

20. FULL APPLICATION - REPLACEMENT OF AGRICULTURAL BUILDING (RETROSPECTIVE), BUILDINGS AT CROSSLAND SIDE, HARTINGTON (NP/DDD/1115/1105 P.5562 413026/360302 31/1/2016/CF)

APPLICANT: MR R BASSETT

Site and Surroundings:

This application relates to a blockwork structure that has been erected without planning permission on a site located in open countryside, about 300m to the south of Hartington. There are also several structures and old rail carriages on the site, which is currently quite untidy in appearance. The site is partially screened by a large stone-built barn, which is a traditional building sited adjacent to the green lane that leads to Hartington and runs past the site.

By virtue of the distance between the site and the village, the application site is not within the designated Hartington Conservation Area and the stone building is not listed albeit it does have some vernacular merit. However, the site does lie within the 'limestone village farmlands' landscape character type in the White Peak. The landscape surrounding the application site is typical of the Limestone Village Farmlands and is characterised by the gently rolling plateau of the White Peak and relatively narrow strips of farmland with dry stone boundary walls.

Proposal:

The current application proposes the retention of the existing blockwork structure and cladding the blockwork structure with randomly coursed limestone up to sill level with Yorkshire boarding above. The submitted plans also shows the block work structure would be provided with a shallow pitched, fibre cement sheeted roof.

RECOMMENDATION:

That the application be REFUSED for the following reasons:

- 1. By virtue of the siting and design of the proposed building, it would have an unduly harmful visual impact on the character of the surrounding landscape. Therefore, the current application is contrary to saved Local Plan policies LC4 and LC13, contrary to policies GSP1, GSP2, GSP3 and L1 of the Core Strategy, and contrary to national planning policies in the Framework.**
- 2. In the absence of an appropriate agricultural appraisal to support this application, and in the absence of any other evidence that demonstrates the building is reasonably required for farming, it cannot be demonstrated that the benefits of approving this application would outweigh or offset the identified and demonstrable harm to the valued characteristics of the National Park that would result from granting planning permission for the current application. Therefore, granting planning permission for the current application would be contrary to the principles of sustainable development set out in national planning policies in the Framework and policy GSP1 of the Authority's Core Strategy.**

Key Issues

- The impact of the proposed building on its landscape setting; and
- Whether the proposed building would harm other valued characteristics of the local area; and
- Whether the proposed development is of a suitable size and scale or design; and

- Whether the benefits of granting planning permission would offset the limited agricultural justification for the proposed building.

History

- 2015 Pre-application advice sought prior to the submission of the current application; officers advised the current application would be unlikely to be supported taking into account the absence of an appropriate agricultural justification, the design of the proposed building, and its adverse visual impact (PE\2015\ENQ\24841)
- 2014 Planning permission refused for retrospective application for replacement agricultural building (NP/DDD/1014/1052).
- 2013 Enquiry logged with regards to the erection of the breeze block building without the benefit of planning permission (13/0138).

Consultations

County Council (Highway Authority) – No objections

District Council – No response to date

Parish Council - Consider this to be an improved application (compared to the previous submission) and therefore support this application.

Representations

No further representations have been received by the Authority to date.

Main Policies

Local Plan policy LC13 is directly relevant to the key issues at stake in the determination of the current application because it sets out specific criteria to assess the acceptability of new agricultural development within the National Park. LC13 states that new agricultural buildings will be permitted provided that they:

- (i) are close to the main group of buildings wherever possible and in all cases relate well to and make best use of existing buildings, trees, walls and other landscape features; and
- (ii) respect the design, scale, mass and colouring of existing buildings and building traditions characteristic of the area, reflecting this as far as possible in their own design; and
- (iii) avoid harm to the area's valued characteristics including important local views, making use of the least obtrusive or otherwise damaging possible location; and
- (iv) do not require obtrusive access tracks, roads or services. These should be designed with particular respect for the landscape and its historic patterns of land use and movement, and any landscape change likely to result from agricultural or forestry practices.

The Authority's Supplementary Planning Guidance (SPG) on agricultural development offers further guidance on the design of modern farm buildings and makes a clear distinction between the acceptability of a modern farm building which is consistent with the character of a farmed landscape and a building of unacceptable design where there is no functional justification for its size and massing.

Paragraph 3.6.4 of the SPG also states that most modern farm buildings are now typically constructed from a portal frame and clad in timber or sheeting which are often of a subtle colour

that would allow the building to assimilate into the landscape, and these are the types of modern farm buildings the Authority is most likely to find acceptable under the provisions of LC13.

Wider Policy Context

The provisions of LC13 are supported by a wider range of design and conservation policies in the Development Plan including policies DS1, GSP1, GSP2, GSP3, L1 and L3 of the Core Strategy and Local Plan policies: LC4 and LC5.

DS1 states that agricultural development is permissible within the National Park but farm buildings should also meet the requirements of landscape conservation policies GSP1, GSP2 and L1 to ensure that the provision of new farm buildings does not result in conflict with the 'conservation purpose' of the National Park even where they may be reasonably required for the purposes of agriculture.

GSP3 and LC4 are applicable to all development in the National Park but are especially relevant to the current application because they reinforce the provisions of LC13 in respects of safeguarding the amenities of the local area, and they promote design solutions that would be sensitive to the distinctive character of both the natural and built environment of the National Park.

Landscape Strategy and Action Plan

The Authority's Landscape Strategy and Action Plan is also a material consideration and says that the application site is located in an area identified as Limestone Village Farmlands, in the White Peak, which is characterised by limestone villages, set within repeating pattern of narrow strip fields bounded by dry stones walls within gently undulating plateau of pastoral farmland. The overall strategy is to protect and manage the distinctive and valued historic character of the settled, agricultural landscapes, whilst seeking opportunities to enhance the wild character and diversity of remoter areas. L1 of the Core Strategy otherwise requires development to respect and reflect landscape conservation priorities and objectives set out in the Authority's Landscape Strategy and Action Plan.

National Planning Policy Framework

The relationship between policies in the Development Plan and the National Planning Framework has also been considered and it is concluded that they are consistent because the Framework promotes sustainable development sensitive to the locally distinctive character of its setting but also places great weight on the conservation of the scenic beauty of the National Park, its wildlife, and its heritage assets.

Assessment

Agricultural Justification

In the first instance, the proposals for a new building at Crossland Side are still not supported by an appropriate agricultural justification. This was a criticism of the previous application for a similar building on this site that was refused planning permission. Since the previous application, the situation has changed insofar as there is now a different applicant making a case for the building based on his existing agricultural activities based at Hare Cops Farm located close to Hulme End. The main thrust of the justification for retention of the existing structure and cladding it 'as proposed' is that the building could be needed at lambing time in inclement weather.

A formal agricultural appraisal has not been submitted to support the application albeit details have been provided in terms of the land in the current applicant's control. This is relevant insofar as the current applicant does not own the buildings but he does own the surrounding land. Therefore, there is some indication of how the applicant's land and the buildings in separate

ownership relate to the current applicant's farm operations at Hare Cops. However, there is no further explanation as to how the current applicant's requirements relate to the previous applicant's need for the building (the previous applicant is also the current landowner), and no assessment has been made of how the other structures on site and the stone barn are being used currently and why they cannot be used for lambing in inclement weather, for example, rather than the building proposed in this application.

Consequently, neither the current application nor the previous application put forward a coherent argument for why it is essential that the blockwork structure is retained for any subsisting farm business, or why the building proposed in this application is reasonably required for agriculture other than this building would be a replacement for a similar building on site that was demolished in 2013. However, the provisions of saved Local Plan policy LC13 does not require an agricultural justification for new farm buildings whereas the equivalent policy for new farm buildings in the emerging Development Plan Document will require new farm buildings to be supported by a formal agricultural appraisal that properly justifies new farm buildings, if the policy is formally adopted as drafted. However, the emerging policy can only be given very limited weight at this time.

Therefore, the acceptability of the farm building proposed in this enquiry would have to be made primarily on the basis of the information supplied by the applicant so far with regard to whether the proposed building is otherwise acceptable in planning terms and meets the criteria in LC13, which is the current Development Plan policy that deals specifically with farm buildings.

Siting

In terms of siting, LC13(i) says new farm buildings should be close to the main group of buildings wherever possible and in all cases relate well to and make best use of existing buildings, trees, walls and other landscape features. In this case, it is acknowledged that the building would relate reasonably well to surrounding landscape features insofar as it would be close to the existing stone-built structure. Therefore, the current application broadly accords with LC13(i) subject to the building being contained within the dry stone wall field boundaries as proposed. The enquiry proposals would also conform to LC13 (iv) because no hardstandings or new access tracks would be required to facilitate the proposed development because of its siting within an existing yard area.

Landscape and Visual Impact

By virtue of the proposed siting for the building, it would have an adverse visual impact on the character of the surrounding landscape that would only be very partially mitigated for by the presence of the stone-built buildings on site and across the green lane on land seemingly in separate ownership. In this respect, the building would be very visible from the adjacent green lane and nearby footpath. As the building would have the character and appearance of a suburban garage rather than a typical farm building, despite the proposed cladding, it is considered that the building would have a harmful visual impact that would unacceptably detract from the character of the surrounding landscape. Furthermore, the harmful visual impact of the building would be exacerbated by the untidy nature of the site.

Therefore, the current application does not comply with policies GSP1, GSP2, and L1 the Core Strategy or saved Local Plan policy LC4 and LC13, which seek to safeguard landscape character and the valued characteristics of the local area. Moreover, officers do not consider that additional planting would mitigate these concerns because a planting scheme would in itself not reflect or respect the open character of the surrounding landscape. Moreover, landscaping may not be effective in any case because of the siting of the building and where planting may have some mitigating effect; it would not necessarily be on land in the applicant's control.

Design

LC13(ii) requires new farm buildings to respect the design, scale, mass and colouring of existing buildings and building traditions characteristic of the area, reflecting this as far as possible in their own design. Further guidance on the appropriate design of modern farm buildings is provided in the Authority's SPG on agricultural development.

As noted above, the proposed building is highly problematic in design terms and would have the character and appearance of a suburban garage rather than a typical farm building, despite the proposed cladding. In the absence of a proper agricultural appraisal, officers cannot see any evidence that the building has been purpose designed for agriculture or that it would be suitable for the stated intention of accommodating livestock in it. The building would otherwise be based on a form and massing arising from the retention of the unauthorised blockwork structure on site and, as noted above, this structure gives rise to concerns that the building would have the character and appearance of a domestic garage, which is wholly inappropriate in open countryside in this landscape setting and within the context of the traditional stone barn.

Sustainability

In this case, it is considered that the proposed building would harm the valued characteristics of the local area but the Authority has not received any meaningful information, such as an agricultural appraisal, which explains why the building is reasonably necessary for farming, would be essential to meet the operational needs of a subsisting farm business, or how granting planning permission for the proposed building would give rise to any other public benefits.

It is therefore concluded that the building is not a sustainable form of development and that the benefits of granting planning permission for the proposed building would not demonstrably outweigh the harm to the scenic beauty of the National Park arising from the retention of the existing blockwork structure or from cladding this structure and providing it with a roof.

Conclusions

In conclusion, the current proposals for a building at Crossland Side do not meet the criteria set out in LC13 for agricultural developments and in all other respects would not comply with the relevant policies in the Development Plan and the Framework. There are no other relevant considerations that otherwise indicate that planning permission should be granted for the current application. Accordingly, the current application is recommended for refusal

Human Rights

Any human rights issues have been considered and addressed in the preparation of this report.

List of Background Papers (not previously published)

Nil