

**7. FULL APPLICATION - ERECTION OF STORAGE CONTAINER 2M X 4M AND STORAGE WORKSHOP 4M X 4M. COMPOST TOILET 1.5M X 1.5M AT LAMB QUARRY CONSERVATION SITE, HAYFIELD ROAD, CHINLEY. (NP/HPK/0719/0717 SPW).**

**APPLICANT: MR STUART WEBSTER**

**Summary**

1. This application seeks retrospective planning permission for 3 buildings in the woodland, these are to facilitate the conservation of the woodland through forestry providing tool storage and resources, and facilities for volunteers. The proposal is not considered to be acceptable as the buildings are not considered to be necessary to be functionally required for the scale of forestry being undertaken at the site. It is therefore contrary to policy DME1 of the Development Management Policies.
2. **Site and Surroundings**
3. Lamb Quarry is an area woodland located approximately 2km to the north of Chinley. The whole of the woodland is open access. There is an existing gated access off the main A624 Hayfield Road, and an unmade track from the road to the buildings. The track is overgrown and rutted, not suitable for a car but accessible potentially with a 4x4.
4. The proposed buildings are on the edge of the woodland, approximately 1 row of trees back from the very edge. In summer the leaves hide the site from distant views, in the winter when the leaves have dropped from the trees the buildings can be seen from the road when passing the Lamb Inn.

**Proposal**

5. The proposal seeks retrospective planning permission for the siting/erection of–
  - A storage container 2m x 4m. This is flat roofed and made of metal which is painted green.
  - A storage workshop 4m x 4m. This is made of timber which is stained brown and it has a stainless steel flue and its roof is finished in a black rubber membrane.
  - A compost toilet 1.5m x 1.5m.

**RECOMMENDATION:**

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

1. **The proposal is contrary to Development Management policy DME1. The proposal is not functionally required for the conservation led forestry being undertaken in the woodland and the isolated location of the structures harms the valued characteristics of the area which is also contrary to DME1.**
2. **The proposal is incongruous within its surroundings and open to public view from immediate and more distant vantage points and as such is harmful to the character and appearance of the area and the National Parks Landscape. The proposal is therefore contrary to the policies of the development plan including Core Strategy policy GSP1, GSP3, L1, Development Management policies DM1, DMC1, DMC3 DME1 and the NPPF.**

### **Key Issues**

- Is there an adequate justification for the proposed forestry buildings?
- Is the landscape impact of the proposal acceptable?

### **History**

2019 Enforcement complaint (enquiry 35246) made in relation to building and wood burner erected on land at Lamb Quarry

2019 - Enforcement record 19/0018 – An enforcement case is opened. The Monitoring and Enforcement team found -

- 1) Steel container coloured green, measuring 2.06m wide, 2.08m tall, and 3.98m long.
- 2) A wooden shed type building measuring 3.8m wide, 2.18m tall, 3.90m long.
- 3) A compost toilet

And advised these structures to be require planning permission. The land owner was advised that the applicant seek pre-application advice or submit a planning application.

6. 2019 - Pre application enquiry made Ref 35836, but closed as the forms were not returned.

### **Consultations**

7. Highway Authority - No highway objections.
8. High Peak Borough Council – No response to date.
9. Chinley, Buxworth & Brownside Parish Council - The Parish Council has no objection to the development, and indeed supports this very worthwhile conservation project, but would suggest either a temporary permission or a condition to ensure that the structures are removed if and when they are no longer required
10. PDNPA Ecology - Given the relatively disturbed nature of the ground/habitat, and temporary nature of the facilities the ecological impact of these proposals is considered to be low.  
Advise that if temporary permission is granted then the site should be restored with woodland mix.

### **Representations**

11. None have been received.

### **Main Policies**

12. Relevant Core Strategy policies: GSP1, GSP2, GSP3, GSP4, DS1, L1, L2.
13. Relevant Development Management policies: DM1, DMC1, DMC3, DMC4, DMC11, DMC12, DMC13, DME1, DMT3.

#### 14. National Planning Policy Framework

15. The National Planning Policy Framework (NPPF) was published on 27 March 2012 and replaced a significant proportion of central government planning policy with immediate effect, the revised version was published in 2019. The Government's intention is that the document should be considered as a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. In the National Park the development plan comprises the Authority's Core Strategy 2011 and the Development Management Policies 2019. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and Government guidance in the NPPF.
16. Para 172. Of the NPPF states that 'great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads.'

#### Core Strategy

17. Policy GSP1 sets out the broad strategy for achieving the National Park's objectives having regard to the Sandford Principle, (that is, where there are conflicting desired outcomes in achieving national park purposes, greater priority must be given to the conservation of the natural beauty, wildlife and cultural heritage of the area, even at the cost of socio-economic benefits). GPS1 also sets out the need for sustainable development and to avoid major development unless it is essential, and the need to mitigate localised harm where essential major development is allowed.
18. Policy GSP3 sets out development management principles and states that all development must respect, conserve and enhance all valued characteristics of the site and buildings, paying particular attention to, amongst other elements, impact on the character and setting of buildings, scale of the development appropriate to the character and appearance of the National Park, design in accordance with the National Park Authority Design Guide and impact on living conditions of communities.
19. Policy L1 identifies that development must conserve and enhance valued landscape character as identified in the Landscape Strategy and Action Plan and other valued characteristics, and other than in exceptional circumstances, proposals in the Natural Zone will not be permitted. Amongst other things the valued characteristics identified for the purposes of the Core Strategy include: Natural beauty, natural heritage, landscape character and diversity of landscapes; sense of wildness and remoteness; thousands of years of human influence which can be traced through the landscape; distinctive character of hamlets, villages and towns; trees, woodlands, hedgerows, stone walls, field barns and other landscape features.

### Development Management policies

#### 20. DMC3 Siting, design, layout and landscaping states that:

Where development is acceptable in principle, it will be permitted provided that its detailed treatment is of a high standard that respects, protects and where possible enhances the natural beauty, quality and visual amenity of the landscape, including the wildlife and cultural heritage that contribute to the distinctive sense of place.

Particular attention will be paid to:

- (i) siting, scale, form, mass, levels, height and orientation in relation to existing buildings, settlement form and character, including impact on open spaces, landscape features and the wider landscape setting which contribute to the valued character and appearance of the area; and
- (ii) the degree to which buildings and their design, details, materials and finishes reflect or complement the style and traditions of the locality as well as other valued characteristics of the area such as the character of the historic landscape and varied biodiversity assets; and
- (iii) the use and maintenance of landscaping to enhance new development, and the degree to which this makes use of local features, colours, and boundary treatments and an appropriate mix of species suited to both the landscape and biodiversity interests of the locality; and
- (iv) access, utility services, vehicle parking, siting of services, refuse bins and cycle storage; and
- (v) flood risk, water conservation and sustainable drainage; and
- (vi) the detailed design of existing buildings, where ancillary buildings, extensions or alterations are proposed; and
- (vii) amenity, privacy and security of the development and other properties that the development affects; and
- (viii) the accessibility or the impact on accessibility of the development; and
- (ix) visual context provided by the Landscape Strategy and Action Plan, strategic, local and other specific views including skylines; and the principles embedded in the design related Supplementary Planning Documents and related technical guides.

#### 21. Para 4.13 of the Development Management policy document explains that in all cases, new buildings should only be designed with features and openings necessary for the operational use. Features that are not ordinarily required for such business use and are more commonly associated with other uses should be avoided.

#### 22. DME1 Agricultural or forestry operational development states that

A. New agricultural and forestry buildings, structures and associated working spaces or other development will be permitted provided that it is demonstrated to the Authority's satisfaction, that the building at the scale proposed is functionally required for that purpose from information provided by the applicant on all the relevant criteria:

- (i) location and size of farm or forestry holding;
- (ii) type of agriculture or forestry practiced on the farm or forestry holding;
- (iii) intended use and size of proposed building;
- (iv) intended location and appearance of proposed building;
- (v) stocking type, numbers and density per hectare;
- (vi) area covered by crops, including any timber crop;
- (vii) existing buildings, uses and why these are unable to cope with existing or perceived demand;
- (viii) dimensions and layout;
- (ix) predicted building requirements by type of stock/crop/other usage; and

- (x) contribution to the Authority's objectives, e.g. conservation of valued landscape character as established in the Landscape Strategy and Action Plan, including winter housing to protect landscape.
- B. New agricultural and forestry buildings, structures and associated working spaces or other development shall:
- (i) be located close to the farmstead or main group of farm buildings, and in all cases relate well to, and make best use of, existing buildings, trees, walls and other landscape features; and
  - (ii) not be in isolated locations requiring obtrusive access tracks, roads or services; and
  - (iii) 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
  - (iv) avoid adverse effects on the area's valued characteristics including important local views, making use of the least obtrusive or otherwise damaging possible location; and
  - (v) avoid harm to the setting, fabric and integrity of the Natural Zone.
23. The Authority's Landscape Strategy and Action Plan explains the site is within the Dark Peak Western Fringe within the 'Valley Pastures with industry' landscape character type.
24. It is described as *'a small scale, settled pastoral landscape on undulating lower valley slopes. There are filtered views through scattered hedgerows and dense streamside trees. Stone built terraced housing on lower slopes is associated with historic mills. There are dispersed gritstone farmsteads as well as small clusters of farms with associated dwellings. Pastoral farmland is bounded by hedgerows and drystone walls.'*
25. *Woodland exists as shelterbelts and often densely along streams and tributaries giving the impression of a well wooded landscape even though much farmland exists. There are scattered ancient woodlands throughout the character type such as around the western side of Shire Hill; these further contribute to the wooded nature of the landscape. Most woodlands are broadleaved and contain species such as oak, ash and sycamore. There is some coniferous plantation woodland such as around Dovestones Reservoir in the North of the area.*
26. *A priority in some parts of the landscape character type is to manage and enhance woodland and create new native broadleaved woodland.'*
27. The Authority's SPG Agricultural developments is also relevant as it also includes advice in relation to forestry.

## **Assessment**

### **Principle**

28. The Development Plan and other material considerations are generally supportive of forestry development, where it is necessary, provided it would not harm the amenities or valued characteristics of the area or the National Parks Landscape. Appropriate design, siting and landscaping is also required.
29. The woodland comprises 4.37 hectares. It is predominately covered with trees but there are some area of acid heathland with a cover of bilberry and heather.

30. The proposal explains that the previous owners, the Peak District National Park Authority planted thousands of trees but the woodland needs managing as many are close together and competing. The planning statement explains the Larch and Scots Pine are dominating the Oak and Ash.
31. A 5 year period is required for volunteers and the applicant to actively work on the woodland to bring the woodland ecology into a healthy state. The applicant says that this requires secure storage and a workshop for tools and on site resources. The ethos is forestry tree cropping with conservation overseen by ecologists.
32. The 5 year programme involves planting over 2000 trees and removing approximately 15 crop trees a year, which would be sold to resource the tools and new tree replacements.
33. By 2024 the intensive forestry work process is planned to be completed and at that point the work will be refocused on observation and recording of the ecological impact of the changes which will not require the workshop shed and container.
34. Whilst the conservation aims are admirable and encouraged, given the small size of the woodland and small number of trees being cropped we do not accept that the proposal is functionally required for the forestry purposes described. The proposal is therefore considered to be contrary to development management policy DME1.
35. We are also concerned that with the building having a log burner, it is intended as an amenity building. This is clearly contrary to para 4.13 of the Development Management Policies document which explains that development should be designed only with features and openings necessary for the operational use. Features that are not ordinarily required for such business use and are more commonly associated with other uses should be avoided. We have heard and understood that the log burner and flue are said to assist the volunteers warming up and drying out during the winter months. This provision however is considered to be beyond what is necessary for such a forestry project of this nature.
36. Had these structures been found to be acceptable then policy DM1 would require that they were removed when they are no longer required for the purposes of forestry.

Design / Sitting and impact on the character and appearance of the area.

37. The structures are sited close to the edge of the woodland, on a spur off the track. As it's open access land, they are open to public view from immediate vantage points. Their design is utilitarian in part, comprising a dark green painted container, a timber hut and composting toilet. The timber hut also has a log burner inside with stainless steel flue projecting from its roof. From near and medium views the buildings are apparent and have a detrimental impact on the undeveloped and tranquil nature of the National Park landscape.
38. In the summer the tree cover hides the structures from distant views but in the winter when the trees are not in leaf the buildings and flue are open to public view from more distant vantage points including from the A624 and from the Lamb Inn. In the winter months the eye is particularly drawn to the stainless steel flue as this is relatively obtrusive seen through the trees, and secondly the structures themselves are apparent and also obtrusive and have an unacceptable landscape impact.

39. The flue and structures appear incongruous and are discordant with the character of the woodland. They detract from the character of the woodland, and harm the character and appearance of the wider area by way of the introduction of the array of structures in the undeveloped open area of the national park.
40. The proposal is therefore contrary to core strategy policy GSP1, GSP3, L1, and Development Management Policy DM1, DMC1, DMC3 DME1.

#### Highways

41. The submitted planning statement explains that they do not intend to encourage car parking on the site or vehicular access. They intend to leave the gate closed as there is space for a car to pull off the road and park without entering the land. The statement explains that volunteers can cycle to the site or are picked up by car. They also explain there is a layby off Hayfield Road within close proximity where volunteers can leave their car if necessary and walk to the site. There are however no footways and the lay-by is some 300m north of the site entrance, although this would of course be preferable to visitors parking in the gateway/verge and having to make awkward and potentially dangerous manoeuvring/reversing movements back onto the busy A road.
42. We were concerned that the proposal would facilitate intensification on this access. However the highways Authority have not objected to the proposal and they are the lead authority on such matters so this position is accepted.

#### Amenity

43. There are no immediate neighbours. The visual amenity of the area is harmed by the proposal and so would be the feeling of wilderness and tranquillity that could otherwise be enjoyed on the open access land. These issues are captured by the second reason for refusal and the section above.

#### Conclusion

44. The proposed structures are not functionally required for the conservation forestry being undertaken in the woodland and the impact of the building is harmful to the character and the appearance of the area including the National Parks Landscape. The proposal is therefore contrary to the policies of the development plan and the NPPF.

#### 45. Human Rights

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

#### 47. List of Background Papers (not previously published)

48. Nil

49. Planning Officer – Steven Wigglesworth