

From: planningcomments@highpeak.gov.uk
To: [Planning Comments \(HPBC\)](#)
Subject: Comment Received from Public Access
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Application Reference No. : HPK/2022/0484

Site Address: Land off Long Lane South of Chapel-en-le-Frith High School Chapel-En-Le-Frith Derbyshire SK23 0TQ

Comments by: Beverley Cheyne

From:

Marsh Hall Lane
Chapel en le Frith
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High Peak

Phone:

Email:

Submission: Objection

Comments: Planning Application HPK/2022/0484

Comment/Objection

Since purchasing our home 6 years ago, we have been subjected to three applications for development of this site in a short time and I am disappointed to see that we must, once again, fight our cause. Local residents should be allowed to live quietly in peace and not be forced to defend against such planning applications on a regular basis until so worn down by the threat of development that they simply leave the area. These constant applications are not conducive with peaceful residency and constitute harassment. Is it the applicant's intention to submit their application on an annual basis?

I also note, in a change to the previous application, that the applicants propose two 5-car, car ports to shelter the visitors' cars. Another unnecessary blot on the landscape, and for what purpose? So they don't get wet?

I would like to strongly object to the proposals made in HPK/2022/0484 for the same reasons given in my previous objection to application HPK/2021/0388 as below. In my objection I occasionally make reference to documents submitted by the applicant for their earlier application for an almost identical site, as the evidence submitted this time is much reduced. Nevertheless most of those documents still apply.

Tourism

Referring to the Chapel-en-le-Frith Neighbourhood Development Plan: Tourism, Policy TM1, states that 'Application for tourism-related uses will be welcomed' but with the following provisos: 'the

conversion of touring sites into more permanent sites for lodges or static caravans - is not encouraged, as these will be resisted as comprising development creep.

In the application submission, High Peak Retreat Glamping Unit details July 2021, we were told that the proposed glamping facilities, comprising shepherds huts, pods, yurts etc. were mobile units - The proposal involves no permanent buildings - but the submitted Transport Technical Note TN01 also stated that It is then assumed that the accommodation units will stay on site until they are decommissioned. This statement is contradictory and implies permanency of the units and, of course, the flood report confirms that the resultant hard standings will increase the run off (Surface Water Management, Page 9, para. 3). Section 14 of the current Design and Access statement states that there is no history of surface water flooding but I must point out again that there is photographic and video evidence of flooding on the land adjacent to the historic buildings of Marsh Hall Homestead and the adjacent public footpath due to recent infill of farming land. The environment agency are aware of this and comments have been submitted by other local residents regarding waste water and the risk of flooding which will affect our own setting of Marsh Hall Farm (by M Gauld) and I fully support these comments.

There are already at least two camp sites in the close vicinity which are underused and provide adequate and similar facilities for visitors to the local countryside and the town. An application in 2015 to build 250 houses on the proposed site has already been rejected following a public enquiry. The decision to refuse this planning permission was further supported with confirmation that the area in question should be protected from ALL development. Additionally I feel strongly that the availability for development of unused buildings within the town centre would be a much better focus for development of holiday stays (B&Bs, holiday lets, etc) for visitors bringing much needed revenue to the struggling shops, cafes and restaurants on the high street and in the Old Town, generally elevating the attractiveness of Chapel-en-le-Frith to visitors who plan to spend their money here. The areas of countryside should remain just that.

Location

Chapel-en-le-Frith Neighbourhood Plan, Policy C1 identifies 14 areas of Local Green Space. These spaces, in close proximity to the people they serve, are demonstrably special and hold particular local significance. Furthermore Development of these sites will not be allowed, except in very special circumstances. Bank Hall Drive, the proposed entrance to the application site is one such designated Local Green Space and additionally, and in order to reach the site, vehicles would need

to pass under the Grade 11 Listed Bridge on this road. This private road is also a public footpath enjoyed daily by many Chapel residents for walking and access to the countryside surrounding it.

Heritage

In addition to the dangers posed to the Grade 11 listed bridge by the movement of large campervans and delivery/service vehicles under it (it supports a goods railway line) and the listed buildings of Bank Hall and Chapel-en-le-Frith Station, the proposed site lies close to the Grade 11 listed Marsh Hall Farm and Chapel Barn and the setting thereof.

I would like to make reference to a number of aspects covered in Historic England's 'The Setting of Heritage Assets, Historic Environment Good Practice Advice in Planning Note 3 (Second Edition)'. Setting is defined in the National Planning Policy Framework as follows: 'The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve.'

Furthermore: 'Setting is the surroundings in which an asset is experienced, and may therefore be more extensive than its curtilage; and 'the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise'. Noise from the campsite, for the six months of the year when local residents spend most time out of doors, will have a detrimental effect on the setting of Marsh Hall Farm and Chapel Barn a place of 'peace and quiet'.

'The contribution that setting makes to the significance of the heritage asset does not depend on there being public rights or an ability to access or experience that setting'; 'The setting of a heritage asset will include, but generally be more extensive than, its curtilage'. 'The historic character of a place is the group of qualities derived from its past uses that make it distinctive'. Marsh Hall owned the extensive farming land surrounding it until the mid 20th Century and this historic element of the listed buildings must be taken into consideration. The Heritage Statement submitted by the applicant states that 'Marsh Hall and Barn no longer share a functional relationship with the wider landscape, having been fully converted to residential use in the late 20th Century'. This is incorrect. Marsh Hall Farm still actively farms on its land to the south of the buildings.

The elements of the proposed glamping site already installed (a shepherd's hut, pod and stable block (wash facilities) are clearly visible from Marsh Hall Farm and Chapel Barn. When further structures are installed and campervans arrive this will have an extremely detrimental impact on the view both from, and of, Marsh Hall and Barn and its setting. (Image 1 Glamping structure with Listed Marsh

Hall Farm behind. Just one of the proposed structures) attached. (Image 2 View of the proposed site from Marsh Hall Farm with one structure in place).

The applicant's Heritage Statement is also incorrect in stating that 'these buildings lie to the west of the study site, separated from it by an ensemble (presumably Marsh Hall Barn) described below'.

This is only partially correct 'there is a direct view between MHF and the proposed site (no separation)'. Furthermore the 'ensemble' referred to (Marsh Hall Barn) is described by the local authority as a 'non designated heritage asset' as it was previously the cattle shed of Marsh Hall Farm and is now residential. It is a key aspect of the setting and any impact on it from development will have a direct impact on the Grade II Listed Buildings of Marsh Hall and Barn. Marsh Hall is listed as a 17th Century building but in fact local historians can clearly show residency from 1285. (See Image 3 Historical Residency of Marsh Hall Farm- extract from local history publication).

Figure 1

Figure 2

Figure 3

This makes the areas surrounding the buildings (even if not currently owned by them) very significant from an archaeological point of view should future study of such land be desirable.

The application for development of this site in 2015 included an important archaeological statement which is summarised in an email from Steve Baker (Economy, Transport and Environment) at that time, clearly raising the issues of the possibility of further earthworks in the land surrounding Marsh Hall Farm which may be the subject of future excavations. The development of land in this area could put this at risk. (See below DCC Archaeology Comments).

Gallacher, Hayley From: Baker, Steve (Economy, Transport & Environment) Sent: 04 January 2016 16:44 To: Planning (HPBC) Cc: Colley, Jane Subject: HPK/2015/0651 Land Adjacent Secondary School, Bankhall, Chapel-En-Le-Frith. Application for outline planning permission for residential development - archaeology comments Dear Jane, Thank you for consulting on the above planning application.

With regard to the setting of listed buildings 'and in particular the Grade II Listed Marsh Hall and Barn' I defer to the advice of the local planning authority's conservation officer. Although the applicant has provided only a flimsy assessment of the contribution of setting to significance in relation to Marsh Hall it is clear that the proposal will result in material harms to the significance of this designated heritage asset through its setting. The local planning authority must assess whether the applicant has provided 'clear and convincing justification' for these harms, in the form of details

of outweighing public benefits. It is possible that the level of harm could be reduced by setting the development edge back from the boundary at this south-eastern edge, to retain more of a sense of the rural setting of the farm buildings, although this should perhaps be guided by a more comprehensive assessment of Marsh Hall's setting than the cursory study thus far submitted. In relation to below-ground and earthwork archaeology the applicant has submitted an archaeological assessment including a LiDAR plot of the site (to pick up earthwork features) and a geophysical survey. The LiDAR shows ridge and furrow earthworks of a number of phases, including possible later steam ploughing, along with palaeo-stream features in the north-eastern part of the site. There are no clear indicators of medieval settlement although the area adjacent to Marsh Hall has no early ridge and furrow and therefore has potential for medieval remains. The geophysical survey has identified a number of archaeological 'possibles' which may represent localised remains or more widespread archaeology imperfectly picked up by the survey. This suggests that there is an archaeological resource within the site, although of a moderate level of significance best addressed through a conditioned scheme of archaeological investigation and recording in line with NPPF para 141. The conditioned scheme should comprise an initial stage of trial trenching, based on a low sampling percentage of 2-3% of the site area and focusing on geophysical 'possibles' and the area close to Marsh Hall, though also testing 'blank' areas of the site for archaeology without a geophysical signature. Should the trial trenching produce significant results then a second phase of mitigation excavation (e.g. strip-and-record) would be required. With regard to archaeological remains the following conditions should therefore be attached to any planning consent: "a) No development shall take place until a Written Scheme of Investigation for archaeological work has been submitted to and approved by the local planning authority in writing, and until any pre-start element of the approved scheme has been completed to the written satisfaction of the local planning authority. The scheme shall include an assessment of significance and research questions; and 1. The programme and methodology of site investigation and recording 2. The programme for post investigation assessment 3. Provision to be made for analysis of the site investigation and recording 4. Provision to be made for publication and dissemination of the analysis and records of the site investigation 5. Provision to be made for archive deposition of the analysis and records of the site investigation 6. Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation" "b) No development shall take place other than

in accordance with the archaeological Written Scheme of Investigation approved under condition (a)." 2 "c) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological Written Scheme of Investigation approved under condition (a) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured." Although access does not form a detail part of the application a number of possible access routes to the site are discussed in the Transport Assessment, including Option 3, passing from Long Lane beneath a mid 19th century railway bridge. This early bridge is an undesignated 'heritage asset' sensu NPPF, with significance in relation to the early industrial history of the area. The Transport Assessment suggests that use of Option 3 may require lowering of the carriageway to increase headroom below the bridge, but does not provide any details of how this may alter the bridge structure in terms of fabric and legibility. It is not possible at present to understand the level of proposed impact to the undesignated bridge, and the information with regard to this asset does not therefore meet the requirement of NPPF para 128. The local planning authority may therefore wish to request further information in order to illustrate potential impacts to this asset. Regards Steve Baker MA MCIfA, Derby and Derbyshire Development Control Archaeologist, Economy, Transport and Environment, Derbyshire County Council, Shand House, Dale Road South, Matlock, Derbyshire DE4 3RY
 steve.baker@derbyshire.gov.uk

The applicant's Heritage Statement, Section 7 - Assessment of Significance is incorrect, stating that 'The Hall and Barn shares a positive relationship with the open fields to the south and south-west' the proposed site. The Hall and Barn do share a positive relationship with the fields to south, east and west but the view to the South West is shielded by an established tree line. The fields to the South East, however, are open and highly visible toward the proposed site and the direction of the proposed site is indeed the only way to view the listed setting from a public right of way. It also states that 'their landscape setting is best experienced on the approach by the footpath running from the south-east' the direction of the proposed site. This further supports my objection.

In addition to the very important points made above I would like to make mention of the following:

1. No site or public notices informing frequent users of the land adjacent to the site (walkers and dog walkers who regularly use the public footpath approaching this site for leisure purposes, leaving many unaware that development has been applied for, other than by word of mouth and therefore restricting their ability to comment in good time. Word of

mouth has been the main conduit for notification of the proposal. It is assumed, although there is no clarification in the application, that the 'cold water swimming' advertised by High Peak Retreat, will take place in this reservoir. The watersports club pay fees to use the reservoir for their activities. Will the applicant be applying for a similar licence? Is this compatible with the activities of the water sports club?

2. The application states that treated sewerage will be released from the glamping site into the existing water course. This water course encircles the Grade 11 listed Marsh Hall Farm and Barn and an adjacent smallholding to the West of Marsh Hall Farm and goes on to Combs reservoir. Farm animals graze around this water course and I understand pollution of the water course has already been the subject of an environmental complaint due to animal sickness. Additionally this water course is already at full capacity and is likely to flood if subjected to further pressures. This is already the subject of several upheld investigations by the Environmental Health department.

3. A public footpath immediately adjacent to Chapel Barn leads to the land adjacent to the glamping site. We anticipate an increase in pedestrian traffic along this route which passes through the listed property and historic farmyard.

4. Designated wildlife conservation areas lie close to the proposed site and could be affected by the increase in traffic, noise and pollution

5. In July 2021, a hen party or 'festival' was held on the proposed glamping site setting a very unwelcome precedent. The noise level was high and shattered the peace of the surrounding area well into the evening. The area sits in a valley around which noise easily resonates. Most of the families who live in the surrounding area live there because it is so peaceful. The increase in noise level would coincide with the summer months when most residents and visitors are hoping to enjoy the peace of their gardens and the walks around the area. I believe that the specific 'retreat' nature of the glamping site will be very attractive as a venue for a 'hen party' and bookings would need to be closely vetted to avoid their potential to become just this. Please could I request clarification on how visitors to the site will be expected to behave, a set of rules & regulations perhaps and how these would be implemented.

6. The development of this site, although at the moment on a small scale, represents

development creep, and this could be the precursor to the re-application for building permanent housing on the current and adjoining site under the same ownership, in the future, once emergency exits and services are approved and in place for the campsite. It is unfair that current residents will be forced, over and over, to defend this precious area of natural beauty. Indeed I have already spoken to two residents who, having fought against the initial proposal, feel unable to go through the fight again and talk about moving away entirely. Surely we have a right to live peacefully without the constant threat of development now that a refusal decision has already been made (Application of 2015).

7. Also, anecdotally, it is understood that an electricity supply may be taken from junction boxes on the land at Marsh Hall Farm (recent unauthorised visit by the proposed site owner), across the farming land belonging to Marsh Hall Farm. We seek confirmation of the applicant's intention in this regard. Additional high level or underground cabling would impact the listed setting.

8. The planning applicant, High Peak Retreat, in their earlier application HPK/2021/0388 offered a two-night break on their Facebook glamping site to those who made constructive comments on the application. This post is still currently on their facebook pages. This undermined the integrity of the supporting comments posted on the application at the time and is still a potential influence now. A direct link can be seen between one of these Facebook comments and a positive comment on the earlier proposal. (See Screenshot_High Peak Retreat Facebook Page 1 & Screenshot_High Peak Retreat Facebook Page 2). This post is still prominent on their facebook page as I write.

9. Aerial photographs of Marsh Hall Farm, Chapel Barn and Marsh Hall Barn, making up the hamlet of Marsh Hall, have been included in the proposal however no permission was sought from residents before taking these images or posting them as part of the Heritage Assessment submitted. Furthermore these images are now available to the general public on the HPBC website via the application. This potentially breaks GDPR laws and puts the homes in question, at risk of attracting the interest of those who might seek to cause harm. Please could these be removed immediately?

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