

DELEGATED DECISION REPORT

HPK/2024/0283
Valid 31/07/2024

OFFICE
LIME TREE PARK DUKES
DRIVE
BUXTON

REPLACEMENT RECEPTION
BUILDING

(FULL - MINOR)

MAIN ISSUES

- Countryside
- Design, siting and appearance
- Tourism
- Ecology
- Drainage
- Nutrient neutrality

DESCRIPTION OF SITE

Lime Tree Park is a camping and caravan park situated on Dukes Drive on the outskirts of Buxton. The facility is well established and has a mix of permanent caravans and lodges as well as touring campsite pitches. The application site relates to area of land where the current reception building is sited adjacent to holiday lodges which are situated parallel to Duke's Drive.

The site is outside the defined settlement limits for Buxton and is therefore a countryside location. It is also within the ground water source protection zone. The application site is in Flood Zone 1 but the frontage of caravan park is within flood zone 2 & 3.

PROPOSAL

The application proposes the demolition of the existing reception building and replace it with a new single storey building. The building would comprise shop and reception area, games room, laundry and toilet facilities. The building would be a timber clad building with a flat roof and a deck with a ramp would provide access.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

High Peak Local Plan 2016

S1 Sustainable Development Principles
S1a Presumption in Favour of Sustainable Development
S7 Buxton Sub-area Strategy
EQ2 Landscape Character
EQ3 Rural Development
EQ6 Design and Place Making
E6 Promoting Peak District Tourism and Culture

CF6 Accessibility and Transport

National Planning Policy Framework

Chapter 2: Achieving Sustainable Development

Chapter 6: Building a Strong Competitive Economy

Chapter 12: Achieving Well Designed Places

Chapter 15: Conserving and Enhancing the Natural Environment

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

Lime Tree caravan park has been subject to numerous planning applications over the years, the most recent planning applications include:

HPK/2024/0180 - Change of use from holiday let (11 months) to residential use - Pending

HPK/2023/0458 – Application for a Lawful Development Certificate for existing use – campsite (extension to existing caravan and camping site) The use began more than 10 years before the date of this application – Approved 05.01.24

HPK/2022/0543 - Erection of toilet block and change of use for extension to existing camping and caravan site – Approved 07.02.24

HPK/2021/0497 – Erection of toilet Block facilities – Approved 08.11.21

HPK/2020/0174 - Retention of 4 no. camping pods - Approved 15.07.20

HPK/2019/0450 - Variation of conditions 2 (plans) & 8 (bat & bird boxes) relating to HPK/2018/0501 – Approved 03.01.20

HPK/2018/0501 - Proposed Change of use of land for extension to existing camp site to include the siting of 21 static caravans – Approved 15.01.19

CONSULTATIONS

Publicity

Site Notice expiry date: 30/08/24

Neighbour consultation period ends: 30/08/24

Public Comments

No comments received.

Derbyshire County Council Highways

No highway objection

Severn Trent

Recommend that the following condition be imposed:

The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

Planning Practice Guidance and section H of the Building Regulations 2010 detail surface water disposal hierarchy. The disposal of surface water by means of soakaways should be considered as the primary method. If this is not practical and there is no watercourse available as an alternative, other sustainable methods should also be explored. If these are found unsuitable satisfactory evidence will need to be submitted before a discharge to the public sewerage system is considered. Severn Trent objects to any proposal to dispose of surface water to a combined or foul sewer.

Environment Agency

The proposed development presents a risk to groundwater which is particularly sensitive in this location because the proposed development site:

- is within source protection zone 1
- is located upon a principal aquifer with high vulnerability.

The supporting evidence submitted in support of this planning application provides us with confidence that it will be possible to suitably manage the risks posed to groundwater resources by this development. Further detailed information will however be required before any development is undertaken. It is our opinion that it would place an unreasonable burden on the developer to ask for more detailed information prior to the granting of planning permission but respect that this is a decision for the local planning authority.

The proposal will be acceptable if the following planning condition is imposed:

Condition

The development hereby permitted may not commence until such time as a scheme to agree sewage pipe work specifications (in SPZ1s) foul drainage has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

Derbyshire Wildlife Trust

Confirm they have reviewed the submitted Preliminary Bat Roost Assessment and are satisfied with its findings. The following conditions are recommended:

Roosting Bats: The Reasonable Avoidance Measures detailed within table 5.2 of the Preliminary Bat Roost Assessment (Haslam Ecology, July 2024) shall be adhered to and implemented in full during the course of demolition and construction works.

Nesting Birds: No building demolition works, or tree, scrub or hedgerow clearance shall take place between 1st March and 31st August inclusive.

Lighting: Prior to the installation of lighting fixtures, a detailed lighting strategy shall be submitted to and approved in writing by the LPA to safeguard bats and other nocturnal wildlife. This should provide details of the chosen luminaires, their locations and any mitigating features such as dimmers, PIR sensors and timers. Dependent on the scale of proposed lighting, a lux contour plan may be required to demonstrate acceptable levels of lightspill to any sensitive ecological zones/features. Guidelines can be found in Guidance Note 08/23 - Bats and Artificial Lighting at Night (BCT and ILP, 2023). Such approved measures will be implemented in full.

Biodiversity Enhancement Plan: Prior to building works commencing above foundation level, a Biodiversity Enhancement Plan shall be submitted to and approved in writing by the Local Planning Authority. Approved measures shall be implemented in full and maintained thereafter. The Plan shall clearly show positions, specifications and numbers of features, which will include (but are not limited to) the following:

- 1 x integrated / external bird box (avoiding southern elevations) erected onto building or nearby mature tree.
- 3 x integrated / external bat boxes (favouring southern elevations) erected onto building or nearby mature trees.

A statement of good practice including photographs should be submitted to the local planning authority prior to the discharge of this condition, demonstrating that the enhancements have been selected and installed in accordance with the above. The enhancements should be implemented in accordance with the approved details and all features retained in that manner thereafter.

OFFICER COMMENTS

Principle of Development

The application site is a well-established camping and caravan park. Whilst the site is situated in a countryside locality, policy E6 supports the enhancement of existing tourism accommodation provision in such locations. Given the use is well established and the proposal will replace existing reception facilities, the proposal is considered acceptable in principle.

Design

Policy S1 sets out a number of sustainability principles which all new development proposals should incorporate in order to make a positive contribution towards the sustainability of communities and to protect, and where possible enhance the environment.

Policy EQ2 seeks to protect, enhance and restore the landscape character of the Plan Area by requiring development to have particular regard to maintaining the aesthetic and biodiversity qualities of natural and man-made features within the landscape, and that are sympathetic to and are informed by the distinctive landscape character areas as identified in the Landscape Character Supplementary Planning Document. Proposals will be resisted which harm or be detrimental to the character and appearance of the local and wider landscape.

Policy EQ3 refers to rural development proposals which lie outside of the defined built-up area boundaries and seeks to ensure that new development is strictly controlled in order to protect the landscape's intrinsic character and distinctiveness.

Policy EQ6 states that all development should be well designed to respect and contribute positively to the character, identity and context of High Peak's townscapes, having regard to matters of scale, height, density, layout, appearance and materials.

The Landscape Character Assessment SPD (2007) and more recently adopted Design Guide SPD (2018) contains further useful guidance for designing new proposed buildings in an appropriate manner in the open countryside having regard to the existing context and characteristics

Paragraph 135 of the NPPF states amongst other things that decisions should ensure that developments will add to the overall quality of the area; are visually attractive as a result of good architecture; and are sympathetic to the surrounding built environment.

The proposed reception building will replace an existing building; the current building is two storey and the new building is single storey. The new building is 14m long and 7m wide and 2.9m high which is slightly larger than the existing building which is 12m by 7m plus the additional external staircase and electrics room. The size and scale of the building is considered appropriate to the site and its surroundings.

The building would be a timber frame construction clad with marley cedral tea green. The existing building is brick and whilst this has a more traditional appearance than what is proposed, the proposed timber style cladding material is considered appropriate to the site and surroundings. Being a single storey building, it will be screened and not be visible beyond its immediate surroundings.

A building condition survey was submitted with the application which indicates that there are some structural defects with the existing building and the building has been subject to movement. The report recommends the building be replaced given the extent of the repairs that would be necessary.

It is considered that the proposed development accords with design principles set out under LP Policies S1, EQ2, EQ3 and EQ6, the Landscape Character Assessment SPD, Design Guide SPD and relevant paragraphs under Chapter 12 of the NPPF.

Amenity

LP Policy EQ6 requires all new development to have a satisfactory relationship with existing land and buildings and protects the amenity of the area, which includes residential amenity of neighbouring properties. Aspects of residential amenity include impacts such as a loss of sunlight, overshadowing and overbearing impacts, loss of outlook, and loss of privacy.

The High Peak Residential Design Guide SPD requires extensions to preserve the residential amenity of neighbouring properties, having regard amongst other things to the relationship between existing and proposed development, the positioning of

windows, and the change in land levels.

Paragraph 135 of the NPPF states that planning should create places with a high standard of amenity for existing and future users.

The proposed building will provide amenity facilities for the wider campsite including shop, reception and laundry facilities. Located in the same position as the existing facilities, the proposals will not result in any harm to the amenity of the neighbouring cabins. Indeed it is a necessary facility to support the wider use of the caravan and campsite. There are no neighbouring residential properties that sit outside of the Caravan Park.

The proposals therefore satisfy the requirements of Policy EQ6 and paragraph 135 of the NPPF.

Highway Safety

Policy CF6 seeks to ensure that development can be safely accessed in a sustainable manner and that all new development is located where it can be satisfactorily accommodated within the existing highway network and provides suitable off-street parking provision in accordance with guidelines set out under Appendix 1 of the Local Plan.

The proposals will replace an existing facility and will not give rise to further vehicle movements, nor will it reduce car parking facilities at the site and cars will still be able to park in front of the building. The proposal therefore satisfies the requirements of Policy CF6 and the NPPF.

Ecology

Policy EQ5 requires all new development proposals to demonstrate that any protected species and habitats within the site will not be adversely affected and seeks to promote a net gain in biodiversity by securing appropriate mitigation and ecological enhancements where appropriate.

A preliminary Roost Assessment report was submitted the application which DWT have reviewed and recommended a condition that the reasonable avoidance measures detailed in table 5.2 of the report are adhered to during demolition works.

The application has been submitted since Biodiversity Net Gain came in to force for minor planning applications. The proposed building exceeds the 25sq.m de minimis threshold but it is being sited in the exact same position as the existing building and occupies a very similar footprint on an area of hardstanding. PPG provides scenario 1 example: a development solely on a sealed surface (Paragraph: 004 Reference ID: 74-004-20240214). This example is considered applicable to this planning application as the development will be on existing hardstanding so no habitats can be harmed by the development. Therefore in this instance biodiversity net gain is not required.

Furthermore, DWT has suggested other conditions that will improve biodiversity of the development and have requested a biodiversity enhancement plan which would

include bird and bat boxes. They have also requested that a lighting strategy be submitted. These are measures also recommended in the Preliminary Roost Assessment report.

Accordingly, the proposals are considered to satisfy local plan policy EQ5, NPPF and the Environment Act with regards to biodiversity.

Nutrient Neutrality

The site lies within the catchment of the River Wye which forms the Peak District Dales Special Area of Conservation (SAC). The Council has been notified that action must be taken to address exceedances of phosphorus in the River. As such, the Council cannot grant consent for development unless it can rule out “likely significant effects” on the SAC. A Habitats Regulations Assessment (HRA) will be required when the plan or project creates a source of water pollution or has an impact on water quality and when it is within the catchment of the SAC. Initially, a screening assessment will be required to consider if “likely significant effects” (alone or in-combination) on the SAC can be ruled out. If not, this will be followed by an “Appropriate Assessment” where the impact of the plan or project is considered in detail.

Screening Assessment

The proposal is not directly connected with or necessary for the conservation management of a European site. The proposal is for a replacement reception building for a camping and caravan site but it will not increase overnight stays or surface water run-off from the site. Therefore, it will not risk having a significant negative effect on the SAC either on its own or in combination with other proposals and therefore it is not necessary to carry out an Appropriate Assessment.

Drainage

The site lies within the Buxton source protection zone which is an area where groundwater is particularly sensitive to development. Both the Environment Agency and Severn Trent have requested conditions relating to drainage (surface and foul) and given that the application includes toilet and laundry facilities, it is recommended that the EA condition relating to the groundwater SPZ be imposed as requested. Details of surface water run off are not considered to be required, because in nutrient neutrality terms the development will not increase overnight stays or surface water run-off from the site. Therefore it would not be reasonable to require drainage details in terms of surface water run off.

CONCLUSION / PLANNING BALANCE

For the reasons outlined in this report, the proposed replacement reception building is considered appropriate and suited to the site and its locality, it would not result in adverse impacts on residential amenity or biodiversity. The proposals therefore satisfy the planning policy considerations of the High Peak Local Plan, the NPPF and Environment Act.

OFFICER RECOMMENDATION : **Approve**

Case Officer: Rosie Dinnen

Recommendation Date: 25.10.24

X 

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council