

**7. FULL APPLICATION - ERECTION OF MIXED USE GARAGE, OFFICE, WORKSHOP AND STORAGE BUILDING ASSOCIATED WITH MOORLANDS FARM AT MOORLANDS FARM, MOORLANDS LANE, FROGGATT (NP/DDD/0421/0431 SPW)**

**APPLICANT: MR GRAHAME & MRS CLARE BROWN**

**Summary**

1. A mixed use garage, office, workshop and storage building is proposed at the site to provide amongst other things support to the farm diversification craft business associated with the use of the wool from the farm's livestock. Whilst there are a range of objections raised in this application having considered them the proposal is compliant with local and national policies. Additional information has been submitted over the course of the application to clarify some discrepancies on the plans and to show clearly and for the avoidance of doubt the route that construction traffic will take. These pieces of further information address directly some of the concerns raised in the objections and having considered the other material consideration these do not suggest that a decision should be made other than in accordance with the development plan.

**Site and Surroundings**

2. Moorlands Farm is a detached dwelling located in open countryside just north of the edge of Froggatt and outside of the designated Conservation Area.
3. The property which is a former range of stables and adjoining barn is constructed from natural gritstone and slate with timber windows and doors, and these are considered to be non-designated heritage assets. A stone outbuilding with permission for use as additional living accommodation is located within the curtilage. An area of hardstanding is located to the south east of the property which is currently used as parking for guests.
4. The property sits within 5 acres of land with a further 5 acres located away from the property on which the applicants keep a herd of pedigree Ryland sheep for sale as breeding stock, meat, wool and fleece production. The applicants also run a craft business making woollen items from the stock and let two bedrooms within the dwelling as bed and breakfast accommodation.
5. Access is along a driveway currently shared with the nearest neighbouring property known as Moorlands – a detached dwelling to the south of the application site.

**Proposal**

6. The proposal is the same as an application approved in 2017 which has now expired.
7. It proposes the erection of a mixed use building to provide parking space at ground floor for occupants and guests to the property and agricultural storage. The first floor of the building would be used as a studio and offices related to the craft businesses operated from the property.
8. The submitted plans show that the building would be erected on the area of hardstanding to the south east of the property. The building would provide three spaces for parking on ground floor along with storage / freezer and W.C. Internal stairs would provide access to proposed storage, office and studio at first floor.

9. Externally the building would appear as a one storey building with accommodation within the roof. The door openings would be under the eaves and face south. Two doors would be solid timber and two would be timber with vertical glazing. The building would be constructed from natural sandstone with natural stone slate roof, timber windows and doors and aluminium rainwater goods.

**RECOMMENDATION:**

**That the application be APPROVED subject to the following conditions -**

- 1. The development hereby permitted shall be begun within 3 years from the date of this permission.**
- 2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the following approved plans: drawing numbers '01' Rev B and '02' Rev C, PL\_02A and specifications, subject to the following conditions or modifications:**
- 3. Prior to the first occupation of the development hereby approved a detailed scheme for landscaping (including tree and shrub planting) shall be submitted to and approved in writing by the National Park Authority. Once approved, the planting shall be carried out within the first planting seasons following completion or occupation of the development. Any trees dying, being severely damaged or becoming seriously diseased shall be replaced within the next planting season with trees of an equivalent size and species or in accordance with an alternative scheme agreed in writing by the Authority before any trees are removed.**
- 4. Notwithstanding the approved plans, prior to the installation of the glazed vehicular door to the south elevation, full details of the door and glazing shall be submitted to and approved in writing by the National Park Authority. The details shall provide for 'hit and miss boarding' with vertically boarded timber with single recessed glazed panels between in a repeating pattern. The development thereafter shall not be carried out other than in complete accordance with the approved plans and shall be permanently so maintained thereafter.**
- 5. All door openings shall be provided with natural gritstone lintels and all window openings shall be provided with natural gritstone lintels and cills.**
- 6. The gutters shall be fixed directly to the stonework with brackets and without the use of fascia boards. There shall be no projecting or exposed rafters.**
- 7. The roof verges shall be flush cement pointed, with no barge boards or projecting timberwork.**
- 8. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015, (or any order revoking and re-enacting that order) the building hereby approved shall be used for a mixture of garaging, storage, office and studio as shown on approved plan drawing number '02' Rev C ancillary to Moorlands Farm and for no other purposes. The development hereby approved and the existing dwelling shall be retained as a single planning unit.**

9. **Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 (or any order revoking and re-enacting that order) no alterations to the external appearance of the building hereby approved shall be carried out without the National Park Authority's consent.**
10. **The garages shall remain available for use for garaging of vehicles at all times.**

### **Key Issues**

10. The key issues are:
11. The impact of the building upon the character, appearance and amenity of the existing buildings, their setting (including the non-designated heritage assets) within the landscape and neighbouring properties.

### **History**

12. 2011: Planning permission granted conditionally for covered entrance porch.
13. 2016: Planning permission granted conditionally for conversion and alteration of workshop outbuilding.
14. In 2017 Planning permission was granted for the same development being considered in the current application, this was granted subject to conditions.

### **Consultations**

15. Derbyshire County Council (Highway Authority) – No objection subject to all use remaining ancillary to Moorlands Farm.
16. Derbyshire Dales District Council – No response to date.
17. Froggatt Parish Meeting – No response to date.

## **Representations**

18. 7 Representations have been received, all of which are in objection to the proposal and raise the following issues –

- a. Concern that the proposal will increase the traffic levels on Spooner lane.
- b. There has recently been an increase in traffic along Spooner lane entering the field belonging to Moorlands Farm. Some larger vehicles have not been able to access the field due to residents cars parked and have caused damage to drystone walls. Hedgerows have been sprayed and cut back to widen the lane for these vehicles to enter the field.
- c. Concern over the safety of walkers on Spooner lane (it's a popular route carrying the Derwent Valley Heritage Way).
- d. Concern over construction traffic, followed on a regular basis by large vehicles such as caravans, camper vans and mobile homes.
- e. Applicant is already using Spooner lane for large vehicular access rather than his own drive. This has caused access problems for residents on Spooner Lane, damage to cars, drystone walls hedgerows and wildlife habitat.
- f. Impact on the privacy and residential amenity of the neighbouring property.
- g. Overbearing impact on the neighbouring property and only approximately 12m separation distance from the neighbours.
- h. Object to the second staircase and doorway on the west gable. This would overlook the front and side of the neighbour's property from an elevated position impact their privacy and amenity. The drawings are inconsistent as this feature is not shown on the elevation but is shown on the submitted layout.
- i. Inconsistency in the plans concerns over enforceability of any approval.
- j. Concern that this will result in other business activity not yet specified and that this will become the main business activity on the site and not be ancillary. Also concern that a planning condition stating that the building shall be used for ancillary purposes can not control this.
- k. Increased business activity would adversely affect the amenity of the neighbouring property particularly from noise and disruption impacts caused by the volume and type of traffic.
- l. We note that your policies do not support new build holiday accommodation. The proposed fenestration of the building could easily facilitate the use of this building as letting accommodation, circumventing this policy position.
- m. Concern over parking and turning space as currently some vehicles have to reverse onto moorlands lane from the site.
- n. Management of surface water.
- o. Impact on the neighbours electricity supply as their lines cross the site overhead.
- p. Concerns about where the construction compound would be located.
- q. Would like condition to ensure that construction traffic uses the applicants own drive off Moorlands lane rather than off Spooner lane.
- r. Use of the Spooner lane access could damage land drains.

## **Main Policies**

19. Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L1, L3 and E2

20. Relevant Development Management policies: DMC3, DMC5, DMC13, DMH7, DMH8, DMT3, DMT6, DMT8.

### National Planning Policy Framework

21. 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 July 2021. 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.
22. Para 176 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

23. 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.
24. Policy GSP2 says that opportunities for enhancing the valued characteristics of the National Park will be identified and acted upon, and opportunities will be taken to enhance the National Park by the treatment or removal of undesirable features or buildings.
25. 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.
26. Policy L1 identifies that development must conserve and enhance valued landscape character and valued characteristics, and other than in exceptional circumstances, proposals in the Natural Zone will not be permitted.
27. L3 deals with heritage assets including Conservation Areas, the setting of listed buildings and Scheduled Monuments and requires that development must conserve and where appropriate enhance or reveal the significance of the heritage assets and their settings. Other than in exceptional circumstances development is not permitted that is likely harm the significance of a heritage asset.
28. Core Strategy Policy E2 is relevant for business development in the countryside. On farmsteads E2 permits small scale business development provided that it supports an existing agricultural business responsible for land management provided that the primary business retains ownership and control of the site and building. Development Management Policy DME2 is also relevant for farm diversification development. The most relevant parts include the following - A. Development will be permitted if there is clear

evidence that the new business use will remain ancillary to the agricultural operation of the farm business, meaning that the new business use is a subsidiary or secondary use or operation associated with the agricultural unit. B. New buildings may be permitted if the proposed development cannot be appropriately located in existing buildings of cultural heritage significance, or in other buildings which remain appropriate within the farm building group. D. New or expanded buildings for non-farming uses that generate income to support the farm business will be permitted provided there is no net harm to any valued characteristics of the building group or valued landscape character as evidenced by the Landscape Strategy and Action Plan. E. Where proposals for farm diversification are otherwise acceptable, the Authority will consider removing permitted development rights to limit the range of uses permissible, where to do so would be necessary, reasonable and consistent with national policy.

### Development Management Policies

29. Development Management Policy DMC3 deals with siting, design layout and landscaping and requires that where development is acceptable its detailed treatments are to a high standard that respects, protects and where possible enhances the natural beauty, quality and visual amenity of the landscape, including and cultural heritage. Amongst other things it pays particular attention to the degree to which buildings and their design, details, materials and finishes reflect or compliment the style and traditions of the locality as well as other valued characteristics and the principles embedded in the design related SPDs.
30. Development Management Policy DMH7 and DMH8 deal with extensions and outbuildings serving a dwelling. An extension/alteration of this type would not be permitted if it detracted from the character, appearance or amenity of the original building its setting or neighbouring buildings or if it dominates the original dwelling. DMH8 amongst other things explains that the use of the building will be restricted through conditions, where necessary.
31. DMC5 Assessing the impact of development on designated and non-designated heritage assets and their settings.  
Planning applications for development affecting a heritage asset, including its setting must clearly demonstrate: (i) its significance including how any identified features of value will be conserved and where possible enhanced; and (ii) why the proposed development and related works are desirable or necessary.  
The supporting evidence must be proportionate to the significance of the asset. It may be included as part of a Heritage Statement or Design and Access Statement where relevant. If applicants fail to provide adequate or accurate detailed information to show the effect of the development on the significance, character and appearance of the heritage asset and its setting, the application will be refused.  
Development of a designated or non-designated heritage asset will not be permitted if it would result in any harm to, or loss of, the significance, character and appearance of a heritage asset (from its alteration or destruction, or from development within its setting), unless:  
(ii) for non-designated heritage assets, the development is considered by the Authority to be acceptable following a balanced judgement that takes into account the significance of the heritage asset.

## 32. SPDs

33. The Authority's 'Design Guide' and 'Detailed Design Guide for Alterations and Extensions' has been adopted as SPD following public consultation and therefore is a material consideration.
34. The 'Design Guide' (para 7.14) explains that garages need to be designed and built in sympathy with the properties they serve. Materials and roof pitch should generally match those of the parent building. And the 'Detailed design guide for alterations and extensions' has further detail on the design of garages (3.24 – 3.29). It also includes details about separation distances for extensions and outbuildings on page 19 explaining for 1.5 story building the minimum separation distance for front or rear to a blank gable or boundary is 12m.

### Assessment

#### Principle

35. An application for the same development was approved in 2017 and has since expired. This application includes the previously approved plans and some further detail on where construction traffic will access the site. However this application needs to be determined on its individual merits and assessed against the development plan of the time.
36. There have been changes in the development plan since the previous application were determined, as the Development Management Policies (2019) replaced the Local Plan (2001). Informal pre application advice has been that these changes are unlikely to affect the principle of the proposal. The previous proposal was determined under delegated powers, there has been significantly more local interest in this application, and this is why this proposal is no longer able to be determined under delegated powers.
37. This application proposes a mixed use building to provide domestic parking / storage space along with space related to farm diversification proposals related to an existing agricultural business run from the property.
38. Relevant policies are supportive in principle of both domestic development and business development of a small scale which supports an existing agricultural business.
39. The applicants run an agricultural business at the property along with a small scale craft business (alongside bed and breakfast letting). The stated intention is to increase the scale of the agricultural business and alongside it the craft business for which the proposed office, studio and storage is proposed.
40. In principle therefore the proposed uses are considered to be acceptable subject to appropriate conditions to restrict the specific use remaining ancillary to and within the same planning unit as Moorlands Farm as required by Development Management Policy DME2 and Core Strategy Policy E2.

#### Design and amenity

41. The design of the building reflects a large domestic garage with openings under the eaves on the southern side. There has been a minor discrepancy on the plans with some confusion over the precise design. This has been clarified with the submission of a replacement plan which is the same as the previously approved scheme and does not have an external staircase or opening on the gable end facing the neighbouring property.

42. Concerns have been raised in the representations about the scale and massing and impact on neighbouring property as well as the external stair and opening enabling overlooking.
43. As per the previously approved application officers consider that on balance the scale and mass of the building is acceptable and would be read as part of the wider group of buildings and not visually intrusive or dominant when viewed with the existing property or neighbouring property. The amended plans have clarified that there is no external staircase proposed, which hopefully should allay the objection raised to those elements.
44. Officers consider having reviewed the proposal against current development plan policies that in general the proposal is in accordance with the policies of the development plan and will not harm the amenity of neighbouring properties.
45. The detailed design and materials of the building is generally speaking of a high standard and reflective of the local vernacular. Glazing is proposed within one of the larger openings and while there are no objections to glazing in principle the detailing proposed is considered to be un-resolved with varying widths and pattern of glass and wood. Hit and miss with an equal pattern would be a more appropriate alternative (one board and one glazed panel and so on) and it is considered necessary for this detail to be required by condition.
46. Subject to the above and to conditions to secure appropriate detailing it is considered that the proposed design is acceptable and in accordance with adopted design guidance.
47. Perhaps because of the discrepancies between the submitted plans concerns have been raised that the development would be unneighbourly due to its size and the location of openings and that the proposed use could generate noise and disturbance which could harm amenity.
48. The amended plans show that the proposal is the same as that approved. The neighbouring property is located 14.6m away at the nearest point given the scale and massing and detailing of the proposed building officers consider that the impact on the neighbouring property will not be harmful to their amenity. The amended plans also show the external steps and door opening removed leaving a blank gable facing the neighbouring property.
49. Given the amendments provide clarity and and the distance to the neighbouring property Officers are satisfied that the development would fall within adopted design guide minimum separation distances and having visited the site consider that subject to the amended plans that the development will not result in any loss of privacy or light or be overbearing to any neighbouring property. The proposed screen planting would further act to break up and soften the solid gable when viewed from the neighbouring property.
50. Given the scale of the proposed business use and that numbers of visitors and deliveries would be low it is considered that any additional noise and disturbance from activity would not be significant.
51. Alterations to the building could potentially undermine the design and the addition of windows in the gable facing the neighbouring property in particular could harm privacy. Therefore it is considered that there are exceptional circumstances to remove permitted development rights to allow the Authority to control alterations to the building in the future.



### Heritage Assets

52. The design and access statement identifies the existing dwelling is formed from a range of stables and an adjoining barn which were previously part of the Frog Hall estate. As stated earlier these are non-designated heritage assets. We consider that the heritage information included with this application only lightly covers the heritage issues. But a balanced view is taken on this given that the same development were approved in 2017 and in conclusion we consider the design is to a high standard that will not harm the setting of these non-designated heritage assets, in that respect the information is proportionate given the planning history. The proposal is therefore considered to be in accordance with Core Strategy policy L3 and development management policy DMC5.

### Trees

53. The building would potentially impact upon the root protection areas of two trees to the north. The plans show that these trees are to be retained but that the apple tree would be reduced. Neither of these trees is important in the wider landscape and therefore in principle there would be no overriding objection to their removal subject to appropriate replacement planting. If permission is granted a condition requiring the detail of planting to be carried out would be recommended so that appropriate species can be secured (the submitted plans state that new planting is to be confirmed).

### Surface water and foul waters.

54. Surface water from the development would be to soakaways which is acceptable. Foul sewerage would use the existing septic tank which is also acceptable.

### 55. Highways

56. It is noted that there has been concern raised of the route construction traffic will take as well as whether an access off Spooner Lane will be used in general for the development.
57. In particular much of the concern related the use of an access off Spooner lane. The submitted site plan shows the access off Moorlands Lane. An amended plan 'PL 02 A' has been submitted to show the route construction traffic will take and the location of storage compounds. The access shown is the existing access to the house off Moorlands Lane.
58. Planning conditions can secure the amended plans insofar as the details shown for construction traffic.
59. The plans do not show a new access proposed from Spooner Lane and there is not known to be an access suitable for carrying vehicular traffic from Spooner Lane to the site. Such creation or upgrading of a track would likely require planning permission in its own right and would need to be assessed on its own merits if such a development were proposed. So concerns of an increase in permanent activity along Spooner Lane from this development are not considered to warrant refusal of this application as the access shown is from Moorlands Lane.

### Environmental Management

60. There are solar panels on the existing dwelling, and the planning statement explains that the building will use stone and slates from local quarries or reclaimed from local accredited demolition contractors.

### Other matters

Some concern has been expressed in the representations in relation to proposed future uses of the building, in particular holiday let is mentioned. Such a proposal would require planning permission and would need to be determined on its individual merits against the development plan policies of the time. Therefore such a concern about a future use should not warrant a reason for refusal of this application, which needs to be determined on its own merits.

### Conclusion

61. In the absence of any further material considerations the proposed development is therefore considered to be in accordance with the development plan. There is no conflict between the plan and the National Planning Policy Framework and therefore the application is recommended for approval subject to conditions.

### 62. Human Rights

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

64. List of Background Papers (not previously published)

65. Planning Officer – Steven Wigglesworth, Planner