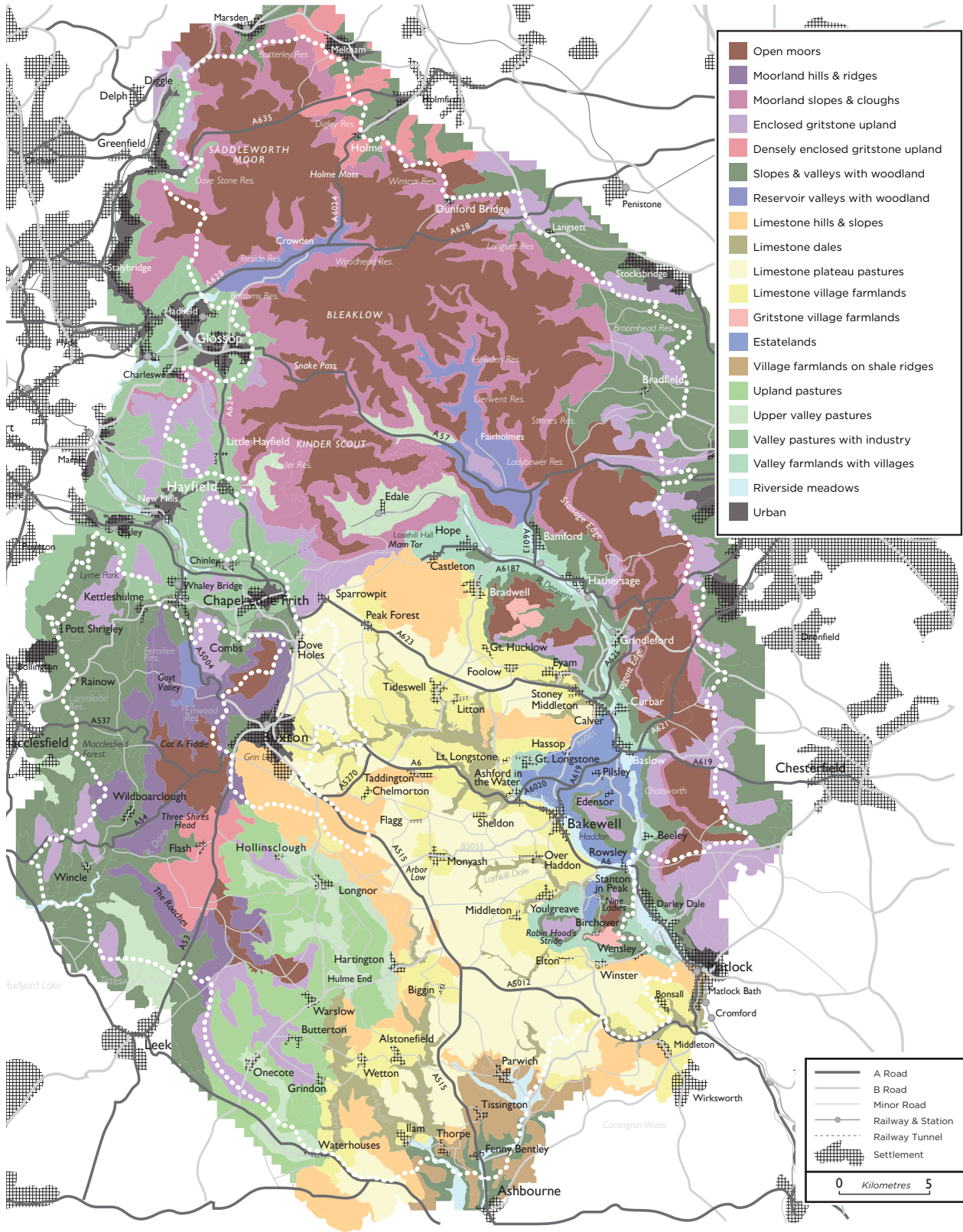
17 Core Strategy paragraph 9.15

Figure 1: Landscape character areas



3.16 Within each area a number of landscape character types have been defined (see figure 2, below).

Figure 2: Landscape character types

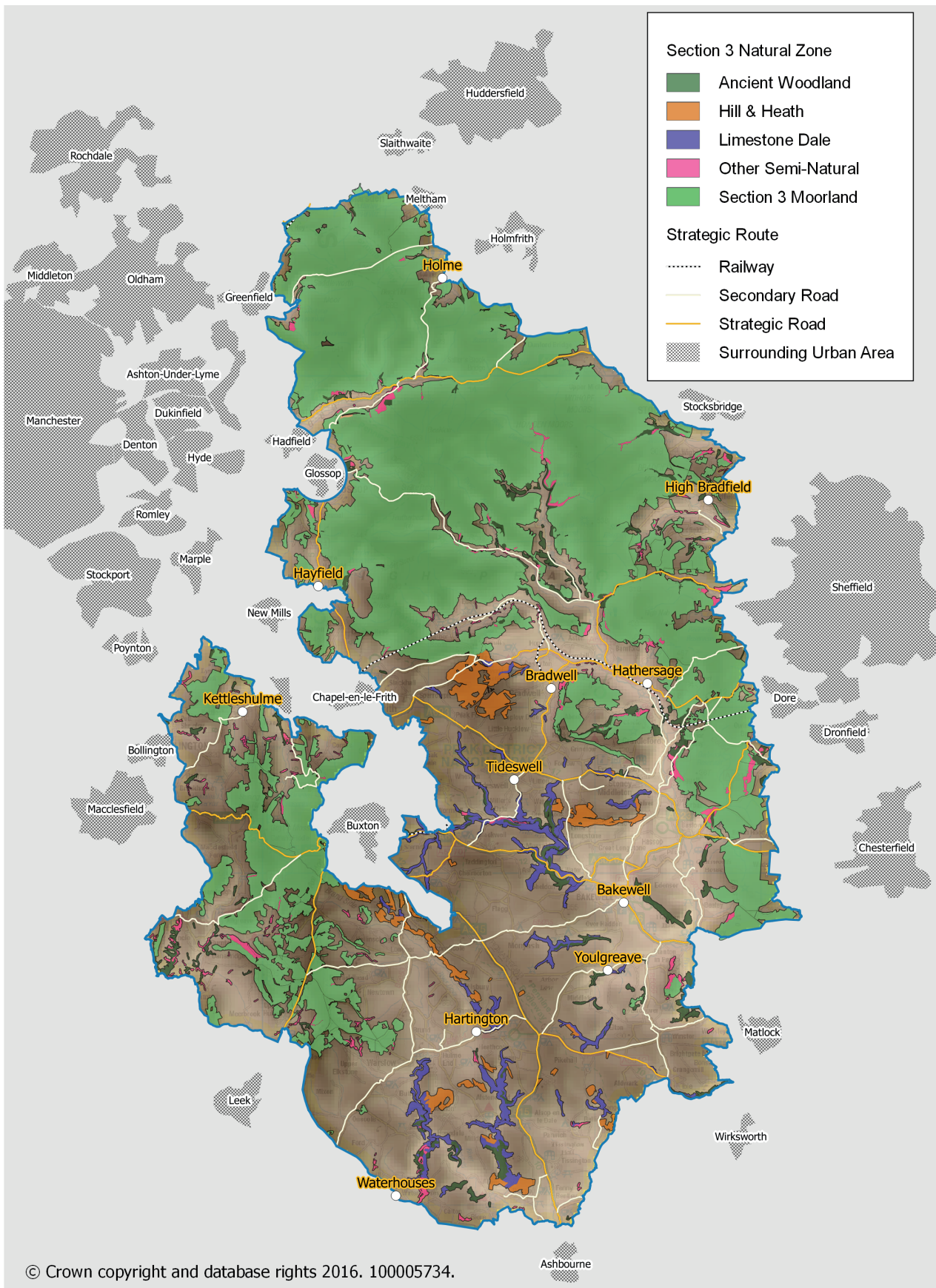


Protecting and managing the Natural Zone

- 3.17 The Natural Zone represents the wildest and least developed parts of the National Park. The area combines high wildlife value and minimal obvious human influence. The map is used by the Authority to meet its obligations under Section 3 of the Wildlife and Countryside Act. The National Parks and Access to the Countryside Act 1949 (as amended) also refers to these areas as 'open country'. The areas are of particular relevance for certain types of recreation associated with adventure and contact with nature. The basis for defining the area is given in **paragraph 9.17 of the Core Strategy** (see Appendix 2) and the extent of the area is shown on the Policies Map. Applicants should also be aware of the provisions of the Habitats Directive¹⁸, including the requirements for appropriate assessment under Article 6(3), for those areas which are underpinned by Natura 2000 sites (Special Areas of Conservation (SACs) and Special Protection Areas (SPAs). These designations are separately identified on the Policies Map.
- 3.18 **Core Strategy policy L1** is clear that development in the Natural Zone (gritstone moors, limestone heaths, limestone hills, limestone dales, semi-natural woodlands and other land meeting the definition) is acceptable only in exceptional circumstances. Proper management practices will often have been carried out for many years without the requirement for development requiring planning permission.
- 3.19 Unless it is demonstrated as being essential under the terms of policy DMC2, development should be located outside the Natural Zone and should not, where a proposal is close to the Natural Zone, harm the essential characteristics of these areas (see paragraphs 9.15-9.21 of the Core Strategy and the Natural Zone designation on the Policies Map). Exceptions might include:
- works essential for the landscape management of these areas, e.g. a new path or a weir), or
 - works essential for the conservation or enhancement of the National Park's valued characteristics (for example development related to the management or restoration of a heritage asset, an area of biodiversity value or work in support of eco-system services.)
- 3.20 Because retention of natural and remote character is essential in the Natural Zone, ease of land management is not in itself a justification for development. In some cases it may be necessary to try and prevent activities or other developments that do not normally require planning permission but which would nevertheless adversely affect the valued characteristics of the Zone. In Sites of Special Scientific Interest (SSSIs), which cover most of the Natural Zone, this is easier because noisy activities such as motor sports and clay pigeon shooting do not benefit from permitted development rights. However, the impact of development in any parts of the Natural Zone may need to be very carefully monitored and controlled. The National Park Authority may seek planning obligations, and/or impose planning conditions to remove permitted development rights in order to achieve the necessary level of control.
- 3.21 Where permission is granted it will be limited to a temporary period of 2 years in order to assess the impact of the development. No further permission will be granted if adverse impacts are observed in this period. Moreover permission will initially be limited to a personal consent, only for the benefit of the appropriate person.
- 3.22 The extent of the Natural Zone is shown in figure 3 on the next page.

18 Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora
The Conservation of Habitats and Species Regulations 2010

Figure 3: Map of natural zone



DMC2: Protecting and managing the Natural Zone

- A. The exceptional circumstances in which development is permissible in the Natural Zone are those in which a suitable, more acceptable location cannot be found elsewhere and the development is essential:
 - (i) for the management of the Natural Zone; or
 - (ii) for the conservation and/or enhancement of the National Park's valued characteristics.
- B. Development that would serve only to make land management or access easier will not be regarded as essential.
- C. Where development is permitted:
 - (i) it must be in accordance with policy DMC3;
 and where necessary and appropriate:
 - (ii) permitted development rights will be excluded; and
 - (iii) permission will initially be restricted to a period of (usually) 2 years to enable the impact of the development to be assessed, and further permission will not be granted if the impact of the development has proved to be unacceptable in practice; and
 - (iv) permission will initially be restricted to a personal consent solely for the benefit of the appropriate person.

Siting, design, layout and landscaping

3.23 Core Strategy Policies GSP1, GSP2, and GSP3

establish the importance of conserving and enhancing the valued characteristics of sites and buildings. They require consideration of the character of buildings and their settings, appropriate scale and massing, the design, height, siting, landscaping, building materials and form.

3.24 The contribution of the spaces between buildings is also recognised. This is particularly strengthened by Conservation Area status in many of the historic villages, where the relationship between the farmed and more natural landscape and the historic built environment is particularly valued. Opportunities may exist to use development to positively conserve and enhance the significance of heritage assets in such areas but greater potential for development generally exists outside of Conservation Areas, subject to proposals being in accordance with other conservation policies.

3.25 Policies also require consideration of the intensity of a proposed use or activity; the impact on living conditions and on access and traffic levels; the potential for use of sustainable modes of transport; consideration of building techniques and ground conditions; and potential to incorporate measures that mitigate the impacts of climate change. Design must also be in accordance with the Peak District National Park Design Guide Supplementary Planning Document (Design Guide SPD). This includes detailed guidance notes on matters such as alterations and extensions, and shop fronts. Further guidance on the conversion of traditional buildings will also be published as a Supplementary Planning Document (SPD). In addition, the Authority provides guidance and information on wildlife and protected species. The Authority's Landscape Strategy and Action Plan and Conservation Area Appraisals provide applicants with an assessment of local character and landscape on which to base the design of proposals.

3.26 Core Strategy Policies L1, L2 and L3 link development considerations to landscape character and valued characteristics, biodiversity, geodiversity and cultural heritage assets of significance, all of which affect what might be acceptable in terms of design, layout and landscaping. The Design Guide SPD explains how different types of new development may fit successfully into the area, and requires consideration of matters such as design, materials, biodiversity (including protected species), amenity, and access.

- 3.27 Where it is reasonably likely that a protected species will be present and affected by development, the National Park Authority requires completion of a Protected Species Form in advance of a planning application. Wherever possible, opportunities to enhance biodiversity should be taken.
- 3.28 **Core Strategy Policies CC1, CC2 and CC5** deal in detail with the requirement for climate change mitigation and adaptation in development, including energy saving measures, low carbon and renewable energy development, sustainable drainage systems, and measures to address flood risk and water conservation.
- 3.29 **Core Strategy Policy CC1** seeks to reduce overall risk from flooding whilst **Core Strategy Policy CC5** requires adequate measures such as sustainable drainage systems to deal with surface water run-off, and the creation of habitats as part of a sustainable drainage system. These matters should be pursued in ways that respect the attractiveness and character of buildings and the wider landscape setting. The Climate Change and Sustainable Building SPD explains the principles of sustainable design and provides detailed advice to help applicants plan new and existing buildings in a way that helps mitigate the effects of climate change, for example by reducing the risk of flooding.
- 3.30 The National Park hosts a wealth of traditional buildings (both designated and non-designated heritage assets). A traditional building is defined as a property built prior to 1919 with solid walls constructed of moisture-permeable materials¹⁹. In the National Park, traditional buildings usually have pitched roofs covered in slate or another natural roofing material, typically stone. Investment in these buildings can make a huge difference to the richness of the built environment.
- 3.31 This chapter contains detailed policies for development affecting heritage assets including their adaptation and re-use by conversion. Much can be achieved through discussion rather than control. Detail is often very important. Developers might, for example, consider how designs can carry forward locally distinctive features; and contribute to sense of place; or how opportunities for planting or other landscaping, including hard landscaping can respect and build on the local context. For example security measures might be required but a well-designed layout and sympathetic lighting scheme can not only help prevent crime but can also conserve dark skies landscapes and respect neighbours privacy. Care is also needed with the siting of essential services, including refuse bins for waste and recycling and/or the provision of services such as power lines. In some cases, power lines will need to be laid underground.
- 3.32 Accessibility requirements and a means of access for emergency vehicles should be carefully considered at an early stage of the design process because new or changed access arrangements will not be permitted if they would damage the valued characteristics of the National Park.
- 3.33 New buildings and existing buildings to which regular public access is needed (such as shops, offices, workplaces and public halls) should provide access for elderly people or people with a mobility difficulty (see Policy DMT2.). The provision of a safe means of access and the impact of the development on accessibility are material considerations when new buildings or modifications to existing buildings are proposed.
- 3.34 Policies DMC3 and DMC4 complement **Core Strategy policies GSP1, GSP2, and GSP3** by clarifying the range of detailed considerations that need to be taken into account in order to achieve effective conservation of the National Park.

¹⁹ This definition is given in English Heritage's publication Energy Efficiency and Historic Buildings (p. 17) and can also be found in the Building Regulation's Approved Document Part L1B&L2B Conservation of Fuel and Power 2010, 3.8,c

DMC3: Siting, design, layout and landscaping

- A. Where development is acceptable in principle, it will be permitted provided that its detailed treatment is of a high standard that respects, protects²⁰ and where possible enhances the natural beauty, quality and visual amenity of the landscape, including the wildlife and cultural heritage that contribute to the distinctive sense of place. Siting, mass, scale, height, design, building materials, and uses that are appropriate in their landscape/built context will be essential if permission is to be granted.
- B. Particular attention will be paid to:
- (i) scale, form, mass, levels, height and orientation in relation to existing buildings, settlement form and character, including open spaces, landscape features and the wider landscape setting which contribute to the valued character and appearance of the area; and
 - (ii) the degree to which buildings and their design, details, materials and finishes reflect or complement the style and traditions of the locality as well as other valued characteristics of the area such as the character of the historic landscape and varied biodiversity assets; and
 - (iii) the use and maintenance of landscaping to enhance new development, and the degree to which this makes use of local features, colours, and boundary treatments and an appropriate mix of species suited to both the landscape and biodiversity interests of the locality; and
 - (iv) access, utility services, vehicle parking, siting of services, refuse bins and cycle storage; and
 - (v) flood risk, water conservation and sustainable drainage; and
 - (vi) the detailed design of existing buildings, where ancillary buildings, extensions or alterations are proposed; and
 - (vii) amenity, privacy and security of the development and other properties that the development affects; and
 - (viii) the accessibility or the impact on accessibility of the development; and
 - (ix) visual context provided by the Landscape Strategy and Action Plan, strategic, local and other specific views including skylines; and
 - (x) the principles embedded in the design related Supplementary Planning Documents and related technical guides.

²⁰ NPPF para 109

Settlement limits

- 3.35 **Core Strategy policy DS1** directs the majority of development into Bakewell and a range of named settlements (see Appendix 3). This promotes a sustainable level and distribution of development that helps conserve and enhance the National Park.
- 3.36 New build development will be acceptable for affordable housing, community facilities and small-scale retail and business premises in or on the edge of settlements named in **Core Strategy policy DS1**, provided other policy criteria are met. Other than in Bakewell, or other places where an adopted neighbourhood plan shows a settlement boundary, no settlement boundaries are drawn.
- 3.37 Where there is uncertainty about a named settlement's capacity for further development **Core Strategy Policy DS1E** requires an assessment of site alternatives to establish capacity. The assessment process should involve the Parish Council or Parish Meeting and demonstrate how development would complement:
- the settlement's overall pattern of development;
 - the character and setting of nearby buildings and structures; and
 - the character of the landscape in which the settlement sits.
- 3.38 Particular regard should also be paid to:
- Historic settlement pattern including street layout
 - Existing mass, scale, height, design, materials and the eaves and ridge heights of surrounding buildings
 - Conservation Area Appraisals
 - The Landscape Strategy and Action Plan.
- 3.39 The Authority's Design Guide SPD provides detailed guidance. See in particular Chapter 2, 'The Peak Tradition', Chapter 3, 'New Development – Designing in Sympathy' and Chapter 5, 'Access and Space between buildings'.
- 3.40 Through neighbourhood planning and housing enabling work the Authority, developers and the local community work together to provide evidence of need and capacity for development in settlements. Where such evidence is available, it will be a material consideration in determining planning applications. Because capacity for new development is limited in all settlements, schemes that propose to conserve and enhance the National Park by re-

development of derelict or despoiled sites are more welcome than schemes that propose to build on green-field sites.

- 3.41 Conservation Area Appraisals also provide a vital analysis and statement of the heritage significance of settlements. These may also be afforded material weight in considering development proposals. This is particularly helpful in conserving and enhancing the edge of a settlement and conserving important open spaces. (see Appendix 3).
- 3.42 Adopted neighbourhood plans are a material consideration and can, provided an assessment is based on development plan criteria, provide a more detailed expression of the physical extent and capacity of settlements. As a part of the statutory development plan for the area, any guidance on location and capacity for development that is shown in an adopted neighbourhood plan will be the starting point for the planning decision.

DMC4: Settlement limits

- A. Planning applications should provide sufficient information to allow proper consideration of the relationship between a proposed development and the settlement's historic pattern of development including the relationship of the settlement to local landscape character.
- B. Development which would adversely affect or lead to the loss of open areas forming an essential part of the character of the built environment will not be permitted.
- C. Development that is separated from the existing settlement to such a degree that it no longer forms part of the whole, or is likely to result in pressure to infill an intervening gap, will not be permitted.

Conserving and enhancing cultural heritage assets

- 3.43 The exceptional landscapes of the National Park have been shaped by our ancestors for thousands of years. Historic landscapes and heritage assets represent an irreplaceable resource that the National Park Authority is charged to conserve and enhance for the nation. The landscapes need to be carefully managed to maintain important links to the past. These are not confined to individual archaeological sites or individual Listed Buildings.
- 3.44 The National Planning Policy Framework defines a heritage asset as a 'building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions because of its heritage interest'²¹. An understanding of the richness and diversity of the historic landscape of the National Park is an essential aspect of planning for conservation and enhancement. Evidence about the historic environment is used by the Authority to assess the significance of heritage assets and the contribution they make to the present and future environment.²²
- 3.45 Meanwhile, the National Character Area (NCAs)²³ profiles, including those of the Dark Peak, White Peak and the South West Peak, explain the importance of cultural ecosystem services including a sense of place/inspiration, a sense of history, tranquillity and recreation.
- 3.46 In terms of archaeology, the Peak District National Park contains many important and distinctive archaeological landscapes and features. These include caves once occupied by Palaeolithic people, barrows and stone circles from Neolithic and Bronze Age, evidence for Bronze Age and Iron Age farming and settlement, and later prehistoric hillforts such as Mam Tor. In their turn, Roman forts and route systems, Anglo-Saxon burials and land boundaries, medieval settlements and post-medieval lead mine landscapes tell us how people organised themselves, and how they worked, travelled, lived and died.
- 3.47 The historic buildings and structures of the Peak District are significant features of the landscape. They range from grand houses and religious buildings to labourers' cottages

and field barns. Farmhouses and agricultural buildings are a particularly rich resource. Past industrial activity such as lead mining, quarrying and textiles has also left a rich legacy of mills, workhouses, mine engine houses and weavers' cottages. Settlement type is equally diverse, from loose linear villages made up of farmsteads and intervening paddocks to 19th century planned villages of terraced houses for mill workers. There are also many unlisted 20th century buildings of architectural and historic significance.

- 3.48 **Core Strategy Policy L3** establishes the need to conserve and where appropriate enhance or reveal the significance of heritage assets of archaeological, architectural, artistic or historic significance and their settings. The policy is clear that development will not be permitted where the significance of a heritage asset is likely to be harmed by development. As such, an understanding of the particular significance of a heritage asset is key to this area of policy, and great weight is also attached to the impact on the setting of a heritage asset.

Identifying heritage assets and assessing the impact of development on heritage assets and their settings

- 3.49 Heritage assets include designated heritage assets of international, national and regional importance and non-designated heritage assets of local importance or special interest.
- 3.50 Designated heritage assets within the National Park comprise:
- Scheduled Monuments²⁴
 - Listed Buildings²⁵
 - Conservation Areas²⁶
 - Registered Parks and Gardens²⁷
- 3.51 Non-designated heritage asset (heritage asset of local and regional importance or special interest) comprise:
- buildings, monuments, places and features recorded in the Historic Environment Record or other similar register
 - buildings and other features identified within Conservation Area Appraisals

21 National Planning Policy Framework (2012) Annex 2 Glossary

22 National Planning Policy Framework (2012) para 169

23 Map of NCAs and protected landscape boundaries http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/Images/nca-np-aonb_tcm6-36961.pdf

24 Ancient Monuments and Archaeological Areas Act 1979

25 Planning (Listed Buildings and Conservation Areas) Act 1990

26 Planning (Listed Buildings and Conservation Areas) Act 1990

27 Historic Buildings and Ancient Monuments Act 1953

- unregistered parks and gardens
 - landscape features identified in the Landscape Strategy and Action Plan and the Historic Landscape Characterisation project
 - features identified in an adopted Neighbourhood Plan or by a local community or interest group
 - assets identified through the planning or other consultation processes.
- 3.52 Cultural heritage significance is assessed by the National Park Authority using the criteria set out in Appendix 5.
- 3.53 There is no definitive list of non-designated heritage assets. They may be identified by the Authority, e.g. during a Conservation Area Appraisal process, a neighbourhood planning process, or through the planning application process. Non-designated heritage assets play a significant role in contributing to the character of the historic landscape, so sensitive treatment of these assets is important to ensure conservation and enhancement of the National Park's historic landscape.
- 3.54 Crucial to the conservation and enhancement of heritage assets is an understanding of what makes them significant, and how the setting contributes to the significance. Adaptive re-use may be possible where it does not harm their significance or that of their landscape setting (see policies DMC5 and DMC10). Heritage assets such as Conservation Areas make a significant contribution to local character and are statutorily protected from development that is inappropriate in scale, design, materials, details and form. All development must therefore respect local context and landscape character as outlined in Conservation Area Appraisals and the Peak District National Park Landscape Strategy and Action plan.
- 3.55 Historic England guidance²⁸ states, that "the ability to assess the nature, extent and importance of the significance of a heritage asset and the contribution of its setting early in the process is very important to an applicant in order to conceive of and design a successful development." Significance is a collective term for the sum of all the heritage values attached to a place, be it a building an archaeological site or a larger historic area such as a whole village or landscape.
- 3.56 The NPPF states 'In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting'. Development will not be permitted if applicants fail to provide adequate or accurate detailed information to show the effect of the proposed development on the heritage asset and its setting and how it will be mitigated. The information may be provided as a separate Heritage Statement or as part of a Design and Access Statement where appropriate (see Appendix 5).
- 3.57 Only by requiring this assessment can the Authority ensure that the impact (positive or negative) of any development proposal on the asset and its setting is understood and taken into account and that, in terms of cultural heritage significance, the proposed development conserves and where possible enhances the heritage asset and its setting.
- 3.58 The Heritage Statement should:
- Describe and establish the degree of significance of a heritage asset and its setting.
 - Provide details of the history and development of the asset using the Historic Environment Record, other relevant sources of information (See Appendix 4 Further sources of evidence for understanding significance) historic maps and annotated photographic records cross-referenced, for example, to plans and elevations.
 - Include an assessment of the impact of the proposed works (positive or negative) proportionate to the significance of the asset and its setting,
 - Provide a clear justification for the works and details of any mitigation measures proposed.
- 3.59 The "setting of a heritage asset" is defined by the NPPF as: "The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral."
- 3.60 In open countryside locations it is more likely that the setting of the heritage asset will have cultural heritage significance and in such locations it is therefore necessary to base any such assessment of significance on the Landscape Strategy and Action Plan (**Core Strategy policy L1** and development management policy DMC1) and where relevant the Historic Landscape Characterisation.
- 3.61 An understanding of the importance of cultural heritage landscape features such as field walls, field barns, lanes and historic

28 Managing Significance in Decision-Taking in the Historic Environment, Historic England, 2015

settlement patterns will be an important factor in conserving or enhancing the setting of the heritage asset and the significance of its setting. Traditional field barns for example are a valued characteristic of the National Park and are an integral component of many landscapes. This gives them cultural significance, and any changes in their use to more domestic uses can harm not only the integrity of the heritage asset but also the wider significance of the landscape setting.

3.62 In Conservation Areas, assessment of historic landscape character will usually form part of the appraisal and applicants are encouraged to seek pre-application advice from the National Park Authority's Cultural Heritage Team. This can be particularly helpful in developing an understanding of significance and in identifying the level of information needed to support an application.

3.63 In terms of archaeological interest, the NPPF is clear that, "Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation". This may be as part of, or in addition to the Heritage Statement.

3.64 The level of archaeological investigation required to accompany planning applications is set out in the National Park Authority's validation requirements. Applicants are advised to commission specialist archaeological advice and, where the requirements are not clear, consult the National Park Authority's Cultural Heritage Team prior to submitting an application. Where appropriate, planning conditions will be used to secure measures to ensure that the development is acceptable in planning terms. (measures might include removal of permitted development rights, preservation in-situ, excavation, watching brief, recording and publication)

3.65 The following policy adds operational detail to **Core Strategy policy L3** which conserves and enhances the National Park's heritage assets.

3.66 Other policy concerns including requirements for Listed Buildings; Conservation Areas; Scheduled Ancient Monuments, designated and non-designated heritage assets of local importance or special interest, shop-fronts; advertisements; landscape, biodiversity, cultural heritage and other assets; transport implications (including access and parking) are set out in this chapter and in Chapter 9 (Travel and Transport). All relevant detailed guidance and advice for design, sustainable building, pollution, landscaping or other matters published by the National Park Authority should be taken into account.

DMC5 Assessing the impact of development on heritage assets and their settings.

- A. Planning applications for development affecting a heritage asset, its setting and their significance must clearly demonstrate in a Heritage Statement:
 - (i) how these will be conserved and where possible enhanced; and
 - (ii) why the proposed development and related works are desirable or necessary.
- B. The Heritage Statement must be proportionate to the significance of the asset. It may be included as part of the Design and Access Statement where relevant.
- C. Proposals likely to affect heritage assets with archaeological or other heritage interest or potential interest should be supported by a programme of archaeological works to a methodology approved by the Authority.
- D. Non-designated heritage assets of archaeological interest demonstrably of equivalent significance to scheduled monuments will be considered in accordance with policies for designated heritage assets.
- E. Development will not be permitted if applicants fail to provide adequate or accurate detailed information to show the effect of the development on the character, appearance and significance of the heritage asset and its setting.
- F. Development will not be permitted if it would:
 - (i) adversely affect the character and significance of a heritage asset and its setting including scale, mass, height, proportion, design, plan-form, (including through subdivision), detailing or, materials used;
 - (ii) result in the loss of, or irreversible damage to original features or other features of importance or significance or the loss of existing features which contribute to the character, appearance, significance or setting (e.g. boundary walls, railings or gates);
 - (iii) result in the addition of new features, that would adversely affect the significance, character, appearance, or setting of a heritage asset (e.g. boundary walls, new access, services, garden, domestic apparatus).

Scheduled Monuments

- 3.67 The legal system for protecting nationally important archaeological sites and monuments is to designate them as Scheduled Monuments under the Ancient Monuments and Archaeological Areas Act 1979. There are currently 469 Scheduled Monuments in the National Park (see Appendix 5 List of Scheduled Monuments in the National Park).
- 3.68 The significance of ancient monuments derives not only from their physical presence, but also from their setting.
- 3.69 The following policy adds operational detail to **Core Strategy Policy L3**, which conserves and enhances the National Park's historic, archaeological and cultural heritage assets, and policy DMC5: Assessing the impact of development on heritage assets and their settings.

DMC6 Scheduled Monuments

- A. The exceptional circumstances where development involving scheduled monuments may be permitted are those where it can be demonstrated that the legislative provisions to protect Scheduled Monuments can be fully met.
- B. Where a Scheduled Monument or setting is adversely affected planning permission will be refused.

Listed Buildings

- 3.70 There are 49 Grade I, 105 Grade II* and 2,745 Grade II listed buildings in the National Park. By law²⁹ when making a decision on all listed building consent applications, or proposals for development that affects a listed building or its setting, a local planning authority must have special regard to the desirability of preserving the building or its setting or any of its features of special architectural or historic interest. Preservation in this context means not harming the interest in the building, as opposed to keeping it utterly unchanged. The setting of a listed building is also protected, both in its own right and from adverse effects of nearby development. The setting may include structures such as freestanding buildings, garden steps or boundary walls within the building's curtilage as well as beyond it. The Authority encourages owners to maintain listed buildings in good condition. Advice on the use of appropriate materials and techniques for repairs is available from the Authority's Cultural Heritage Team. As a last resort, where a listed building is not being properly maintained, urgent action may be necessary to prevent damage or loss of a listed building. Such action may mean the National Park Authority requiring the owner to carry out emergency or permanent repairs.
- 3.71 Applications for development or other work affecting a listed building should show why the works are desirable or necessary. The development might be related to the listed building and curtilage³⁰ itself or could be separate but still affect its setting. The applicant should provide a thorough but proportionate assessment of the architectural or historic significance of the listed building, its features and setting. (see policies DMC5 and DMC7). The assessment is required both to inform the design proposals and reach a planning decision. Information should include appropriate floor plans, elevations, sections and details (at an appropriate scale); specifications, providing information on proposed materials and detailing, and (where external work is involved) plans and elevations showing the context of the listed building. It should also include research into the evolution of the building as originally built and subsequently altered, with the presumption that where unfortunate/inappropriate changes have occurred, the opportunity will be taken to rectify them. The purpose of this step is to strengthen the building's significance.

²⁹ Planning (Listed Buildings and Conservation Areas) Act 1990

³⁰ See Glossary

- 3.72 Applications should supply sufficient information to allow work to be fully assessed without delay. When development or other work is acceptable, for historical reference purposes the changes that are made should be recorded to a method agreed in writing with the National Park Authority. Copies of that record will be supplied to the Authority and to the appropriate county Historic Environment Record. Any impact on protected species must also be considered (policies DMC11, DMC12 and DMC13.).
- 3.73 In terms of appropriate uses for historic buildings, the best use for an historic building is very often that for which it was designed. The more significant a building, the greater the effort needed to ensure its conservation. Conversion of non-residential listed buildings to residential use is rarely appropriate. For example, where there are large open internal spaces (e.g. in barns and chapels) they would need to be sub-divided to achieve residential use, and this can often destroy the character of the building. However, virtually any conversion of a listed building from its original use involves some loss of character. Where conversion is accepted, the types and levels of use of the building itself or its setting will be strictly controlled to minimise any loss of character. Domestication of outside areas with gardens, washing poles and new outbuildings is often wholly inappropriate because it would fail to conserve and enhance the heritage asset. Such domestication cannot however be controlled through planning conditions so where it would fail to conserve and enhance the heritage asset an alternative scheme should be sought. Extensions to the front elevations of listed buildings, over-large extensions to the sides, and extensions of more than one storey to the rear of smaller listed houses or terraced properties, will not be permitted. Any exceptions to this policy are likely to be controlled through the removal of permitted development rights. Applicants should consult the Design Guide SPD for further information.
- 3.74 Some alterations to listed buildings are not classed as 'development' and may not require planning permission. However, most works to listed buildings, for example internal alterations and minor external works will require listed building consent. However, where planning permission is required for works to a listed building there is always a requirement to obtain listed building consent as well. In these cases, both should be applied for concurrently. The impact of 'development' on features separately considered under listed building consent can be a reason for refusal of planning permission.
- 3.75 The following policy adds operational detail to **Core Strategy Policy L3**, which conserves and enhances the National Park's heritage assets, and DMC5.

DMC7: Listed Buildings

- A. Planning applications for development affecting a listed building and/or its setting should clearly demonstrate:
 - (i) How their significance will be preserved; and
 - (ii) Why the proposed development and related works are desirable and necessary
- B. Development will not be permitted if applicants fail to provide adequate or accurate detailed information to show the effect on the significance and architectural and historic interest of the listed building and its setting and any curtilage listed features.
- C. Development will not be permitted if it would:
 - (i) Adversely affect the character, scale, proportion, design, detailing of, or materials used in the listed building; or
 - (ii) Result in the loss of or irreversible change to original features or other features of importance or interest.
- D. In particular, development will not be permitted if it would directly, indirectly or cumulatively lead to:
 - (i) removal of original walls, stairs, or entrances, or subdivision of large interior spaces;
 - (ii) removal, alteration or unnecessary replacement of structural elements including walls, roof structures, beams and, floors;
 - (iii) the unnecessary removal, alteration or replacement of features such as windows, doors, fireplaces and plasterwork;
 - (iv) the loss of curtilage features which complement the character and appearance of the listed building (e.g. boundary walls, railings or gates);
 - (v) repairs or alterations involving materials, techniques and detailing inappropriate to a listed building;
 - (vi) the replacement of traditional features other than with like for like, authentic or original materials and using appropriate techniques;
 - (vii) extensions to the front of listed buildings;
 - (viii) extensions of more than one storey to the rear of listed small houses or terraced properties.
 - (ix) inappropriate impact on the setting of the listed building.
- E. Where change to a listed building is acceptable, an appropriate record of the building will be required to a methodology approved in writing by the Authority prior to any works commencing.

Conservation Areas

- 3.76 The National Park Authority is required by statute³¹ to designate as Conservation Areas those areas which are valued for their special architectural or historic interest – the character and appearance of which it is desirable to preserve or enhance. Such historic areas are an important resource for everyone, now and into the future. Many Conservation Areas have a national as well as a local interest.
- 3.77 There are 109 designated Conservation Areas in the National Park, which are shown on the Policies Map and listed in Appendix 7. **Core Strategy policy L3** makes it clear that their conservation and, where appropriate, enhancement is essential.
- 3.78 Reason for designation also includes the topography and layout (e.g. thoroughfares and property boundaries); the prevalent building materials, character and the quality and relationship of buildings and of trees and other landscape features. Of specific relevance to the Peak District, the historic farmed landscape retains a wealth of stone walls and barns which form a connection between villages in many parts of the National Park and which are essential to the valued character and appearance of the area.
- 3.79 Conservation Area Appraisals provide a vital analysis, justifying the reason for designating the area and explaining the value of open spaces and other valued characteristics. In some circumstances the impact of a development on a village street scene will not be visible from the wider landscape. However the planning assessment also needs to focus on localised viewpoints including views in and out of the area, sense of place and open spaces. In these areas it can be important to protect open spaces because in many cases these are a vital feature of the historic settlement form.
- 3.80 Conservation Area Appraisals are taken into account by the Authority when considering the relative merits of development proposals and the significance of heritage assets affected by them. Those with interests in a Conservation Area are advised to consult the relevant appraisal because it will help identify the positive role that development might play. The significance of a Conservation Area as a designated heritage asset is determined by the sum of all the features which contribute to its valued character and appearance.
- 3.81 The NPPF is clear that planning consent should be refused where a proposed development will lead to substantial harm or total loss of a significance of a designated heritage asset unless it can be demonstrated that the substantial harm or loss caused is outweighed by the public benefits. In a National Park however, the statutory purposes of conservation still place greater significance on the character and appearance of the area when this balance is made.
- 3.82 The NPPF also clarifies that not all elements of a Conservation Area will necessarily contribute to its significance. Therefore, where a building (or other element) does not make a positive contribution to the heritage significance of the area, the loss of that building or feature should be treated as less than substantial harm. In these cases the harm should be weighed against the wider benefits of the proposal³², including the potential to enhance or reveal further the heritage significance of the area.
- 3.83 Policy DMC5 is also relevant to development in Conservation Areas and particular care will be taken in assessing proposals. Proposals must be submitted in sufficient detail to allow full consideration of the proposal. The National Park Authority encourages discussion before the submission of an application to ensure sufficient detail is provided. Advice will be given without prejudice to the Authority's eventual decision. High standards of maintenance and repair are encouraged in Conservation Areas. In cases where disrepair is severe, the Authority may consider serving a Section 215 or Urgent Works Notice³³ requiring work to be carried out.
- 3.84 Demolition is only desirable where the building or structure involved does not make a positive contribution to the area and demolition of certain non-designated buildings/structures and/or demolition of the whole or substantial part of any gate, fence, wall or other means of enclosure in a Conservation Area still requires planning consent.³⁴ Under section 196D of the Town and Country Planning Act 1990 it is an offence to fail to obtain planning consent, or to fail to comply with any condition or limitation on planning consent for demolition of certain buildings within a Conservation Areas. Penalties are applied as under section 196D (5).
- 3.85 DMC8 adds operational detail to **Core Strategy Policy L3** and Policy DMC5. Statutory powers will be used alongside these policies to ensure that where natural or man-made features, buildings and spaces are at risk from neglect or decay they are appropriately maintained and repaired.
- 3.81 The NPPF is clear that planning consent should be refused where a proposed development will lead to substantial harm or total loss of a

31 ibid

32 National Planning Policy Framework (2012) paras 133, 134, 137 and 138.

33 Section 76 (and 54) of the Planning (Listed Buildings and Conservation Areas) Act 1990

34 The Town and Country Planning (Demolition-Description of Buildings) Direction 2014 Ref Circular 01/01

DMC8 Conservation Areas

- A. Applications for development in a Conservation Area, or for development that affects its setting or important views into or out of the area, should assess and clearly demonstrate how the significance of the Conservation Area will be preserved or enhanced. The following matters should be taken into account:
 - (i) Form and layout of the area including views and vistas into and out of it and the shape and character of spaces contributing to the character of the historic environment;
 - (ii) Street patterns, historical or traditional street furniture, traditional surfaces, uses, natural or man-made features, trees and landscapes
 - (iii) Scale, height, form and massing of the development and existing buildings to which it relates;
 - (iv) Locally distinctive design details including traditional frontage patterns and vertical or horizontal emphasis;
 - (v) The nature and quality of materials
- B. Development will not be permitted if applicants fail to provide adequate or accurate detailed information to show the effect of their proposals on the character, appearance and significance of the component parts of the Conservation Area and its setting.
- C. Outline applications for development will not be permitted.
- D. Proposals for or involving demolition of existing buildings, walls or other structures which make a positive contribution to the character or appearance or historic interest of the Conservation Area will not be permitted unless there is clear and convincing evidence that:
 - (i) the condition of the building (provided that this is not a result of deliberate neglect) and the cost of repairing and maintaining it in relation to its significance and to the value derived from its continued use, is such that repair is not practical; and
 - (ii) all possible efforts have been made to continue the present use or find compatible alternative uses for the building, including putting the building on the market and seeking advice from relevant authorities and agencies; or
 - (iii) the demolition is to remove an unsightly or otherwise inappropriate modern addition to the building.
- E. Where development is acceptable, a record of the current site, building or structure and its context will be required, prior to or during development or demolition.
- F. Plans for re-use of an area where demolition is proposed must be agreed and a contract for redevelopment signed before the demolition is carried out.
- G. Where appropriate, felling, lopping or topping of trees will not be permitted without prior agreement. This may require their replacement, and provision for their future maintenance.

Registered Parks and Gardens

3.86 Under the Historic Buildings and Ancient Monuments Act 1953, Historic England compiles a register of parks and gardens that are of special historic interest. There are two Grade I, one Grade II* and one Grade II registered parks and gardens in the Peak District National Park. The sites are:

- Chatsworth House (Grade I);
- Haddon Hall (Grade I);
- Lyme Park (Grade II*) and
- Thornbridge Hall (Grade II).
- These are shown on the Policies Map.

3.87 When considering development proposals that could affect the significance of a historic park and/or garden, including individual garden buildings or landscape features within them, or their settings, the Authority will refer to the National Register³⁵ compiled by Historic England (see Appendix 4) and other historic, botanical or ecological information and other policy considerations. Where necessary, agreement may be sought with the owner of the property to strengthen the certainty about the future of a park or garden as a whole before land use decisions are made.

3.88 The following policy adds operational detail to **Core Strategy policy L3** and DMC5.

DMC9: Registered Parks and Gardens

- A. When considering the impact of a development proposal on Registered Parks and Gardens, including individual garden buildings or landscape features within them, or on their settings, their significance will be assessed by reference to the National Register compiled by Historic England and to other historic, botanical or ecological information.

Conversion of heritage assets

3.89 Chapter 8 of the Peak District National Park Authority Design Guide Supplementary Planning Document sets out some basic principles: 'the guiding principle behind the design of any conversion should be that the character of the original building and its setting should be respected and retained'. It is also important that 'the building in question should be of sufficient historic or architectural merit that for the sake of its conservation it warrants conversion'; and finally it is important that 'the building should still look like its original building type after its conversion to a new use'.

3.90 Policy DMC 10 takes the principles above and broadens the scope to include the conversion of any heritage asset of archaeological, architectural, artistic or historic significance and states that such work needs to be carried out in a way that avoids adverse effects on the heritage asset's intrinsic character, context and landscape setting. Policy aims to promote adaptive re-use of heritage assets, both designated and non-designated, where the new use will not cause harm to the character, significance and landscape setting of the building.

3.91 To determine whether the building is of sufficient historic or architectural merit to warrant its conversion, the significance of the building and its setting needs to be established initially (see policy DMC5). Any wildlife interest, including protected species, also needs to be identified to ensure its protection (see policies DMC11, DMC12 and DMC13). The onus is on the developer to provide justification that the building and its setting would be conserved and where appropriate enhanced by the conversion to a new use (**Core Strategy policy L3A**).

3.92 Formal assessment (a Heritage Statement) must be provided to establish the significance of the asset and justify its suitability for the proposed new use. This should be carried out by an appropriately skilled and qualified person. Historic Environment Records, Conservation Area Appraisals and the Peak District National Park Landscape Strategy and Action Plan are useful sources of information. For further sources of information see Appendix 4.

3.93 Some heritage assets will lend themselves more easily to conversion than others depending on form and function, location, floor levels, existing openings, context and setting. The current state of the heritage asset is also an important consideration and the heritage asset as currently existing must however be capable of conversion. Where this is in question, the

35 <http://historicengland.org.uk/listing/the-list/advanced-search>

Authority may require a structural assessment by an appropriately qualified person. Where conversion is justified, it must be achieved within the shell of the building and involve only minor structural work. Conversion should avoid substantial modification and/or rebuilding, inappropriate new door or window openings or the construction of extensions or ancillary buildings.

3.94 In considering the functional use of heritage assets there are several possible outcomes for buildings:

- repairing and retaining a building in its original use (Reroofing and some extensive repairs require planning consent and may require listed building consent);
- conservation and enhancement of a building, as an exemplar of its original use, using traditional materials and techniques;
- finding a new use that conserves and enhances and is compatible with the fabric, interior and setting of the building, including the wider landscape setting

3.95 In some settings it will be necessary for the applicant to demonstrate whether conversion is appropriate, taking into account the **Core Strategy policy L1** requirement to conserve and enhance valued landscape character. This can be identified in the Landscape Character Assessment and Action Plan and by reference to the full list of valued characteristics set down in the **Core Strategy at paragraph 9.15**.

3.96 There are a number of possible new uses when a heritage asset is converted. However finding the best match for a particular landscape setting requires consideration of the intensity of the use proposed and the potential for that level of use to impact on valued landscape character.

Lower intensity uses include:

- storage
- stabling
- camping barns

Higher intensity uses include:

- facilities for recreation, environmental education and interpretation (**Core Strategy policy RT1**)
- serviced or self-catered holiday accommodation (**Core Strategy policy RT2**)
- provision or improvement of community facilities and services (**Core Strategy policy HC4**)
- shops (**Core Strategy policy HC5**) and

business use (**Core Strategy policy E1 or policy E2**)³⁶

- group of buildings in a single planning unit
- local needs affordable housing or aged persons assisted accommodation (**Core Strategy policy HC1A**)
- housing for key workers in agriculture, forestry or other rural enterprises (**Core Strategy policies HC1B and HC2**)
- Open market housing required to achieve the conservation or enhancement of the heritage asset (**Core Strategy policy HC1C**)

3.97 Under **Core Strategy policy HC1 part C1** development may be permitted where it is required in order to achieve conservation and/or enhancement of valued vernacular or listed buildings. For the purposes of policy DMC10 this criterion will be met where the conversion to open market housing not only achieves the conservation of the asset but where it also achieves enhancement of the significance of the heritage asset and the contribution of its setting. This test applies to a designated (i.e. a listed building) or a non-designated heritage asset identified by the National Park Authority. Applications will require an assessment of impacts as set out under DMC 5 (Assessing the Impact of Development on Heritage Assets and their Settings) and where appropriate DMC7 (Listed Buildings).

3.98 There are many examples of designated and non-designated heritage buildings that have been sympathetically converted to other uses. Applicants should consider the impacts of works associated with the proposed new use of the building. Although the conversion may be acceptable in principle, the following factors should always be taken into consideration before an application is submitted, i.e. whether:

- the use and its intensity conserves and enhances its landscape context
- a protected species is present, or the development impacts negatively on biodiversity interest
- new ground works have adverse impact on archaeological remains and landscape character
- new ground works have adverse impact on landscape character
- new service infrastructure adversely affects valued characteristics of the area
- the conversion of the building will harm

³⁶ In places not named in **Core Strategy Policy DS1**, business use, shops and provision of community facilities and services are subject to different policies, **E2, HC5D/E and HC4B**, respectively.

the character of the area due to change of use requiring new access arrangements, lighting, creation of garden or parking areas etc.

- the conversion will be unneighbourly
- the conversion will create a hazard to health or safety, particularly on public roads (policies DMT2)
- the conversion will result in the erection of additional buildings or the outdoor storage of machinery or materials and whether either will have an adverse impact.

3.99 Further guidance to illustrate effective design solutions for conversion schemes will be brought forward as a Supplementary Planning Document.

Context, setting, landscape character

3.100 In all cases the proposed use must conserve and enhance the setting of the building and valued landscape character as identified in the Peak District National Park Landscape Strategy and Action Plan as well as other valued characteristics³⁷.

3.101 The maintenance of the visual integrity of the building and its setting will achieve conservation and enhancement of the landscape or built environment and will avoid harm to the valued characteristics of the National Park.

3.102 The traditional field barns of the Peak District represent a valued feature of the historic landscape and where these are more remote from existing building groups and roadside walls they represent the biggest challenge for conversion schemes. This is because when they lie deep in historic field systems, the buildings and setting are more susceptible to harmful change and loss of character. The Landscape Strategy and Action Plan gives guidance for the protection and maintenance of historic landscape character including historic field barns stating that ‘changes to the appearance of either the building or its surroundings should be avoided’.

3.103 In exceptional cases more remote roadside barns may be considered for approval where the building is of high heritage significance and where there is merit in retaining the building owing to its contribution to the historic landscape, recognising the compromise this brings to the original vernacular character and appearance. In such cases control will be

applied to ensure simplicity of design and limits to the curtilage.

3.104 Where domestication and urbanisation is an issue, applicants should focus on less intensive uses such as storage use, equestrian use or camping barns. These uses don’t create the negative impact on the landscape that more intensive uses do, for example negative impacts arising from outside storage, vehicular access, parking, creation of curtilage and service infrastructure.

3.105 When converting buildings to new uses it is equally as important to protect biodiversity as it is to conserve and enhance cultural heritage significance (**Core Strategy policy L2**). The conversion and change of use of buildings can easily destroy habitat, by intensifying land use or introducing non-native species either of which can un-necessarily displace protected species. If the Authority considers that conversion is not possible without destroying habitat (and, if appropriate mitigation measures cannot be agreed) planning permission will be refused. This is in line with **Core Strategy policies GSP2 and L2** and DMC11, DMC12 and DMC13.

Conversion of buildings, other than designated and non-designated heritage assets

3.106 In the National Park the majority of traditional buildings which may be identified for conversion to new uses, are likely to be non-designated heritage assets, with a much smaller proportion being designated heritage assets such as listed buildings. Cultural heritage policies ensure that a proper investigation and assessment of the National Park’s historic buildings can be undertaken, ensuring careful management of these valued characteristics into the future.

3.107 However there are other, more rudimentary buildings, (i.e. those that do not possess the same qualities as heritage assets in terms of their materials and traditional design) that may also be the subject of planning applications for conversion.

3.108 It is anticipated that permissions to convert such rudimentary buildings will rarely be worthy of conversion to higher intensity uses and as such will not be permitted.

3.109 Proposals for the conversion of other rudimentary buildings to lower intensity uses will be assessed against **Core policies GSP1, GSP2, and GSP3** regarding the conservation and enhancement of the National Park;

37 Policy L1 of the Core Strategy

Core Policies L1, L2 and L3 regarding the conservation of biodiversity, cultural heritage and landscape; and other detailed policies in this plan. Whilst these buildings are not as valued as heritage assets they may nonetheless form valuable components of the landscape. Applicants should therefore propose a standard of conversion and uses that conserve the valued characteristics of buildings themselves and the wider landscape setting.

DMC10 Conversion of heritage assets

- A. Conversion of a heritage asset to a use other than that for which it was designed will be permitted provided that:
 - (i) it can accommodate the new use without changes that adversely affect its character (such changes include enlargement, subdivision or other alterations to form and mass, inappropriate new window openings or doorways and major rebuilding); and
 - (ii) the building is capable of conversion requiring no more than minor structural work, the extent of which would not compromise the historic interest and character of the building; and
 - (iii) where the proposal involves the conversion to higher intensity uses, development will only be permitted within existing settlements, smaller hamlets, on farmsteads, and in groups of buildings in sustainable locations;
 - (iv) the new use does not require changes to the asset's setting and/or curtilage or new access or services that would adversely affect the heritage asset's significance or have an adverse impact on its setting, including on the landscape character or character of the built environment of the area; and
 - (v) the new use of the building or any curtilage created would not be visually intrusive in its landscape or have an adverse impact on tranquility, dark skies or other valued characteristics; and
- B. Buildings which are not deemed to be a heritage asset will not be permitted for conversion to higher intensity uses.
- C. Proposals under Core Strategy policy HC1 part CI will only be permitted where:
 - (i) the building is a designated heritage asset; or
 - (ii) based on the evidence, the National Park Authority has identified the building as a non-designated heritage asset; and
 - (iii) it can be demonstrated that conversion to a market dwelling is required in order to achieve the conservation and where appropriate the enhancement of the significance of the heritage asset and the contribution of its setting.
- D. In all cases attention will be paid to the impact of domestication and urbanisation brought about by the use on landscape character and the built environment including:
 - (i) the supply of utility and infrastructure services, including electricity, water and waste disposal to support residential use;
 - (ii) the provision of safe vehicular access;
 - (iii) the provision of adequate amenity space and parking;
 - (iv) the introduction of a domestic curtilage;
 - (v) the alteration of agricultural land and field walls;
 - (vi) any other engineering operation associated with the development.

Conserving and enhancing Biodiversity and Geodiversity

- 3.110 **Core Strategy policy L2** establishes that development must conserve and enhance any sites or features of geodiversity importance, and any sites, features or species of biodiversity importance and where appropriate their settings. For international and national sites the relevant legislation and protection will apply in addition to the requirements of policy.
- 3.111 The National Park has a rich and diverse range of biodiversity and geodiversity assets with high quality water and soils which reflect the underlying geology, traditional management practices carried out over many years.
- 3.112 The conservation and enhancement of biodiversity is a statutory requirement of National Park designation.^{38 39} The Authority is required 'to ensure that biodiversity is protected and encouraged through proactive and sympathetic management both within recognised protected areas and the wider landscape.^{40 41} The English National Parks and the Broads:- UK Government Vision and Circular 2010 (2010 National Parks Circular) recognises that 'habitats are less fragmented in the Parks than elsewhere and the Authorities have an important role in helping to deliver habitat restoration and expansion at a landscape scale, especially against the backdrop of a changing climate.'
- 3.113 **Policy L1 of the Core Strategy** covers sites that provide or could provide linkages, stepping stones or corridors between national or local priority habitats and populations of priority species or other important features. These ecological networks comprise designated and non-designated features within the wider landscape such as ancient woodlands, woodlands, hedgerows and watercourses. The loss and fragmentation of these features can lead to species becoming vulnerable to extinction through reduced genetic diversity or inability to migrate into new areas or adapt to climate change. The National Planning Policy Framework (NPPF) paragraph 109, seeks the establishment of more coherent ecological networks that are more resistant to current and future pressures. The National Park Authority has begun work to map these areas and will

consider the benefits of publishing the material as a Supplementary Planning Document in the future.

- 3.114 Section 41 of the Natural Environment and Rural Communities Act 2006 (NERC Act 2006) requires the government to publish a list of habitats and species which are of principal importance to the conservation of biodiversity in England (also known as Biodiversity 2020⁴² priority habitats and/or priority species). The section 41 list is used to guide public authorities in implementing their duty (under the NERC Act 2006) to have regard to the conservation of biodiversity in England when carrying out their normal functions. The Authority has produced a Biodiversity Action Plan for the National Park which identifies important species and habitats and sets priorities for their management, protection and enhancement. The Biodiversity Action Plan is a material consideration under the NPPF and Biodiversity 2020. New development should contribute to the aims of the Biodiversity Action Plan. The Authority is involved in Local Nature Partnership across the Dark Peak, White Peak and South West Peak National Character Areas⁴³ focusing on work at a landscape scale for the benefit of ecosystems.⁴⁴
- 3.115 The NPPF recognises international, national and locally designated sites. These sites are protected under separate legislation with ODPM Circular 6/2005: giving guidance on Biodiversity and Geological Conservation -Statutory Obligations and Their Impact within the Planning System. **Core Strategy Policy L2** reinforces their protection through the planning process. The NPPF is clear that it supports National Park statutory purposes to conserve and enhance biodiversity and geodiversity in the National Park Area⁴⁵. It explains that 'the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests and soils'.
- 3.116 As set out in **Core Strategy policy L2 paragraph 9.28** on sites of biodiversity or geodiversity, the granting of planning permission is restricted for development likely to significantly affect a European (International) site, requiring that an appropriate assessment is first carried out of the implications of the

38 National Parks and Access to the Countryside Act 1949 (as amended).

39 English National Parks and the Broads: UK Government Vision and Circular 2010 (reference 25 paragraph 115 National Planning Policy Framework 2012)

40 Natural Environment and Rural Communities Act 2006

41 Para 52 English National Parks and the Broads: UK Government Vision and Circular 2010

42 Biodiversity 2020: A strategy for England's wildlife and ecosystem services.

43 <https://www.gov.uk/government/publications/national-character-area-profiles-data-for-local-decision-making/national-character-area-profiles>

44 Natural Environment White Paper, The Natural Choice: securing the value of nature.

45 National Planning Policy Framework para 14 including ref 9 and para 115 including ref 25

development for the site's conservation objectives. Primary legislation restricts the cases in which exceptional circumstances may justify development, in particular, development having a significant effect on the ecological objectives or integrity of a Special Protection Area (classified under the Birds Directive⁴⁶) or Special Area of Conservation (designated pursuant to the Habitats Directive)⁴⁷. In addition NPPF paragraph 14 explains that 'the presumption in favour of sustainable development does not apply where development requiring appropriate assessment under the Birds or Habitats Directive is being considered, planned or determined'. It further explains that the following nature conservation sites should be given the same protection as European Sites:

- Potential Special Protection Areas and possible Special Areas of Conservation;
- listed or proposed Ramsar sites; and
- sites identified, or required as compensatory measures for adverse effects on European sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.

3.117 The National Park Authority has a statutory duty under section 28G of the Wildlife and Countryside Act (1981) to ensure that development proposals that may impact on National Sites (SSSIs) and National Nature Reserves (NNRs) do not damage these sites and that they further their conservation and enhancement. For other nature conservation interests, including biodiversity and geodiversity sites, and species that are not designated, Local Wildlife Sites (identified by Wildlife Trusts and County Councils) and Local Geological Sites, Biodiversity Action Plans, the list of Habitats and Species of Principal Importance in England (s.41 of the NERC ACT 2006) and national or local biodiversity lists will provide useful information as to their particular significance and priority when setting out the special interests of a site.

3.118 Adequate information to support an application regarding the likely impact on the special interest of the site must be included to enable proper consideration of the planning application. For all sites this should include an assessment of the nature conservation importance of the site. In support of policy DMC11 applicants will be expected to supply the following information as part of the

assessment:

- a habitat/vegetation map and description (with identification of plant communities and species), and a description of fauna and geological/geomorphological features; and
- adequate information about the special interests of the site in terms of scientific importance including: size and species population, diversity and richness, rarity, fragility, irreplaceability, naturalness, position in the ecological geographical unit, seasonal presence, potential value, the degree to which it is typical and representative, historical continuity and geological or geomorphological importance; and
- assessment of the direct and indirect effects of the development including associated visitor pressure, pollution and changes in hydrology; and
- details of any mitigating and/or compensatory measures and details setting out the degree to which net gain in biodiversity has been sought; and
- details of alternatives considered including the 'do nothing scenario' and justification for the choice of the preferred option and for discounting other options; and
- details of provisions made for the beneficial future management of the nature conservation interests of the site. Where the likely success of these measures is uncertain, development will not be permitted.

3.119 The provision of alternative habitat and/or relocation of affected flora and fauna will only be accepted as a last resort, i.e. cases where the development of a particular site is unavoidable. The following policy adds operational detail to **Core Strategy policy L2**.

3.120 Enhancement measures for biodiversity or geodiversity are likely to be those which enhance:

- habitats, species or geological features on or near the site
- designated sites or protected species
- Peak District Biodiversity Action Plan priority habitats or species, or Geodiversity Action Plan features
- habitats or species which are of principal importance for the conservation of biodiversity in England (as identified under S41 of the Natural Environment and Rural Communities Act (2006), and which are of relevance to the Peak District.
- habitats or features characteristic of the

46 Directive 2009/147/EC on the conservation of wild birds (codified version of Directive 79/409/EEC)

47 Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora Conservation of Habitats and Species Regulations 2010

relevant Landscape Character Type as identified in the Peak District Landscape Strategy and Action Plan

DMC11 Safeguarding, recording and enhancing nature conservation interests

- A. Proposals should aim to achieve no net loss of biodiversity or geodiversity as a result of development. In considering whether a proposal conserves and enhances sites, features or species of wildlife, geological or geomorphological importance all reasonable measures must be taken to avoid net loss by demonstrating that the following matters have been taken into consideration:
- (i) enhancement proportionate to the development;
 - (ii) no alternative sites exist that cause less harm;
 - (iii) adverse effects have been avoided;
 - (iv) appropriate mitigation; and
 - (v) in rare cases, as a last resort, compensation measures to offset loss
- B. Details of appropriate safeguards and enhancement measures for a site, feature or species of nature conservation importance which could be affected by the development must be provided, in line with the Biodiversity Action Plan and any action plan for geodiversity sites, including provision for the beneficial future management of the interests.
- C. Measures should ensure conservation of the features of importance in their original location.
- D. Where the likely success of the measures detailed in B) or C) is uncertain development will not be permitted.
- E. For all sites, features and species development proposals must also consider:
- (i) cumulative impacts of other developments or proposals;
 - (ii) the setting of the development in relation to other features of importance, taking into account historical, cultural and landscape context;
 - (iii) the impact on protected or notable species, adjacent habitats and ecological networks, including water resources, wildlife corridors and wildlife stepping stones.
- F. Development proposals will be expected to incorporate features to encourage biodiversity and retain and where possible enhance, existing features of biodiversity and geodiversity within the site. Existing ecological networks should be identified and maintained to avoid habitat fragmentation, and ecological corridors should be considered in association with new development to ensure habitat connectivity.
- G. Development will not be permitted if applicants fail to provide adequate or accurate detailed information to show the impact of a development proposal on a site, feature or species including:
- (i) an assessment of the nature conservation importance of the site; and
 - (ii) adequate information about the special interests of the site; and
 - (iii) an assessment of the direct and indirect effects of the development; and
 - (iv) details of any mitigating and/or compensatory measures and details setting out the degree to which net gain in biodiversity has been sought; and
 - (v) details of alternatives considered including the 'do nothing scenario' and justification for the choice of the preferred option and for discounting other options; and
 - (vi) details of provisions made for the beneficial future management of the nature conservation interests of the site. Where the likely success of these measures is uncertain, development will not be permitted

DMC12 Sites, features or species of wildlife, geological or geomorphological importance

- A. For Internationally designated or candidate sites, or European Protected Species, the exceptional circumstances where development may be permitted are those where it can be demonstrated that the legislative provisions to protect such sites or species can be fully met^{48, 49, 50, 51}
- B. For sites, features or species of national importance⁵², exceptional circumstances are those where development is essential:
 - (i) for the management of those sites, features or species; or
 - (ii) for the conservation and enhancement of the National Park's valued characteristics
- C. For all other sites, features and species, development will only be permitted⁵³ where :
 - (i) the need for, and the benefits of, the development in that location clearly outweighs the loss; and
 - (ii) significant harm can be avoided and the conservation status of the population of the species or habitat concerned is maintained.

Protecting trees, woodland or other landscape features put at risk by development

3.121 **Core Strategy policies L1 and L2** provide protection for landscape assets such as trees, woodlands and other features put at risk by

48 Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora Conservation of Habitats and Species Regulations 2010

49 Directive 2009/147/EC on the conservation of wild birds (codified version of Directive 79/409/EEC)

50 Directive 2009/147/EC on the conservation of wild birds (codified version of Directive 79/409/EEC)

51 European Commission, Managing Natura 2000 sites. The provisions of Article 6 of the 'Habitats' Directive 92/43/EEC

52 SSSIs, NNRs, irreplaceable habitats including Ancient Woodlands and Grasslands, Habitats and Species listed under s41 of the NERC Act 2006 as being of principal importance for the purpose of conserving biodiversity

53 Refer to Paragraph 9.29 of the Core Strategy

development. The loss and fragmentation of these features can lead to an inability of species to migrate into new areas or adapt to climate change, leaving them susceptible to reduced genetic diversity and therefore more vulnerable to extinction. Care for such assets is important both during and after development work. Management plans need to specify appropriate replacement where existing assets are put at risk. Detailed assessments of a proposal's likely impact are necessary to enable proper consideration. Replacement of lost or damaged trees and shrubs should be with the same species or with species appropriate to the local context and preferably grown locally. These will often be indigenous to an area, or in some cases specimen trees suited to its character of local provenance.

3.122 Owing to the current outbreak of Ash Dieback through the National Park the Authority advises that Ash trees should not be included in any landscaping scheme. Applicants are encouraged to consult the National Park Authority's Natural Environment Team for best practice advice regarding the mix of species and any exceptional circumstances where the use of Ash may be acceptable. Replacement is seldom effective without proper care and maintenance. Appropriate implementation and maintenance that respects wildlife interest will be required and applications should set out how this is to be achieved (see policy DMC13). In some cases, encouraging natural regeneration may be the most appropriate solution.

3.123 The use of trees and shrubs in landscaping for development is dealt with in policy DMC3. The special circumstances for removal of trees in Conservation Areas are dealt with in policy DMC8.

3.124 Tree preservation orders (TPOs) may be used by the National Park Authority to protect important individual trees or small groups, particularly where there is new development. TPOs are generally not appropriate in the open countryside. Here, the main protection for trees and woodlands is provided by felling licences operated by the Forestry Commission. However, preventing the felling of trees is only a partial answer. Mechanisms therefore exist to help safeguard and enhance trees and woodlands for example by integrating forestry management with conservation objectives.

3.125 Other landscape features such as dry stone walls are characteristic of the National Park landscapes and historic environment and must be conserved and enhanced according to policies DMC1, 3 and 8. Restoration and management of such features should utilise materials of local provenance.

DMC13 Protecting trees, woodland or other landscape features put at risk by development

- A. Planning applications should provide sufficient information to enable their impact on trees, woodlands and other landscape features to be properly considered in accordance with 'BS 5837: 2012 Trees in relation to design, demolition and construction – Recommendations' or equivalent.
- B. Trees and hedgerows, including ancient woodland, which positively contribute, either as individual specimens or as part of a wider group, to the visual amenity or biodiversity of the location will be protected. Other than in exceptional circumstances development involving loss of these features will not be permitted.
- C. Development should incorporate existing trees, hedgerows or other landscape features within the site layout. Where this cannot be achieved the onus is on the applicant to justify the loss of trees and/or other features as part of the development proposal.
- D. Trees, woodlands and other landscape features should be protected during the course of the development

Pollution, disturbance, contaminated land, and unstable land.

- 3.126 Pollution is often controlled by other regimes, but planning can have regard to the suitability of a use in a given area bearing in mind the potential for development to cause pollution. **Core Strategy policies DS1, E1 and E2** seek to locate industrial development and its associated land use impacts in appropriate locations where valued characteristics will not be harmed. In the context of National Park purposes, the valued characteristics listed in the **Core Strategy paragraph 9.15** include clean earth, air and water, and the opportunity to experience tranquillity, quiet enjoyment and dark skies. These characteristics have obvious significance for landscape and biodiversity, but also for the well-being of residents and visitors.
- 3.127 The NPPF says that the planning system should conserve and enhance natural and local

environment by protecting and enhancing valued landscapes, geological conservation interests and soils⁵⁴. Furthermore it can prevent both new and existing development from contributing to or being put at unacceptable risk from pollution or land instability.

- 3.128 There is already a wide recognition of the importance of ecosystem services in the National Park, such as the link between healthy moorlands and better carbon storage. The National Park is also a valuable drinking water catchment area. Many settlements within the National Park and its surrounding conurbations rely on the catchment area for an adequate supply of fresh, clean drinking water. Many fast flowing streams drain the moorland plateau and large expanses of blanket bog store large quantities of water. The National Park Authority has an important role in safeguarding and managing this resource by helping with restoration of large areas of open moorland, conserving and enhancing the internationally important habitats and species of moorland, reducing soil erosion and improving water supply and quality.
- 3.129 Other potential pollutants from development are increased noise and lighting and decreased air quality because these pollutants can have an adverse impact on tranquillity, sense of remoteness, the enjoyment of landscape and recreation and, in the case of air pollution, biodiversity and public health.
- 3.130 Noise can have an adverse impact on amenity, health, quality of life, and biodiversity. It is important therefore to minimise the impact of noise and vibrations. In some circumstances, problems may be resolved by careful attention to site layout and use of sound insulation measures and barriers. Where noise is likely to be detrimental to neighbouring uses or to the tranquillity of the wider landscape, a noise impact assessment will be required. Depending on the nature of the risk, the National Park Authority may consult constituent local authorities or the Environment Agency.
- 3.131 Light pollution (sky glow, light intrusion and light spillage) occurs where light overflows onto areas not intended to be lit. It is important to control levels of lighting in order to conserve dark skies and the opportunity to experience them. It is also important in the context of conserving biodiversity because light pollution can adversely affect moths and bats in particular, but also birds.
- 3.132 A decrease in air quality is caused by major air pollutants such as particulate matter and nitrogen dioxide. This is a material

⁵⁴ National Planning Policy Framework para 109

consideration both for individual applications and also for their cumulative impact, particularly where the cumulative impact stems from intensified business development and use. Constituent local authorities undertake air quality monitoring within or adjacent to the National Park. If national objectives are not met, the constituent local authority must declare an air quality management area and prepare an air quality action plan. Odour and dust can also be a planning concern because of their impact on amenity and biodiversity.

3.133 Ground conditions (including instability and contamination) are important planning considerations because they might prevent development or endanger those that use it. Ground conditions also affect water resources since pollution as a result of the ground conditions can have a major impact on features such as the water table, springs and biodiversity interests. Sites and development must be suited to each other and, whilst the responsibility for securing a safe development rests with the developer and/or landowner, planning decisions can have regard to any long term cumulative risks to health and safety. An accredited expert assessment will often be required where such risks are present. The need for such assessments will depend on the type and complexity of a specific site. Assessments can include:

- (i) identification of possible contaminative uses;
- (ii) site characterisation: The nature and extent of any contamination and the hazards and risks posed;
- (iii) detailed remediation scheme: including methodology and quality assurance;
- (iv) methodology to report unexpected contamination;
- (v) methodology to ensure verification of remedial works;
- (vi) details of long term monitoring and maintenance proposals (where necessary).

DMC14 Pollution and disturbance

- A. Development that presents a risk of pollution or disturbance including soil, air, light, water or noise pollution, or odour that could adversely affect any of the following interests will not be permitted unless adequate control measures are put in place to bring the pollution within acceptable limits:
 - (i) the amenity of neighbours and neighbouring uses; or
 - (ii) the amenity, tranquility, biodiversity or other valued characteristics of the area; or
 - (iii) existing recreation activities; or
 - (iv) extensive land uses such as forestry and agriculture; or
 - (v) ecosystem services including water supply, groundwater resources and the water environment; or
 - (vi) established businesses; or
 - (vii) potential future uses of the land; or
 - (viii) any nuisance, or harm to the rural character and dark skies of the area, caused by lighting schemes
- B. Development will only be permitted where, upon cessation of a permitted use, the appropriate removal of any pollutants arising from development can be assured.
- C. Development affecting a Source Protection Zone, Safeguard Zone or Water Protection Zone must assess any risk to water quality and demonstrate that it will be protected throughout the construction and operational phases of development.

DMC 15 Contaminated and unstable land

Development on land that is known or suspected to be contaminated will be permitted provided that an accredited assessment shows that:

- (i) there is no risk to public health arising from any existing contamination; and
 - (ii) remedial measures (in situ or by safe disposal off site) can remove any public health risk and make the site fit for its intended use without harm to the valued characteristics of the area; and
 - (iii) the land is not of high nature conservation or cultural heritage value.⁸
- B. Development will not be permitted in the vicinity of sewage treatment works, high pressure or gas pipelines, or other notifiable installations, where they would present an unacceptable loss of amenity or risk to those using the development.
- C. Development on land believed to be unstable or likely to become unstable as a result of development will only be permitted where an accredited stability assessment shows that the land:
- (i) is stable and will remain so; or
 - (ii) can be made permanently stable by remedial measures undertaken as part of the development process without harm to the valued characteristics of the area; and
 - (iii) that development will not affect the stability or safety of neighbouring areas.
- D. Where contamination or instability is known or suspected to exist, or suspected to arise as a result of development, an accredited assessment will be required before a planning decision is made.
- E. Necessary remedial measures must be agreed before development commences.

4

Farming and Economy

Strategic Context

- 4.1 **Chapter 13 of Core Strategy** explains the context for economic development in the National Park, and puts forward policies for general economic activity. Other parts of the Core Strategy and policies in this Development Management Policies document also affect proposals for economic development for example farming and farm diversification, shops, recreation and tourism, minerals and waste disposal, and transport.
- 4.2 Many businesses within the National Park derive direct and indirect economic benefits from their unique location and relationship with its landscapes. It is this relationship that the Authority seeks to foster and build upon in order to deliver National Park purposes and at the same time boost the economy and create local jobs. A 2008 study highlighted that the Peak District landscape was worth £135 million to the regional economy. To further this relationship, businesses are encouraged to embrace the landscape, and the enhancement of it, as part of their business model. Economic activity within the National Park is predominantly made up of farming, land management, manufacturing, accommodation, and retail sectors. According to the last survey in 2008 there were 5,099 businesses in operation in the National Park providing around 18,900 jobs.
- 4.3 Farming and land management are essential to shaping the look of the national park, for example field patterns, miles of dry stone walls, local buildings, grassland and moorland. The latest employment figures show farming and land management to be significant in economic terms as well, with the sector employing 3,500 people which comprises 18.5% of total employment in the National Park. There is an increasing emphasis on diversification to enable the overall viability of farms and other estate businesses. Securing an economic return from environmental goods and services will play a key role in this.
- 4.4 National policy and guidance requires plans to provide suitable and appropriate land for economic development to meet current and future needs, and to be flexible enough to allow for changes in the economy. It supports development in or on the edge of centres, where employment, housing and services can be provided close together. It advises strict control of economic development in open countryside. Farm diversification is therefore supported where the scale and impact is acceptable with its rural location.
- 4.5 **Core Strategy policies E1 and E2** enable economic development in a number of ways. E1 allows for new sites and buildings for business development in and on the edge of settlements listed in Core Strategy policy DS1, provided they are of a scale that is consistent with the needs of the local population. The preference, wherever possible, is for re-use of existing traditional buildings of historic or vernacular merit or re-use of previously developed sites, to achieve their enhancement. Where this is not possible, new buildings may be permitted, particularly where enhancement can be achieved by removal and replacement of existing buildings.
- 4.6 In principle, the Core Strategy encourages improvements, which make existing employment sites more attractive to businesses. It also encourages home working, provided it is at an appropriate scale. It safeguards existing business land or buildings, particularly those which are of high quality and in a suitable location, but where employment sites are considered to be no longer appropriate, it enables the Authority to take opportunities for enhancement, which may include redevelopment to provide affordable housing or community uses, or both.
- 4.7 **Core Strategy policy E2** specifies that businesses in the countryside should be located in existing traditional buildings of historic or vernacular merit in smaller settlements, or farmsteads, and in groups of buildings in sustainable locations. (Please refer to policy DMC10). Where no such suitable building exists, and depending on which option offers greatest scope for enhancement, the reuse of modern buildings, or removal of an existing building and construction of a more appropriate replacement building may be acceptable. In such circumstances the existing building must be removed before construction of the new building commences and agreements will be sought to prevent construction of additional new buildings.
- 4.8 Recognising the predominantly agricultural nature of rural businesses and buildings, the Core Strategy supports small scale business development on farmsteads, or groups of estate buildings, provided that it supports an existing agricultural or other primary business responsible for estate or land management.

The Core Strategy requires the primary land management business to retain ownership and control of the site and building, so that money from the business will help fund landscape conservation, and the countryside does not become blighted by incongruous business development that has no link to the primary land management business.

- 4.9 The Core Strategy therefore does not allow for businesses in existing isolated buildings, or new buildings in the open countryside in order to conserve landscapes and valued characteristics such as tranquillity and dark skies. Where a business already exists there may be scope for limited growth provided that the impact on landscape and valued characteristics is acceptable. The Core Strategy retains a presumption in favour of small scale retail operations that principally sell goods produced at the premises. Other retail businesses are accepted only in **DS1** settlements in existing buildings and principally away from business sites.

development) as well as to those that require full planning permission. Planning applications should be accompanied by full explanations of the agricultural or forestry proposals with which they are associated in order to allow for a proper assessment. When dealing with proposals for large new agricultural buildings, particular care is necessary regarding size massing, and colour. Dark coloured buildings are in general less obtrusive.

- 4.12 In all cases, new buildings should only be designed with features and openings necessary for the operational use. Features that are not ordinarily required for such business use and are more commonly associated with other uses should be avoided⁵⁶. In some circumstances it may be preferable to incorporate simple stone work to lower levels in order to tie the modern building more successfully into the historic farmstead and surrounding landscape. Supplementary Planning Guidance provides detailed advice on the siting and design of more modern agricultural buildings.

Agricultural and forestry operations

- 4.10 **Core Strategy policy DS1** states that agricultural development will be acceptable in principle in the open countryside to reflect that role of farming in managing landscape character. Where new agricultural or forestry buildings are demonstrably required, they should be located, designed and coloured to respect the landscape and other valued characteristics of the area. The Landscape Strategy should be used to determine landscape quality and any development expectation for that landscape type. Where such buildings require planning permission, the Authority reserves the right through conditions to require the removal of any building or structure when it is no longer needed for its intended purpose of land management and is having an adverse impact on the valued characteristics of the landscape, or neighbour amenity.
- 4.11 Of particular practical importance for agricultural and forestry operational development is that it relates well to local landscape and character, including that which will result from new afforestation or agriculture. Whilst considerable flexibility exists within the planning system for agricultural development, great care is still required and larger buildings are unlikely to be tolerated where these cause adverse impacts to the natural beauty of the area. The policy principles will be applied as appropriate to proposals which are subject to 'prior notification' procedures (permitted

⁵⁶ On occasions the setting of the proposed building may require use of traditional materials e.g. the setting of a listed building. In such cases the Authority may require such materials.

DME1: Agricultural or forestry operational development

- A. New agricultural and forestry buildings, structures and associated working spaces or other development will be permitted provided that it is proven to the Authority's satisfaction, from information provided by the applicant on all the following criteria, that the building at the scale proposed is functionally required for the purposes of agriculture:
- (i) Location and size of farm
 - (ii) Type of agriculture practiced on the farm;
 - (iii) Intended use and size of proposed building;
 - (iv) Intended location and appearance of proposed building.
 - (v) Stocking type, numbers and density per hectare;
 - (vi) Area covered by crops;
 - (vii) Existing buildings, uses and why these are unable to cope with existing or perceived demand.
 - (viii) dimensions and layout;
 - (ix) Predicted building requirements by type of stock/crop/other usage; and
 - (x) Contribution to NPA objectives, e.g. winter housing to protect landscape and the proposed building(s) and structure(s):
- B. are close to the farmstead or main group of farm buildings, and in all cases relate well to, and make best use of, existing buildings, trees, walls and other landscape features;
- C. are not in isolated locations requiring obtrusive access tracks, roads or services;
- D. respect the design, scale, mass and colouring of existing buildings and building traditions characteristic of the area, reflecting this as far as possible in their own design;
- E. avoid adverse effects on the area's valued characteristics including important local views, making use of the least obtrusive or otherwise damaging possible location; and
- F. avoid harm to the setting, fabric and integrity of the Natural Zone

Farm diversification

- 4.13 Agriculture is critical to the ongoing conservation and enhancement of the National Park landscape. For this reason, this plan gives scope for business development in the countryside provided it serves land management business directly, and helps to conserve and enhance the valued characteristics of the landscape. This includes scope for enterprises that can only operate from a rural location. It is vital however that the income from any other business is invested in land and buildings so they are conserved and enhanced as a positive asset to the National Park. The preference is for use of existing buildings of cultural heritage significance, but it may be acceptable to re-use more modern buildings that do not fit that description, or to install new modern buildings depending on the scale and type of building, provided that opportunities are taken to remove any poorer, unsightly buildings that detract from the valued character of the landscape. Business use in isolated buildings in the open countryside is not permitted because of the high likelihood of adverse impact on the landscape.
- 4.14 The Authority recognises that modern agricultural buildings are usually portal framed buildings, constructed off site and assembled on the farm. These buildings are functional by design and their presence in a national park landscape is justified for the land management benefits that agriculture provides, as such structures would not otherwise be acceptable. Some modern agricultural buildings incorporate natural stone but while this may have merit in landscape terms the additional investment is entirely at the owners risk because change of use is no more acceptable in policy for a stone built building than a portal framed building if there is no ongoing agricultural need. The key thrust needs to be on sustainable farming that achieves benefits for the environment and the economy. Business uses that break this essential link are unlikely to be supported.
- 4.15 Core economy policies focus investment towards settlements and key sites where landscape impact can be minimised. Agriculture is an exception because it occurs largely outside settlements, maintains farming traditions, conserves and enhances landscape character and biodiversity and helps sustain the viability and vitality of landscape. However, it is not considered appropriate in a National Park to permit growth of general economic activity in the countryside, because it is incompatible with and would be detrimental to the quality of the landscape and is therefore unsustainable. Aside from this, business uses

can create unacceptable levels of noise and disturbance to those people who live out in the countryside, which may be reason enough to prevent growth.

- 4.16 To retain a reasonable likelihood that landscape character will be conserved and enhanced, new business activity should only be permitted where the business link between the new activity and agriculture will be maintained. For example, sustained rental income to support (not replace) the farm business is more appropriate than short term capital gain through sale of land or buildings, as it is more likely that the long term responsibility for the site, and the commitment to land management, remains with the farm business or the farmer. Where a non-agricultural business is contributing to the costs of land management but further growth of that non-agricultural business is detrimental to the landscape it will be resisted. This is logical in a protected landscape because financial support to land management operations can only offer net benefit to landscape if the non-agricultural business providing that support is not in itself undermining the quality of the landscape.
- 4.17 Disruption of the relationship between farming and buildings in the countryside, sometimes caused by the break-up of holdings (a matter outside public control), can create pressure for inappropriate use of existing buildings. New agricultural buildings are often then demanded to replace the one leased or sold to new business activity. Relevant parts of the landscape strategy, any relevant conservation area analysis, and any neighbourhood plan, alongside the prevailing pattern of settlement in the area, will be used to consider the impact of proposed new buildings.
- 4.18 Planning obligations may be required to create a tie between the proposed use and agricultural units in order to make the development acceptable in planning terms by providing certainty of future use. The National Park Authority welcomes the opportunity to work with land managers to create forward looking farm plans because they can provide clarity and re-assurance as to longer term future intention of the business.
- 4.19 Farm diversification often includes conversion of buildings to provide accommodation for tourists. **Core Strategy policy RT2** and DMR3 deal with holiday occupancy. Developments such as farm shops are covered by **Core Strategy E2, HC5**. Equestrian businesses are covered by policy DMR4. Camping and caravanning businesses by **Core Strategy policy RT3** and DMR1, or nature trails also relate to the tourist and visitor markets.
- 4.20 Farm buildings often lend themselves better

to holiday rather than permanent residential use. The provision of holiday accommodation furthers the second purpose of national parks which is to provide opportunities for people to enjoy the national park. Open market housing in itself does not further national park purposes, and is only justified through **Core Strategy policy HC1** where it is required in order to achieve conservation and enhancement of the National Park.

DME2: Farm diversification

- A. Diversification of economic activity on a farm will be restricted to the specific use or range of uses for which permission is given rather than to a use class.
 - B. Development will be permitted if there is clear evidence that the new business use will remain ancillary to the agricultural operation of the farm business.
 - C. New buildings may be permitted if the proposed development cannot be appropriately located in existing buildings of cultural heritage significance, or in other buildings which remain appropriate within the farm building group.
 - D. Development will be permitted to remove a stand-alone building and replace it with a new building within the building group provided the scale, massing and use of the new building is appropriate, it respects the historic form of the building group, and the existing building has no cultural heritage significance.
 - E. New or expanded buildings for non-farming uses that generate income to support the farm business will be permitted provided there is not net harm to any valued characteristics of the building group or valued landscape character as evidenced by the Landscape Strategy
- (this policy does not apply to buildings justified for agricultural purposes, which, either through prior notification procedure or planning application, are legitimate forms of development on farms)

Safeguarding the best employment sites

- 4.21 **Core Strategy policy E1 D** states that existing business land or buildings, particularly those which are of high quality business land and in a suitable location will be safeguarded for B class use, and that the Employment Land review has been used to help define the principles behind safeguarding.
- 4.22 Applications to change use away from B uses must be accompanied by evidence that the business space is no longer needed in that location, and is unlikely to be needed in future. The core strategy requires sites in Bakewell and Hope Valley to be protected for employment use.
- 4.23 The principle of the Core Strategy is that the key employment sites in Bakewell, namely, Deepdale Business Park, Lumford Mill and the Riverside Business Park are safeguarded for B1, B2 and B8 uses. However, attempts at securing their future for B1, B2 and B8 uses have proved problematic. Therefore, this plan creates the policy context for the business and community sectors in Bakewell, to work collaboratively with each other and this Authority towards successful mutually beneficial development in line with evidenced community and business needs. Chapter 8 sets out the preferred route for this context to be established through the neighbourhood planning regime.
- 4.24 For the purposes of this policy, employment use will mean class B1, B2 or B8 uses, unless an alternative mix of employment generating uses can be created through use of other parts of the site by mutual agreement through a neighbourhood plan process.
- 4.25 Other employment generating sites may be safeguarded through a neighbourhood plan provided there is a strategic need for such sites.

DME3: Safeguarding employment sites

The following sites will be safeguarded for B1, B2 or B8 industrial use employment use unless the development plan and evidence of strategic need (including from any adopted neighbourhood plan evidence or policy) justifies mixed use development, in which case the predominant use (s) should remain in the B1, B2 or B8 use classes:

Bakewell: Deepdale Business Park, Ashford Road

Bakewell, Station Road

Bakewell: Riverside Business Park (incorporating Lumford Mill)

Great Longstone Industrial Estate

Calver Sough Industrial units

Newburgh site Bradwell

Hathersage Hall Farm

Hathersage Station Yard

Station Road, Bamford

Stretfield Mill, Bradwell/Brough

Aston Industrial Estate

Vincent Works, Brough

Whitecross Industrial Estate Tideswell

Re-use of non-safeguarded, and unoccupied or under-occupied business sites in named settlements

- 4.26 Where business sites are not safeguarded for class B use, proposals for other uses must nonetheless comply with other development plan employment policies. There is no 'in principle' acceptance that a site in class B use will be considered acceptable either for another use, or to be extended when other uses cannot be accommodated. This reflects the historical fact that some businesses are in poor locations where their impact is already detrimental to the surrounding landscape and/or to the built environment.
- 4.27 When single businesses wish to expand or re-locate, decisions about the future of the site will take into account wider business and community needs in the area; and

the propensity of the site and buildings to accommodate different uses in ways that will conserve and enhance the surrounding built environment and landscape setting of the site and buildings.

- 4.28 Aside from strategic issues such as location, the most important consideration, when considering proposals to re-develop sites for other uses, is the site and its landscape or built environment setting, and the development required to achieve enhancement. The criteria for such development are set out in policy DME4. Proposals to re-develop sites should pay heed to the current availability of and demand for employment premises, and seek to plug gaps in provision, rather than add to types for which there is no shortage. This is in accordance with the planned outcome of the Core Strategy in relation to the rural economy which seeks to attract more, and higher quality businesses which contribute positively to the conservation and enhancement of the National Park whilst providing high quality jobs for local people. The area is characterised by high resident earnings, but low wage Park-based jobs, so there is a need for higher wage jobs in the National Park to improve the employment offer to a highly educated and skilled resident population.
- 4.29 Whilst lower wage jobs are often filled by people travelling into the area for work, as well as some local residents, the Authority is mindful that communities generally value the many small businesses that operate from low key premises in their midst. Whilst alternative uses of such sites and premises may be proposed, the Authority will consider the extent to which the operation of such small businesses is sustaining the buildings and sites, as well as the community.
- 4.30 In particular, where buildings are considered to be of cultural heritage significance, or the sites themselves already make a positive contribution to the prevailing built environment or the landscape setting, the Authority will consider the likely impact of different uses on the building itself, the buildings around it, and the landscape setting.
- 4.31 In terms of the community, one such consideration might be a communities' desire to retain employment space. Retaining employment space at least makes it possible for people to live and work in a community as opposed to travelling elsewhere for work. Whilst the relative close proximity of employment sites and businesses in towns and cities around the National Park means commuting distances are generally short, it is nevertheless important for communities to function as living working communities rather than simply dormitory settlements for larger employment centres around the National Park.
- 4.32 The Authority will also consider the implications of any proposed use on a site, or in buildings currently in business use. An over provision of any type of new development can quickly change the character of a settlement both physically, but also in ways that reflect more the role of a settlement. The Authority acknowledges that settlements change over time, but also recognises and respects the way a settlement functions now. Therefore applicants should not only consider how best to re-develop a site, but also how the scale and range of uses proposed might reflect the form and current function of the settlement.
- 4.33 In this respect, any village plans, capacity assessment and adopted neighbourhood plans should be assessed before applications are made. Applicants should also assess relevant Conservation Area analyses, and any previous decisions made by this Authority on the re-development of sites. Applicants are encouraged to spend time in the area and engage with communities to understand how it functions. Within and across small geographic areas villages can look and feel very different. This is highly relevant to future decisions about further development.
- 4.34 The Authority will require marketing of employment premises where a change of use is sought in order to encourage the continued operation of the site, however large or small they may be.
- 4.35 Whilst high quality business space is encouraged in new build premises, the Authority recognises that start up and fledgling businesses don't always need, and cannot always afford new premises. If such businesses are able and willing to take up lower quality employment space, it not only gives people the chance to work in the community, but also retains a use that ensures the longer term conservation of the building or site.
- 4.36 Applicants should not therefore take for granted that business demand doesn't exist or that another business is not viable, even if the premises are no longer required or suited to their own business needs. If applicants are able to demonstrate, to this Authority's satisfaction, that a business use is not viable, and the Authority agrees that it is in the best long term interests of the built environment that alternative uses are explored, applications can be made to re-develop the site under the criteria established by policy DME4. This may or may not include an element of business use.
- 4.37 This approach is in line with the Employment Land Review which underpins the policies of the Core Strategy and this plan. That evidence

suggested that up to 2026, and to meet the economic aspirations of the constituent councils, there is a need for an additional 3.5 ha of industrial space and 1.5ha of office space. It suggested that this need could largely be met on three currently identified sites of Bakewell Riverside (Lumford Mill), Newburgh site, Bradwell, and Ashford Road Bakewell. However it also cautioned that whilst most of this provision could be met on those sites, if those sites for whatever reason were not developed, alternative sites in the National Park would need to be considered. It concluded that that there would also need to be scope to allow, through Development Management Policies, further small-scale employment developments to meet local needs in larger villages such as Hathersage and in rural building conversions.⁵⁷ The plan policies therefore require great care to be exercised before releasing employment sites is justified, because in a protected landscape context, it may limit the scope for new sites.

4.38 In valuing small sites, the Authority nevertheless needs to recognise that alternative uses, particularly for sites in less sustainable locations, might offer good enhancement opportunities and might be more appropriate uses for a particular location. Whereas large villages might be considered good locations for employment space, the case for retaining such space in smaller less well connected villages might be harder to make.

4.39 Where sites are considered to be in uses that have an adverse impact on the other uses and users of an area, they may be re-used to meet other plan objectives. New uses must enhance the valued characteristics of the National Park and satisfy other material considerations such as residential amenity.

4.40 The consideration of other community needs is particularly relevant. This may include community facilities such as a doctor's surgery, a convenience food shop, or a community room for group use. Applicants looking to change the use of employment space need to understand any community wishes or needs. This can be achieved by referring to community led plans, and by contacting the parish or town council to check that any plans are accurate and up to date. Proposals for other facilities will have a better chance of receiving support and avoiding objections if they respond positively to community needs.

4.41 Where it can be demonstrated that business sites have been adequately marketed by a specialist agent and have been included in the list of available sites published by the local

authority's economic development department for a period of at least 12 months and business sites are shown to be under occupied or remain vacant over that period of time, to the extent that the positive contribution of the buildings, or the site to the built environment or wider landscape is undermined or being eroded, the Authority will seek to secure opportunities to conserve and enhance the site through conversion to alternative uses. The following policy applies to sites which are not safeguarded by the Plan.

4.42 In order to meet part A, applicants must submit evidence that they have marketed the premises to the Authority's satisfaction. Applicants must provide:

- a. Evidence of a thorough marketing exercise over a least 12 months by a commercial property agent with a good knowledge of the property, and the appropriate local, national, or niche market for class B use land and premises. (Marketing should include advertising in the local and regional press, including a minimum of one advert per month in a local newspaper and a minimum of two adverts over the marketing period in a relevant national publication); and
- b. A copy of the letter of instruction to the property agent(s); and
- c. Evidence of marketing of the property through the Economic Development department of the appropriate district council for at least 12 months; and
- d. Evidence that the asking price or market rent is the market value as defined by the RICS "Appraisal and Valuation Standards" ('The Red Book') which must take into account the structural condition of the property and the planning constraints affecting it; and
- e. The methodology used by the surveyor in arriving at a valuation showing what figure, if any, has been allowed for the goodwill of a business, for any fixtures and fittings, and for the building itself. The floor area must also be identified so that a value per unit area can be established for comparison with the local market; and
- f. Written details of all enquiries received, and the reasons why potential buyers/ leaseholders found the buildings to be unsuitable, and why any offers were not accepted.

4.43 The National Park Authority may seek the opinion of the District Valuer as to whether a realistic sale price or leasehold rent has been set.

4.44 Irrespective of the proposed use, it must enhance the valued characteristics of the

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National Park as well as satisfying other material considerations such as residential amenity.

4.45 Outside of DS1 settlements, and those sites named in policy, the Authority will not specifically protect business sites, and those sites will not be permitted to expand. In many cases, there may be opportunities to enhance the business sites and therefore the landscape of the Park by change of use, or reconfiguration of buildings under the current use.

DME4: Change of use of non-safeguarded, unoccupied or under-occupied employment sites in DS1 settlements

The change of use, or re-use of non-safeguarded, unoccupied or under-occupied employment sites in DS1 settlements to non-business uses will be permitted provided that:

- A. The site or buildings have been marketed to the Authority’s satisfaction for a continuous period of 12 months prior to the date of the planning application, in line with the requirements of this plan and the Authority agrees that there is no business need⁵⁸;

In the case of proposals to change to other class B uses where a change requires planning permission⁵⁹:

- 1.218 The changed nature of any business use proposed for land or buildings is justified by evidence of need for particular business premises and space in the National Park or, if expressed as a need for the district, borough, or metropolitan council, for that council area; and
- 1.219 In accordance with any evidenced need, the size and type of buildings proposed would address that need; and in all cases
- 1.220 The proposed use conserves and enhances any valued character associated with the site or premises, including any cultural heritage significance attached to the site or buildings and the wider settlement pattern

Class B1 Employment Uses in the countryside outside DS1 settlements

4.46 Core Strategy policy E2 sets out the policy principles for businesses in the countryside directing economic development to smaller settlements, farmsteads and groups of buildings in sustainable locations. It makes clear that business use in an isolated existing or new building in the open countryside will not be permitted.

4.47 In this respect the Core Strategy encourages local product or service development, particularly where the activity or product demonstrates a positive appreciation of the National Park as a special place. Small scale business operations can sometimes be acceptable, but larger, more general development is less likely to be so. The scale of an activity and any intentions for its future will be important considerations when deciding whether B1 employment use of sites and buildings in the countryside is acceptable. Planning conditions and where necessary legal obligations will be used to discourage inappropriate growth of a business and give the Authority the tools to prevent, or remedy that eventuality. This may include the removal of permitted development rights. Permissions may be granted for a specified period, with renewal of permission dependent on the acceptability of the impact in the initial operating period. In some circumstances it may be appropriate to restrict permissions to specified occupants (personal permissions) in such cases, a specified time period may or may not be appropriate in addition to personal use. The temporary granting of permission enables business persons to allay any fears that the Authority and neighbours may have, but which were insufficient at that stage to justify a wholesale block on the development. If after the temporary period the fears prove well founded, the Authority is unlikely to offer an extended period of operation. The Authority may also remove permitted development rights (i.e. those rights conveying permission for certain types of development without the requirement to obtain planning permissions) if that is felt necessary to make the development otherwise acceptable.

58 A business may make representation to the Authority if it considers 12 months to be too long a period for the type of business concerned, but the business will need to provide reasoned justification why a shorter period of marketing is justified.

59 B uses cover the full range of business types from offices to heavy industry and some changes between different types of business use do not require planning permission (i.e. it is permitted development) An applicant must check when planning permission is required by consulting the General Permitted Development Order.

DME5: Class B1 employment uses in the countryside outside DS1 settlements

Planning permission for a B1⁶⁰ employment use in an existing building will be granted provided:

- A. Any adverse effect on any building with cultural heritage significance, and on the valued characteristics and amenity of the area can be mitigated by application of the following criteria:
 - (i) Restriction to the specific activity applied for; and
 - (ii) A specified and agreed scale, intensity and type of activity, including vehicular movements and hours of operation; and
 - (iii) A specified and agreed arrangement of parking and/or storage of vehicles, equipment and materials.
- B. For the particular use permitted, and where necessary and appropriate:
 - (i) Permitted development rights (particularly for further buildings or structures) are removed; and/or
 - (ii) Permission is time limited for a temporary period of (usually) 2 years; and/or
 - (iii) In the case of personal permissions, the permission is restricted to personal benefit of the occupant of the building only; and

If any combination of these mechanisms proves to be ineffective in practice, a further permission will not be granted.

Home working

4.48 The Authority supports a flexible approach to working from home (**Core Strategy E1**). The key issues are the scale and nature of the business and its impact. In many cases, home working does not require planning permission, but where it does, it is reasonable to require clear limits to the type and size of activity. The aim is to protect residential amenity, and

conserve and enhance the built and natural environment.

4.49 The National Park Authority recognises that in rural areas it is common that people work in or around their homes, because the space to do so is more commonly available than it is in more built up areas. Also, in more recent times, the inconvenience and escalating costs of travelling to work, coupled with improved communication technology, makes working from home an attractive option. The aim of economic development agencies is to have super broadband access for over 90% of businesses by 2017. Such changes have few planning implications but are extremely important in encouraging high quality, high wage jobs into the area.

DME6: Home working

- A. Permission for home working will be restricted to a specified activity within use class B1 and restricted to a scale that can be accommodated within the dwelling, or ancillary buildings, without creating a need or demand for further ancillary buildings, or extension of a dwelling beyond that which would normally be permitted by policy DMH8; and
- B. Planning conditions and/or obligations will be used as necessary and appropriate to control any aspects of the business activity likely to adversely affect the valued characteristics, residential character or amenity of the area. The conditions and obligations may include:
 - (i) the exclusion of permitted development rights for further buildings or structures;
 - (ii) controlling the scale, intensity and type of activity, including vehicular movements and hours of operation;
 - (iii) controlling the arrangement for parking and/or storing of vehicles, equipment and materials.

⁶⁰ B1 Use - Office use other than a use within Class A2, research and development of products or processes, any industrial process which can be carried out in any residential area without causing detriment to the amenity of the area

Expansion of existing industrial and business development

- 4.50 **Core Strategy policies E1 and E2** set out the principles for business growth. Where a business is in a built up area, the impact on residents' amenity is a particularly important consideration. If physical expansion of the business would harm residential amenity, businesses may be refused planning permission for that reason alone, irrespective of the extent to which other environmental impact can be satisfactorily addressed.
- 4.51 The Authority understands that when businesses are successful, site operators will desire expansion around the existing buildings rather than move to other locations. However, in the National Park, the importance of landscape conservation justifies strict limits to physical growth. The first consideration is always the landscape impact, and whether the expansion of the business in that location will conserve or enhance valued landscape character or other valued characteristics.
- 4.52 It is not sustainable to permit either the establishment or expansion of business operations in the National Park countryside, simply because it is cheaper for the business. The Authority considers that a business person can reasonably foresee, for reasons of conserving the environment that expanding a business in the National Park countryside may not be possible. The Authority does not therefore consider protection of investment; or lower business start-up or expansion costs; or the desire to operate away from other built up areas as justifiable reasons to permit expansion of development into open countryside.
- 4.53 In all cases, existing business should not assume that physical expansion of that business, at the same site, will be permitted. This is because conservation of the landscape and the built environment must always be prioritised and is likely to prevail, unless physical expansion of the business allows these two aims to be met satisfactorily.
- 4.54 In order to promote business of an appropriate scale for the National Park the Authority will assess the potential impacts of the scheme and consider whether it should be classed as major development. **GSP1 of the Core Strategy** and national policy are clear that major development in the National Park should be refused (NPPF para 116) except in exceptional circumstances where the development can be demonstrated as being in the public interest.
- 4.55 Some existing businesses are located in areas of countryside where, if planning permission were to be applied for today, it is unlikely to be granted since **Policy E2C of the Core Strategy** is clear that business use in an isolated existing or new building in the open countryside will not be permitted. Existing sites may well benefit from new investment and more efficient use, but business owners should consider if this can be better located in or adjacent to a **Core Strategy DS1** settlement, or in a suitable location outside the National Park. In some cases, sites outside the National Park might be nearer and therefore more commutable for the majority of the workforce than the existing site in a DS1 settlement.
- 4.56 Businesses will be expected to provide robust evidence as to why such options are not being taken, and explain how business expansion at the existing location conserves and enhances the landscape and or built environment. Where business use has become regularised for reasons unrelated to conservation of the National Park landscape it is likely that future expansion will be refused.
- 4.57 The continued protection of business sites in the Hope Valley and Bakewell in line with the Employment Land Review and Neighbourhood Plans demonstrates that the Authority and communities are keen to protect business space. Business is encouraged to use such sites. The Authority does not accept that business expansion away from business sites is necessary for planning reasons, because there is no under provision of employment space.⁶¹
- 4.58 Where planning permission is approved for business expansion in countryside locations, e.g. where it has been demonstrated that there are no other options and where the proposed development results in no landscape harm, it will be subject to a section 106 agreement. The agreement will tie the business into a local landscape management agreement and require money from the business to be made available for specified work to maintain and enhance valued landscape character. Such work will be required to be carried out for at least as long as the business continues to operate from the site.
- 4.59 Persons proposing to establish businesses in the National Park, especially outside of DS1 settlements, should be very clear from the start what potential for business expansion exists under development plan policies before they choose to invest in a site or buildings.

61 Peak Sub region - Employment Land Review: Nathaniel Litchfield and Partners 2009

DME7: Expansion of existing industrial and business development where it is not ancillary to agricultural business.

In or on the edge of a DS1 settlement

In or on the edge of a DS1 settlement, expansion of an existing industry or business will be permitted provided that:

- A. It is operating in an appropriate location; and
- B. The scale and type of development can be accommodated without adversely affecting the amenity and valued characteristics of the area or to traffic safety and circulation; and
- C. Proper consideration has been given to the possibilities of using, modifying or extending buildings to conserve and enhance landscape character before proposing new buildings

Outside DS1 settlements

Outside DS1 settlements, expansion of existing industrial and business development will only be permitted where:

- D. It is of a modest scale in relation to the existing activity and/or buildings,
- E. The scale and type of development can be accommodated without adversely affecting the amenity and valued characteristics of the area or to traffic safety and circulation; and
- F. It does not adversely affect, and wherever possible secures the enhancement of the site as well as the future management of valued characteristics of the site and adjoining land within the ownership of the business; and
- G. Proper consideration has been given to the possibilities of conserving and enhancing landscape character by using, modifying or extending existing buildings; and
- H. Impact on valued characteristics and residential amenity from operating hours, lighting and noise is considered acceptable.

Design, layout and neighbourliness of employment sites including haulage depots

4.60 Employment sites, and the types of building associated with them usually have an impact on the landscape and the amenity of those living in or visiting that area. The extent and nature of the impact often depends on the care taken to achieve adequate screening, and on subsequent standards of operating practice or site maintenance. In some circumstances screening in itself will introduce an undesirable landscape feature and may not therefore always be considered to be an acceptable way to mitigate landscape impact of the development.

4.61 Untidy or inappropriate use of outdoor areas, noise, operating times and use of floodlighting can also pose problems. It will often be necessary to make use of planning conditions and/or agreements (planning obligations) to ensure best practice and high standards can be enforced. The adequacy of local roads to cope with vehicles going to and from employment sites is also an important consideration (see **Core Strategy policy GSP3 and T1E**). Design Policy DMC3 will also be relevant.

4.62 **Core Strategy Policy T4** makes provision for freight transport facilities provided that they are not in Conservation Areas or residential areas and are accessible to the strategic road network without using roads subject to a weight restriction order. Many farms are accessible only by roads that are subject to weight restriction order, and, whilst road haulage business can often supplement the income of farming families, it is not encouraged to operate or, where they already exist, expand such businesses from such farms. The reason for this policy position is that, where such businesses exist, experience suggests that they become unacceptable when vehicles and other materials are stored outside buildings. In addition, lorry movements, either through use of unsuitable minor roads, or frequency of use on any sort of road, harm the amenity of the area.

4.63 The Authority is careful to avoid permitting development that encourages increased vehicle movements and demand for road upgrades. Where operators expand businesses into buildings only permitted for agriculture without planning permission, the Authority reserves the right to use conditions or legal obligations to bring the activity under the planning system where possible and stop it from creating adverse impact pressure onto often very minor roads and sensitive landscape

4.64 When faced with applications to expand road haulage businesses, the Authority will consider whether any positive planning gain relating to land management practices connected to the haulage business are sufficient to offset the negative impact of the expanded road haulage business itself.

4.65 Subsequent unlawful use of such buildings for uses other than that permitted will be subject of enforcement action, where this is felt necessary for the conservation of the landscape, or built environment, or to protect the residential amenity of anyone considered to be unreasonably impacted upon by the business. In this respect, the impact on people who visit and use the Park for recreational purposes is a material consideration, alongside the impact on people who live in the vicinity of the development. Where development is part of farm diversification, Policy DME2 also applies

4.66 Employment sites, including haulage depots, have a high propensity to harm the sensitive landscapes and valued built environments of the National Park. It is important that where employment sites (including haulage depots) are considered acceptable in principle, they are designed to minimise any adverse effects on the valued characteristics and amenity of the surrounding area.

DME8: Design, layout and neighbourliness of employment sites including haulage depots

- A. Where development for employment purposes is acceptable in principle, it will only be permitted where every practicable means is used to minimise any adverse effects on the valued characteristics and amenity of the surrounding area. Particular attention will be given to:
- visibility from vantage points; and
 - site access, vehicular circulation and parking; and
 - site layout and use of open space surrounding buildings; and
 - storage of vehicles or other equipment; and
 - landscaping and other screening, and whether, in the landscape proposed, it is an appropriate method to mitigate adverse impact on the landscape; and
 - noise and proposed times of operation.

Where necessary, planning conditions will restrict future growth and intensity of the activities on site.

5

Recreation and Tourism

Strategic Context

- 5.1 One of the two statutory purposes of National Parks is to promote “opportunities for the understanding and enjoyment of the special qualities (valued characteristics) of those areas by the public”⁶²
- 5.2 Tourism makes a significant contribution to the local economy. Between 2009 and 2013, the overall economic impact of tourism has increased by 19%. In 2013, the total economic impact of the Peak District National Park and its area of influence was £540 million and it is estimated to support over 9500 jobs. In an area such as the National Park it is essential that recreation and tourism development is sustainable, i.e. ensuring that activities or development today do not harm those qualities which future generations would wish to enjoy. The National Park Authority’s approach to tourism and recreation development is to support only that which has a particular need to use the valued characteristics of the National Park. But in doing so it aims to maximise the local economic benefits of recreation and tourism and influence behaviours by facilitating enjoyment in tune with the very assets that underpin the designation of the area as a National Park, namely its valued landscapes, cultural heritage and wildlife.
- 5.3 Many millions of visitor days are spent in the National Park each year, and the numbers who arrive by private vehicle continue to be a major source of concern. However at a time where public transport provision has declined, the role of the Authority has moved to one of influencing and leading on sustainable alternatives to private vehicles.
- 5.4 The National Park possesses a wealth of natural and historic attractions that with careful management can offer adventure and stimulation to inspire this and future generations.
- 5.5 **Core Strategy policy RT1** is clear that proposals for recreation, environmental education and interpretation will be supported where they encourage understanding and enjoyment of the National Park’s valued characteristics. Furthermore, opportunities for sustainable access will be encouraged. New provision must justify its location in relation to environmental capacity, scale and intensity of use or activity, and be informed by the Peak District Landscape Strategy.
- 5.6 New development should be focussed in or on the edge of settlements with the re-use of traditional buildings being encouraged wherever possible. In the open countryside, clear demonstration of need will be necessary.
- 5.7 **Policy RT1** is also clear that development must not prejudice or disadvantage people’s enjoyment of other existing and appropriate recreation, environmental education or interpretation activities, including the informal quiet enjoyment of the National Park;
- 5.8 **Core strategy policy RT2** clarifies that accommodation for staying visitors will be permitted by extension or improvement of existing accommodation or by conversion of traditional buildings of historic or vernacular merit, however, the use of entire farmsteads for holiday accommodation will not be permitted. New build holiday accommodation will not be permitted, except for a new hotel in Bakewell.
- 5.9 **Core strategy policy RT3** supports the provision of touring camping and caravan sites particularly in areas where there are few sites, and where they can be well integrated with the landscape;. However the introduction of more permanent, non-traditional structures including static caravans, chalets or lodges will not be permitted.
- 5.10 **Core strategy policy RT3** supports improved facilities on camp sites where they are of appropriate scale. Moreover development that would improve the quality of existing sites, including improvement to the appearance of existing static caravans will be encouraged.
- 5.11 Many measures to manage visitor pressure are dealt with without recourse to, or outside the control of, the land-use planning system. Current policies set out in the National Park Management Plan, Recreation Strategy, and Cycle Strategy have been negotiated and put into practice with our partner organisations, and form a crucial part of this approach. Work continues, to find further methods to sustain the National Park’s attractive features despite increased use. The National Park Authority aims to ensure consistency between these methods and its spatial policy.
- 5.12 The Planning Acts provide for control over the use or development of land or buildings. Recreation impact in a National Park is

62 Section 5 National Parks and Countryside Act 1949 as amended by section 61 of the Environment Act 1995

usually more related to land use and activity levels rather than built development. Recent examples include the competition between cycling, walking and horse riding, or helicopter trips requiring take-off and landing sites.

Touring camping and caravan sites

- 5.13 Touring camping and caravanning are historically the most popular types of visitor accommodation and considerable provision already exists within the National Park.
- 5.14 **Core Strategy policy RT3** includes most of the criteria from the 2001 Local Plan but development management policy clarifies two issues. Firstly, policy stresses the need for development to integrate well with and not dominate its surroundings. Secondly the policy clarifies the criteria applied to applications to change holiday occupancy conditions.
- 5.15 In terms of integrating development into landscape, this is often a challenge because much of the quieter landscape is very open, whilst the busier valleys and dales are often narrow and ecologically sensitive, and already feel the pressure from day visitor use of small roads. Many of these roads are steep, narrow and poorly aligned. If the impact on location, access, and landscape setting, and valued characteristics are satisfactory then new low key sites may be acceptable. What is an appropriate size of site will vary from case to case, but for the scale of development or activity to be considered appropriate it should in no circumstance dominate its surroundings.
- 5.16 For many village facilities, visitor spend is an essential part of the owner's income and helps sustain the facility for the benefit of the community year round. Therefore, the provision of facilities (including shops, restaurants, sports and leisure facilities) on camping and caravan sites will only be permitted when there will be no significant adverse effect on the vitality and viability of existing facilities in surrounding communities. Nevertheless there may be circumstances where the introduction of small scale facilities on a camping or caravan site may actually provide a useful contribution to community services where they are not otherwise available locally.
- 5.17 **Core Strategy policy HC2** provides the policy basis for consideration of new site warden accommodation. In terms of management of sites, many caravan and camp sites will be located close to farmsteads where conversion of existing buildings can allow supervision of the site without the need for the construction
- of new dwellings. However there may be cases where there is no scope for accommodation from which to supervise and manage the site. In such cases new build accommodation for site wardens may be acceptable but must be justified in terms of the essential need to live on the site. Where new site warden accommodation is permitted, dwellings will be tied to the business using a section 106 agreement in the same way that dwellings are secured for agricultural workers, justified by the functional need.
- 5.18 **Core Strategy policy RT3** is clear that static caravans, chalets and lodges are not acceptable features in the National Park. The open character of large parts of landscape particularly in the White Peak and Dark Peak mean that the non- traditional and permanent presence of such forms of accommodation are incompatible with the conservation purpose of the National Park. There is however a growing range of alternative forms of accommodation such as camping pods, yurts, shepherd's huts etc. which have come onto the market in response to a demand for greater quality and comfort. For clarity, the National Park Authority considers all such forms of accommodation to have the same potential for adverse landscape impact and therefore they will be determined against **Core Strategy policy RT3 part B**. There may be exceptional circumstances where some structures may be acceptable. For example, experience has highlighted that wooden pod structures can provide a sensitive, low key form of accommodation particularly in woodland settings where the scope for landscape harm is negligible or indeed nil. Such solutions can help to support the local economy by extending the tourism season. Similarly the traditionally styled shepherd's hut accommodation can also provide an alternative form of provision with no landscape harm provided only one hut is installed on any one site and they are located close to existing farmsteads where existing access, parking arrangements and facilities can be utilised.
- 5.19 Development of this nature will still need to blend successfully into the landscape, and allow the valued characteristics of the natural and historic landscape to dominate, before they can be considered favourably.

DMR1 Touring camping and caravan sites

- A. The development of a new touring camping or touring caravan site, or small extension to an existing site will not be permitted unless its scale, location, access, landscape setting and impact upon neighbouring uses are acceptable, and it does not dominate its surroundings.
- B. Shopping, catering or sport and leisure facilities at camping and caravan sites will be permitted provided that there is no significant adverse effect on the vitality and viability of existing facilities in surrounding communities and the development is of a nature suited to the needs of the site itself.
- C. Exceptionally, the development of structures may be permitted where these are small, simple, wooden pod structures in woodland locations with minimal landscape impact, or a single shepherd's hut where this can be located close to facilities of a farmstead without harm to the natural or historic landscape.

is because caravans and tents (or similar) are not considered appropriate permanent homes in a protected landscape, and because when they are occupied for holiday use they enable a large number of people to visit, experience and enjoy the National Park.

DMR2 Holiday occupancy of camping and caravan sites

- A. Where the development of a touring camping or touring caravan site is acceptable, its use will be restricted to holiday accommodation.
- B. For an existing camping or caravan site, the removal of any existing condition that stipulates months of occupation, and its replacement by a holiday occupancy condition, will be permitted, provided that the site is adequately screened in winter months and that there would be no adverse impact on the valued characteristics of the area or residential amenity.

Holiday occupancy of camping and caravan sites

5.20 Planning permissions for camping and caravan sites and self-catering holiday accommodation sometimes come with conditions or legal agreements limiting their use to seasonal occupancy. The Authority supports the view that there is scope to lengthen the holiday season to benefit the local economy and provide more full time employment but, for the benefit of landscape, wildlife and local residents, a period of respite from tourist pressure can be justified. For example, tents and caravans can be particularly visible in the winter months when there is no foliage on trees and hedgerows so the year round impact on valued character needs to be carefully assessed. The National Park Authority defines holiday use as occupation for no more than 28 days per calendar year by any one person. Anything over 28 days occupation by any one person is classed as full time residential use and will be prevented where necessary by the enforcement of conditions or legal agreements.

5.21 Applications to relax seasonal occupancy conditions will be considered on their merits but will more often than not be refused. This

Holiday occupancy of self-catering accommodation

5.22 In cases where a property is unsuitable as a full-time residence (where there is, for example, poor outdoor or indoor living space, an inappropriate relationship to adjoining houses or unacceptable potential for landscape harm) it may, within legal limits, be possible to approve a form of accommodation that will not represent a permanent year round impact on neighbours' amenity or harm the relationship between buildings.

5.23 The removal of a holiday occupancy condition may be acceptable where there would be no adverse impact on valued characteristics of the area or residential amenity. In these cases the opportunity will be taken to tie the property to occupancy in perpetuity by those in housing need and having the required local connection as specified in policies. The recycling of these houses into this sector helps address local problems of affordability and reduces the pressure to build further dwellings.

DMR3 Holiday occupancy of self-catering accommodation

Outside settlements listed in policy DS1 of the Core Strategy:

- A. where self-catering accommodation is acceptable, its use will be restricted to holiday accommodation; and
- B. for existing accommodation, the removal of any condition that stipulates months of occupation will be permitted provided:
 - (i) that there would be no adverse impact on valued characteristics of the area or residential amenity and
 - (ii) the dwelling unit is tied by legal agreement to occupancy in perpetuity by those in housing need and having the required local connection as specified in policies; and
 - (iii) the size of the dwelling unit is within that specified in housing policies beyond which the dwelling unit cannot reasonably be rented or part owned at a price eligible occupants can afford.

Within a settlements listed in policy DS1 of the Core Strategy:

- C. a holiday occupancy condition will be applied to self-catering accommodation if the property being converted has inadequate indoor or outdoor living space or is so closely related to adjoining properties that the introduction of residential use would cause unacceptable harm to their amenity; and
- D. for existing accommodation, the removal of any holiday occupancy condition will be permitted where the criteria in B) above are met.

Facilities for keeping and riding horses

5.24 Horse riding provides opportunities for quiet enjoyment of the National Park. Planning permission is not normally required for the use of land for grazing horses, but stables, exercise rings (or maneges) and the recreational use of land usually do require permission. The popularity of horse riding creates pressure for stabling and exercise rings in places where it is not always easy to find a good design and fit to the valued characteristics of the landscape. The combination of buildings and exercise areas,

security lighting and paddock style fencing can create an over-managed feel to relatively simple pastoral landscapes, particularly where the landscapes are relatively open.

- 5.25 The design and construction of such facilities, including the demand for major changes to landform to create exercise areas has caused some concern. Experience has shown that where stables are built to high, even domestic standards, there can be subsequent pressure for conversion to domestic use. As such it is considered that simpler constructions methods offer a more functional solution, although the acceptability of individual designs will depend always on the character and appearance of the surrounding area.
- 5.26 The impact may also be lessened by siting stables or facilities adjacent to existing groups of buildings, and using materials which reflect the valued character of the area. Consideration should also be given to issues such as the ease of access to an adequate local bridleway network, likely traffic generation, and possible nuisance to local residents, landowners or farmers.

DMR4 Facilities for keeping and riding horses

Facilities for keeping and riding horses will be permitted provided that the development:

- A. is specifically designed to accommodate horses; and
- B. is not constructed of a scale or design or materials, or any combination of these three aspects of a proposal which would be tantamount to creating a new dwelling or a building that would lend itself to future conversion for such purpose; and
- C. is located adjacent to existing buildings or groups of buildings; and
- D. does not alter the valued landscape character by changing the landform or in any other way have an adverse impact on its character and appearance
- E. is not likely to cause road safety problems;
- F. in the case of commercial stables/riding centres, has good access from the strategic and secondary road networks and to an adequate bridleway network that can accommodate the increased activity without harming the valued characteristics of the area or their enjoyment by others.

6

Housing

Strategic Context

- 6.1 Addressing the community's need for housing is a key part of the Authority's aim to support vibrant and thriving communities. National Park policies seek ways to address a particular part of overall housing provision and that is the unmet need for new affordable homes, both now and for future generations⁶³. The National Park Authority is not the housing authority so the housing policies of the housing authorities cover the provision of housing in its widest sense.
- 6.2 However the adopted Core Strategy for the National Park states that it is not appropriate to permit new housing simply in response to the significant open market demand to live in its sought after environment. That view is confirmed by the National Park Vision and Circular⁶⁴, and the Strategic Housing Market Assessments (SHMAs), of Derbyshire Dales and High Peak. These two councils comprise 82.3% of the National Park population⁶⁵. This forms part of the evidence base for these councils' local plans and has led to agreed reasonable estimates for housing delivery in the National Park based on past trends. Estimates do not represent a target but neither do they represent a limit.
- 6.3 The expected levels of delivery in the National Park are set out in the spatial objectives of the Core Strategy. This gives estimated figures for three broad spatial areas, based on past trend of delivery, and known capacity for development in settlements. It does not provide estimates for each housing authority area.
- 6.4 All new housing is therefore permitted as an exception to the strategic principle that development of all types should be constrained in the National Park. All development on previously undeveloped land is classed as an exception site, insofar as housing allocations are not otherwise brought forward in the development plan. Nevertheless, as far as national park purposes can be upheld, the policies enable affordable housing to address local needs on these sites. Policies also enable essential worker housing, ancillary accommodation, holiday accommodation and open market housing, by conversion or new build where this can drive the conservation and enhancement of the National Park, e.g. by re-development of previously developed sites. Any of these, in the right circumstances, can address national park purposes and/or community needs.
- 6.5 The opportunity for more open market dwelling units is now limited by dwindling numbers of obvious larger enhancement opportunities such as the conversion of old mills. Therefore, over this plan period and subject to funding and suitable sites, it may be possible to further improve the numbers of affordable housing delivered relative to numbers of open market housing delivered. This gradual reduction in overall delivery is reflected in the trend figures included in the Core Strategy and in constituent authorities plans.
- 6.6 The Core Strategy establishes where new housing is acceptable in principle. It firstly directs the majority of new build development to a range of listed settlements, (**Core Strategy DS1**) and then describes the scope for development elsewhere in the National Park. **Chapter 12 of the Core Strategy** establishes the strategic context and key principles for housing delivery. **Policies HC1, HC2 and HC3 of the Core Strategy** need to be read in conjunction with the policies of this chapter and the Supplementary Planning Guidance: Meeting the local need for affordable housing in the Peak District National Park adopted in Jul 2003 (or any successor supplementary planning document SPD).

63 <http://www.peakdistrict.gov.uk/microsites/npmp/our-vision/thriving-and-vibrant-communities/tv4-affordable-housing>

64 https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/221086/pb13387-vision-circular2010.pdf paragraphs 78 and 79

65 Source ONS Constitutional Boundaries Population Peak District National Park population estimates, mid-2010 by part Local Authority Quinary age groups, Persons, Males and Females

Addressing the local need for affordable housing

- 6.7 In terms of the housing mix, the previous development plan objective for housing was to re-balance the housing stock by increasing the percentage of social housing. In many DSI settlements the percentage of social housing stock is now 10%- 15%⁶⁶. However the high demand for housing means that affordability across the wider Peak District area continues to be a huge barrier to many local people wanting to enter the housing market. For example, in the Derbyshire Dales area of the National Park, evidence suggests that 64 affordable houses per year are required up to 2030⁶⁷. These needs are shared across communities of other constituent council areas covering the National Park. Therefore, it is reasonable to surmise based on population numbers that there is an annual need for approximately 100 affordable houses.
- 6.8 However, national parks have the highest landscape designation in the UK and the purpose of designating them is to conserve and enhance landscape. This means that even affordable housing needs cannot be met in full. This is recognised in both the adopted Core Strategy and constituent authority Local Plans.

What is locally needed affordable housing?

- 6.9 The key objective is therefore to address the evidenced need for affordable housing arising in the locality largely through development of exception sites, and recognising that the Authority is also providing market housing through conversion and re-development opportunities. This all helps address an unmet community need, and to a small, but not insignificant extent, help communities remain vibrant and thriving.
- 6.10 The NPPF provides a national definition of affordable housing, including:
- Social rented - Social housing is let at low rents on a secure basis to those who are most in need or struggling with their housing costs. Normally councils and not-

for-profit organisations (such as housing associations) are the ones to provide social housing;

- Affordable rented housing - The government has introduced a new tenancy scheme for social housing landlord, such as Housing Solutions. This new scheme is called Affordable Rents. The Affordable Rent Scheme allows housing associations to; let properties at rents of up to 80 per cent of those charged in the private sector; and
 - Intermediate housing – Homes for sale and rent provided at a cost above social rent but below market levels. These can include shared equity (shared ownership and equity loans), and other low cost homes for sale and intermediate rent, but not affordable rented housing.
- 6.11 All homes provided against the definitions in 6.10 above help address the challenge of affordability. Other forms of housing such as starter homes, which have legal status as affordable housing, are unlikely to address a locally evidenced need for affordable housing. This is because they may still be more expensive than can be afforded by local people in housing need. This is especially the case where local people cannot access mortgages for the houses. Products such as this and custom and self-build properties would not be appropriate to justify the development of exception sites; however they may provide a useful additional rung of housing as part of redevelopment sites, justified by conservation and enhancement. The Authority will assess the demand for such units at the time of the application and explore with the developer the options to address demand.
- 6.12 Self-build housing, also known as Custom Build, typically involves individuals commissioning the construction of a new house from a builder, contractor, package company or physically building a house for themselves. The Government are keen to promote an increase in self-build housing as one of the means of addressing housing need. The Self-Build and Custom Housebuilding Act 2015 requires local planning authorities to keep registers of people who have expressed an interest in self and custom build in the plan area. It also places a duty on local authorities to “have regard to” such registers when carrying out their planning, housing, land disposal and regeneration. Where there is a proven need for self-build housing provision as demonstrated by the Authority’s Self-Build Housing Register, developers will be encouraged to make provision for small builders or individuals or groups who wish to custom build their own

66 ONS 2011 census neighbourhood statistics at parish level

67 Derbyshire Dales Housing and Economic Needs Assessment Draft Final Report Atkins for Derbyshire Dales District Council February 2014 http://www.derbyshiredales.gov.uk/images/documents/D/Derbyshire_Dales_Assessment_of_Housing_and_Economic_Needs.pdf

home as part of a scheme to re-develop a site. In determining the nature and scale of provision, developers should have regard to considerations of viability and site specific circumstances. This form of housing will be considered under policy DMH6.

- 6.13 What is affordable on a case by case basis depends on prices in relation to incomes and mortgage availability. The government considers that if more than 3.5 times income is required by way of a mortgage, the house is not considered to be affordable. This means that for many people on average or lower quartile incomes, the majority of the housing stock in the National Park is not affordable. This situation is common across all desirable rural areas and is compounded by the fact the Peak District is close to many large urban areas to which people can reasonably easily commute.

What is housing need, and when is new housing justified?

- 6.11 The Authority's objective is that new affordable housing addresses a range of local housing needs. This means consulting the housing authorities and, requiring developers to provide the mix of houses an area needs. In submitting an application, the Authority would expect the applicant to reflect any advice given.
- 6.12 Housing need is defined by the Housing Act 1996. However, the definition of housing need at a local level is for planning and housing authorities to determine. The Housing Act 1996 requires housing authorities to have an allocation scheme and a procedure for allocating properties, which gives 'reasonable preference' to certain groups as defined in the Act⁶⁸, but the Act allows housing authorities to take into account local circumstances. For planning policy purposes the terms 'unsatisfactory' or 'overcrowded' are symptoms of need.

Unsatisfactory accommodation

- 6.13 Housing authorities have some discretion over what is considered unsatisfactory. In this area it is rare that accommodation is considered unsatisfactory because of its condition or the quality of its facilities. The more common reasons are lack of space for the household and the cost (affordability) of the accommodation available. Affordability is often the reason why people are unable to set up a household for

the first time. The degree of priority given to a person when properties are allocated through choice based lettings schemes such as Home Options and Moorlands Choice is determined by the housing authority. They assess whether a person's claim of unsatisfactory accommodation justifies allocation of a property. A variety of choice based letting systems are used to assess and categorise people's housing need⁶⁹.

Overcrowded accommodation

- 6.14 Under housing law, there are two ways to calculate if a home is overcrowded. One is by the number of rooms for people to sleep in. This is called the room standard. The other is by the amount of space in the home and the number of people living in it. This is called the space standard. Statutory overcrowding is when there are too many people living in the home using either of the calculations.
- 6.15 In, determining applications for new affordable housing, need will be judged by reference to an up to date housing needs survey prepared by, or in consultation with, the housing authority and preferably involving the Parish Council. Evidence should be less than five years old, however other evidence may be acceptable provided the housing authority has maintained its intelligence on housing needs over the intervening period, and this intelligence justifies a scheme of the size and type proposed.
- 6.16 Housing need in rural areas is however difficult to gauge because the housing need is often hidden and some people are not registered as being in housing need. Therefore, the Authority encourages and supports any other methods of community engagement undertaken by housing bodies that helps establish genuine housing need. Housing Authorities use a series of questions to assess claims of housing need. This Authority has agreed with the Housing Authorities that it will require the same

68 <http://www.legislation.gov.uk/ukpga/1996/52/section/167>

69 <https://www.home-options.org/>
<http://www.moorlandshomechoice.co.uk/>
http://cheshireeast.gov.uk/housing/housing_options/housing_options.aspx
<https://www.kirklees.gov.uk/community/housing/housingOptions.aspx>
<http://www.berneslaihomes.co.uk/about-us/>
<https://www.sheffield.gov.uk/in-your-area/housing-services/homelesshousingoptions/housingsolutions/housingoptions.html>
<http://www.ne-derbyshire.gov.uk/housing/strategic-housing-service/choice-based-lettings-allocation-policy/>
http://www.oldham.gov.uk/info/200255/find_a_home

information when individuals apply to build affordable housing for their own use in a DS1 settlement (see Appendix 8) .

- 6.17 Where an individual is proposing to build homes for wider housing need (more than one), and the scheme is otherwise acceptable in terms of impact on the built environment, the individual also needs to establish the housing need through a parish wide housing need survey and/or other credible evidence from choice based lettings registers such as Home Options. If there is credible evidence of a wider community need for housing, the applicant may be permitted to build more than one house.
- 6.18 The Authority is tenure neutral, meaning that the Authority is only concerned whether the accommodation is fit, given the standards outlined, to address the housing need, rather than whether the accommodation is for sale or rent.
- 6.19 For the avoidance of doubt, and because of the high, and consistently rising trend in the monetary value of houses in the National Park, people owning a house inside the National Park are generally considered to be more able to resolve their own housing need than those who don't own a property. People who own a house outright are most likely to be able to resolve their housing preference since they will benefit most from the sale of a house. This is significant because almost three quarters of the household spaces in the National Park are owned by the current occupant, with 46% owned outright and 27% owned with a mortgage. These figures are higher than the 'all National Parks', regional and England averages.⁷⁰
- 6.20 However, there may be circumstances where release of capital alone cannot resolve a need to move for other reasons. For example, decreased mobility might not be able to be accommodated by adaptations to a person's current home, and there may be no suitable homes available that could accommodate such a change of circumstance. This may create a housing need, and may become more common as the proportion of elderly residents increases.
- 6.21 Also, where people of any age 'own' a house but have a mortgage, unforeseeable changes to their circumstances, such as drop in income, redundancy, or household breakdown may lead to a break up of a household and/or a need to sell the property. In such cases, the capital gain from selling the property may be relatively modest by comparison with someone who owns a house outright. Where the changed circumstance is entirely unintended,

it is not unreasonable to consider that a housing need is created. Such circumstances would be captured under the term 'otherwise unsatisfactory' which is part of the policy and is explained above.

- 6.22 As previously stated however, the National Park is not an area where provision of housing to meet wider general housing demand is sustainable. Therefore, where the opportunity exists to enhance the National Park and an applicant proposes to achieve this through the building of new general market housing, the Authority will encourage the types of market housing that would be appropriate to local circumstances, such as smaller housing for people needing to downsize or smaller family homes for young families or single people. Whilst such housing may not be classed as affordable or intermediate housing, it could nevertheless improve the mix of housing and offer a wider choice.

What does 'strong local connection' mean?

- 6.23 Communities want local people to have options to stay in the area, so the Authority has a mechanism to ensure, in so far as can reasonably be monitored and enforced, that affordable houses are allocated to those who not only have a housing need, but who also have a strong local connection. This helps prevent the involuntary drift of local people out of a community, and helps families to stay together. The strength of that local connection is shown in policy DMH2 and DMH3.
- 6.24 For the purposes of this development plan, 'strong local connection' means that a person has lived in the particular parish with a DS1 settlement (see Appendix 3) where a house is located or proposed to be located, (or an adjoining parish within the National Park) for a period of at least 10 years (not necessarily continuous) in the last 20 years. For example, if a person is wishing to build or occupy an affordable house in Castleton, they would need to have lived in Castleton, Edale, Hope with Aston, Bradwell or Peak Forest or any combination of these places for a minimum of 10 years in the last 20 years.
- 6.25 The Authority believes that for the purposes of applying housing policies, a period of residency of at least 10 in the last 20 years is still necessary before a person is considered 'local'. The '10 in the last 20 years' provision allows people brought up in the area to return, when they are in housing need, as 'need' is defined by the policies of this plan.

70 (source 1991, 2001 & Census 2011 Tenure of Households)

6.26 Appendix 3 shows which Parishes are connected by boundary to which other parishes with a DS1 settlement. A Parish may be connected by boundary to more than one other Parish with a DS1 settlement. However, where a Parish is not directly connected to a Parish with a DS1 settlement (e.g. Ible and Aldwark Parishes) the housing need of people in those Parishes can be counted alongside the housing need for the Parish containing the DS1 settlement and immediately joining Parishes. This is relevant when deciding whether new housing is justified in the DS1 settlement, because the housing needs of settlements not named in **Core Strategy DS1** are not eligible for new housing development. The cascade system for allocating houses should also include places like Ible and Aldwark when properties are allocated to people in housing need from the DS1 settlement and surrounding Parishes. However in most circumstances the justification for new housing need only be drawn from the Parishes with DS1 settlements and their adjoining Parishes because this method encompasses most settlements.

Returners

6.27 In line with longstanding wishes of communities, the Authority considers that people with a connection to the area, but now living outside the area, should also have the option to return to the National Park and strengthen family networks. Whilst this is accepted in principle 'returners' would still need to demonstrate they are in housing need. A local connection in this situation will be assessed by demonstrating a 10 year residential connection over a 20 year period.

6.28 Any new house permitted for 'returners' will be restricted to the size limits for affordable housing, and with its occupancy restricted in perpetuity to serve the needs of other local people in perpetuity, including other 'would be returners'. Without such a restriction, 'returner housing' could be sold onto to second home owners, buy to let landlords, or holiday cottage companies, rather than serving a community need for housing.

Site selection

6.29 It is accepted that some green-field land needs to be developed to address housing need, but any site that is developed will be classed as an exception site. Development of exception sites will be for 100% affordable housing for those in housing need because that is the type of housing the area most needs. The Authority will not permit new open market houses on green field land in the National Park. The option to cross subsidise affordable housing by permitting open market housing on green field sites, whilst encouraged by the NPPF, was explored at the examination into the Core Strategy. It was considered by the Inspector to be unsustainable because it would diminish the availability of suitable housing sites for affordable housing, inflate the hope value on the land and reduce the likelihood of owners releasing the land for affordable housing. The same logic that applied then applies now, and no cross subsidy is permitted on exception sites. As such, the best price a landowner can expect to be offered in return for housing development is the price that developers are prepared to pay to enable the building of affordable housing to address local need.

6.30 Acceptable exception sites are scarce across most DS1 villages, so new housing should only be built on such sites when there isn't acceptable and available alternative housing that can meet claimed need. Where suitable property of an affordable price, size and type is available to buy or rent in the public or private sector, and the housing need could be met by this available property, new houses are less likely to be justified.

6.31 On schemes which offer potential to conserve and enhance the valued characteristics of the National Park, e.g. by effective development of previously developed sites, or where it can conserve valued vernacular buildings (designated and non-designated heritage assets) there is scope for market housing, but an element of affordable housing should also be sought where there is evidence of housing need, and to the extent that the viability of the scheme allows for it. The primary objective of permitting such schemes is however the effective conservation or enhancement of building and sites, with any element of affordable housing being considered a bonus.

6.32 If a parish doesn't have a DS1 settlement, any need arising from that parish would need to be met by new houses in parishes that do contain DS1 settlement(s). Whilst it is recognised that people would often prefer to stay in exactly the same settlement or parish, the **Core Strategy DS1** establishes that a sustainable pattern of

new affordable housing development is largely achieved by concentrating new build social housing into a range of settlements. This means that people in housing need would need to look to the DS1 settlements, or consider what can be achieved by way of conversion or ancillary accommodation in the parish in which they currently live.

- 6.33 In accordance with **Core Strategy policies DS1, GSP1 and GSP2 and HC1**, and DMC10 or DMH5 of this plan, there may be opportunities to convert traditional buildings to residential use in areas without a DS1 settlement. This can help reduce the need to develop green field sites, and address housing need where a DS1 settlement is considered too distant or inaccessible to reasonably address the particular housing need. It may also be possible to address need by ancillary accommodation provided by conversion, extension or in some cases new build. (See policy DMH5: Conversion of outbuildings within the curtilages of existing dwellings to ancillary residential uses and DMH7 Alterations and Extensions) However, development must satisfy policies in this chapter and the Conservation chapter.
- 6.34 When a DS1 settlement is split by the National Park boundary, the identification of the most appropriate exception site will be a matter for discussion between the Authority, the community, the constituent authority concerned, and the developer. Where the majority of the residents are outside the National Park but the larger geographical area of the parish lies inside the National Park it will not necessarily mean there is greater scope for development in the National Park. However, if an appropriate site has been identified inside or on the edge of the National Park part of a cross boundary village, there is no objection in principle to a development of housing inside the National Park. This applies even if most of the population live outside the National Park, provided that all alternatives have been assessed.
- 6.35 Where a parish does have a DS1 settlement, the Authority encourages communities, constituent councils and housing providers to work together to find appropriate sites. Site search work may arise as part of a Neighbourhood Plan or other type of community plan. In the event that it does become part of an adopted Neighbourhood Plan, it will assume more significance in decision making, but will not automatically mean that any housing scheme proposed would receive planning permission. Sites identified in a Neighbourhood Plan will be a material consideration, but will not be treated as allocated sites because the development plan has no housing target; does not provide for a five year supply of sites; and does not

allocate sites for housing. Therefore whilst assessments of capacity for development may result in a mutually agreed understanding of development potential, it will not result in site allocations. This will remain the case unless and until the Authority has convincing evidence that development of allocated sites in Neighbourhood Plans can be restricted to the types of residential uses that are compatible with this plan (i.e. affordable housing to address needs in the community).

- 6.36 Experience has shown that in many cases local people in housing need are more able to acquire land or a building than they are a mortgage. This might make it financially possible for them to provide a home to meet their own need. If a person has a site option that has already been identified as appropriate for housing, the Authority is more likely to view applications to build on it favourably. However, if it hasn't previously been identified as appropriate, it may not be a good site for housing. Applicants should contact the National Park Authority or the Parish Council to establish whether any village wide assessment of suitable sites has been carried out and to allow proper consideration of the merits of their site or building. The fact that a person may only have one site option is not a material planning consideration in deciding whether the site is acceptable for development, irrespective of whether an assessment of sites has been undertaken. It is important that proposals for sites in settlements listed in **policy DS1 of the Core Strategy** are not judged in isolation, but are assessed against the capacity and character of the whole settlement.

Size of affordable housing

- 6.37 Where affordable housing is proposed, the size of housing is controlled so the Authority can reasonably impose and retain legal agreements to ensure they remain affordable and for local people in housing need. The mix of houses should reflect what is needed in the area. If this is not apparent from housing need surveys, the Authority will consult the relevant housing authority manager. Homes built by individuals to meet their own need are classified as intermediate houses because they can be sold on or rented by the first owner and occupant after a period of three years to persons who are not in housing need provided the persons satisfies the local connection criteria. The ongoing value of these houses will be higher because of the less stringent occupancy conditions, but the size of the housing will nevertheless be controlled in line with the original applicant's housing need (controlled by

- the space standard requirement for households of different sizes). This places the houses in the intermediate bracket, between pure affordable rent and shared ownership prices and unencumbered open market rent and sale prices.
- 6.38 Where affordable houses are built, it is considered that the smaller the area of land taken up by each house, the lower the cost of the land per house, and the lower the value of the house will be on completion, and in perpetuity. There is however a need for all new development to be sensitive to any valued settlement pattern. This may justify different plot ratios from place to place. For example, the pattern of estate farm villages might justify a low plot ratio, whereas the pattern in former lead mining villages might lend itself to high densities. However, whilst it is reasonable to provide gardens wherever possible, the size of the plots should not, irrespective of the prevailing settlement pattern, be such that the value of the plot including the house cannot reasonably be retained as affordable. The conservation and design issues are covered in detail in Chapter 3.
- 6.39 The Authority recognises that in setting size limits, the occasional need of households of over 5 persons, whilst comparatively rare, is not obviously addressed by policy. However, the purpose of the size limits is to protect houses in perpetuity for all those in housing need, not to exclude the genuine housing need of households of more than 5 persons. Therefore, where evidence supports the need for a bigger house, applicants should explore with the Authority the scope for a larger property, which, through design, could subsequently operate as two smaller sized affordable houses, within the policy limits, in perpetuity. Section 106 legal agreements will be required to protect the community against loss of the larger house to the open market and to ensure the housing can operate in line with what most households need. If a Section 106 agreement cannot be constructed in such a way as to offer reasonable certainty that the houses can be retained as affordable for local persons in housing need in perpetuity, the Authority may not grant permission.
- 6.40 For the purpose of this policy, the Gross Internal Areas of a dwelling is defined as the total floor space measured between the internal faces of perimeter wall. This includes partitions, structural elements, cupboards, ducts, flights of stairs and voids above stairs. The Gross Internal Areas should be measured and denoted in m². The Gross Internal Areas in the space standard are a refinement of existing standards, and aim to balance a high degree of functionality with affordability.
- 6.41 Extensions of up to 10% of the total floor area may be acceptable up to a maximum floor space of 97m². However, if a house is built at or very close to the 97m² there is rarely justification for an extension because in all likelihood the extension would render the house unaffordable.
- 6.42 In all cases it is important that the proposed site or building can be developed without adverse effect on the valued character of the built environment and its landscape setting, in line with other policies in this plan and adopted design guidance
- 6.43 Where applications propose to convert buildings to a local needs affordable home, the Authority will only permit them for such use if the resulting floor space can be within or extremely close to those shown in policy DMH1. If the Authority considers that conversion of larger buildings means they cannot be sustained as affordable homes in perpetuity, it will inform the applicant of this early on and treat applications as proposals for open market housing under **Core Strategy HC1**, and DMC10 of this plan.
- 6.44 If a proposal is acceptable for conservation reasons under **Core Strategy HC1** and DMC10, an applicant is not required to prove local connection or housing need, and planning permissions need not be restricted by legal agreement. Conditions would only be used in so far as they are required to control future development affecting the building and its setting.
- 6.45 Where accommodation is required to meet a particular circumstance such as disability, the Authority encourages applicants to work within size limits wherever possible. This also helps protect the affordability of such accommodation in perpetuity making it more accessible for future persons with disability and others in need of affordable housing. However, if a scheme is justified for conservation reasons there is no reason to restrict occupancy and the size will only be controlled in so far as necessary to comply with DMC10.

DMH1 New Affordable Housing

A. Affordable housing will be permitted in or on the edge of Core Strategy DS1 settlements, either by new build or by conversion; and outside of DS1 settlements by conversion of existing buildings provided that:

- (i) There is a proven need for the dwelling(s); and
- (ii) Any new build housing is within the following size thresholds:

Number of bed spaces	Maximum Gross Internal Floor Area (m ²) ⁷¹
One person	39
Two persons	58
Three persons	70
Four persons	84
Five persons	97

- B. Starter homes will not be permitted on exception sites⁷² but may be permitted as part of a development of housing to enhance a previously developed sites
- C. Self-Build and Custom build plots will not be permitted on exception sites but may be permitted as part of a development of housing to enhance a previously developed sites

Occupancy of houses

6.46 Whilst the Authority and housing providers have a good record of enabling and delivering affordable housing, it remains a relatively limited and precious commodity in the National Park. Therefore, occupants must always be eligible local persons in housing need as set down in policy DMH2. When a house becomes vacant it is important to the Authority and local communities that it is made available to, and is occupied by another eligible local person in housing need. The occupancy cascade system is described in policy DMH3 and re-stated in Section 106 Agreements. Whenever a house becomes vacant the same system of search should be used.

6.47 The Authority expects housing providers to comply with this, because it is only the affordable housing need of those with a strong local connection that has justified the houses being built in the National Park at all. If Housing providers are in any doubt about the eligibility criteria they should contact the Authority for clarification.

6.48 Where an application for a single privately built dwelling, as opposed to a scheme of houses, is approved, the first occupant must still meet the policy criteria for need and local connection. However single homes to address an individual need are generally built by individuals rather than housing associations and do not benefit from public sector subsidy. Therefore once single homes have been built to satisfy an individual's need and have been occupied by the first occupant for at least three years, the houses can be sold or rented to those with the local connection, but not necessarily a housing need, as outlined in DMH3 Bi) to iv). This ensures that such houses can continue to fulfil a useful role for the community in perpetuity. These houses are considered to be intermediate houses. The local connection requirement for second and subsequent occupants will be included in the Section 106 Agreement and the house must be built within two years of permission.

6.49 Requiring occupants to be living within the parish subject of the development, or adjoining parishes, responds to a strongly held community view that new affordable houses should be lived in by local people. However, where a housing provider or individual has followed the procedure described in DMH3 and has failed to find an eligible tenant, the provider or individual is encouraged to explore with the Authority the possibility of a temporary relaxation of the Section 106 requirements. The Authority will treat each case on its merits and offers no guarantee that a temporary relaxation will be granted.

71 Of which minimum built in storage area (m²)
 One person 1
 Two persons 1.5
 Three persons 2
 Four persons 2.5
 Five persons 3

72 The Housing and Planning Act gives planning authorities the power to dispense with the requirement to provide starter homes on rural exception sites. <http://www.legislation.gov.uk/ukpga/2016/22/section/5/enacted>

6.50 In cases where Section 106 Agreements are being flouted, or temporary relaxations have not been agreed, the communities' trust in the system suffers. The Authority therefore strongly encourages housing providers and managers to work with the Authority to find a resolution, which in the longer term may make that community more willing to welcome further affordable housing. The terms of the legal agreements will state that the Authority reserves the right to request evidence of proper marketing of properties and confirmation that those occupying those properties have the necessary local connection. This may be considered necessary to monitor the effectiveness of the system in addressing local housing need and to give communities confidence that the system is operating as intended. The Authority reserves the right to take appropriate and proportionate action to ensure the houses are occupied by eligible people

6.51 For the avoidance of doubt, the National Park Authority does not generally build, own or manage affordable houses, so beyond ensuring that legal agreements are in place specifying eligibility criteria to live in the houses, the choice of occupants is decided by housing providers and managers.

6.52 For the avoidance of doubt, where a housing need comes from a Parish that does not contain a DS1 settlement, or an adjoining Parish, any housing need emanating from that Parish should be met in the nearest DS1 settlement. For example, a need arising from a small parish (such as Ible or Aldwark) could be met by allocation of a property in Winster. The eligible person would be classed as equally as persons in Winster or other adjoining Parishes. The allocation of the property is determined by other factors relevant to housing need and for a particular type and size of property. Therefore locational qualification is only one part of the allocation process.

DMH2 First occupation of new affordable housing

In all cases, new housing must be first occupied by persons satisfying at least one of the following criteria:

- A. A person (and his or her dependants) who has a minimum period of 10 years' permanent residence in the parish or an adjoining parish and is currently living in accommodation which is overcrowded or otherwise unsatisfactory; or
- B. A person (and his or her dependants) not now resident in the parish but having lived for at least 10 out of the last 20 years in the Parish or an adjoining parish, and is currently living in accommodation which is overcrowded or otherwise unsatisfactory; or
- C. A person who has an essential need to live close to another person who has a minimum of 10 years' residence in the parish, the essential need arising from infirmity.

DMH3 Second and subsequent occupation of affordable housing (The occupancy cascade)

- A. Each and every time a previously occupied property becomes vacant, owners and managers of affordable housing must, as stated in the section 106 agreement, follow the cascade mechanism in steps B. i) to iv) , or C i) to v) until an eligible occupant is found.
- B. For RSL owned and managed homes, and privately owned and managed schemes of more than one affordable home.
 - (i) Sell or rent an affordable home to someone within the parish or adjoining parish who meets the eligibility criteria as set out in policy DMH1, the supplementary planning document and the section 106 Agreement.
(Where a parish is split by the National Park boundary, only those people living within the National Park part of the parish should be eligible initially. The property should be advertised widely at the price advised by the district valuer and prepared at the time marketing is required or any other body appointed by the Authority for such purposes or, in the case of a rented property, at the target rent at the time. The parish council, housing authority and housing associations working in the area should be advised of the vacancy as soon as houses become vacant)
 - (ii) After a minimum period of 3 months,(minimum three months total) widen the search to include (in order of preference) those in the Parish or an adjoining parish with residency of the previous 5 consecutive years, and those who meet the local occupancy criteria (10 years) in the next adjoining parishes.
 - (iii) After a further month, (minimum 4 months total), widen the search to include those who meet the local occupancy criteria (10 years) in the whole of the National Park.
 - (iv)After a further 2 months (minimum 6 months total) widen the search to include those who meet the local occupancy criteria (10 years) in parts of a split rural parish lying outside the National Park or rural parishes entirely outside the Park but sharing its boundary.
- C. For privately owned and managed affordable housing
 - (i) Sell or rent an affordable home to a person (and his or her dependants) with a minimum period of 10 years permanent residence over the last twenty years in the parish or an adjoining parish, or
 - (ii) A person who has an essential need to live close to another person who has a minimum of 10 years' residence in the parish, the essential need arising from infirmity
 - (iii) After a minimum period of 3 months, widen the search to include (in order of preference) those in the Parish or an adjoining parish with residency of the previous 5 consecutive years, and those who meet the local occupancy criteria (10 years) in the next adjoining parishes.
 - (iv)After a further month, (minimum 4 months total), widen the search to include those who meet the local occupancy criteria (10 years) in the whole of the National Park.
 - (v)After a further 2 months (minimum 6 months total) widen the search to include those who meet the local occupancy criteria (10 years) in parts of a split rural parish lying outside the National Park or rural parishes entirely outside the Park but sharing its boundary.

Essential worker dwellings

- 6.53 NPPF paragraph 55 requires local planning authorities to consider that, for land use planning purposes, the essential business need for a rural worker to live permanently at or near their place of work constitutes an exceptional circumstance that justifies a house in the open countryside.
- 6.54 **Core Strategy policy HC2** makes clear that dwellings for agricultural or forestry workers, or those employed in other rural enterprises that are operationally dependent on the land, can be permitted provided there is a proven business need that cannot be met by housing in a nearby settlement, or by use of housing already on the site. When assessing applications for more accommodation, the Authority will consider the business unit as a whole, including existing worker accommodation and any planning permission that has lapsed. Failure to implement previously granted permissions to provide such houses may indicate that the need no longer exists. In such cases, fresh applications to renew such permissions are not guaranteed to be permitted.
- 6.55 The Authority considers that most other businesses are not operationally dependant on the land and have no essential need for a worker(s) to live permanently at or near to the site. The desire of someone to live at or near their place of work is not a justification for a worker dwelling in the National Park.
- 6.56 A prerequisite for a planning permission for worker dwellings is that the house is tied to the business by a legal agreement. The legal agreement will help ensure the house operates as permitted and helps to prevent the legal separation of the worker accommodation from the business.
- 6.57 Long term control of a dwelling by a business ensures it can meet the future needs of that business. In tying the business and the worker dwelling(s) together the Authority aim is to ensure that housing in the countryside helps address the objective of encouraging rural enterprise and land management. The Authority will resist applications to remove the tie because without the tie the use of the housing will rarely help achieve the plan's conservation, housing, or economic objectives.
- 6.58 Before permitting worker accommodation, the Authority will require financial evidence that the business has been operating for at least three years, that it is currently profitable and that it has been so for at least one of the last three years, and that the profit from the business as opposed to turnover, is such that it can sustain the ongoing cost of the dwelling.
- 6.59 Whilst traditional land management businesses may expand or contract in terms of its landholding, the ongoing costs associated with the dwelling linked to the landholding must reflect the actual and potential income that might be generated from the landholding. It is conceivable that large landholdings in upland pasture areas may only sustain marginal businesses. It is also conceivable that small landholdings may sustain more profitable businesses e.g. if it is farming a different type of stock. The size of the landholding is therefore a guide to business viability, but will not of itself be used to control the size of the dwelling or ultimately determine whether to permit or refuse an application.
- 6.60 Stated intentions of a business to employ a worker to engage in or further develop land management business need to be genuine, reasonably likely to happen, and capable of being sustained for a reasonable period of time. Where the Authority is uncertain about the sustainability of an otherwise acceptable proposal, permission may be granted for an appropriately coloured caravan or other temporary accommodation. This offers a way for businesses to prove a need for a permanent worker dwelling. Temporary accommodation may also require planning permission, so businesses choosing this route to establish a business need for a permanent worker dwelling must assure themselves that any temporary accommodation has any permission required.
- 6.61 Where there is no current business need, the Authority may consider temporary relaxation of a worker occupancy condition to allow the property to be let outside of the business use on a short term basis. Should exceptional circumstances require that a dwelling be sold by the business (e.g. certainty of no further need) the Authority may agree to remove the legal agreement.
- 6.62 Where there is no proven business need for a new worker dwelling, but it is agreed by the Authority that the building proposed to be converted, or land proposed to be developed is inside or on the edge of a DS1 settlement, there may, if housing need and local connection is proven, be scope for a new affordable house. If permitted, its size would be restricted in accordance with DMH1, and it will be tied by legal agreement in accordance with DMH1. This will require that it remains occupied by a person with a housing need and local connection as defined in policy DMH2.
- 6.63 If conversion of a building is proposed and the building is considered to be of vernacular merit under policy DMC5 and DMC10, a business can apply for housing under the provisions of Core

Strategy HC1. If permitted, such housing will not be restricted to the sizes shown in DMH1 and it will not be subject of an occupancy restriction under DMH11.

- 6.64 For the avoidance of doubt, policy DMH4 also applies to the first house where a new farm business is established. The size of the first house should only be restricted for good conservation reasons and to reflect the likely sustainable income of a business.
- 6.65 Most importantly, the provision of worker housing must be achieved in ways that conserve and enhance the National Park and reduce pressure for new development. If occupancy conditions are lifted and a new need for further worker accommodation then re-appears, it places avoidable and unnecessary stress on national park landscapes. Therefore the Authority requires good evidence before permitting worker accommodation in the first instance, and before agreeing to the removal of occupancy conditions or legal agreements.
- 6.66 In terms of occupancy, generations of families employed in the same business may occupy properties interchangeably to suit their needs for smaller or larger accommodation provided the properties remain tied and available for worker use.
- 6.67 When proposals emerge to use holiday accommodation as worker accommodation the Authority will consider the extent to which residential amenity required for permanent occupation can be achieved in the holiday accommodation. The Authority will also consider the wider impact on the land management business from the loss of income from the holiday accommodation. If either of these two considerations makes the proposal unacceptable, the Authority will work with an applicant to explore better alternatives.

DMH4 Essential worker dwellings

The need for a worker dwelling to support agriculture, forestry or other rural enterprises businesses will be considered against the needs of business concerned⁷³. Development will be permitted provided that:

- A. A detailed appraisal demonstrates that there is a genuine and essential functional need for the worker(s) concerned, with a requirement that they need to be readily available at most times, day and night, bearing in mind current and likely future requirements; and
- B. There is no accommodation available in the locality that could enable the worker(s) to be readily available at most times, day and night, bearing in mind current and likely future requirements; and
- C. There is no traditional building that could be converted for use as a worker dwelling, within or close to the main group of buildings, in line with other policies and guidance on siting and design, and could serve this purpose
- D. Where conversion of existing buildings is not an option, construction costs of new buildings reflect the likely sustainable income of the business; and
- E. The new building is within or immediately adjacent to the site of the existing building group and enhances the building group when considered in its landscape setting; and
- F. Where a house already exists, and is under the control of the business, the subsequent housing is subservient in size to the existing original house unless an acceptable landscape and building conservation outcome for the building group and the setting can only be achieved by a bigger house; and
- G. Stated intentions to engage in or further develop land management business are genuine, reasonably likely to happen and capable of being sustained for a reasonable period of time. Where there is uncertainty about the sustainability of an otherwise acceptable proposal, permission may be granted for an appropriately coloured caravan or other temporary accommodation.

⁷³ The personal preferences of an employee is not a material planning consideration

Ancillary accommodation

- 6.68 For many reasons, some families want or need ancillary accommodation. A common example is the need to care for relatives unable to remain in their own home, but not wanting to move to care homes. In some cases it is possible to find suitable alternative accommodation which allows people to care, or be cared for in the same general area of the National Park or outside. However, in many cases this will be impractical. For example, the time required to travel between 'carer' and 'cared for' may be disproportionate to the short distances involved, making caring or being 'cared for' unreasonably difficult.
- 6.69 In other cases, there may be a natural desire to make space for younger generations to remain at home or return home, e.g. to assist, or take on family-run businesses. The Authority believes that such reasons may become increasingly common as the population becomes characterised by older generations taking a step back from full time work, but continuing to support businesses. Meanwhile, younger generations may increasingly need or choose to take a number of part time jobs to supplement income from the business at home, whilst wanting space to live their own lives, near to, but out from under the feet of parents and grandparents.
- 6.70 In many cases, the pattern of working part time or seasonally for a business will not justify a worker dwelling under the policy above. However, in such circumstances it may be possible to create ancillary accommodation. Such accommodation would be tied to the main house, but not the business. The Authority believes this is a positive approach to succession planning for families, especially where the outcome can reasonably be expected to bring long term benefit to the landscape, the community and the rural economy.
- 6.71 It might be possible to achieve the necessary ancillary accommodation through extension of existing houses. For the more traditional types of ancillary accommodation such as elderly dependent relative accommodation (granny flats), this may be the best way to achieve the extra living space. In other cases it may be possible to permit new buildings as ancillary accommodation, provided the Authority can reasonably maintain the link between the dwelling spaces by condition or, if expedient, a legal agreement. The purpose of the conditions or legal agreement will be to enable future families to benefit from the same arrangement. This offers continuity to communities where otherwise the opportunities to live in the area remain limited. The policy objective is the long term benefit to the community, rather than the particular individual or family grouping. It also serves to make the physical operation of the dwelling units acceptable in conservation terms, because it reduces the risk of separation. Policy DMH7: Extensions and Alterations outlines what is required for such development.
- 6.72 In other cases, for example where younger generations want to 'flee the family nest but not the tree', it may be possible to use other buildings as ancillary accommodation. Many areas of the National Park retain farmsteads and hamlets of high heritage value, and the Authority wants to see such buildings conserved. It is possible that some could usefully operate as ancillary accommodation tied to existing houses. The following policies and the policies of the Conservation Chapter should be read in combination to determine the scope for this type of development.
- 6.73 As with essential worker housing, proposals for further ancillary accommodation will be assessed against the range of accommodation that already exists on a site and the physical scope to provide more on a site. Whilst ancillary accommodation may be permitted to enable succession planning on farm businesses, this is only reasonable up to a point. The Authority will not be able to permit separate ancillary accommodation for every son or daughter of a farming family because in many cases that would extend development beyond what can reasonably be considered, in planning terms, ancillary.
- 6.74 It is generally preferable to re-use existing buildings rather than build new, but new ancillary buildings for residential use may be the only option. However any new building must be of a design and size that conserves and enhances any heritage significance of the existing building group, and be subsidiary to the main dwelling house in appearance. In permitting such accommodation the Authority requires applicants to consider the valued building pattern of any farmstead or other building group and aim to enhance that pattern where possible by removal of unsympathetic modern buildings. Such accommodation would also be linked to the main dwelling house, where expedient, by a legal agreement, to ensure ancillary status endures legally in perpetuity.
- 6.75 Where permitted development rights might otherwise facilitate unsympathetic changes to the ancillary building, they may be removed as part of the conditions of planning permission. This does not necessarily prevent further development, but enables the planning authority to control future changes through the planning system and ensure its ancillary appearance and relationship endures in perpetuity.

DMH5: Ancillary dwellings in the curtilages of existing dwellings by conversion or new build

- A. The conversion of an outbuilding close to a dwelling, to ancillary dwelling use will be permitted provided that:
- (i) it would not result in an over-intensive use of the property, an inadequate standard of accommodation or amenity space, or create a planning need for over intensive development of the property at a later date through demand for further outbuildings; and
 - (ii) the site can meet the parking and access requirements of the proposed development; and
 - (iii) the new accommodation provided would remain within the curtilage of the main house, accessed via the same access route, sharing services and utilities, and remain under the control of the occupier of the main dwelling, or
- B. Where no buildings are suitable for conversion, a new build ancillary dwelling unit can be accommodated in such a way that it:
- (i) is within the existing building group; and
 - (ii) is subsidiary in physical size to the main house; and
 - (iii) is of an appropriate design and materials that complement the existing building group; and
 - (iv) is able to be located in such a way that any heritage significance of the existing building group is conserved or enhanced by the new building; and
 - (v) is able to be located in such a way that the wider landscape setting of the building group is conserved or enhanced by the new building; and
 - (vi) does not require new access points and tracks from highway to building or new services and utilities infrastructure; and
 - (vii) can be contained within a single planning unit by condition

For proposals under A or B, where it is not possible to secure its ancillary status in perpetuity by planning conditions, the ancillary accommodation will be tied to the main dwelling by way of section 106 agreement.

Housing on previously developed land and by conversion of designated and non-designated heritage assets

6.76 In some circumstances, housing development can assist in conservation and/or enhancement of previously developed sites and heritage assets. In an area where people's assets often include land and buildings this offers scope for communities to provide housing for those who, whilst not in housing need, nevertheless want to remain or move into a community. In conserving and enhancing the National Park, an average of 59 such dwelling units have been added to the housing stock each year since 1991 demonstrating the success of the policy. However, the outcome of such development must be the conservation and enhancement of the National Park. The wider housing needs of the area are not justification to permit housing that does not achieve the necessary conservation and enhancement of the National Park. Also, it is not within the Authority's gift to prevent sale of such houses as second or holiday homes, or buy to let properties so there is no guarantee that such housing will address the wider housing needs of the area.

Previously developed land

6.77 The following policy clarifies that in the context of proposals for dwelling use, previously developed land means land which is, or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure. For the avoidance of doubt it does not include:

- land that is or has been occupied by agricultural or forestry buildings;
- land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through planning conditions and s106 agreements;
- land in built-up areas such as private residential gardens, parks, recreation grounds and allotments;
- land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.⁷⁴

6.78 For the purposes of policy DMH6, 'inside' means a site is within the existing built environment of the village or town to the extent that it can reasonably be considered to be part of, rather than separate from, groups of buildings that form part of the village (as opposed to being next to or close to small groups of buildings such as farmsteads which, whilst considered to belong to a village, are not physically part of the built environment).

6.79 The definition of 'in or on the edge of' is not related to a boundary on a map other than for Bakewell (see inset map) and any village where a Neighbourhood Plan has been adopted and a boundary has been identified (See policy DMC4: Settlement Limits)

6.80 Neighbourhood Plans may also include locally made judgements on site suitability for development. Any proposal to develop a site must accord with any adopted Neighbourhood Plan as well as the policies of this plan. A Neighbourhood Plan will only be adopted if it is in general accordance with this Authority's development plan. Consequently, because the development plan does not allocate sites for housing, a Neighbourhood Plan identification of a site cannot constitute a site allocation.

6.81 In some cases a site may be quite large and may or may not contain a range of buildings. For financial or personal reasons wholesale site re-development may not always be the applicant's preference, even if permission would have been granted. Applicants may need or prefer to secure permission for conversion of one building, or small parts of the site, to recoup investment before moving onto other buildings or other parts of the site. A sequence of applications to convert individual buildings or parts of a site may enable an acceptable enhancement of the site as a whole. However, it should not be assumed that this will always be possible, and this approach is at the applicant's risk. If the conversion of one part of a building or one part of an area of the site would effectively prevent works to enhance other buildings or parts of the site in future (e.g. by a private access point blocking access to the rest of the site) it may be refused.

6.82 Any attempt by applicants to use piecemeal re-development of sites or buildings to avoid providing affordable housing or commuted sums may be refused planning permission. The reasons for refusing permission would be that piecemeal development fails to deliver the conservation and enhancement required whilst enabling the delivery of affordable homes in line with objectives of **Core Strategy HC1**.

6.83 It may be the case that a site brief approach is preferred by the Authority to ensure that the long term re-development of a site, approached

⁷⁴ <http://www.planningportal.gov.uk/general/glossaryandlinks/glossary/p>

incrementally, meets a set of agreed criteria for siting, design and the achievement of other land-use and sustainability objectives.

6.84 When housing is proposed as part of a site's re-development, the Authority will ask housing managers to confirm the type and mix of houses needed. If affordable houses are needed in the location, a contribution towards meeting this need should be provided on site. If they are not needed in that location, the Authority may negotiate a financial contribution towards affordable housing elsewhere in the National Park as required by **Core Strategy HC1C (IV)**. These requirements should not overtake the first objective of achieving conservation and enhancement. Housing need should be established for the parish and the adjoining parishes. If the building is outside a parish with a DS1 settlement, the needs of the parish and the nearest parish with a DS1 settlement should be established.

6.85 If housing need exists, and the type of housing that is needed could be provided in such a way that conserves and enhances the building(s) and its setting, or the site subject of re-development, the Authority will ask the applicant to demonstrate, through a financial viability assessment, the numbers and types of affordable housing units can reasonably be gained for the community. If necessary, the Authority will commission its own viability assessment to verify the applicant's claims.

6.86 Since the 1994 Structure Plan, opportunities for this type of development has led to enhancement of former industrial and heritage sites such as Cressbrook Mill, the site of Station Yard Hathersage, the Glebe Mine site at Eyam, and led to conservation of the Filter House at Ladybower Reservoir. Chapter 3 of this development plan outlines conservation and enhancement requirements in more detail, so any policy in this chapter follows on from policies and text in that chapter.

Conversion of designated and non-designated heritage assets to residential use

6.87 Designated and non-designated heritage assets can be converted to a number of uses, but the driver for conversion has to be first and foremost the conservation and enhancement that the new use can achieve as opposed to any benefits of the use itself. For this reason, proposals to convert designated and non-designated heritage assets are assessed against the policies in the Chapter 3.

DMH6: Re-development of previously developed land to dwelling use

- A. Re-development of previously developed land for housing will be permitted provided that:
- The development conserves and enhances the valued character of the built environment or landscape on, around or adjacent to the site; and
 - An adopted Neighbourhood Plan has not identified the land for continued community or employment use or open space; and
 - Where the land is inside or on the edge of a DS1 settlement, and subject to viability, an element of the housing addresses local need for affordable housing.
 - Partial or proposed multi-phased development of sites can, by use of condition or if expedient legal agreement ensure the conservation and enhancement of the whole site.

Extensions and alterations

6.88 In many cases people are either unable, or do not want to move house. The Authority understands that householders may wish to extend their homes to improve the standard of the living accommodation, or to accommodate changing personal and family needs. Most householders generally benefit from permitted development rights, which means that some alterations and extensions do not require planning permission. However, in some cases permitted development rights might have been removed as a condition of previous permissions and in other cases, extensions and alterations would not fall within the definition of permitted development in any case. It is the householder's responsibility to establish whether planning permission is needed. Where development needs permission, this is often acceptable, particularly if well designed and not harmful to neighbours' or conservation interests. If a building is listed, applicants should refer to Chapter 3 policy DMC7, carefully considering the existing building and wider built environment.

6.89 Extensions may be by way of new buildings and may, as already outlined above, provide a useful way of providing ancillary accommodation. The Authority considers the physical relationship of the buildings within the site and the wider built environment and landscape as more important than absolute size limits, but extensions must be physically subservient to the main dwelling.

6.90 Design and materials should work with and not against the building, and not adversely impact on other buildings in the vicinity, or valued landscape character. Applicants should refer to the Authority’s overarching design guide and technical design guidance in the adopted Supplementary Planning Document for Alterations and Extensions⁷⁵.

DMH7: Extensions and alterations

- A. Extensions and alterations to dwellings will be permitted provided that the proposal does not:
- (i) detract from the character, appearance or amenity of the original building, its setting or neighbouring buildings; or
 - (ii) dominate the original dwelling where it is a designated or non-designated cultural heritage asset; or
 - (iii) amount to the creation of a separate independent dwelling; or
 - (iv) create, by inclusion of land not previously within the residential curtilage, adverse effect on, or lead to undesirable changes to the landscape or any other valued characteristic.

Proposals for house extensions involving the conversion of adjoining buildings and by the provision of new ancillary buildings must also satisfy Policy DMH5

Where an extension provides ancillary accommodation and it is not possible to secure its ancillary status in perpetuity by planning conditions it will be tied to the main dwelling by way of a section 106 agreement.

New outbuildings for domestic garaging and storage use in the curtilage of dwelling houses

6.91 Many houses have curtilages that are disproportionately large for the size of the dwelling house. It is unsurprising therefore that people want to make use of the curtilage to provide additional space where extensions or alterations to the house are either impractical or undesirable. Applications for additional outbuildings may be acceptable. However, plans should avoid detailing that may be tantamount to residential character. Care should be taken with dimensions, openings, internal spaces, floor layouts, staircases, walling and roofing materials, pipework, access roads and tracks, hard-standing areas or any other feature, which can more reasonably associated with residential use. Where dual use is proposed e.g. garaging and storage (often over two floors), the Authority considers that designs should have the minimum of features required and, where appropriate in the landscape setting, use simpler constructions methods offering a more functional solution. The impact may also be lessened by locating buildings adjacent to existing groups of buildings. The Authority will restrict the use of new outbuildings in the curtilage of dwelling houses by condition.

DMH8: New outbuildings for domestic garaging and storage use in the curtilage of dwelling houses

New outbuildings will be permitted for garaging and storage use provided:

- A. the scale, mass, form, and design of the building conserves and enhances the immediate dwelling and curtilage, any valued characteristics of the adjacent built environment and/or the landscape, including listed building status and setting, conservation area character, important open space, valued landscape character; and
- B. the building exhibits the minimum of features necessary for the proposed storage use.

⁷⁵ http://www.peakdistrict.gov.uk/__data/assets/pdf_file/0007/528631/Alterations-and-Extensions_Detailed-Design-Guide.pdf

Replacement dwellings

- 6.92 Replacement of dwellings is considered sustainable provided that over time the outcome is an improvement in the design, quality and mix of housing stock. The Authority will not permit replacement of housing that has cultural heritage significance in the terms described in Chapter 3. For such houses the only options are the repair, and possibly extension of the building.
- 6.93 For houses without cultural heritage significance there is, in principle, no objection, to their replacement. However, the replacement must be of higher quality than that which it replaces in terms of design and materials, and it must enhance the site and the built environment and/or landscape setting. The Design Guide and Conservation Area appraisals can help applicants to produce schemes that achieve this. This level of rigour is supported by **GSP2 of the Core Strategy**.
- 6.94 It may be acceptable to permit larger houses (whether that is by height, floor space or mass, or a combination of these measures), but enhancement to the surrounding built environment and landscape cannot always be achieved by larger houses, even if, as individual buildings, their design is superior to the house it is proposed to replace. The replacement dwelling must produce a significant overall benefit (positive impact) to the natural beauty, wildlife and cultural heritage of the area (in accordance with **Core Strategy policy GSP2**). Housing that already integrates well with its surrounding landscape should not therefore automatically be viewed as having re-development potential.
- 6.95 Aside from size and design considerations, neighbours residential amenity must be respected and it is also important that the activity created by the new dwelling is no more intrusive in the wider landscape, for example in terms of noise generated or dispersed artificial light.
- 6.96 **Core Strategy policy CC1** places a requirement on all replacement housing to achieve a minimum sustainability standard. Sustainability of new buildings is important to achieve wherever possible. This includes replacements, where the opportunity exists to improve the quality and sustainability of the National Park housing stock. The Supplementary Planning Document for Climate Change and Sustainable Building outlines the Authority's requirements (see section 7.2)
- 6.97 The Authority acknowledges that some National Park communities perceive that this policy may lead to an unsustainable loss of smaller housing across national park villages. However, the Authority has no plan objective to protect small market housing in themselves other than conservation reasons. Also, if the Authority refuses planning permission for well-designed larger replacements it may simply result in larger houses of poorer design by use of permitted development rights to extend houses. If a Neighbourhood Plan or housing authority produces evidence that justifies retaining a size or type of housing for community reasons, the Authority can consider that a material consideration, alongside other considerations, but this cannot override conservation considerations.
- 6.98 In accordance with **GSP1, GSP2, DS1 and HC1 of the Core Strategy** and other relevant development management policies there may be circumstances where conservation or enhancement of a site in a DS1 settlement is considered to be required and the opportunity presents itself through an application to demolish a dwelling and redevelop the site for more than 1 dwelling. Such sites are classed as residential plots and not previously developed sites, which means there is less policy presumption in favour of their wholesale re-development. In accordance with **Core Strategy GSP2 D**, and taking into consideration the **DS1 Core Strategy** intention to concentrate new development into a range defined range of settlements, proposals on sites inside or on the edge of DS1 villages are more likely to be acceptable than sites that are not inside or on the edge of settlements.
- 6.99 Applicants are expected to demonstrate to the Authority's satisfaction that the proposals represent an opportunity to enhance the National Park by the treatment or removal of undesirable features or buildings. Any proposed development would need to conserve the valued characteristics of the site and its surroundings. This requires skilful design and placement, and an understanding of any valued settlement pattern. For example a plot within a street frontage flanked by terraced housing or semi-detached housing may lend itself to the footprint replicating that type of layout.
- 6.100 Where housing development is justified for conservation and enhancement reasons, the Authority expects applicants to also demonstrate an awareness of any wider housing needs in the community and demonstrate how their proposal addresses that need. Proposals that fail to address an evidenced community need are less likely to be granted permission.
- 6.101 Proposals for housing development in areas outside DS1 settlements are unlikely

to further the principle of concentrating most new development into a defined range of settlements. It will therefore require exceptional circumstances to justify replacement of one house with a number of houses on any site outside of a DS1 settlement.

DMH9 Replacement Dwellings

- A. The replacement of a dwelling will be permitted provided that the dwelling to be replaced:
 - a. is not listed individually or as part of a group listing;
 - b. is not considered to have cultural heritage significance; and
 - c. is not considered to contribute positively towards the valued landscape character or built environment in which it is located
- B. Any replacement dwelling should only be larger than the dwelling it replaces where the proposed replacement dwelling demonstrates significant overall enhancement to the valued character and appearance of the site itself, and the surrounding built environment and landscape; and
- C. In all cases the replacement dwelling must not create an adverse impact on neighbours' residential amenity; and
- D. In the event that the proposed replacement dwelling is on another footprint, the existing dwelling is removed from the site prior to the completion of the development, or within 3 months of the first occupation of the new dwelling, where the existing dwelling is in residential use; and
- E. In a DS1 settlement, demolition of one dwelling and re-development with more than one dwelling may be permitted provided that the proposed development satisfies the criterion above and is required in order to achieve conservation and enhancement in accordance with Core Strategy policies DS1 C and GSP2 D, and HC1 C.
- E. Where there is specific evidence of general housing need in the Parish for a particular size of dwelling (for example from a Neighbourhood Plan), the size of the net additional housing units should reflect that evidence.

Subdivision of dwellings

- 6.102 The subdivision of an existing dwelling into more than one dwelling unit requires planning permission because subdivision changes the planning status of the original dwelling to a new dwelling unit. Proposals will therefore be considered as applications for two or more new dwellings rather than an existing dwelling plus new dwelling(s).
- 6.103 Applications to create new dwellings from such buildings will be considered under **Core Strategy policy HC1**, GSP2, the conservation policies of this plan, and policy DMH7: Extensions and Alterations. Whether or not subdivision is acceptable will depend on the sensitivity of the building to accommodate change, and the standard of accommodation that can be created. It also depends on the landscape setting, and neighbour amenity. In exceptional circumstances permitted development rights may be removed by condition. This would be to protect the quality of the development, the setting of the development, and the residential amenity of neighbours living in the same or adjacent dwelling units.
- 6.104 New dwellings created through subdivision of a building with an existing residential use, will only be subject of occupancy restrictions where an existing occupancy restriction is effectively lost through the subdivision. The purpose is to avoid the practice of using subdivision as a means to remove occupancy restrictions. Whilst the Authority would welcome any unilateral offer of occupancy restrictions made by a developer, there is no justification for the Authority to require occupancy restrictions where a building previously benefitted from unrestricted residential use and new dwelling units at any scale and number are introduced. In these circumstances the principle policy driver is the conservation of a building through viable uses.
- 6.105 In cases where the existing dwelling is restricted by legal agreement to a particular residential use, removal of the occupancy restriction will not be permitted unless the Authority is provided with compelling evidence to suggest there is no legal justification to restrict occupancy. It is incumbent on the applicant to make such a case.
- 6.106 In subdividing the building the resultant flood risk to all dwellings must be mitigated for all dwelling units, and adequate access arrangements and car parking spaces standards must be incorporated. In addition, there must be adequate provision for refuse collection and adequate recycling facilities

for all dwelling units. In achieving these things, any development must conserve and enhance the building subject of the application, the surrounding built environment and/or landscape setting.

DMH10: Sub-division of dwellings to create multiple dwelling units

The subdivision of a dwelling and the creation of new dwelling units will be permitted provided that the subdivision would not prevent or undermine:

- A. the quality of the landscape and immediate setting of the building in line with conservation policies; or
- B. the residential amenity of any nearby residential properties; or
- C. the use of the original dwelling where that is already subject to legal agreements restricting use:
 - (i) as an affordable house for eligible persons in housing need; or
 - (ii) as an ancillary dwelling; or
 - (iii) as an essential worker dwelling; or
 - (iv) by those either requiring or providing care; or
 - (v) joint use of the building for residential and business use.

Planning obligations (Section 106 Agreements)

6.107 In order to retain houses for the purpose for which they were permitted and reduce the future development pressure on the National Park, the Authority will use conditions and where expedient Section 106 Agreements. National Park communities have been frustrated in the past by breaches of planning conditions, but Section 106 agreements have proved more successful in preventing such breaches. The Authority will therefore continue to use Section 106 agreements to:

- (i) Secure, in perpetuity; affordable homes for local people in housing need;
- (ii) Tie essential worker homes to the business, buildings and the land for which the business has planning permission; and
- (iii) Tie properties together to secure the ancillary status of accommodation in perpetuity (where that cannot be achieved by planning conditions).
- (iv) Secure care home spaces for local persons in need of such accommodation
- (v) Tie new outbuildings to main houses (where that cannot be achieved by planning condition)

6.108 Where eligible people are not available to occupy houses in accordance with legal agreements, the policy allows, by written agreement of the Authority, temporary variations to legal agreements to enable other uses such as holiday use. This increases opportunities for people to stay and enjoy the area, which furthers national park purposes. The Authority foresees very few cases where it would be justified to remove an occupancy restriction altogether.

6.109 The system that the Authority has put in place requires, in the interests of fairness and building trust of communities, the co-operation of all organisations involved in housing delivery and management. The Authority encourages discussion to pre-empt and resolve problems.

DMH11: Section 106 agreements

Section 106 agreements will be applied to housing developments as follows:

Affordable Housing

- A. In all cases involving the provision of affordable housing, the applicant will be required to enter into a Section 106 legal agreement, that will:
- (i) restrict the occupancy of all affordable properties in perpetuity in line with policies DMH1, DMH2 and DMH3; and
 - (ii) prevent any subsequent development of the site and/or all affordable property (ies) where that would undermine the Authority's ability to restrict the occupancy of properties in perpetuity and for the properties to remain affordable in perpetuity by restricting overinvestment.

Essential worker dwellings

- B. Where planning conditions cannot achieve the desired outcome of ensuring worker dwellings are retained by the business, the applicant will be required to enter into a Section 106 legal agreement that will:
- (i) restrict the occupancy of all properties in perpetuity in line with policy DMH4;
- C. Where, permission is granted for the temporary release of an occupancy restriction on a property in a DS1 settlement, the dwelling will:
- (i) remain tied to the business; or
 - (ii) will remain limited to persons in housing need and satisfying the local occupancy criteria, under Policy DMH2, or may revert to holiday use, until such time as an essential worker or other qualifying person needs the property.
- D. Where, exceptionally, permission is granted for the temporary release of an occupancy restriction on a property outside a DS1 settlement, the dwelling will:
- (i) remain tied to the business; or
 - (ii) revert to holiday use; or
 - (iii) be temporarily occupied by local person who has lived in the parish or adjoining parish for ten out of the last twenty years and is in housing need, until such time as a business need arises again.
- E. The removal of section 106 agreements on essential worker dwellings will not be permitted unless it can be demonstrated that:
- (i) reasonable attempts have been made to allow the dwelling to be used by a person who could occupy it in accordance with the restriction; and
 - (ii) the long term need for the dwelling in the locality has ceased and a temporary relaxation therefore serves no purpose.

Ancillary accommodation

- F. Where planning conditions cannot achieve the desired outcome of tying properties together, the ancillary accommodation, whether achieved by extension, conversion, or new build will be tied to the main property by legal agreement.
- G. Variation to a section 106 agreement may be permitted if it can be demonstrated that the proposed new use of the ancillary accommodation is in accordance with other policies of this plan relating for example to holiday accommodation use or essential worker use.
- H. Removal of a section 106 agreement to remove the ancillary status of accommodation will not be permitted.

7

Shops, Services and Community Facilities

Strategic Context

- 7.1 The National Park Authority whilst pursuing its statutory purposes seeks to foster the economic and social well-being of local communities within the National Park. **Core Strategy policies HC4 and HC5** promote the retention and development of local services and community facilities such as shops, meeting places, sports venues, cultural buildings, public houses and places of worship in settlements listed in **Core Strategy policy DS1**, provided other policy concerns are also satisfied. Policy DS1 seeks to direct development to the most sustainable locations based on a range of criteria. Good local services and community facilities help reduce the need for travel to other locations, contributing to a more sustainable transport pattern and to the vitality of a settlement.
- 7.2 Whereas the majority of retail development will be focused in the settlements named in Policy DS1, exceptions may be appropriate for retailing of goods grown, produced or processed on the farm or where proposals are small scale and ancillary to a business acceptable under **Core Strategy policy E2** or are related directly to and are ancillary to recreation and tourism facilities. It should be noted that land use planning policy has a limited influence on retail and community service provision compared to market forces and other public sector expenditure and programmes.
- 7.3 Bakewell is the main service centre within the National Park. Its development issues for shops, services and community facilities are considered in policy DMB1.
- 7.4 The National Park Authority's policies require clear justification for any change of use of a community facility, service or shop and, where it can be justified, provision must, wherever possible, be to meet another community need or offer alternative community benefit such as local needs affordable housing. Evidence of reasonable attempts to secure such a use must be provided before any other use is permitted.

Shops, professional services and related activities in Core Strategy named settlements

- 7.5 Local businesses such as village shops and public houses are essential components of community life and policies seek to guard against the loss of valued facilities and services. The day to day needs of local communities are increasingly being met by innovative projects such as the community-owned village shop at Winster, the community pub in Bamford and the shop at Parwich, which operates from the village pub. Since most of the National Park's settlements lie within reach of larger towns and cities beyond its boundary, it is reasonable to limit retail development to that which serves the needs of the local community and the settlement's visitor capacity. In this way the natural beauty and cultural heritage of the National Park can be conserved and enhanced. Wherever possible the aim of planning policy within the National Park is to retain the primary retail function (use class A1 shops) in order to maintain the viability and vitality of named settlements. Planning applications must therefore be supported by evidence to show that local convenience shopping will not be adversely affected or undermined by the proposed development. In rural communities the local shop (convenience store) often provides the only shopping option available to the local community without the need to travel.

DMS1 Shops, professional services and related activities in Core Strategy named settlements

In furtherance of Core Strategy HC5 development within named settlements listed in policy DS1 of the Core Strategy will be encouraged provided that:

- A. supporting evidence shows that local convenience shopping will not be adversely affected or undermined; and
- B. there are adequate facilities and access for the storage and disposal of goods, waste and delivery of stock; and
- C. in newly built shops (and in those conversions that involve substantial change to an existing building) provision is made for access allowing separate use of upper floors. This should be from an entrance onto the front of the building wherever possible; and
- D. access is provided for people with a mobility difficulty where practicable.

Change of use of shops, community services and facilities

- 7.6 Access to community facilities and services are considered an essential element of sustainable and inclusive communities and sense of place. Flexible use of community facilities can provide a useful means of extending the range of services in a locality.
- 7.7 When buildings are converted to a shopping use, the upper floor is not always required by the shopkeeper. If allowance is not made for access to upper floors they can be left vacant. Their use for single person accommodation or office space is then prevented, to the disadvantage of the vitality of settlements and sometimes to the upkeep of the buildings concerned.
- 7.8 The Town and Country Planning (General Permitted Development) Order 2015 allows for the change of use of the first floor of a shop to living accommodation or a financial or professional service use without the need for planning permission. Such uses can prevent the loss of vitality that accompanies buildings which are partly unused. The National Park Authority will encourage the appropriate use of upper floors of buildings when assessing development proposals.
- 7.9 Change of use of the ground floor part of a local shop to a financial or professional services outlet or hot food shop is often inappropriate in a small settlement with only one or two shops. However, within the larger settlements these can be suitable as secondary uses, provided they do not dominate normal retail use, or threaten the character, viability and vitality of the local centre.
- 7.10 Where an existing shop is operated from the ground floor of a family home as a mixed residential and retail use if the two uses cannot be satisfactorily separated, residential amenity may sometimes override other considerations. If the shop window is a feature of heritage significance it must be retained.
- 7.11 The change of use of a building or site which provides community services, including shops and financial services, to non-community uses can undermine the vitality and sustainability of an area. Change of use is strongly resisted, by **Core Strategy policy HC4C** to protect the availability of facilities locally, and to help the young, the elderly and those without access to private transport. Only where it can be shown that the facility is no longer needed by the community, that there is a facility available elsewhere in the settlement that will satisfy the same community need and that the facility where the change of use is proposed can no longer be viable will change of use be permitted. Any approved new use should wherever possible provide for another local community need or offer alternative community benefit such as affordable housing. Community sports and recreation sites and facilities are dealt with in a separate DMS7.
- 7.12 For proposed change of use of existing community facilities to non-community use applicants will need to apply the following viability and marketing tests to the development proposal. Community facilities include:
 - Public Houses
 - Local shop (convenience store)
 - Churches/Chapels
 - Schools
 - Village Halls

Viability

- 7.13 In the case of community facilities such as schools and religious buildings, information will be required about alternative available facilities in the proximity, user numbers and other supporting information. which adequately demonstrate that the building is no longer needed by the community.
- 7.14 In cases where the proposal is for the conversion of an existing commercial premises applicants will be asked to supply trading accounts over a period of 5 years for the existing enterprise. Depending on the nature of the enterprise this may need to be broken down into different sectors of the business. This information may then be assessed by an independent financial appraiser appointed by the National Park Authority.
- 7.15 For all applications details will be required of contact with the Parish Council or Parish Meeting or other adjacent Parishes to establish the needs existing in the local area and an assessment of housing needs in the Parish or adjoining Parishes with reference to a Housing Needs Survey. The scheme may be of a size that is suitable for an individually justified and developed local needs home. Evidence of eligibility for this type of housing will need to be provided.
- 7.16 If there is no evidence of local affordable housing need, either individual or Parish wide, viability and marketing tests will be required to check that the building cannot be used for alternative community benefit. Information relating to efforts to improve the viability and usage of the facility or to diversify the use of the facility will be material.
- 7.17 The Authority will consider proposals for mixed community uses favourably, provided that the scheme is consistent with other Core Strategy and development management policies.

Marketing

- 7.18 Where an applicant is seeking change of use to a non-community use, evidence of reasonable attempts to sell or let the community facility as a going concern will be material and include:
- Submission of evidence of a thorough marketing exercise with a commercial property agent, sustained over at least 12 months, to sell or let the building for alternative community uses or facilities including local needs affordable housing and evidence of marketing of the property through the economic development department of the appropriate local authority for at least 12 months;
 - Details of contact with the Town Council, Parish Council or Meeting and other adjacent Parishes to establish the needs existing in the local area and an assessment of the local affordable housing needs in the Parish or adjoining Parishes with reference to an up to date housing needs survey prepared by or in consultation with the district authority as housing authority.
 - A suitable firm of commercial property agents, who have a good knowledge of the property, and the appropriate local, national, or niche market, should carry out the marketing. In some cases it may be necessary to appoint more than one marketing agent. A copy of the letter of instruction to the agent should be supplied to the Authority.
- 7.19 Evidence that the asking price or market rent is the market value as defined by the RICS "Appraisal and Valuation Standards" ('The Red Book') which must take into account the structural condition of the property and the planning constraints affecting it.
- 7.20 For the purposes of testing the market, this figure may reflect alternative uses that are in accordance with development plan policies, but must not be based on potential uses for which consent is required but has not been obtained. Irrespective of the proposed use, it must enhance the valued characteristics of the National Park as well as satisfying other material considerations.
- 7.21 The methodology used by the surveyor in arriving at a valuation must be clearly identified and demonstrated to the Authority. It must show what figure, if any, has been allowed for the goodwill of a business, for any fixtures and fittings and for the building itself. The floor area must also be identified so that a value per unit area can be established for comparison with the local market. The National Park Authority

may seek the opinion of the District Valuer as to whether a realistic sale price or leasehold rent has been set.

7.22 The National Park Authority will also request written details of all enquiries received and the reasons why potential buyers/leaseholders found the buildings to be unsuitable and/or why proposed offers were not accepted. The marketing exercise should include:

- Advertising in the local and regional press, usually a minimum of one advert per month in a local newspaper which can be shown to provide coverage of the area in question; and
- A minimum of two adverts over the marketing period in a relevant national publication

7.23 Under **Core Strategy policy HC4C** evidence of reasonable attempts to secure another community use must be provided before any other use is permitted. The National Park Authority will need to be satisfied that the viability and marketing exercises have been carried out robustly and in accordance with the criteria set out above. Where reference is made to the availability of another building, available elsewhere or reasonably accessible, that will satisfy the same community need, the National Park Authority will need to make a judgement about whether the same need will be satisfied, for example the availability of a public house is likely to cater for a different user to that of a church/chapel.

DMS2 Change of use of shops, community services and facilities

- A. Where an applicant is seeking change of use to a non-community use, evidence of reasonable attempts to sell or let the shop or community facility as a going concern must be provided including:
- (i) evidence of a thorough viability and a marketing exercise with a commercial property agent, sustained over at least 12 months⁷⁶, to sell or let the building for alternative community uses or facilities including local needs affordable housing; and
 - (ii) evidence of marketing of the property through the economic development team of the appropriate local authority for at least 12 months; and
 - (iii) details of contact with the Town Council, Parish Council or Meeting and other adjacent Parishes to establish the needs existing in the local area and an assessment of the local affordable housing needs in the Parish or adjoining Parishes with reference to an up to date housing needs survey prepared by or in consultation with the district authority as housing authority
- B. The Authority will consider favourably proposals for change of use of shops, community services and facilities to mixed use community schemes including the provision of affordable housing for eligible local need and for workspace.
- C. Where the ground floor of a dwelling is a mixed residential and retail use, residential amenity will be fully taken into account when considering change of use. If segregation of the retail area from the dwelling would have an unacceptable impact on its residential amenity, permission will be granted for change to residential use.

⁷⁶ A business may make representation to the Authority if it considers 12 months to be too long a period for the type of business concerned, but the business will need to provide reasoned justification why a shorter period of marketing is justified.

Retail Development outside Core Strategy named settlements

- 7.24 In keeping with **Core Strategy HC5**, outside settlements named in Core Strategy policy DS1, retail development as part of farm diversification may be acceptable provided that farm shops principally sell goods grown, produced or processed on the farm.
- 7.25 Other retail uses in the countryside will only be acceptable where proposals are small scale and ancillary to a business acceptable under **Core Strategy E2** or relate directly to and are ancillary to recreation and tourism facilities. **Core Strategy Policy E2** is clear that a business use in an isolated existing or new building in the open countryside will not be permitted.
- 7.26 Retailing related to the needs of motorists and the wider community is acceptable at existing petrol stations provided, that in land use terms, the retail operation must remain ancillary to the main use of the site. Development on existing garden centre sites or nurseries must be related to horticulture and principally offering for sale goods which are produced on the premises.
- 7.27 Retail sales from existing factory units may be acceptable where the goods sold are manufactured on the site and retailing is ancillary to the main use. Retailing linked to a recreational development should also remain closely related and secondary in scale to the primary recreational use, including refreshments and food sales.

7.28 For all proposals it will be important to avoid generation of traffic that would lead to inappropriate levels on small country lanes. Proposals should take account of the impact on local centres and should not be of a scale or nature that become significant attractions in their own right or that threaten the retail viability or potential of nearby settlements.

7.29 Whilst permitted development rights exist, at the time of writing, for the change of use to retail of agricultural buildings under 500 square metre floor space, (subject to a Prior Approval process) this allows only for the principle of change of use rather than the physical development. Substantial alterations or the insertion of new doors and windows into the structure will require an application for planning consent. Buildings Regulation Approval could also be required including provision for escape in the event of a fire. Applicants are therefore advised to contact the National Park Authority to discuss the proposal as well as the authority responsible for Building Regulations (usually the District Council).

DMS3 Retail development outside Core Strategy named settlements

- A. Where retail development is associated with an industrial or business unit, sales will be mainly restricted to goods produced on the unit.
- B. At petrol stations, retail activity must remain ancillary to fuel sales.
- C. New development within existing garden centre sites or nurseries will not be permitted unless it is related to the primary function of the site and would not damage the valued characteristics of the area.
- D. Proposals to expand or intensify the use of an existing site or building must assess the impact of the development in its landscape context by reference to the Peak District National Park Landscape Strategy and Action Plan.

Shop Fronts

- 7.30 Shop fronts have a marked visual impact on the character of settlements. Whatever other attention has been paid to the quality of development, they can make a critical difference. The Authority's Detailed Design Supplementary Planning Document for Shop Fronts provides clear examples and advice about this area of commercial opportunity for owners to make the most of a building's character: recognising the strong attraction of the traditional appearance of settlements in the National Park. Shop fronts often incorporate advertising and require alterations to a building. Attention is, therefore, also drawn to Policies DMS5 and DMC3.
- 7.31 External roller shutters are not compatible with the conservation and enhancement of the National Park's character. Alternatives should be used. These include internal roller shuttering and internal shutters of a more traditional design.

DMS4 Shop fronts

Particular attention will be paid to the design and appearance of any new shop fronts or alterations to existing shop fronts, to ensure that the proposed works conserve and where possible enhance the character and appearance of the building and its locality. External security roller shutters will not be permitted.

Outdoor Advertising

- 7.32 The display of advertisements is dealt with by the Town and Country Planning (Control of Advertisements) Regulations 2007 and 2012. The Peak District National Park is designated as an Area of Special Control under section 221(1) of the Town and Country Planning Act 1990 as amended and consequently some specific restrictions apply to advertisements over and above those that apply generally. Advice should be sought from the National Park Authority to check if consent is required and whether advertisements may be displayed on a building or land. Under the Regulations control over advertising is more rigorous in areas such as Conservation Areas and National Parks and whilst some advertisements have deemed consent, others require the National Park Authority's "express consent". Some classes of advertisement (such as general poster hoardings and fluorescent signs) may not be displayed at all, and stricter controls on size and lettering apply. Control applies to both private and public signs, including village finger-post direction signs when these are not in the highway.
- 7.33 Signs in the highway and advance signing of businesses to assist traffic management are controlled by the appropriate highway authority. In doing so, these authorities are required (under section 62(2) of the Environment Act 1995) to have regard to National Park purposes.
- 7.34 Businesses should avoid unnecessary proliferation of adverts and signs, bearing in mind that it is the special qualities of the National Park which attracts most paying visitors. Similarly, illumination where permitted requires special care in order to avoid urbanisation of the area's character. Signs should be as near as possible to the business concerned and preferably on its own land or premises. Business managers are asked to consider the contribution that they can make to conserving and enhancing the National Park's special character and to discuss proposals with the National Park Authority at an early stage.
- 7.35 Where approval is required, the following policies set a framework for decisions. Where there is sufficient concern over advertising that does not normally require consent, the National Park Authority may seek to bring it within control and is able to create areas of special control where necessary.

DMS5 Outdoor advertising

- A. Advertisements will be granted consent provided that they:
- (i) are as near as possible to the business or activity concerned (an exception may be made for community information boards or finger-post schemes in named settlements of Core Strategy policy DS1); and
 - (ii) do not result in a proliferation of signs inappropriate to the building or locality; and
 - (iii) do not pose a hazard to public safety or unduly harm the amenity of neighbouring properties; and
 - (iv) are in proportion and appropriately located relative to the building on which they are displayed and/or to nearby buildings; and
 - (v) are of a high standard of design, materials and construction; and
 - (vi) their scale, setting and design do not detract from features of architectural or historic importance or other valued characteristics of the area.
- B. Internal illumination will not be granted consent (except for single illuminated pole signs essential to road safety at petrol stations on main roads). External illumination will not be granted consent unless it is during opening hours in predominantly commercial areas; or is at public houses, restaurants or similar premises open after dark providing it does not adversely affect dark skies.
- C. Signs or adverts more than 3.6 metres above ground level, or (if lower) above the bottom level of any first floor window on the same wall, will not be granted consent unless:
- (i) they are hanging signs; or
 - (ii) the building is a public house, hotel or restaurant that does not have a fascia and the sign or advert has individual lettering attached to it so as to minimise any harmful visual impact and any damage to the stone or brickwork.
- D. Advertisements for the purpose of announcement or direction will not be granted consent unless they are reasonably required having regard to the nature and location of that which they advertise.

Safeguarding Sites for community facilities

- 7.36 Community facilities make a positive social, educational, recreational or health-related contribution to the lifestyle of local residents. Core Strategy policies guard against the loss of any facility or service which meets an essential community need. The National Park Authority's approach is set out in **policy HC4 part C of the Core Strategy**, including that any development of sites or buildings justified under policy should meet another community need including affordable housing. The absence of the required justification will demonstrate that alternative options to meet the social or economic needs of the local community have been insufficiently explored to warrant a change of use to a use not otherwise permitted by **policy HC4 of the Core Strategy**.
- 7.37 Sites likely to be developed for beneficial community use, through a neighbourhood plan, for example, which have been agreed in principle by the National Park Authority, can also be safeguarded from other development and where possible, identified on the Policies Map. Applicants should seek up to date information from the National Park Authority about such identified sites. Long term availability of new buildings for public use is clearly essential and the National Park Authority may seek planning obligations to ensure this.
- 7.38 Exceptions to safeguarding such sites may be acceptable where an equally good alternative site is made available. Development offering a dual or multiple community use should be considered particularly favourably, although conservation interests always need to be taken into account.
- 7.39 The Policies Map shows the existing community recreation sites and sports facilities that have been safeguarded for community use.

DMS6 Safeguarding sites for community facilities

Sites identified for the provision of new or expanded community facilities in a Neighbourhood Plan or those gaining planning permission for such use will be safeguarded from other prejudicial development on or adjacent to the site.

Retention of community recreation sites or sports facilities

- 7.40 The redevelopment of community recreation sites or sports facilities should be avoided since they are important for the well-being of the National Park's communities. **Core Strategy Policy HC4 part D**, sets out the principle that the redevelopment of a community recreation site or sports facility for other uses will not be permitted unless a satisfactory replacement site or facility has been provided or it can be demonstrated that the facility is no longer required. In exceptional circumstances where the redevelopment of a community recreation site or sport facility can be justified alternative uses should meet another community need including affordable housing. Satisfactory evidence of attempts to meet such a need will be required.
- 7.41 Appendix 9 sets out the information as detailed by Sport England for any application for development of recreation sites or sports facilities.

DMS7 Retention of community recreation sites or sports facilities

- A. Development that would prejudice the continued use of community recreation sites or sports facilities will not be permitted unless:
- B. an assessment has been undertaken which has clearly shown the open space, buildings or land to be no longer required; and
- C. the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; and
- D. the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.
- E. Exceptionally where sites can be shown to be no longer required, new uses should meet another community need (including those for affordable housing for local people). Evidence of reasonable attempts to secure such a use will be required before alternatives are permitted.

8

Managing Development in Bakewell

Strategic Context

- 8.1 Bakewell is the only settlement with a population over 3000 in the National Park. At around 4000 population, it could be considered a modest market town, but significant by local standards. With its quality of buildings and its riverside location it attracts large numbers of visitors which in many cases help sustain local businesses.
- 8.2 The town retains reasonable public transport links north and south through bus services on the A6 but there is no rail link. Through traffic still uses the bridge over the River Wye if travelling to Chesterfield or Sheffield and uses the A6 to and from Matlock to the south and Buxton to the north.
- 8.3 Non-residential parking is split across sites, with town centre car parking on much of the old cattle market area and a significantly larger area of parking for cars and coaches next to the Agricultural Business Centre on the land to the east of the river at the southern end of the town.
- 8.4 Business premises now exist on the Deepdale site on Ashford Road, and some businesses have taken up residence on the Riverside site since the previous Local Plan was published in 2001. However this site is an example of where premises could be improved, and policy would allow for a mix of uses provided a significant element of business use is retained.

Policy context

- 8.5 This plan does not include policies that are specific to Bakewell. However, the Core Strategy makes specific reference to Bakewell in the spatial objectives for White Peak and the Derwent Valley (see objectives for recreation and tourism development housing, business development and accessibility, travel and transport on **page 46 of the Core Strategy**). In addition DS1, HC5 and T5 make specific reference to Bakewell.
- 8.6 Any policies or neighbourhood development orders adopted in a neighbourhood plan for Bakewell will form part of the development plan and be given weight when planning proposals are put forward.

Bakewell Settlement Boundary

- 8.7 The settlement boundary makes it easier to assess whether applications are inside or on the edge of the settlement. As a tool to manage development pressure and avert speculative proposals for detached sites, it has been successful. Development pressure remains, so it is sensible to retain the boundary, and this is done through core strategy DS1. The boundary shown is that agreed with the community as the preferred extent for growth and would be adopted by the proposed Neighbourhood Plan for the town. It is shown on the proposals map

DMB 1 Bakewell's Settlement Boundary

The future development of Bakewell will be contained within the development boundary. Policy DMC4 will not apply.

Central Shopping Area

- 8.8 Bakewell is the only settlement boasting a wide range of shops. Some other larger villages have modest runs of shops along the high street, but only Bakewell gives a significant retail offer that is important not just for Bakewell residents but those in the surrounding area.
- 8.9 Whilst it fulfils this important role, it is a modest settlement with little scope for expansion of retail uses. Those shops that do exist are in themselves relatively modest in size. For this reason the **Core Strategy policy DS1** retained the central shopping area and this plan shows what is considered to be the Central Shopping Area re-affirming that significant retail development should be contained within this boundary and where it is considered to be significant retail development it should not be permitted outside the boundary. The **Core Strategy policy HC5** makes this clear.
- 8.10 The boundary of this area is that originally established for the Local plan 2001. The neighbourhood plan process has considered whether there is a need to change the central shopping area boundary and concluded that

there is no need to change the boundary. The national park Authority agrees with this approach

Principles for land use across the town

- 8.11 The **Core Strategy policy DS1** establishes development expectations for Bakewell confirming that a development boundary and central shopping area will be retained. The strategic need for employment sites means that the policy safeguards existing employment sites so that their re-development includes a substantial element of business use, and promotes enhancement of under-used employment sites. Evidence for the Core Strategy has also led to policy scope for a new build hotel to serve the town and improve the range of accommodation within the National Park.
- 8.12 These provisions are in addition to the usual provisions for development in a range of settlements listed in policy DS1 e.g. new build affordable housing, retail and business premises and new community facilities.
- 8.13 New permitted development rights have led to the loss of some high quality office space in Bakewell but there is still scope for additional office space if demand leads to development

would not result in the loss of a valued facility or service. (in the sense that its loss would mean there was no other business offering that service in the town) However, there may be cause for concern if any particular type of facility was becoming dominant to the detriment and loss of other valuable services. The use of neighbourhood development orders or removal of usual permitted development rights to switch within use classes may be tools the community of Bakewell or the Authority considers using to slow down or reverse a pattern of retail use if it considers it is detrimental to the overall retail offer for residents or visitors. This may accompany a neighbourhood plan, and may serve to respond positively to deeply held concerns that the retail mix or range of facilities is unhealthy and working against securing a vibrant and thriving community.

Principles for land use in the Central Shopping Area

- 8.14 The central shopping area is a tool to direct retail development to the core of the town and avoid spread of significant retail activity to the fringes of the town. Within that broad principle, there is the usual scope for change of existing retail units to different types of retail or in certain circumstances to change the use of office space to residential use. In some circumstances it has proved useful to permit non-conforming uses to re-locate and to permit more neighbourly uses within the town, but this is not restricted to retail uses. There is also scope for other uses such as new community facilities within the area. However, the central shopping area includes a small area of the town, and there are few if any areas within it that offer obvious scope for significant change.
- 8.15 The retail offer and the number and type of facilities such as cafes and restaurants is to large extent determined by market forces, and there is rarely justification to use planning as a tool to influence the offer or prevent change. This is especially the case where changes

9

Travel and Transport

Strategic Context

- 9.1 Transport plays a vital role in enabling visitors and residents to travel to, from and around the National Park. It offers opportunities to experience the special qualities of the National Park and to access employment, education, shops and vital services.
- 9.2 **Chapter 15 of the Core Strategy** sets out the strategic principles for accessibility, travel and traffic through a set of policies aimed at reducing the overall need to travel, whilst at the same time encouraging sustainable transport. This approach focuses on reducing the impact of the private car, whilst promoting wider access to facilities for public transport, walking, cycling and horse riding.
- 9.3 The Core Strategy makes it clear that the National Park Authority is not a highway authority and has no direct powers as such. However, it has always maintained a proactive approach through its planning role, and through influencing, negotiating and working in partnership with those organisations that do have power, to affect travel and transport in the National Park and surrounding area.
- 9.4 **Core Strategy policy T1** sets out the overarching strategic principles for all modes of transport within the National Park; these principles are derived from national park purposes and duty. The approach is based upon managing the impacts of cross-Park traffic and the private car, whilst facilitating and encouraging more sustainable means of transport. The subsequent policies T2 through to T7 give weight to the strategic principles.
- 9.5 The relationship with the need to reduce transport related carbon emissions is captured in paragraph 15.16, along with the role of the authority in educating visitors about the impact of their travel choices on the valued characteristics of the National Park.
- 9.6 **Core Strategy policy T2** sets out the aim of reducing and directing traffic, and in particular cross-Park traffic. The policy draws on the established government approach of restricting major road schemes in National Parks, unless there are exceptional circumstances (English National Parks and the Broads UK Government Vision and Circular 2010 para 85).
- 9.7 The policy also sets out an approach of establishing a road hierarchy with partners and then directing traffic onto the most appropriate route for its purpose and destination.
- 9.8 Finally, the policy sets out the principle that Travel Plans will be required for appropriate new developments; this approach is in keeping with the National Planning Policy Framework 2012 (para 16).
- 9.9 **Core Strategy policy T3** requires that necessary transport infrastructure should be designed and maintained in a manner that is in keeping with the valued characteristics of the National Park. In particular, a minimalistic approach is preferred, whilst ensuring that safety is prioritised and a welcoming approach engendered. This approach is supported by the National Planning Policy Framework Planning Practice Guidance on Design (para 042) and the Department for Transport's Traffic Advisory Leaflet 01/13 Reducing Sign Clutter. The text accompanying **Core Strategy Policy T3 (para 15.25)** refers to the bringing forward of a park-wide Design Code for Transport Infrastructure as being under consideration.
- 9.10 The policy also advocates mitigation of and remedial measures to address the severance of routes for wildlife, where they are affected by transport infrastructure.
- 9.11 **Core Strategy policy T4** sets out the strategic principles for addressing the demand for freight transport. This approach favours the transfer of freight from road to rail, whilst ensuring that facilities related to road freight transport are located where they are best served by the road network, and least likely to harm the valued characteristics of the National Park. The policy also sets out the approach to be taken should road freight transport have significant harmful impacts in particular locations.
- 9.12 **Core Strategy policy T5** sets out the strategic principles for addressing the demand for rail and the reuse of former railway routes. The policy safeguards land and infrastructure for rail enhancement on the Hope Valley line and reinstatement on the former Woodhead and Matlock to Buxton lines, shown on the Policies Map. However, the policy stipulates that this does not imply 'in principle' support or acceptance of the schemes, and that any proposals will be assessed on their merits. The National Planning Policy Framework 2012 makes an assumption against major developments in National Parks unless there are exceptional circumstances (para 116). Policy T5 goes on to state that any reinstatement of

the former lines would be subject to 'rigorous examination including the continuity of the Trans Pennine Trail and Monsal Trail'.

- 9.13 **Core Strategy policy T6** sets the strategic principles for the safeguarding of routes for walking, cycling and horse riding, ensuring that the Rights Of Way network is protected from development. Similarly the Trails network is protected, although potential realignment of the Monsal and Trans Pennine Trails in the event of future rail use is acknowledged. The policy goes on to support the use of former railway lines for walking, cycling and horse riding. Finally, the policy acts to protect the Huddersfield Narrow Canal within the National Park.
- 9.14 **Core Strategy policy T7** sets the strategic principles for minimising the impact of motor vehicles and managing the demand for parking. The policy directs a partnership review of existing traffic management schemes and the potential for additional schemes. New residential and operational parking is to be set at the minimal required level, whilst other parking will be restricted and located according to environmental capacity. Park & Ride schemes are accepted where they can be accommodated without harm to the Park's valued characteristics and where they bring net environmental benefit.
- 9.15 It is important in submitting proposals that consideration is given to their impact on travel and transport. For developments generating significant transport movements, or those in close proximity to areas of high environmental designation, National Planning Policy Framework recommends the undertaking of a Transport Assessment / Statement (para 32). The development management policies on travel and transport below provide further information to support planning applications. As with other elements of the proposed development, the National Park Authority encourages pre-application consultation on travel and transport related matters in order to be able to give further guidance.

Cross-park infrastructure

- 9.16 The Peak District National Park is located at the heart of England, surrounded by a number of towns and cities. There is a longstanding desire for connectivity between these urban areas which has resulted in the current road and rail network crossing the National Park and connecting these towns and cities, as shown on Policies Map.
- 9.17 The demand for connectivity between our neighbouring urban areas has led to calls for new or improved roads, and the reinstatement of former rail routes across the National Park. This demand has been largely focussed on improvements for east-west connections, and in particular, between South Yorkshire and Greater Manchester.
- 9.18 However, successive governments have adhered to an approach established by the Department of the Environment in 1976⁷⁷. This approach is that no new or improved roads for long distance traffic should be built in national parks unless there are compelling reasons that cannot be otherwise addressed. This approach continues with the English National Parks and the Broads UK Government Vision and Circular 2010 (para 85) and the National Planning Policy Framework which makes a presumption against major developments in national parks "except in exceptional circumstances" (para 115-116).
- 9.19 **Core Strategy Policy T2C** makes it clear that new road schemes not specifically related to residential or business development will not be permitted unless there are exceptional circumstances, whilst T2A states that transport developments that increase cross-Park traffic will be opposed. **Core Strategy Policy T2B** refers to possible exceptional circumstances by which transport developments that increase cross-Park traffic might be acceptable. A similar approach for enhanced or reopened railways is espoused in **Core Strategy Policy T5** and its accompanying text (para 15.31). **Core Strategy Policy T3** is also relevant, in so far that any new scheme would be expected to be delivered in accordance with T3.
- 9.20 This approach is given clarity in Policy DMT1 below, whereby the presumption against new cross-Park routes, both road and rail, is restated along with a definition of the exceptional circumstances under which new cross-Park routes might be deemed acceptable.

⁷⁷ Department of the Environment (1976), Circular 4/76: Report of the National Park Policies Review Committee (Para 58).

DMT1 Cross-park infrastructure

New roads or railways for cross-park travel will not be supported, and no proposals for a major alteration to an existing road or railway will be permitted, unless;

- A. There is a compelling national need which cannot be met by any reasonable alternative means, and
- B. It is demonstrated to be in the overall public interest, and
- C. It is demonstrated to provide long term local transport benefit, and
- D. There is a demonstrable long term net environmental benefit within the National Park, and
- E. There is a demonstrable long term net economic benefit within the National Park.

Access and design criteria

- 9.21 Transport infrastructure plays a vital role in allowing people to travel to, from and within the National Park. However, it is also the first impression that many visitors have of the Peak District. Much of the transport infrastructure in the National Park is determined by its geography and history, with numerous narrow winding roads, bounded by drystone walls, or with cross-Park routes that have not changed significantly over the life of the National Park. Similarly the existing and former railway routes have changed little since their creation. However, over recent years, there has been a demand for improvements or realignments to road and rail routes, and also an incremental growth in the size and number of road signs and other safety or enforcement infrastructure. Whilst the necessity of transport infrastructure to move with the times is recognised, it is vital that it sits easily within the landscape rather than detracting from it.
- 9.22 **Core Strategy Policy T3A** sets principles in relation to the high quality of design of transport infrastructure expected within the National Park, whilst a minimalistic approach is advocated through **Core Strategy Policy T3B**. In line with the potential impact of transport infrastructure and the high landscape value of the National Park, it is intended to bring forward a park-wide Transport Design Guide Supplementary Planning Document which should be taken into account when developing such schemes.
- 9.23 The National Park's road network is largely undeveloped and rural in nature, and subject to the terrain of an upland area. Therefore, in bringing forward proposals for development, developers should consider vehicular access to the development and its impact on traffic levels on the local road network. Early discussion with the relevant highway authority is recommended in order to resolve any concerns at the pre-application stage.
- 9.24 The National Planning Policy Framework directs developers to produce a Transport Assessment or Statement for all developments generating significant amounts of movement. The Framework also stipulates that opportunities for sustainable transport modes should be taken up, and that safe and suitable access be achievable by all people (para 32).
- 9.25 The importance of access to developments (including housing, business or mixed use), within the context of the National Planning Policy Framework, applies to all modes, including pedestrians, cyclists and equestrians in addition to motor vehicles. It is also expected that this should include the provision of or access to public transport facilities, where appropriate services pass through or near to the development; this approach is contained within Policy DMT2.
- 9.26 A large area of the National Park has extremely high designation in terms of the quality of its landscape, wildlife and cultural heritage. This includes areas that are designated as Sites of Special Scientific Interest (SSSI), Special Protection Areas (SPA) and Special Areas of Conservation (SAC). In such locations, the provision of new or realigned transport infrastructure such as roads or railways can impact severely with the severance of wildlife routes. **Core Strategy Policy T3C** states that 'Mitigation measures will be provided where transport infrastructure severs wildlife routes'. Policy DMT2 builds on this approach, hedges, walls and roadside trees all act as wildlife corridors, and Policy DMT2C seeks their retention so far as possible.
- 9.27 Policy DMT2D goes on to provide examples of mitigation measures that could be provided, where severance takes place. These include wild bridges or 'cut and cover' tunnels. Such measures can reinstate the continuity of a natural habitat, but may not be appropriate in all locations. The delivery of such measures will require a partnership approach with the developer, the highway authority and other relevant agencies including Natural England.

DMT2 Access and design criteria

- A. Where new transport related infrastructure is developed, it should be to the highest standards of environmental design and materials and in keeping with the valued characteristics of the National Park.
- B. Development, which includes a new or improved access onto a public highway, will only be permitted where, having regard to the standard, function, nature and use of the road, a safe access that is achievable for all people, can be provided in a way which does not detract from the character and appearance of the locality and where possible enhances it.
- C. Particular attention should be given to the need for the retention and where possible enhancement of hedges, walls and roadside trees. Where a proposal is for a new access to improve a substandard access, a condition will be applied requiring the substandard access to be closed up in an appropriate manner, which where possible enhances the streetscape.
- D. Appropriate and sympathetic measures, including wild bridges or cut and cover tunnels, will be provided where transport infrastructure results in wildlife severance.

Railway construction

- 9.28 There is a longstanding approach to safeguarding land and infrastructure associated with existing and former railways within the National Park. This approach is borne out of recognition of the benefits that rail travel brings to the Peak District both for residents and visitors. Good rail services provide an alternative means of travel to the private motor vehicle, whilst offering access to goods and services for those without a car.
- 9.29 **Core Strategy Policy T5A** safeguards land and infrastructure for the enhancement of the Hope Valley Line and the reinstatement of the former Woodhead and Matlock to Buxton railways. However, any reinstatement of the former railways would necessitate a re-routing of the Monsal Trail and Trans Pennine Trail.
- 9.30 Policy DMT3 adds clarity and detail to the Core Strategy, providing the criteria under which new railway infrastructure may or may not be deemed acceptable, should the criteria set in DMT1 be met.
- 9.31 In keeping with Core Strategy Policy T6A and T6B, Policy DMT3C stipulates that where rail development impinges on existing footpaths, bridleways, or trails, an alternative route of equal or better quality that ensures continuity should be provided.
- 9.32 Policy DMT3D states that proposals to construct railways acting primarily as tourist attractions are unlikely to be successful because of their incompatibility with both transport and recreation policies. Elsewhere, railway stations usually generate road traffic, and a demand for additional facilities to cater for customers such as car parks and toilets. Where the line is aimed at the tourist market, such demands are likely to be even more acute.
- 9.33 The development of a new passenger railway station or terminus forming the destination of a Park and Ride scheme or as part of a visitor / traffic management scheme or for principally local use could be deemed acceptable, but would need to demonstrate an overall environmental and economic benefit to the National Park. Policy DMT3E provides the criteria that would need to be met to justify the development of a railway station or terminus within the National Park.
- 9.34 In bringing forward any rail scheme, developers must be able to demonstrate that there will be a net environmental benefit to the National Park.
- 9.35 Where a rail development occurs, including light rail, heavy rail or guided bus scheme, the detrimental effects of the scheme must be outweighed by significant benefits to the National Park. These include, but are not exclusive to, the removal of road traffic from parallel routes or the provision of mitigation against habitat loss.
- 9.36 There are national programmes for electrification, within close proximity to the National Park, including the Trans Pennine and Midland Mainline. This would suggest that in the medium term, there may be plans to electrify the Hope Valley Line. Whilst there are clear benefits to electrification, including benefits to local air and noise pollution, as well as providing longer term sustainability and viability of the railway; at the same time, there are likely to be negative impacts for the National Park, in particular visual intrusion. Therefore, as with other rails schemes within the National Park, a clear net environmental or economic benefit would need to be demonstrated. In all cases of rail development in the National Park, Network Rail and their agents must have regard to National Park purposes, as stipulated in Section 62 of the Environment Act (1995).

DMT3 Railway construction

- A. Any heavy rail, light rail or guided bus development must clearly demonstrate a net environmental benefit to the National Park.
- B. Any detrimental effects that a heavy rail, light rail or guided bus scheme may have on the National Park must be outweighed by significant benefits – including a demonstrable lasting removal of road traffic from parallel routes and the mitigation of any habitat loss.
- C. Any heavy rail, light rail or guided bus development that impinges on existing footpaths, bridleways or major trails must comply with the policy approaches in DMT4A, ensuring equally good alternatives and maintaining their continuity.
- D. New railways designed primarily as tourist or heritage attractions will not be permitted.
- E. The development of a new passenger railway station or terminus within the National Park must be able to demonstrate an overall environmental and economic benefit to the National Park. It will be permitted provided that:
 - (i) It is the destination end of an acceptable park and ride scheme; or
 - (ii) It is a temporary part of a phased construction programme; or
 - (iii) It is part of a traffic / visitor management project; or
 - (iv) It is principally used for local purposes.

Development affecting a public right of way

9.37 The Peak District National Park has a good network of public rights of way including footpaths, bridleways and byways open to all traffic. This network enables both visitors and residents to enjoy the valued characteristics of the National Park by sustainable means of transport such as by walking, cycling and horse riding. In some instances, proposed developments may affect the line of a right of way. In such circumstances, the continuation of the right of way by an alternative route of equal or better quality is vital.

9.38 **Core Strategy Policy T6A** sets the approach for the safeguarding of rights of way and other walking, cycling and horse riding routes from development, as well as stipulating the mitigation required, where development does impinge on such routes. Policy DMT4A restates this approach, whilst providing the criteria which a replacement route must meet. This overall approach is supported within the National Planning Policy Framework (para 75), which states that ‘Planning policies should protect and enhance public rights of way and access.’

9.39 Where development does take place, and where appropriate, opportunities will be sought to provide links to the existing rights of way and multi-user Trail network from the development. This approach is in keeping with the advice contained within the National Planning Policy Framework (para 75), which states that ‘Local authorities should seek opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.’

9.40 Development can sometimes lead to an increase in motor vehicle use on footpaths, bridleways or byways open to all traffic. This often has detrimental effects on the enjoyment of those routes by walkers, cyclists and horse riders. Therefore, unless there are overriding social, economic or environmental conservation benefits as a result of the development, it will not be permitted.

9.41 Since the adoption of the Core Strategy, there has been an increase in demand for, and provision of multi-user trails, including the Pedal Peak and Pedal Peak II Projects. In most cases, these have been created within existing or disused transport infrastructure such as canal towpaths, former railways or within the boundary of the highway. **Core Strategy T6D** makes the case for the utilisation of former railways as walking, cycling and horse riding routes where appropriate.

9.42 The Pedal Peak Project focussed on the reopening of four disused railway tunnels on the Monsal Trail, which follows part of the former Derby to Manchester Railway. Since completion of the project in May 2011, there has been a significant increase in the Trail’s use by cyclists, walkers and horse riders, with the Trail being voted the best short trail in the country by Sustrans. The Pedal Peak II Project focussed on attempts to extend the Monsal Trail from Bakewell to Matlock. Phase 1, the delivery of a link between Matlock and Rowsley has been delivered. There is an ongoing commitment to provide the Phase 2 link between Rowsley and Bakewell.

9.43 Policy DMT4D goes further by providing clarification of criteria whereby proposals for new routes for walking, cycling and horse riding that do not fall within the highway can be brought forward.

DMT4 Development affecting a public right of way

- A. Where a development proposal affects the route of a public right of way, either the definitive line of the public right of way should be retained, or, in exceptional circumstances, where retention of the definitive line is not possible, the developer will be required to provide an alternative route that:
 - (i) Is of equal or better quality than the original; and
 - (ii) Has similar or improved surface appropriate to its setting; and
 - (iii) Wherever appropriate, is of benefit to users with special needs, including those with disabilities; and
 - (iv) Is available before the definitive route is affected or if this is not possible until the development is complete, a suitable temporary route is available before the definitive route is affected; and
 - (v) Is as convenient and visually attractive as the original.
- B. Where development occurs, opportunities will be sought to provide better facilities for users of the rights of way network, including, where appropriate, providing links between the development and the rights of way network, including the National Park's Trail network.
- C. Development that would increase vehicular traffic on footpaths, bridleways or byways open to all traffic to the detriment of their enjoyment by walkers and riders will not be permitted unless there are overriding social, economic or environmental conservation benefits arising from the proposal.
- D. The development of new routes for walking, cycling and horse riding including multi-user trails will be supported, provided that they conserve and enhance the valued characteristics of the area; and are subject to the following criteria:
 - (i) They connect into the wider rights of way network; and
 - (ii) They connect with settlements within and beyond the national park boundary; and
 - (iii) They are designed and constructed to an appropriate standard, in keeping with its setting; and
 - (iv) Where it is likely to act as a destination in its own right, that appropriate, new or existing visitor facilities are made available

Parking

- 9.44 The provision of adequate and appropriate parking facilities is a key consideration for any new development. It is important that there is sufficient off-road parking provision to ensure that overspill parking from the development does not have a negative impact on the surrounding area, or the smooth operation of the road network.
- 9.45 However, with the high levels of protection afforded the National Park, and the limited availability of land for development, it is important that land given over to parking is used efficiently.
- 9.46 Different types of development require differing levels of parking provision. For example the parking requirements of a village shop are less than might be expected for a superstore on the edge of a larger settlement.
- 9.47 Clarification on the expected levels of parking provision for new developments is provided within the Peak District National Park Parking Standards in Appendix 10. These standards follow national guidelines, but at a scale in keeping with the National Park, and the scale of development that might be reasonably expected.
- 9.48 Parking is covered by three policies within this document in line with the three main types of parking associated with development in the National Park;
- Business Parking,
 - Residential Parking,
 - Visitor Parking.

Business parking

- 9.49 Business parking space means the space required for cars and other vehicles regularly and necessarily involved in the operation of the business of particular buildings. This policy also applies to the provision of parking facilities for commuting employees, shoppers and other visitors to the business. This policy applies where planning permission is required for an expansion or alteration of a business, or for expansion or alteration of an operational car park.
- 9.50 The adequate provision of parking facilities is a key consideration for business developments. This provision includes parking associated with the smooth running of the business otherwise known as operational parking; and that which is that used by members of staff and visitors to

the business (non-operational parking).

- 9.51 It is important in both cases that these vehicles do not impede traffic flow in the vicinity of the development or negatively impact on residential amenity or the valued characteristics of the National Park. Therefore, the inclusion of business parking as part of a development can enhance the surrounding area.
- 9.52 **Core Strategy Policy T7B** states that 'operational parking for service and delivery vehicles will be the minimum required for operational purposes', whilst having regard to environmental constraints and any future requirements. Policy DMT5 provides a definition for operational parking in the context of development. Policy DMT5A then clarifies the conditions against which the assessment of the requirement for new operational parking will be judged.
- 9.53 Non-operational parking can be defined as that which is not necessarily essential to the smooth operation of the business and includes that utilised by commuting employees, shoppers or visitors to a business. **Core Strategy Policy T7C** advocates the case for non-operational parking associated with a development being made available for public use wherever possible.
- 9.54 Policy DMT5A sets out the requirement for there to be 'a clear and demonstrable need for any new or enlarged car parks'. This applies to both operational and non-operational parking.
- 9.55 Policy DMT5B then stipulates the approach that should be taken to providing additional business parking as part of a development, whilst Policy DMT5C provides clarity as to the adopted parking standards of the National Park Authority.
- 9.56 The overall approach is in keeping with the National Planning Policy Framework (para 39), which stipulates that planning policies take account of 'the accessibility of the development; the type, mix and use of development; the availability of and opportunities for public transport; local car ownership levels; and an overall need to reduce the use of high-emission vehicles.'

DMT5 Business parking

- A. New or enlarged car parks will not be permitted unless a clear, demonstrable need can be shown.
- B. Where planning permission is required, additional parking provision should be of a limited nature, whilst being appropriate to the size of the development and taking account of its location and the visual impact of parking.
- C. The adopted parking standards are provided in Appendix 10.

Visitor parking

- 9.57 Visitor parking space means the space allocated to members of the public visiting a particular location. In the context of the National Park, visitor parking is usually associated with recreational visits.
- 9.58 The National Park Authority has over successive Development Plan periods adopted an approach of limiting the overall number of public parking spaces within the National Park, whilst adopting an approach of favouring the removal of on-street parking when permitting additional public off-street parking facilities.
- 9.59 **Core Strategy Policy T7C** states that non-residential parking 'will be managed to ensure that the location and nature of car and coach parking does not exceed environmental capacity'. The Policy goes on to add that 'new non-operational parking will normally be matched by a reduction of related parking spaces elsewhere'. Policy DMT6A then clarifies the conditions against which the assessment of the requirement for new visitor parking will be judged.
- 9.60 The road network within the National Park, both within settlements and across the wider countryside is an indication of its historic origins with often narrow roads and with limited off-street parking provision. In some locations, the requirement for vehicles to be parked on street is visually intrusive and / or damaging to verges, although it can add traffic calming benefits. Therefore, Policy DMT6B stipulates that where additional non-operational off-street parking is permitted, it will normally be as a replacement for existing on-street parking. This approach diverts on-street parking to a more suitable location.
- 9.61 **Core Strategy Policy L1B** makes a presumption against development within the Natural Zone, whilst the Core Strategy states that a 'stronger level of protection' from development will be accorded to Conservation Areas owing to their national designation (para 9.6). Policy DMT6C builds on this approach in respect of visitor parking, stipulating the requirement on the developer to seek alternative sites, where the impact is lessened. This approach places the onus on the developer to assess alternative sites, and justify the need for new or additional parking within particularly environmentally sensitive locations.
- 9.62 The overall approach is in keeping with the National Planning Policy Framework (para 39), which stipulates that planning policies take account of 'the accessibility of the development; the type, mix and use of development; the availability of and opportunities for public transport; local car ownership levels; and an overall need to reduce the use of high-emission vehicles.'
- 9.63 Over recent years there have been many calls for new or improved car parks at popular visitor destinations, including villages and within the wider countryside. The general approach is to first ensure that there is a genuine need for additional capacity. Where there is, in some cases, this need can be met within the footprint of existing car parks, without detriment to the location or the National Park's special qualities. However in some cases, demand is restricted to busy summer weekends. In these cases the General Permitted Development Order permits the use of land for parking without the requirement for planning permission. This can include the use of fields for parking for busy weekends such as for well dressings or carnivals; this approach can be undertaken on other busy days for up to 28 days per year. However, care should be taken to identify sites that can be accessed safely, without impacting on the highway network.
- 9.64 The National Park Authority in keeping with its second purpose and Defra's 8 Point Plan for National Parks is keen to ensure that appropriate facilities for visitors to the National Park, including parking provision are provided at those locations best suited to their use and the setting of the National Park. To this end it is intended to bring forward further planning guidance in the form of a Supplementary Planning Document to inform development at recreation hubs.

DMT6 Visitor parking

- A. New or enlarged car parks will not be permitted unless a clear, demonstrable need can be shown.
- B. For visitor car parking additional off-street parking will normally only be permitted where it replaces equivalent on-street parking spaces.
- C. In considering proposals for new or enlarged car parks in the Natural Zone and in Conservation Areas, the developer is expected to have assessed alternative sites located in a less environmentally sensitive location, capable of being linked to the original visitor destination either by a park and ride system or right of way.

Residential off street parking

9.65 Nationally, dependence on the private car as the primary means of transport for most families has grown considerably. At the last census, almost three-quarters of households (74%) had access to a car or van⁷⁸; whilst the average number of cars per household was 1.2. In the National Park, reliance on the private car is even more pronounced, with 88% of households having access to a car or van, with the average number of cars per household being 1.6. High car ownership, coupled with the historic nature of most National Park settlements, with little off-street parking, has resulted in the majority of resident's vehicles being parked on the roadside. Large numbers of parked cars in village centres can be visually intrusive, and compromise access to premises or for emergency vehicles. The popularity of some settlements as visitor attractions exacerbates the situation.

9.66 **Core Strategy Policy T7B** sets the strategic principle that residential parking should be set at the 'minimum required for operational purposes', whilst having regard to environmental constraints and any future requirements. Policy DMT7A directs developers to provide off-street parking for residential developments unless the provision of on-street parking meets highway and amenity standards. The Policy then goes on to provide minimum parking standards for residential development.

The provision of car free development will be viewed favourably, but will require reasonable alternative parking to be available. Finally Policy DMT7B offers protection to off-street parking provision within a development, where its loss would have negative impacts on local traffic flow.

9.67 Policy DMT7C provides clarity with regard to the design and number of parking spaces within a residential development. Developers are directed to have regard to the valued characteristics of the surrounding area especially within Conservation Areas.

9.68 The overall approach is in keeping with the National Planning Policy Framework (para 39), which stipulates that planning policies take account of 'the accessibility of the development; the type, mix and use of development; the availability of and opportunities for public transport; local car ownership levels; and an overall need to reduce the use of high-emission vehicles.'

9.69 Policy DMT7 sets minimum parking standards for residential developments. Whilst our overall approach is to discourage use of the private car in favour of more sustainable means of transport where possible, it is important that sufficient parking is provided in order to reduce the visual and other impacts of overspill parking particularly within, but not restricted to historic village centres. There may be circumstances whereby additional parking could be considered to be of benefit, particularly in those villages where the availability or practicality of on-street parking is limited, or where alternative forms of transport are either limited or unavailable. However, such provision should be in keeping with the size, scale and location of the development.

78 Peak District National Park Authority (2013) State of the Park, Transport, <http://www.peakdistrict.gov.uk/microsites/sopr/communities/transport>

DMT7 Residential off street parking

- A. Off-street car parking for residential development should be provided unless it can be demonstrated that on street parking meets highway and amenity standards. This should be either within the curtilage of the property or allocated elsewhere, normally at the following levels:
- (i) For one bedroom dwellings: 1 space per unit plus 1 space per 2 units for visitors.
 - (ii) For two and three bedroom dwellings: 2 spaces per unit.
 - (iii) For four bedrooms and above: 3 spaces per unit.
 - (iv) For holiday residences: 1 space per 1 and 2 sleeping room units, 2 spaces per 3 (and over) sleeping room units.
 - (v) Car free development will be considered favourably where reasonable alternative parking provision exists.
- B. Off-street car parking space provided as part of development will be protected where there is evidence that loss of such space would exacerbate local traffic circulation problems.
- C. The design and number of parking spaces associated with residential development, including any communal residential parking, must respect the valued characteristics of the area, particularly in Conservation Areas.

Air transport

- 9.70 The Peak District National Park does not have any established landing sites associated with powered flight, although there is the long established Lancashire and Derbyshire Gliding Club at Camphill near Great Hucklow, which has been in existence at this location since 1935.
- 9.71 Over the past 30 years there has been a growing trend for the use of ad-hoc sites for take-off and landing of small aircraft such as microlights and helicopters, with the latter often using the car parks of public houses and hotels, to provide recreational flights. Whilst powered flight in this context offers quick business travel or enjoyable recreational experiences, the development of landing sites is not in keeping with the quiet enjoyment of the National Park. Negative impacts arising from such activities can include noise pollution

and disturbance to bird populations.

- 9.72 The General Permitted Development Order (2015) permits the use of land for aircraft landing for up to 28 days per year without the requirement of planning consent. However, were this to become a regular activity, it would harm the valued characteristics of the area, in particular the public's opportunities for quiet enjoyment. In this event, or where there are other impacts such as traffic congestion, dangerous road conditions or loss of residential amenity as a result of this use, an Article 4 Direction will be considered. Under an Article 4 Direction, permitted development rights are removed and the activity will require planning permission.
- 9.73 Policy DMT8A makes the presumption against the development of aircraft landing sites within the National Park. In relation to powered flight, the policy restricts developments where they are likely to affect the National Park's valued characteristics or its amenity. The policy adds clarity with regard to what is meant by powered flight, with the inclusion of model and drone aircraft as well as those carrying people.
- 9.74 The Peak District National Park is also a popular location for non-powered flight. In addition to the Derbyshire and Lancashire Gliding Club, the area is popular with hang-gliders, para-gliders and pilots of non-powered or electrically powered model aircraft. Whilst these aircraft do not have the noise impact of conventional powered flight, they can adversely impact nesting birds and other wildlife or compromise other special qualities of the National Park. Policy DMT8B stipulates that where such uses require planning permission, the activities may be restricted as a result of adverse impacts on the Valued Characteristics of the National Park.

DMT8 Air transport

- A. Aircraft landing sites will not normally be permitted. Developments related to helicopter or other powered flights will not be permitted where they will adversely affect the valued characteristics or amenity of the area. Powered flights include, but are not exclusive to, model aircraft and drones.
- B. Where planning permission is required, regular non-powered flights including but not exclusive to hang-gliders, para-gliders and model aircraft, may also be restricted if they have an adverse impact on bird and wildlife populations or other Valued Characteristics of the National Park.

10

Utilities

Strategic Context

- 10.1 Under **policy GSP1 of the Core Strategy**, the National Park aims to support exemplary sustainable development, pursuing the two statutory purposes to conserve and enhance the natural beauty of the National Park and to promote opportunities for enjoyment whilst seeking to foster the economic and social wellbeing of local communities. This justifies, in many cases, requiring developers to consider how they will conserve and enhance the National Park's nationally significant landscapes including for example sharing telecommunications masts, undergrounding electricity cables, using sustainable urban drainage and fully justifying the need for new development.
- 10.2 **Core Strategy policies GSP1, DS1 and GSP3** enable utility infrastructure provision in settlements and in the countryside outside the Natural Zone in the context of National Park purposes. Supporting text to policy GSP1 reminds developers that the National Parks and Access to the Countryside Act 1949 (as amended) require all relevant authorities and public bodies (such as District Councils and utility companies) to take National Park purposes into account in their decisions and actions.
- 10.3 Most of the National Park has electricity and mains water supplies. However, coverage is not comprehensive. Mains gas supplies and mains sewerage are available in larger settlements but are less widespread in small villages and beyond village limits.

Development that requires new or upgraded service infrastructure

- 10.4 The acceptability of development is tied to the acceptability of any new infrastructure that it requires. Because infrastructure can easily harm the landscape it is vital that development is located to minimise adverse impact. Where the development of new utility service infrastructure is acceptable the new infrastructure must be provided before the new land use begins.
- 10.5 The Core Strategy generally directs development to areas where service provision is unlikely to be a problem. Sometimes, however, existing service infrastructure may have insufficient capacity to cope with increased demand (sewage or water supply for example). If additional development is permitted in such a case, the services should be improved beforehand to avoid excessive demands being placed upon them. The impact of the improved services on the National Park will be a factor in deciding whether to approve the development.
- 10.6 The National Park Authority will consult the utility providers and the Environment Agency on planning applications where service provision is likely to be an issue. Wherever possible, planning controls are used to enable service infrastructure to be improved rather than refuse the development.

DMU1 Development that requires new or upgraded service infrastructure

- A. New or upgraded service infrastructure will be provided to development provided that it:
- (i) does not adversely affect the valued characteristics of the area; and
 - (ii) can be provided before any new land use begins.

10.7 The National Park landscapes are particularly sensitive to new development because much of the landscape is relatively open and treeless. In addition, the National Park's location, between large areas of power production and areas of greatest demand such as Greater Manchester, can create pressure for transmission infrastructure of far greater benefit to communities and businesses outside the Park than those inside.

10.8 The development management policies provide criteria additional to the Core Strategy that:

- restrict new utility services to those which benefit and are needed by the National Park's resident businesses and communities and that can be provided without harm to valued characteristics and established uses
- control the adverse impact on the built and natural environment requiring utility services (including those for low carbon renewable energy installations) that cause adverse visual impact to be undergrounded.

DMU2 New and upgraded utilities services

- A. Development of utilities infrastructure will not be permitted unless it is to improve or extend the service to the communities and businesses of the National Park, and can be provided without harm to the valued characteristics of the area or to other established uses. Infrastructure and ancillary works or buildings should be located, designed and landscaped so as to minimise their impact on the built and natural environment, and on any other established activities.
- B. Infrastructure services to new development, or improved services to existing uses should be placed underground.

Development close to utility installations

10.9 Certain utility installations may impact negatively on other land uses because of potential hazards, smell, noise or loss of amenity. High pressure gas mains and sewage treatment works or the presence of overhead power lines are examples. The potential impact of utility company infrastructure on the amenity or safety of new development will be an important consideration when assessing new planning proposals.

10.10 The Health and Safety Executive designates sites and pipelines carrying potential hazards as 'Notifiable Installations'. The National Park Authority consults the Executive about proposals within given distances of these sites (Consultation Distances). The Executive generally advises against any proposed development within these distances. Developers considering work within the Consultation Distance of a Notifiable Installation, are advised to liaise with the Health and Safety Executive at the earliest opportunity.

10.11 Around transmission pipelines, the Executive recommend 'Building Proximity Distances', within which normal domestic occupation should be avoided. British Gas high pressure transmission pipelines within the National Park are listed below with their corresponding Building Proximity Distances (BPD) and Consultation Distances (CD). The locationS of these pipelines are indicated on the Policies Map.

10.12 The water companies are concerned about incompatible land use in the vicinity of sewage treatment works. Smells and insects are unavoidable consequences of the treatment process and could result in poor standards of amenity around the installation.

HSE Reference	Pipeline	BPD (m)	CD (m)
1.1 HC/16/103-1	1.2 Scawby/Totley	1.3 3.0	1.4 6
1.5 HC/16/104-1	1.6 Warningtongue Lane/Totley	1.7 3.0	1.8 6
1.9 HC/16/105-1	1.10 18" Totley/Catshaw	1.11 8.5	1.12 17
1.13 HC/16/105-2	1.14 30" Totley/Catshaw	1.15 3.0	1.16 6
1.17 HC/16/107-1	1.18 Totley/Collingtree	1.19 8.5	1.20 17
1.21 HC/16/117-1	1.22 Beeley Moor/Rowsley	1.23 16.4	1.24 50
1.25 HC/19/111-2	1.26 Macclesfield (Paradise Farm)/Buxton	1.27 16.77	1.28 51
1.29 HC/19/114-1	1.30 14" Catshaw/Failsworth	1.31 15.5	1.32 47
1.33 HC/19/147-1	1.34 Bunsal Cob/Horwich End	1.35 16.7	1.36 50

10.13 The operational and complaints history of a sewage treatment works and other potential odour issues in the detailed consultation response from the Environmental Health Department of the relevant district council will be carefully considered by the Authority before permitting new development in the immediate vicinity.

DMU3 Development close to utility installations

Development will not be permitted in the vicinity of sewage treatment works, high pressure oil or gas pipelines or other notifiable installations where they would present an unacceptable loss of amenity or risk to those using the development.

10.14 The nature of the landscapes of the National Park makes the assimilation of telecommunications infrastructure and associated equipment very difficult without visual harm.

10.15 Modern telecommunications networks are useful in reducing the need to travel, by allowing for home working. They can be a vital aid to business and to emergency services and the management of traffic. However, as with other utility company development, the National Park Authority must carefully avoid harmful impacts arising from this type of development, including that needed to improve services within the National Park itself. Telecommunications development proposed within the National Park to meet an external national need, rather than to improve services

within it may well be of a scale which would cause significant and damaging visual harm and in such circumstances alternative less damaging locations should be sought.

10.16 In exceptional circumstances where it can be demonstrated that telecommunications infrastructure is essential, rather than desirable to the industry, the National Park Authority will seek to achieve the least environmentally damaging but operationally acceptable location. It will request that the full range of technical information is supplied by the company regarding the siting, size and design of the equipment proposed to facilitate evaluation of the least obtrusive but technically feasible development in line with guidance in the National Planning Policy Framework.

10.17 New equipment should always be mounted on an existing structure if technically possible and development should be located at the least obtrusive site. Particular care is needed to avoid damaging the sense of remoteness of the higher hills, moorlands, edges or other prominent and skyline sites. Upland or elevated agricultural buildings, which are not uncommon in the National Park, may provide a suitable alternative to new structures in the landscape. If necessary, the National Park Authority will seek expert advice to help assess and minimise the impact of the design and siting of telecommunications infrastructure. Evidence will be required to demonstrate that telecommunications infrastructure will not cause significant and irremediable interference with other electrical equipment, air traffic services or instrumentation operated in the national interest. Fixed line Code Operators should refer to the Code of Practice for Cabinet siting and Pole siting, June 2013⁷⁹.

79 <https://www.gov.uk/government/uploads/system/>

10.18 Mobile telephone companies may often be able to locate antennae (or any other transmitting or receiving equipment) on an existing building rather than erect a purpose built mast. The National Park Authority would support such an approach where the antennae can be mounted with minimum visual and architectural impact. Mounting antennae on a listed building will usually be inappropriate (see policy DMC7).

10.19 The Code of Best Practice on Mobile Network development in England July 2013 should be used as guidance.⁸⁰

10.20 Some businesses and public services are developing their own telecommunication networks either for operating and monitoring equipment or to improve their communications. It is considered that such systems are desirable to the industry rather than essential and therefore major infrastructure proposals such as masts or buildings should not be allowed to detract from the valued characteristics of the National Park. Shared use of existing infrastructure or the use of the public networks should be used instead. Exceptions may occur if there are strong public safety implications. Proposals for satellite dishes on dwellings should not be detrimental to the character appearance of the building or its setting or neighbouring buildings. They should always be designed and sited where they have the least visual impact, avoiding principal elevations or street frontages.

10.21 Development proposals for radio and telecommunications masts and antenna should be supported by evidence to justify the proposed development including a landscape assessment as in policy DMC1. and:

- documentary evidence with dates and contact details and copies of responses that the possibility of erecting an antennae on an existing building, structure or mast site has been explored
- the outcome of consultations with organisations with an interest in the proposed development in particular where a mast is to be installed near a school or college within a statutory Safeguarding zone surrounding an aerodrome or technical site

- a certificate that demonstrates that cumulative exposure when operational will not exceed International Commission on Non-Ionising Radiation Protection guidelines
- use of a design that minimises the size of the telecommunications apparatus
- evidence of outcomes of consultations with the Ministry of Defence, any aerodrome or technical site.

uploads/attachment_data/file/205744/Final_Cabinet_and_Pole_Siting_COP_Issue_1_2_.pdf

<https://www.gov.uk/government/consultations/proposed-changes-to-siting-requirements-for-broadband-cabinets-and-overhead-lines-to-facilitate-the-deployment-of-superfast-broadband-networks>

⁸⁰ http://www.mobilemastinfo.com/images/stories/2013_Code_of_best_practice/Code_of_Best_Practice_on_Mobile_Network_Development_-_Published_24-07-2013.pdf

DMU4 Telecommunications infrastructure

- A. Development will not be permitted if applicants fail to provide adequate or accurate detailed information to show the effect on the landscape or other valued characteristics of the National Park.
- B. Development proposals for radio and telecommunications must be supported by evidence to justify the proposed development'
- C. Telecommunications infrastructure will be permitted provided that:
 - (i) the landscape, built heritage or other valued characteristics of the National Park are not harmed;
 - (ii) it is not feasible to locate the development outside the National Park where it would have less impact; and
 - (iii) the least obtrusive or damaging, technically practicable location, size, design and colouring of the structure and any ancillary equipment, together with appropriate landscaping, can be secured.
- D. Wherever possible, and where a reduction in the overall impact on the National Park can be achieved, telecommunications equipment should be mounted on existing masts, buildings and structures. Telecommunications equipment that extends above the roofline of a building on which it is mounted will only be allowed where it is the least damaging alternative.
- E. Substantial new development such as a mast or building for the remote operation and monitoring of equipment or plant not part of the code-system operators' network will not be permitted.

DMU5 Restoration of utility and telecommunications infrastructure sites

- A. Where the erection or installation of a building, structure or equipment for utility service and telecommunication provision is acceptable, it will be permitted provided that its removal is guaranteed when it is no longer used to meet an appropriate operational need.
- B. Restoration of the site to its original (or previously agreed alternative) condition will be required to be commenced and completed within an agreed period following the end of the operational use for which the development was permitted.
- C. Provided that its long-term requirement is established, water supply infrastructure that may only come into use in times of drought or high rainfall will not be subject to this policy.

11

Minerals and Waste

Strategic Context

- 11.1 The **Core Strategy Policies MIN1 to MIN4** set out the overall strategic context for minerals development (winning and working of minerals and related development) in the National Park. The general direction of policy is to continue to enable progressive reduction in mineral working in the National Park. Policies CC3 and CC4 set out the overall strategic context for waste development. The policies in this DPD are applicable alongside the Core Strategy policies but only become relevant if an application is acceptable in principle when considered against the core strategy policy. For practical purposes the development management criteria for both minerals and waste management development are brought together in this chapter owing to the close similarity in issues that require consideration.
- 11.2 Mineral working is one of the most sensitive types of development in the National Park both for its potential impact on the landscape, biodiversity and cultural heritage, but also on the communities around such sites. The activity can harm the natural resources and valued characteristics of the National Park. If the proposed development is likely to have significant environmental effects, an Environmental Impact Assessment will be required in accordance with government regulations.
- 11.3 Sensitive methods of working, restoration and aftercare are essential to minimise impacts on the amenity and environment during the operation, and in the longer term may enhance the environment in accordance with the principles of sustainable development.
- 11.4 Most mineral working in the National Park is concerned with the winning and working and processing of limestone and gritstone and processing and working of fluorspar. Under the Onshore Hydraulic Fracturing (Protected Areas) Regulations 2015 proposals for oil, gas or unconventional hydrocarbon proposals can only come forward below 1200 metres. In the event that an application was made in relation to unconventional hydrocarbon below 1200 metres then Core Strategy Policy MIN1 would be used to determine whether there are exceptional circumstances that may justify development. Development management criteria set out below will then be utilised depending upon their relevance to each of the three phases of development (exploration, appraisal and production).

The justification for the development

- 11.5 Minerals development approved under MIN1 of the Core Strategy is only permitted where the working is properly justified as demonstrating exceptional circumstances applying the major development tests. In both these cases and development involving waste management facilities the following evidence is required:
- The availability of other permitted or allocated mineral supply or the availability of secondary or recycled materials or the availability of other permitted or allocated waste sites or developments, both within and outside the National Park. The proximity of the mineral extraction to the end-user market or the proximity of the waste operation to the supply-chain.
 - Suitable geological and other information on the quality, availability and volume of the mineral reserves, ensuring that high quality materials are retained for appropriate end uses.
 - Information relating to durability and aesthetic qualities of the stone together with precise details of its compatibility with any repair or restoration project it is proposed to supply.
 - Information relating to any claimed impact of the development on the local economy and job opportunities.
 - Information relating to the contribution of any planning benefits to the local community;

DMMW1 The justification for mineral and waste development

- A. Mineral and waste development will only be permitted where evidence is provided in relation to the viability and need for the development. This must include evidence of:
- (i) the availability of other permitted or allocated mineral supply or the availability of secondary or recycled materials;
 - (ii) the availability of other permitted or allocated sites or developments, both within and outside the National Park;
 - (iii) Evidence of the proximity of the mineral extraction to the end-user market or the proximity of the waste operation to the supply-chain
 - (iv) Evidence by way of suitable geological and other information on the quality, availability and volume of the mineral reserves, ensuring that high quality materials are retained for appropriate end uses.
 - (v) Evidence of the durability and aesthetic qualities of the stone together with precise details of its compatibility with the repair or restoration project it is proposed to supply.

11.8 Planning obligations will be sought to address matters which cannot be dealt with by means of planning conditions, including where the extinguishment of existing planning permissions is appropriate and necessary

11.9 Permitted development rights will generally be removed in order to control the design and siting of buildings, plant and machinery. This enables the Authority to conserve and enhance the special landscape of the National Park and other valued characteristics of the area, and also helps prevent conflicts with neighbour and visitor amenity that could otherwise be created by the exercise of permitted development rights.

11.10 The following policies will be applied alongside other development management policies impacting on landscape, biodiversity, wildlife and local amenity.

Impact on landscape, biodiversity, cultural heritage and local amenity

11.6 The impact of mineral working can be long term, even though technically the operations themselves are temporary. The legacy of the operations means permanent changes to the landscape. This is relevant to the National Park landscapes, biodiversity and cultural heritage and the communities living in it. It is also relevant to those coming to visit and enjoy the area. For this reason it is important that the proposed operating methodology is understood, and that sites are worked to the highest possible standards.

11.7 Planning conditions will be imposed as appropriate to ensure proposals satisfactorily address the above issues. The Authority will also use planning conditions to control ancillary development. Use of conditions for this purpose helps prevent quarry sites becoming isolated industrial units unconnected with mineral extraction.

DMMW2 – the Impact of Mineral and Waste Development on Amenity

- A. Mineral development or the development of waste management facilities will only be permitted where the adverse impacts on amenity can be reduced to an acceptable level or eliminated, in relation to:
- (i) Nuisance and general disturbance resulting from transport, including number of vehicles, access arrangements, preventing transfer of mud onto roads and routes proposed for use to and from the site;
 - (ii) Noise, including noise of a level, type and hours of operation, likely to have negative impacts on areas of tranquility;
 - (iii) Vibration;
 - (iv) Fumes and smell;
 - (v) Water run-off and flooding;
 - (vi) Visual impact;
 - (vii) The potential effects of land instability arising from the development;
 - (viii) Effects on human health including effects of air pollution, smells, and fumes; and
 - (ix) Minimise impact on recreation and public rights of way.

DMMW3 – The Impact of Minerals and Waste Development on the Environment

- A. Mineral development or the development of waste management facilities will only be permitted where the impacts of the development on the environment of the National Park are reduced to an acceptable level, or eliminated, in relation to:
- (i) The risk and impact and potential pollution on environmental receptors;
 - (ii) The need to minimise landscape and visual impact;
 - (iii) The need to minimise impacts on cultural heritage assets and the setting of these assets;
 - (iv) The need to minimise the residual waste arising from the development along with the proposals for the disposal of residual waste;
 - (v) Any potential effects on groundwater, rivers or other aspect of the water environment;
 - (vi) The potential effects of land instability;
 - (vii) The impact on agricultural and forestry interests, including to soil resources;
 - (viii) The efficiency and effectiveness of the proposed working scheme or operation including the phasing proposals and the likelihood of the development being carried out as proposed;
 - (ix) The need to prevent unauthorised public access and/or stock ingress, and to ensure adjacent land can be appropriately managed;
 - (x) The proposed scale, siting, colour and design of buildings plant and structures;
 - (xi) The functional need for any buildings, plant and structures.

Management of existing mineral sites

- 11.11 Mineral permissions will be reviewed periodically under the provisions of the Environment Act 1995, and the Authority will aim to negotiate the best possible package to protect the interests of the National Park. New conditions (and legal agreements where appropriate) will be sought to ensure working schemes will minimise the adverse effects of mineral working on the environment, and secure restoration and aftercare in accordance with other policies within the Plan. Where necessary, the Authority will amend submitted schemes through the imposition of conditions.
- 11.12 When devising working schemes and conditions, proposals considered under the Review of Mineral Permissions (ROMP)⁸¹ will be generally assessed against the material considerations set out in this Plan, having regard to the existing consent(s). The focus of review will be on minimising impacts on, and achieving significant enhancements for, the environment and communities.
- 11.13 Applicants should undertake consultation with Statutory Consultees and the local community before applying for any new scheme, any extension to an existing scheme, any proposal for new phasing, or any other amendment to an existing scheme of mineral working involving an area of 1 hectare or more. The application should outline:
- (i) what consultation has been undertaken; and
 - (ii) who has been consulted; and
 - (iii) how the applicant has responded to the results of consultation; and
 - (iv) how the application responds positively to the views expressed by the local community.

Waste Management and Waste management facilities

- 11.14 Waste management facilities, accommodating only waste from the immediate area will be supported in principle subject to the requirements of **Policy CC3 and CC4 of the Core Strategy**. Facilities that require extensive import of waste will be refused.
- 11.15 The Core Strategy states that facilities for the disposal of domestic, industrial and commercial waste are incompatible with national park purposes because of their adverse environmental impacts. The small and dispersed population means that waste facilities would not be viable operations unless waste is imported from outside local communities. Policy therefore presumes against new waste facilities within the National Park, and no sites are allocated. Specialised processing sites such as commercial composting and recycling plants will also be inappropriate, because of the likely landscape impacts and potential for air, land and water contamination.
- 11.16 The Joint Municipal Waste Management Strategy identifies National Park designation and the geographical nature of the area as barriers to the local provision of facilities. Most of the waste generated in the National Park will continue to be dealt with outside the National Park given the proximity of facilities in nearby towns and the small population of the National Park itself. Any proposals that are acceptable under the Core Strategy policies will need to be assessed against these policies to ensure that the effects of the development can be reduced or mitigated.
- 11.17 The policy outlines a sequential approach to the development of waste management facilities to ensure that, in accordance with the Core Strategy, where they are developed they are in accessible sustainable locations with compatible surrounding land uses.

81 <http://planningguidance.communities.gov.uk/blog/guidance/minerals/review-of-minerals-planning-conditions/>

DMMW4 – Waste Management Facilities

- A. A. In accordance with Policies CC3 or CC4 of the Core Strategy waste management facilities should be located in accordance with the following sequential approach having regard where appropriate to the relevant Municipal Waste Management Strategy:
- (i) existing authorised waste management sites located in DS1 settlements within the National Park;
 - (ii) existing or allocated industrial land within DS1 settlements;
 - (iii) previously developed land within DS1 settlements;
 - (iv) industrial land or previously developed land outside DS1 settlements;
 - (v) vacant or under-utilised agricultural buildings;
 - (vi) Greenfield sites or any other land.
- and
- B. Proposals for waste management facilities must :
- (i) Be of appropriate scale, reflecting the needs of the local resident and business community to create and dispose of waste; and
 - (ii) Minimise the need for transportation of waste to the facility; and
 - (iii) Minimise and where possible avoid any requirement for outside storage of waste; and
 - (iv) Minimise and where possible avoid any adverse impact on valued characteristics of the area; and
 - (v) Minimise and where possible avoid any adverse impact on the amenity of resident and visitor communities.

Restoration and Aftercare

11.18 Although mineral working and waste disposal are temporary, the permanent legacy is the restoration. This can have a permanent negative effect on the landscape and other valued characteristics of the National Park if not properly controlled. In granting planning permission for mineral extraction or waste development the resulting permanent changes to the landscape must be understood and be acceptable. However, opportunities for enhancement can help to mitigate this landscape change (where the development is otherwise acceptable). In restoration, including during progressive restoration, sites, can and should make a contribution to targets for biodiversity and to amenity and geodiversity in the National Park.

DMMW5 – Restoration and Aftercare

- A. Mineral development or the development of waste management facilities will only be permitted where the restoration and aftercare contributes to the enhancement of the National Park. All proposals must demonstrate that:
- (i) Restoration can be achieved in the timescale proposed; and
 - (ii) Sufficient material is available to achieve the levels proposed; and
 - (iii) No future land stability or public safety issues will arise; and
 - (iv) All buildings, plant and machinery including bases, foundations and utilities will be removed; and
 - (v) Restoration will contribute to enhancement of ; biodiversity, geodiversity and amenity, and be acceptable within the context of the Landscape Strategy for the National Park; and
 - (vi) A comprehensive scheme for the aftercare of the restored land shall be implemented to bring the restored land to the required standard for use for woodland, nature conservation or amenity within a five year aftercare period. If the required standard cannot be reached within a five year period, or the benefits of the restoration in contributing to the biodiversity, amenity or geodiversity of the National Park cannot be maintained without long term management, an extended period of aftercare should be secured.

Cumulative Impact of Mineral and Waste Development

- 11.19 There may also be situations where the impact of mineral or waste activity is unacceptable because of the cumulative harm it triggers. This could arise because of a concentration of sites in a particular locality or because of intensification or commencement of additional processing at a single site. Therefore, whilst individual applications may appear benign, the Authority will also consider the cumulative impact that individual schemes, when considered together, would trigger.
- 11.20 It is not possible to quantify the number of sites, or quantity of ancillary development that would trigger cumulative impact. This is dependent on the particular locality and will be assessed on a case by case basis. However, gradual industrialisation can erode the very qualities of landscape biodiversity and cultural heritage that underpin National Park designation and erode the tranquillity and quiet enjoyment that residents and visitors experience. The valued characteristics of an area are many and varied and will therefore always be key material considerations when assessing applications for mineral further working.

DMMW6 The Cumulative Effect of Mineral and Waste Development

- A. Mineral development or the development of waste management facilities will only be permitted where the cumulative impact of the development is considered to be acceptable, taking into account existing operations on the site and in the locality and exiting impacts from other development, its setting, both concurrently and successively, including the off-site impact of any utility or infrastructure improvements necessary to serve the development.

Safeguarding of Local Building and Roofing Mineral Resources and Safeguarding of Existing Permitted Mineral Operations from Non-mineral Development

- 11.21 **Policy MIN4 of the Core Strategy** sets out the overall framework for the safeguarding of mineral resources. It prevents development that would effectively sterilise the mineral resource, so that in the event that at some future point in time that resource needs to be extracted, it could be extracted. The policy established that “a selection of small individual areas for local small-scale building and roofing stone for conservation purposes would be identified for safeguarding”.
- 11.22 The safeguarded areas are identified on the Policies Map. Proposals for any non-mineral development in these areas will be refused unless it can be demonstrated that there is no current or future need to protect the mineral resource for heritage conservation.(i.e. no continued need to safeguard the resource)
- 11.23 The plan also seeks to safeguard existing permitted mineral sites from new and adjacent development. Permitting incompatible uses such as housing next to a potential quarry site would threaten the continued operation of the mineral site and prevent extraction of stone and slate needed for conservation schemes. Development of such incompatible uses is therefore to be avoided.
- 11.24 For the avoidance of doubt, safeguarding does not imply that future extraction will actually occur, nor does it imply that an application for extraction would automatically be permitted. However, the long term interest of the heritage and conservation of the National Park is best served by ensuring that such a resource could, if absolutely necessary, be made available in the future.

DMMW7: Safeguarding local building and roofing stone resources and safeguarding existing permitted minerals operations from non-mineral development

- A. A selection of small individual areas for local small-scale buildings and roofing stone for conservation purposes is safeguarded from non-mineral surface development through the definition of a Mineral Safeguarding Area on the Policies Map

Ancillary mineral processing

- 11.25 In certain cases mineral processing can cause considerable disturbance to local residents, especially due to noise from early morning or weekend working or lorry despatch. Where on-site processes exist or new proposals are acceptable, they should cease when the parent operation ceases. Permitted development rights, under the GPDO 1995, are excluded by condition in order to safeguard the special landscape of the National Park and to allow input into the design and siting of buildings, plant and machinery. Together with Policies DMMW2 and DMMW3, the following policy is considered appropriate to control ancillary development to prevent quarry sites becoming isolated industrial units unconnected with mineral extraction.

DMMW8: Ancillary mineral development

- A. Ancillary mineral-related development will be permitted provided that:
- (i) there are clear benefits in a close link between the industrial and mineral developments because the material to be used is produced mainly on-site; and
 - (ii) when planning permission for mineral working expires (or if the plant becomes redundant before the completion of mineral working) all plant, buildings and machinery will be removed, and the site will be satisfactorily reclaimed to an agreed after-use. This will be achieved by a planning obligation or condition imposed at the time of the grant of planning permission.

