

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.

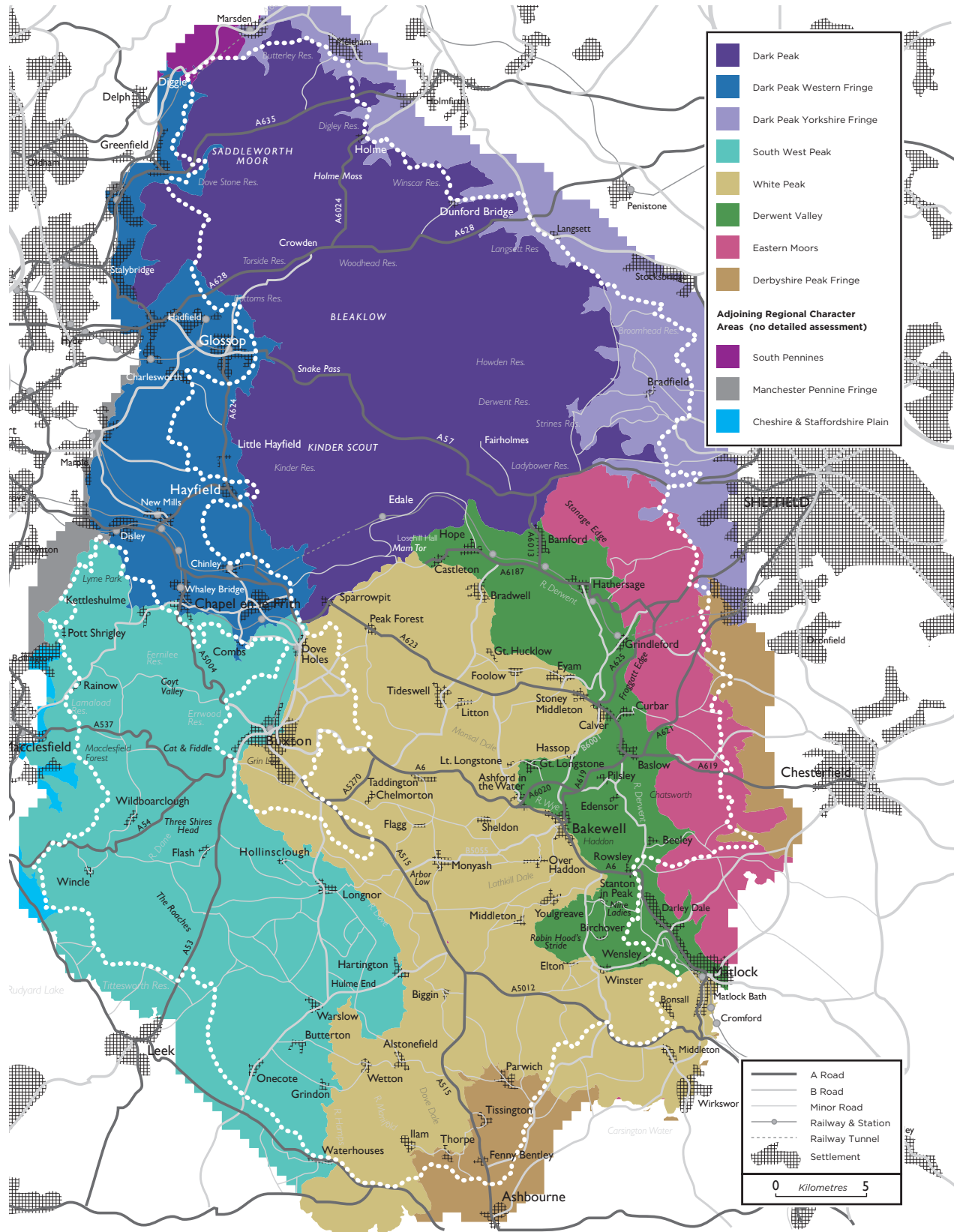
- 3.14 An assessment of cumulative impacts should encompass the effects of the proposal on existing development, but also the anticipated impacts from development as yet unbuilt, where it either has a planning permission or is awaiting a planning decision. This should include proposals or development 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

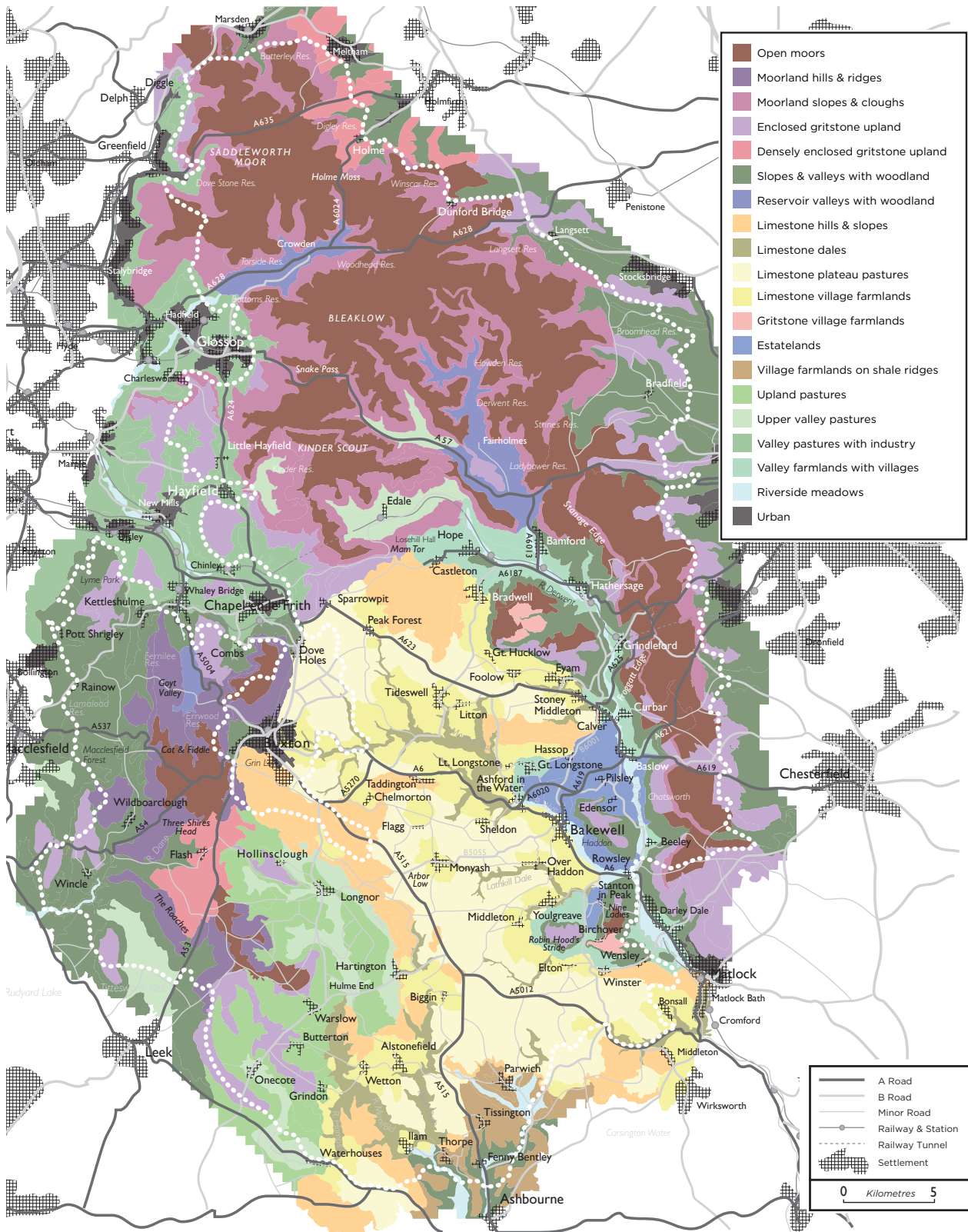
17 Core Strategy paragraph 9.15

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

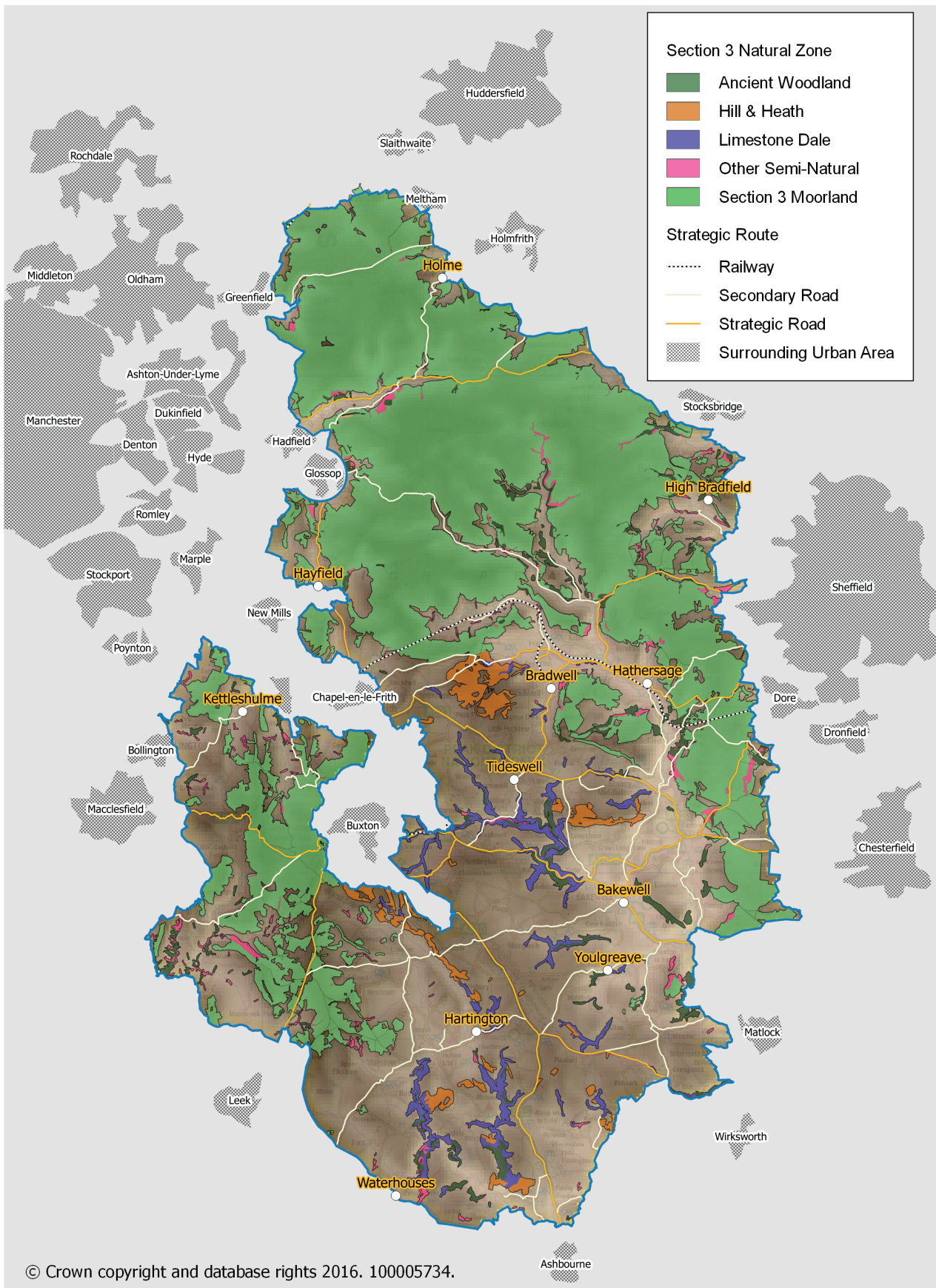


Protecting and managing the Natural Zone

- 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.