

---

**FULL APPLICATION – ERECTION OF AGRICULTURAL BUILDING ON LAND OFF BRAMLEY LANE, HASSOP COMMON, CALVER (NP/DDD/1213/1144, P.2382, 422989/373287 1/9/2014&30/09/2014/CF)**

**APPLICANT: COVERLAND UK LTD**

**Introduction**

This application was considered at the meeting of the Authority's Planning Committee on 12 September 2014. However a decision was deferred on the application pending a site visit and pending submission of an agricultural appraisal, which members considered would give further clarification on the justification for the proposed development. The revised application proposes the erection of two farm buildings and associated yard area on a bare field site in open countryside.

However, at the time of writing, the agricultural appraisal requested by members had still not been received by the Authority but officers have been advised this information will be received in advance of the meeting on 10 October 2014. Therefore, the original report follows below because the original officers' recommendations and the discussion of the planning merits of the proposed development and policy considerations remain unchanged in the absence of any additional information. It is intended to publish a supplementary report addressing any further issues arising once the agricultural appraisal has been received and assessed.

**Site and Surroundings:**

The application site comprises a field parcel accessed from Bramley Lane that is located in open countryside in an elevated position on Hassop Common. The field parcel has previously been worked for minerals but has been restored to grazing land. A public right of way runs through the application site and there is some planting along the southern boundary of the field adjacent to Bramley Lane, which is an unmade road which runs between Calver and Longstone Edge.

The application site is otherwise located within a rolling upland plateau setting formed by pastoral farmland enclosed by limestone walls with open views to surrounding higher ground to the north and north east in particular. In these respects, the application site lies within the Limestone Hills and Slopes character type in the White Peak but the application site is also seen in the context of many other landscape character types including the Limestone Village Farmlands, Limestone Plateau Pastures and the Limestone Dales.

**Proposal:**

As submitted, the current application proposed the erection of a large modern farm building and the creation of a yard area. The submitted plans showed that the building proposed in the original application would have measured 27.4m x 32m (i.e. a footprint of 876.8m<sup>2</sup>) with eaves at 3.353m and ridge 6.87m above the adjacent ground level. The original application did not include any details of hardstandings that would otherwise have been reasonably required to facilitate the use of the proposed building. Following officer advice that this building would not be recommended for approval, the application has been revised and amended plans have been submitted.

**Amended Plans:**

The amended plans show the erection of two portal framed agricultural buildings and the creation of a yard area on a reasonably level area of the application site. The buildings would be sited close to an existing plantation between Bramley Lane and the site of the proposed development, and access to the buildings would be from an existing track leading off Bramley Lane.

The buildings would also be sited parallel to each other just over 9m apart with a concrete yard

area provided in the space between the two buildings. Building A, which would be closest to Bramley Lane, would be used to store agricultural implements and fodder. Building B would be an open fronted building used to accommodate livestock. The open sided elevation of Building B would face towards Building A, and towards Bramley Lane beyond Building A.

Building A would measure just over 27.4m x 16m and provide 439m<sup>2</sup> of secure storage space. It would have an eaves height of 4m and a ridge height of 5.8m above the adjacent ground levels. The ridge of the roof over Building A would run broadly parallel with Bramley Lane, and its rear (south facing) elevation would run along the edge of the plantation between Bramley Lane and the proposed site of the building.

This building would have a shallow pitched roof clad with coloured fibre cement sheeting coloured slate blue. Its vertical cladding would be dark stained treated Yorkshire lap boarding, and its below cladding would be a stone-faced limestone wall. The elevation facing Building B and the elevation facing the access track would both have openings measuring 4.8m wide x 3.7m high and both openings would incorporate sliding doors.

Building B would also measure just over 27.4m x 16m but would incorporate an overhanging canopy. This means the width of the gable of Building B that would be treated with solid cladding would be slightly narrower than the solid clad width of Building A (i.e. 14.2m compared to 16m). The materials that would be used in the construction of Building B would match those proposed for Building A, namely a dark slate fibre cement roof, vertically clad Yorkshire boarding with a stone-faced below cladding and its design would be very similar other than Building B would be open fronted with a canopy, as noted above. Building B would also have a gated opening facing towards the access track.

The amended block plans show there would be a hard surfaced yard area treated with bound, rolled and consolidated limestone between both buildings and the access track. Access to this yard area would be from the existing track off Bramley Lane but this yard area would otherwise be mostly separated from the existing track by an existing line of what appear to be self-seeded trees and shrubs. This yard area would also provide access to the concrete yard area between the two buildings, noted above, and the openings proposed in the gables of both buildings would open on to the hard standing.

The amended plans accurately reflect suggestions made by officers to help overcome objections to the original submission. The applicant has subsequently requested that the current application be determined on the basis of the amended plans.

### **Supplementary Information**

Alongside requesting amended plans, additional information was requested relating to the requirement for a building with a floor area of 836.8m<sup>2</sup>, as submitted (the buildings shown on the amended plans would have a covered floor area of 838m<sup>2</sup>). In response to this request for additional information, the applicant's agent advises that the size of the building was arrived at after careful consideration of the optimum floor space and the applicant does not wish to create buildings, from a cost management point of view, that are larger than is absolutely necessary.

The applicant's agent goes on to say splitting the buildings into their two distinct components will, however, mean that there will be greater capacity to store fodder and straw on site whilst providing for secure undercover storage for agricultural machines and other equipment whilst the functional open sided building will house livestock and will be readily sub-dividable to provide optimum space at the time of greatest need, such as during lambing or over wintering cattle.

Further information was also requested by officers on (1) traffic management measures to address concerns raised by Rowland Parish Meeting and local residents in representations (2) mitigation measures for great crested newts because of the proximity of their habitat to the

application site (3) enhancement measures for the nearby schedule ancient monument taking into account the application site lies within its setting, and (4) removal of two farm buildings on land within the applicant's control but would no longer be required if permission were to be granted for this application.

On local concerns relating to increased traffic movements through Rowland to land in the applicant's ownership on Hassop Common, the applicant's agent says the development proposed in this application should ensure that vehicle movements associated with the applicant's activities on land on Hassop Common can be minimised because adequate facilities will be available to securely store vehicles and plant that would otherwise have to pass up and down the highway through Rowland.

On mitigation measures for great crested newts, the applicant's agent has advised that the applicant would be prepared to carry out the mitigation and enhancement measures outlined by the Authority's Ecologist in her comments on this application. The applicant's agent has also confirmed that the applicant is willing to carry out works to protect the periphery of the scheduled ancient monument, and provided confirmation that both farm buildings now specified on plans received by the Authority would be removed before any works commenced on the buildings proposed in this application.

### **RECOMMENDATION:**

**That the application be REFUSED for the following reasons:**

- 1. By virtue of its siting and scale, the proposed development shown on the amended plans would have a substantial adverse visual impact and would significantly harm the scenic beauty of the National Park, contrary to Core Strategy policies GSP1, GSP2, GSP3 and L1, Local Plan policies LC4 and LC13 and national policies in the National Planning Policy Framework.**
- 2. The information submitted with the application fails to demonstrate that the benefits of granting permission for the revised application would significantly and demonstrably outweigh any adverse impacts of doing so when assessed against the policies in the Development Plan and National Planning Policy, as a whole, and therefore the proposals do not constitute sustainable development that would otherwise be supported by policy GSP1 of the Core Strategy and paragraph 14 of the National Planning Policy Framework.**

### **Key Issues:**

In this case, the nearest residential property to the application site is a dwelling known as Bleaklow, which is located some 800m to the west of the site, and there is a significant amount of mature planting between the application site and this property. Therefore, there is no realistic likelihood that the proposed development would detract from the quiet enjoyment of the nearest neighbouring residential property.

Although the Parish Meeting and local residents are concerned about the potential for these proposals to exacerbate existing traffic problems in Rowland (around 1.2km to the south west of the application site), the Highway Authority does not object to the proposals providing the use of the development is restricted to agricultural purposes associated with the surrounding controlled land, with there being no future sub-letting or selling off.

Therefore, there are no sustainable reasons for refusal of this application on highway safety grounds, also taking into account it is considered the increase in traffic through Rowland experienced by local residents is attributable to unauthorised works carried out to improve the track from the end of the built-up area of Rowland to the bottom of the recently improved access

track to Bleaklow Farm, and the roughly surfaced track that leads to the application site. The improvements to the track from Rowland have otherwise been addressed in an application previously determined by the Authority's Planning Committee relating to the replacement dwelling granted planning permission at Bleaklow Farm.

It should also be noted that one alternative access to Bleaklow Farm and Hassop Common is a much longer route via Great Longstone and along Moor Lane. A further alternative access to Hassop Common from Bramley Lane is from a substandard access onto the B6001 to the north of Hassop that the Highway Authority considers to be dangerous.

It is also notable that the Highway Authority has resolved to take no further action against the works to the rough track from Rowland that include the provision of a tarmacadam (or similar) top surface, which is a non-classified road meaning that there are no restrictions on private vehicles using this track. In these respects, it is extremely difficult to consider that the Parish Meeting's request, also advocated by two local residents, to preclude access to the application site from Rowland would be reasonable in planning terms even though officers can understand why such a condition has been requested.

In terms of the other valued characteristics of the local area, there is a scheduled ancient monument on the opposite side of Bramley Lane, but the intervening trees and the general topography of the land would mean that the building would have a neutral impact on the setting of this heritage asset. The remote location of the site means that it is highly unlikely that the proposals would have any substantial impact on the setting of any other designated or non-designated heritage asset within the local area.

The application site has been so disturbed by open cast mineral works that there is no reasonable prospect that there is any archaeological interest that would be directly affected by the proposals and the buildings have been sited off the line of the scheduled ancient monument. This is important because the projected line of the scheduled Double Ditched Dyke can still be read in the landscape and this would no longer be possible if the buildings were sited on this line.

However, whilst it has been indicated that the applicant would be prepared to carry out works to preserve the periphery of the monuments, the type of works that the applicant would be willing to carry out have not been specified. There is also no heritage statement, or similar document that explains how any works the applicant may be willing to carry out would preserve or enhance the scheduled ancient monument and how these works would be reasonably related to the proposed development.

There are also records of great crested newts within the close vicinity of the application site but the Authority's Ecologist has no overriding objections to the proposals subject to appropriate mitigation measures. The disturbed nature of the land means that there is no ecological interest within the application site itself that would be disturbed by the proposed development. However, no survey work has been carried out that would help to ensure that the mitigation measures suggested by the Authority's Ecologist would be carried out prior to commencement of the proposed development. Moreover, the adjacent land to the north and east of the application site are particularly rich in ecological interest.

The part of the field which lies immediately to the east of the application site includes a range of grassland types and archaeological features in the main relating to a history of mineral exploitation. These are fragile features and include areas of species rich grassland of value to a range of plants and invertebrates. In addition, the application site lies immediately adjacent to field SK22735785 which supports a rich scrub/grassland mosaic which is important for a variety of plants, invertebrates and birds and is of particular importance because it lies adjacent to Coombs Dale SSSI and SAC.

The significance of these areas is such that both are recognised within the Environmental

Stewardship scheme in place on the holding with specific measures being included in Higher Level Stewardship to enhance the habitat in SK22735785 for invertebrates and birds. The yard area between the buildings and the track proposed in the revised application would fail to maintain the habitat available for the species of interest and would fail to maintain a buffer between the buildings and the areas of particular interest

Finally, it is acknowledged that the application site was once used for open cast mining but the land has been restored, and for planning purposes, the land should not be considered to be previously developed land. The land has been restored to grazing land but the application site is a barefield site that is not well-related to any existing farm buildings, or the nearest house at Bleaklow Farm. The application site lies in a remote location in open countryside and the elevated and exposed nature of this site means that it is visible from a wide range of distant viewpoints primarily to the north and north east. The application site is also not seen in the context of nearby modern mineral workings.

Consequently, the acceptability of the siting, design and layout and the landscape and visual impact of the proposed buildings and associated yard area are considered to be one of the key issues in the determination of this application.

A further key issue in the determination of the current application is whether mitigation measures for great crested newts and the ecological interest in the adjacent fields alongside enhancement of the nearby scheduled ancient monument can be secured if permission were to be granted for the current application.

The determinative factor in the determination of this application may otherwise be considered to be whether the benefits of granting permission for the proposed development would demonstrably offset or outweigh the adverse impacts of doing so taking policies in the Development Plan and the National Planning Policy Framework as a whole.

### **History**

Planning permission refused in 2013 for an agricultural building proposed by the current applicant to house livestock and to store fodder and implements on land also in the current applicant's ownership off Bramley Lane around 500m to the north east of the current application site (NP/DDD/0713/0635). This application was refused for the following reasons:

- The proposed development would have a significant adverse visual impact and would significantly harm the scenic beauty of the National Park, contrary to Core Strategy policies GSP1, GSP2, GSP3 and L1, Local Plan policies LC4 and LC13 and the Authority's Agricultural Developments Supplementary Planning Document.
- In this case less damaging practicable options are also considered to be available to the applicant and the submitted application does not otherwise demonstrate that the proposed building constitutes sustainable development of the existing farm business
- In these respects, the submitted application fails to demonstrate that the benefits of granting permission for the current application would significantly and demonstrably outweigh any adverse impacts of doing so when assessed against the policies in the National Planning Policy Framework.

### **Consultations**

Calver Parish Council: No comment on the original submission but have since confirmed that there are no objections to the amended plans.

Derbyshire County Council (Highways): No objection subject to use of development being

associated with surrounding tied land only with no future sub-letting or selling-off.

Derbyshire Dales District Council: No response to date,

English Heritage: No response to date on either the original application or revised submission but English Heritage have offered the following pre-application advice:

Firstly, English Heritage would have no objections to the proposals provided (1) that the buildings are not constructed on the projected line of the Double Ditched Dyke scheduled ancient monument that lies on the opposite side of Bramley Lane to the application site; and (2) provided that the following actions are taken:

- Complete scrub and bramble removal preferably in late Feb/early March so that any bare areas created quickly green up, together with subsequent and on-going into the future treatment of stumps/regrowth. Scrub removal should also take place on the land immediately to the east of the monument. English Heritage also commented that some of this work is beyond volunteers and needs tackling by a contractor.
- Removal of the big boulders used to prevent 4x4 access to the monument coupled with erection of deflector fencing i.e. half metre high posts with a single rail. However, there is concern that removing the boulders could invite access by 4x4s so it is important that all the actions take place in close succession to give impression of cared for monument in addition to the fence.
- Development and erection of an interpretation panel probably on the wall at the north east corner of the scheduled ancient monument (close to a footpath and its junction with Bramley Lane).

National Park Authority (Biodiversity Project Officer): In principle, supports the provision of a building on the land to support the applicant's ability to meet the terms of a recently agreed stewardship agreement. However, it is noted that the application site is adjacent to fields that hold particular important ecological (and archaeological) interest and whilst the agricultural buildings themselves are unlikely to have a significantly adverse effect on these areas of ecological importance, development of any kind surrounding the buildings and the central concreted yard is likely to impact detrimentally on the bird and invertebrate resource that is a recognised part of the interest.

In these respects, it is considered the development site needs to be restricted to the buildings, the concrete yard and an access track in order to maintain the habitat available for the species of interest and maintain a buffer between the buildings and the areas of particular interest. It is also noted that the initial justification for this building was made on the grounds of the demands of the Higher Level Stewardship scheme. This stipulates a need for 15 cows or 20 young cattle on Coombsdale. It is estimated that a single one of the proposed buildings could house 50 young cattle or 40 cows, and therefore, the development is beyond what is required by the scheme.

National Park Authority (Ecologist): No overriding objections to the proposals providing that various mitigation measures, enhancements to existing habitat, and compensatory habitat for terrestrial habitat that would be lost to the development are provided for. The Authority's Ecologist has outlined the measures that would be required in her comments on this application.

National Park Authority (Landscape Architect): On the amended plans, the Authority's landscape architect has commented that although the buildings will be seen against a backdrop of trees, the proposed development, including the large area of hard standing, will still be noticeable and the site is very open to views from the north and east. Therefore, the Authority's landscape architect has reservations about this proposed development not least in terms of its potential visual impact.

National Park Authority (Senior Archaeologist): Sets out a clear recommendation that the advice offered by the Authority's Biodiversity Project Officer (above) is followed but also suggests additional planting to the east and north of the buildings. The Authority's senior archaeologist has also confirmed that the buildings would be sited to the east of the line of the scheduled ancient monument.

Rowland Parish Meeting: No objections to the proposed building other than the local community's concerns are that increased traffic through Rowland would be extremely detrimental. The Parish Meeting went on to say Rowland comprises a single-track road (no passing places) with no safe pedestrian pavement or verge. There are two blind bends that make the road unsuitable for increased traffic use.

Therefore, the Parish Meeting request that, should permission be granted, a condition be imposed on that permission that requires vehicular access to the site, both during and after construction, to be via Bramley Lane and not through the small hamlet of Rowland.

### **Representations**

Two letters of representations were received by the Authority during the statutory consultation on the original application from residents of Rowland. The two letters make almost identical observations namely that the developments by the current applicant at Bleaklow Farm have already brought about a considerable increase in the volume of unsuitable traffic through Rowland – farm vehicles and various contractors' vehicles – to the detriment of the fabric of the hamlet and danger to pedestrians and cyclists.

Both letters say that there are concerns that approval of this application will lead to further increase in traffic through the hamlet of Rowland and the single track road through Rowland has two 90 degree bends and no foot paths so it is simply not suitable for modern heavy farm vehicles.

Both letters go on to say previous farmers at Bleaklow Farm have used only Bramley Lane for access and it is not clear why this should change, therefore both letters conclude that if this application is approved, a condition should be attached that all vehicular access, both during and after construction, should be via Bramley Lane only and not through Rowland.

### **Policy Framework**

#### **Agricultural Development**

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 color 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, GPS3, and L1 of the Core Strategy and Local Plan policies LC4.

DS1 states that agricultural development is permissible within the National Park but farm buildings should also meet the requirements of landscape conservation policies GSP1, GP2 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**

In terms of assessing landscape and visual impact of proposed development in the National Park, the Authority's Landscape Strategy and Action Plan is also a material consideration. The Landscape Strategy and Action Plan says that that the application site is located in an area identified as Limestone Hills and Slopes, in the White Peak, which is characterised as a high pastoral landscape with a varied undulating topography and some steep slopes by limestone villages, set within repeating pattern of narrow strip fields bounded by dry stones walls within gently undulating plateau of pastoral farmland and wide open views to distant skylines.

The Landscape Strategy and Action Plan sets out the overall strategy for this area is to protect and manage the distinctive and valued historic character of this sparsely populated agricultural landscape by 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.

## **Ecology**

The development proposals would affect nearby sites of biodiversity importance and the habitat of great crested newts, which are a European Protected Species. Therefore, L2 of the Core Strategy and policy LC17 of the Local Plan have particular relevance in the determination of the current application. Policy L2 states:

- A. Development must conserve and enhance any sites, features or species of biodiversity importance and where appropriate their setting.
- B. Other than in exceptional circumstances development will not be permitted where it is likely to have an adverse impact on any sites, features or species of biodiversity importance or their setting that have statutory designation or are of international or national importance for their biodiversity.

LC17 contains a range of detailed criteria that support the provisions of L2 including the requirements for detailed appraisal of the impact of development proposals on sites or species of biodiversity importance.

## **Archaeology**

As noted above, the application site is close to, and within the setting of the scheduled ancient monument referred to as the Double Ditched Dyke. Therefore, L3 of the Core Strategy and Local Plan policy LC16 are also particularly relevant in the determination of the current application. L3 says development must conserve and where appropriate enhance or reveal the significance of archaeological, architectural, artistic or historic assets and their settings. LC16 says where development affecting a scheduled ancient monument is acceptable, the following will be required:

- i. the implementation of an appropriate scheme for archaeological investigation prior to and during development;
- ii. wherever practicable, the preservation of any feature of special interest in its original position, and appropriate opportunities for future access and examination taking into account the importance of the site or feature.

## **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 NPPF 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.

## **Background**

In essence, the current application is a resubmission of the application refused in the latter part of 2013 for a new farm building to serve the needs of the applicant's land holding on Hassop Common. Land in the applicant's ownership on Hassop Common extends to 71.45ha (177 acres) and is run in conjunction with the applicant's agricultural business based at Ashford Hall.

The land at Hassop Common is used to rear approximately 500 sheep and 20 cattle along with the production of fodder. There is an existing small, run down timber framed building where a new building was proposed by the applicant in 2013, and a building close to the dwelling known as Bleaklow Farm on the applicant's holding. However, the applicant says these buildings would not adequately meet the needs of the holding also taking into account the holding is now subject to a Higher Level Stewardship (HLS) agreement.

This agreement underpins the need for a building that would facilitate appropriate land management of the holding taking into account land in the applicant's ownership at Hassop Common includes a significant part of the Coombs Dale Site of Special Scientific Interest (SSSI), which forms part of the Derbyshire Dales Special Area of Conservation (SAC), in addition to a smaller area of Biodiversity Action Plan (BAP) grassland.

In summary, the preferred option is for the SSSI, and the additional BAP area, to be grazed by both cattle and sheep. This is a departure from the existing grazing management by sheep only. The requirement for cattle grazing has been specified with the objective of controlling the ranker grasses, the scrub and bracken, all of which are detrimental to the future of the flower and invertebrate rich grasslands. Natural England agree that summer cattle grazing is key to their conservation objectives for the SSSI, together with the ability to remove them in the winter prior to the risk of poaching.

Therefore, the need for a building to house cattle on Hassop Common, alongside machinery, and the fodder for them in the winter is of some significance in respects of achieving nature conservation outcomes otherwise anticipated by the HLS agreement. The details submitted with the application suggest that the building would be of a sufficient size to accommodate sheep and cattle, alongside fodder and machinery required on the holding.

However, the building originally proposed in this application would have been significantly larger than that proposed in the previous application and refused planning permission 2013. In the determination of the previous application it was accepted that 585.29m<sup>2</sup> of covered floor area would meet the needs of the business based on the requirements of the HLS agreement. The building originally proposed in this application would have a covered floor area of 876.8m<sup>2</sup> which would have been an increase of around 50% of the covered floor area proposed in the original application. The two buildings proposed in the revised application would have a covered floor area of around 878 m<sup>2</sup>

The details submitted with the original application do not explain why a much bigger building was being proposed. The supplementary information provided by the applicant's agent provides some further explanation regarding the size and scale of the proposed development but this information is not as detailed as an agricultural appraisal of the holding, for example. Nonetheless, LC13 does not contain any functional tests that require the applicant to justify the size and scale of the two buildings proposed in the revised application. However, the size and scale of the development is likely to have a significant visual impact when it would be sited in a relatively isolated position and on an exposed and elevated site as proposed.

Therefore, as noted above, the acceptability of the site for the proposed buildings is one key issue in determining whether the building would meet the landscape conservation objectives set out in LC13 and the wider range of design and conservation policies in the Development Plan and the Framework.

### **Siting**

In this case, the current application site has been chosen because of existing landscape features, most notably the mature planting and other plantations in the immediate vicinity of the application site. The existing trees and the topography of the surrounding landscape restrict views into the application site from vantage points broadly to the west and south of the application site. From vantage points broadly to the north, north east and north west of the application site, the proposed building would be seen against the backdrop of the trees.

Therefore, the application site has been chosen in an attempt to avoid harm to the area's valued characteristics including important local views by making use of what the applicant considers to be the least obtrusive or otherwise damaging possible location on his land at Hassop Common.

However, there is an area of land closer to Bleaklow Farm that is far more effectively screened than the application site, which is included within an entry level stewardship scheme that is associated with the HLS agreement. This land is stated by the applicant to be in separate ownership.

Notwithstanding this, officers would agree that the application site would otherwise be the best site for a new building on land within the applicant's control even when taking into account the various planning constraints on the land such as archaeological and ecological interest, the topography of the land, and the elevated and exposed nature of Hassop Common.

---

## **Design and Layout**

The building proposed in the original submission would have had many features of a typical modern farm building, but its size and scale, and its form and massing would have been significantly different to a typical modern farm building. With a total gable width of 32 metres, the building would have been significantly wider than a typical farm building which would normally be the width of a single span of a steel portal frame i.e. around 13m. Therefore, amongst other things, officers requested amended plans to address concerns that the building proposed in the original application would not be sensitive to the locally distinctive character of its landscape setting.

The amended plans show two separate buildings that would be much more in keeping with the typical form and massing of modern farm buildings seen throughout the National Park. They would be constructed from appropriate materials and the external appearance of the buildings would reflect that they would be purpose-built to meet the functional requirements of the holding. Therefore, taken in isolation, the design of the buildings in the revised application does not give rise to any overriding objections.

The layout of the two buildings is also logical insofar as the land is served by an existing access track, they face each other and the yard area between the buildings would serve a useful function, and they are orientated to make best use of landscape features such as the existing plantation but off the projected line of the nearby scheduled ancient monument. It is therefore considered that the layout of the buildings would minimise the visual impact of the development as far as is practicable but this would be partially offset by provision of a yard area to the east of the buildings that is around 400m in area.

It has since been made in further submissions that this yard area is required to suit the operational requirements of the applicant noting both buildings have openings that would make use of this yard area. Notwithstanding this, whilst the design of the buildings is quite clearly suited to their purpose and the layout of the development would appear to meet the needs of the applicant's farm business, the overall size and scale of the proposed development on a 'bare field' site gives rise to potential objections to the proposals on landscape conservation grounds.

## **Landscape and Visual Impact**

The proposed buildings and the yard area between the two buildings would cover an area of land measuring more than 1000m<sup>2</sup> and the buildings would both be relatively large modern farm buildings with a combined floor area of nearly 900m<sup>2</sup>. The additional yard area to the east of the buildings would further extend the 'footprint' of the proposed development, which in turn, would increase the visibility of the development in its landscape setting. This is particularly significant because the landscape conservation priorities for this area are to protect and manage the distinctive and valued historic character of this sparsely populated agricultural landscape by seeking opportunities to enhance the wild character and diversity of remoter areas.

The application site is a barefield site that is not well-related to any existing farm buildings, or the nearest house at Bleaklow Farm. The application site lies in a remote location in open countryside and the elevated and exposed nature of this site means that it is visible from a wide range of distant viewpoints primarily to the north and north east. The application site is also not seen in the context of nearby modern mineral workings. Therefore, the application site is within a remote area that is of wilder character and set in a panoramic landscape of exceptional value that is relatively unspoilt by modern development despite the visible presence of 'quarrying operations' elsewhere in the vicinity.

In these respects, the restoration of the open cast workings have been successful because the site reads as part of the wider landscape, which means that the two farm buildings and associated yard areas would have a substantial impact on the character of their landscape setting, which has not been visibly scarred by mineral extraction. The proposed development would be seen as sporadic and isolated development in open countryside, and not least by virtue of its size and scale, the proposed development would have a substantial impact on the wilder character and scenic beauty of its landscape setting. This is especially the case because the surrounding settled agriculture landscape is not characterised by the presence of large upland farmsteads.

The visual impact of the development would be especially substantial when seen from the nearby public rights of way, but the scale of the development would also mean that it would be seen from various distant vantage points. The intervening distances might help to mitigate for the visual impact of the development, and the development would be seen against the backdrop of the plantation, which would also help to soften the visual impact of the proposed development. However, the introduction of two relatively large modern farm buildings and associated yard area would be particularly noticeable in this location and they would constitute visually intrusive developments that would be seen from a wide range of near and medium-distance vantage points and a wide range of long distance viewpoints.

Therefore, the proposed development would have a substantial visual impact on its landscape setting and any approval for the revised application would not necessarily achieve the landscape conservation objectives for the National Park set out in policies GSP1, GSP2, GSP3 and L1 of the Core Strategy, Local plan policies LC4 and LC13, and national planning policies in the Framework.

Although additional landscaping has been suggested by the Authority's senior archaeologist as a condition of any permission being granted for the current application, it is not considered that landscaping would not be appropriate mitigation for the visual impact of the building. On one hand, it would take a long time for trees to be sufficiently established to effectively screen the development. On the other, it is well-established principle that the ability to screen development is not a strong planning reason to accept development that would otherwise be inappropriate.

Moreover, it is not certain that additional planting would be appropriate when it would encroach into a landscape that is valued for its wilder characteristics and its open views, or that planting would be in the best interests of maintaining the biodiversity interest on the adjacent land. The Authority's landscape architect has not suggested additional planting would overcome his concerns about the current application. For these reasons, it is not considered that additional landscape secured by a planning condition would in itself make the development acceptable and therefore, any offer to carry out additional planting would not offset or outweigh clear objections to the proposals on landscape conservation grounds.

In this case, there would be some benefits from securing the removal of two redundant farm buildings on land within the applicant's control but these buildings are far more modest in size and scale than the proposed development, and whilst they do not contribute positively to their landscape setting, they are not especially conspicuous in the wider landscape or as visually intrusive as the proposed development is likely to be. Therefore, the landscape conservation benefits of securing the removal of the two existing buildings is not considered to be sufficient to outweigh the longer term harm that would arise from the grant of permission for the current application.

### **Ecology**

In this case, it is not considered that the proposed development would be likely to harm the conservation status of great crested newts, which are a European protected species, subject to appropriate mitigation measures. Whilst it is clear the application site is within the range of

terrestrial habitat that could be used by great crested newts, the proposed development would not directly affect a water tank used by great crested newts in a nearby field parcel that is also owned by the applicant. In these respects, securing the restoration of this 'pond habitat' in the nearby field, and the long-term management of the surrounding terrestrial habitat by way of a condition attached to any permission for the current application would accord with the precautionary approach to nature conservation interests set out in Local Plan policy LC17 and policy L2 of the Core Strategy and achieve some degree of enhancement to the existing habitat for newts.

The Authority's Biodiversity Project Officer does however have further concerns that, aside from great crested newts, the proposed development could impact on the special nature conservation interest on land adjoining the application site. There is no appraisal of these impacts in either the submitted application or revised application albeit the original application did not show any details of any yard area. This issue has arisen since the submission of the amended plans showing an extensive yard area to the side of the proposed buildings. It is indicated that omission of this yard area and retention of the concrete yard area between the two buildings would adequately address the Authority's Biodiversity Project Officer immediate concerns.

However, it is accepted that the omission of the yard area would mean further amendments to the layout of the buildings would need to be made to allow the buildings to be used efficiently, and these amendments would be even more damaging. Nonetheless, the 'development footprint' would need to be constrained to the buildings and yard area in the longer term to prevent future development of the site encroaching into land that should remain as supporting habitat to maintain the biodiversity of the adjoining land including terrestrial habitat for newts. This would mean that permitted development rights for agricultural developments should be removed if permission was granted for the current application, and the surfacing materials for the yard would otherwise need to be carefully specified to reduce the visual impact of the proposed development.

### **Archaeology**

The development proposals would also be situated close to a scheduled ancient monument but the intervening plantation means that the proposals would have a neutral impact on its setting. It is also clear that the orientation of the buildings would also preserve the setting of the monument insofar as they would avoid the projected line of the monument that can still be read in the landscape. Therefore, whilst there are no outright objections to the proposals in terms of whether it would adversely affect the fabric or setting of a scheduled ancient monument, the revised application does not specify any further works that might enhance or reveal the significance of the monument.

In pre-application discussions, English Heritage suggested that they would have no objections to the proposals provided that they were sited off the projected line of the monument, as proposed, and provided other works were carried out to the monument to enhance its setting, safeguard it from damage from 4x4 and other off-road vehicles, and provide interpretation. This advice has not been followed up by a formal response to consultation on either the original or the revised application and to date, it has not been set out clearly why these works are directly related to the proposed development or necessary to make the proposed development acceptable in planning terms.

This means that the proposals do not give rise to direct conflict with the objectives of L3 of the Core Strategy or Local Plan policy LC16 in terms of any potential adverse impact on the monument. However, the revised application does not accord within the provisions of L3 and LC16 insofar as it is not adequately set out in the revised application what benefits might be achieved if permission were to be granted for the current application. If the applicant were to submit an appropriate schedule of works to reveal and enhance the significance of the monument that met conservation and enhancement objectives then this issue would carry weight

in the determination of the current application because the public benefits that could be achieved these works would be substantial.

However, the revised application only contains a reference to a commitment to carry out works around the periphery of the monument, which does not allow the Authority or any other interested party to clearly understand what would be achieved if permission were to be granted for the application on this basis. Therefore, the benefits of granting planning permission in terms of seeking to enhance and/or reveal the significance of the nearby scheduled ancient cannot be seen to demonstrably outweigh the impact of the development on its wider landscape setting identified above, or offset concerns that the proposals would adversely impact on biodiversity interests on land adjacent to the application site.

### **Wider Conservation Benefits**

As noted above, the initial justification for a building on Hassop Common was to achieve wider conservation benefits associated with a stewardship agreement and the appropriate management of designated nature conservation sites including a SSSI and land designated as SAC and BAP grassland. However, the size and scale of the proposed development far exceeds what would be required to over winter cattle (approximately 14 cows and followers) that would otherwise be used to facilitate better management of the nearby Coombs Dale Site of Special Scientific Interest.

The size and scale of the proposed development in the revised application also far exceeds the size of the buildings proposed in the previous application, which all parties seemed to agree would reasonably meet the needs of the farm in terms of meeting the requirements of the stewardship agreements. Therefore, the size and scale of the proposed development in the revised application is not in itself essential or reasonably necessary in terms of what might be required to facilitate an appropriate land management regime based on the stewardship agreements.

If the scale of the development were more proportionate to meeting the requirements of the stewardship agreements, which primarily relies on the introduction of summer grazing by cattle, then there would be much better opportunity to weigh the wider conservation benefits arising from the approval of the revised application against objections to the proposals on landscape conservation grounds. Equally, a development more reasonably related to the requirements of the stewardship agreements would be smaller and therefore may be more readily assimilated into the landscape in any event.

However, further information has since been received that sets out how it is intended to lamb approximately 500 ewes in the buildings next Spring subject to permission being granted for this application. Therefore, the buildings are required for more than simply over-wintering cattle to meet the terms of land management agreements already in place, and there are concerns that the buildings are required to establish a new farm holding away from the existing farm centre in the applicant's ownership at Ashford Hall.

In these respects, it is not clear that the buildings proposed in this application would be self-sustaining noting there is no muck store, for example, and the buildings lie in such an isolated location it is not clear that such a large quantity of livestock could be over wintered successfully without some degree of living accommodation on site. This is significant insofar as if further developments are necessary once this application is approved, then it is difficult to see how they could be accommodated without further landscape harm and further conflict with nature conservation objectives. Nonetheless, there is a certain logic to providing buildings that would contain fodder and other equipment alongside livestock accommodation to reduce vehicular movements between the application site and the applicant's farm centre at Ashford Hall.

However, arguments concerning the logistics, cost, pollution and pressure on the rural road

network that transporting livestock and forage between the two sites would cause are so easily repeated, they cannot be afforded such substantial weight that they fully justify the provision of new buildings in a remote and isolated location where the potential for significant landscape harm. Moreover, the applicant and the applicant's agent have failed to provide any evidence that the provision of a building for the cattle to overwinter in at Ashford Hall would be unfeasible rather than undesirable.

Finally, the removal of the two existing and redundant buildings on land within the applicant's control is a relevant consideration, but as noted above, this aspect of the proposals would only achieve some limited enhancements to the character and appearance of the local area.

### **Conclusions:**

It is therefore concluded that the information submitted with the application fails to demonstrate that the benefits of granting permission for the revised application would significantly and demonstrably outweigh any adverse impacts of doing so when assessed against the policies in the Development Plan and National Planning Policy, as a whole, and therefore the proposals do not constitute sustainable development that would otherwise be supported by policy GSP1 of the Core Strategy and paragraph 14 of the National Planning Policy Framework.

In this case, by virtue of its siting and scale, the proposed development shown on the amended plans would have a substantial visual impact and would significantly harm the scenic beauty of the National Park. Although it can be accepted the building would be in the least damaging practicable location on the holding, and concerns on ecological grounds can be mitigated, the exposed nature of the application site means the size and scale of the proposed development cannot be readily assimilated and the introduction of the proposed development in this sensitive location would have a substantial and wide ranging adverse impact on the landscape character of its setting.

Consequently, the revised proposals do not constitute the sustainable development of an existing farm holding and are contrary to the landscape conservation objectives set out in Core Strategy policies GSP1, GSP2, GSP3 and L1, Local Plan policies LC4 and LC13 and national policies in the National Planning Policy Framework.

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