

9. FULL APPLICATION – ERECTION OF AGRICULTURAL BUILDING AT HURST NOOK COTTAGE, DERBYSHIRE LEVEL (NP/HPK/0322/0394, AM)

APPLICANT: MR GORDON HANDLEY

Summary

1. This application was deferred from June Committee at the request of members for further information which has been incorporated into this report along with plans and site context photographs which will be incorporated into the officer presentation at the meeting.
2. The site is located in open countryside on Derbyshire Level, south-west of Glossop.
3. The application proposes the erection of an agricultural building and track. Works have been undertaken outside this application site area between the road and the field gate which will be followed up separately.
4. The application demonstrates that the building and track are required for agriculture. The proposed building and track would not harm the valued characteristics of the National Park.
5. The application is recommended for approval, subject to conditions.

Site and Surroundings

6. The site is located in open countryside on Derbyshire Level, south west of Glossop. The site is within agricultural fields to the north and north west of the applicants house Hurst Nook Cottage.
7. The site and adjoining fields are open pasture bounded by drystone walling. The fields slope down away from Derbyshire Level. The nearest neighbouring properties are Hurst Nook Croft and Hurst Nook Farm to the south of the site.
8. There is an existing field access to the site. Construction works appear to have recently taken place and are underway on site including alterations to the access and construction of a track through the field. These works appear to be unauthorised but are outside the application site area and will be followed up by officers separately to the current application.

Proposal

9. The erection of an agricultural building and construction of a track to the existing field access to Derbyshire Level. As stated above the works to the access including alterations to ground levels, erection of retaining wall and fencing recently taken place fall outside the scope of this application.
10. The agricultural building would be sited in the field to the north west of Hurst Nook Cottage adjacent to an existing stable. The building would measure 11m by 5m, 3.5m to eaves and 4.7m to ridge. The walls would be clad with tanalised timber cladding and the roof clad with dark brown coloured sheeting.
11. The proposed access track would run across the field to the north to the building from the existing field gate (the position of which has not been affected by the works to the access itself) to terminate with a turning area within the field and immediately north of the gable end of the proposed building. Amended plans show the track would be formed using 'cut and fill' on the sloping ground and would now comprise two wheel runs

surfaced with natural gritstone chippings either side of a grass strip. Plans also indicate new tree planting to break up the outline of the new building and screen the proposed turning area.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions

- 1. Statutory time limit.**
- 2. In accordance with specified amended plans subject to the following conditions and/or modifications;**
- 3. Tanalised timber boarding for the walls to be left untreated to weather naturally.**
- 4. Sheeting to the roof colour finish (slate brown).**
- 5. Track to be surfaced with natural gritstone and with grass central strip specified to be min 1m wide and permanently so maintained.**
- 6. No external lighting to be installed other than in accordance with a detailed scheme that shall first have been approved in writing by the National Park Authority.**
- 7. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 the use of the building hereby approved shall be restricted to agriculture only (as defined in section 336 of the Town and Country Planning Act 1990) and for no other purpose including any change of use otherwise permitted within the Order.**
- 8. When the building hereby approved is no longer required for the purposes of agriculture it shall be dismantled, removed from the site and the site shall be restored to its original condition.**
- 9. Submit and agree precise details of tree planting scheme and carry out within winter 2022/3 planting season or first available planting season following the layout of the turning area.**

Key Issues

- Whether there is an agricultural justification for the proposed development.
- The visual and landscape impact of the proposed building and track.

Relevant Planning History

12. 2021: NP/HPK/1121/1240: Planning application for erection of agricultural building withdrawn prior to determination.
13. The above application proposed the agricultural building adjacent to the field access. Officers advised that this site was unacceptable because the building would be sited away from the group of existing buildings in a prominent location adjacent to the highway. Officers therefore advised that the building be re-sited with a traditional gritstone track from the field access. The current application has been submitted following Officer advice.

Consultations

14. Parish Council – Object to the application for the following reasons.

- The hillside to the west of Derbyshire Level is prominent in views from Shirebrook and Brownhill. Hurst Nook Cottage and the adjacent farm and related buildings have seen a range of developments which have steadily encroached on the hillside at the edge of the National Park.
- The application should be refused on the grounds of its effect on the amenity of the area. The access road is particularly prominent. It is of a scale and type inappropriate in a rural location and a prominent position in a National Park.
- The access Road which forms a dangerous entry onto Derbyshire Level, also removes the informal layby there, which is an important local amenity for walkers and others.
- If permission were granted a condition should be included preventing the conversion of the barn to other uses.

15. Highway Authority – No objection.

16. District Council – No response to date.

Representations

17. None to date.

Main Policies

18. Relevant Core Strategy policies: GSP1, DS1, CC1, L1 and L2

19. Relevant Development Management policies: DMC3 and DME1

National Planning Policy Framework

20. The National Planning Policy Framework (NPPF) 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 our 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. There is no significant conflict between prevailing policies in the development plan and the NPPF and our policies should be given full weight in the determination of this application.
21. Para 176 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.'

Peak District National Park Core Strategy

22. Policy DS1 sets out the Development Strategy for the National Park. Agricultural development is acceptable in principle in the open countryside outside of the natural zone.

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 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.
25. Policy CC1 states that development must make the most efficient and sustainable use of land, buildings and natural resources, taking into account the energy hierarchy and achieving the highest possible standards of carbon reductions and water efficiency.
26. Policies L1 and L2 require development to conserve and where possible enhance the landscape and biodiversity of the National Park. Development which has a harmful impact should not be approved unless there are exceptional circumstances.

Development Management Policies

27. Policy DMC3. A says 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.
28. Policy DMC3. B sets out various aspects that particular attention will be paid to including: siting, scale, form, mass, levels, height and orientation, settlement form and character, landscape, details, materials and finishes landscaping, access, utilities and parking, amenity, accessibility and the principles embedded in the design related SPD and the technical guide.
29. Policy DME1 is directly relevant and says:
 - 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.

Assessment

Principle of the development

- 30. Policy DS1 allows for agricultural development in principle. Policy DME1 is directly relevant and requires applications to provide information to demonstrate that the proposed development is functionally required. If development is justified then DME1 B. requires buildings to be well sited, not require obtrusive tracks, respect the design, scale and mass of existing buildings and building traditions and avoid harm to the valued characteristics of the area.
- 31. Agricultural development is accepted in principle reflecting the role of farming in managing the landscape of the National Park. Nevertheless, modern farm buildings can have a significant landscape impact and therefore our policies require applications to provide sufficient justification for development bearing in mind our statutory duty of conserving landscape and scenic beauty. Where development is justified care is required for design and siting.

Agricultural justification

- 32. The application is supported by a planning statement which includes an agricultural justification required by policy DME1. A. The agricultural holding is relatively small extending to just over 2Ha on which the applicant currently farms 60 sheep. There are currently no agricultural buildings on the land and the applicant intends that the proposed building would be primarily used for storage of agricultural machinery, fodder and to accommodate livestock when required.
- 33. The appraisal does demonstrate that while the holding and agricultural business is modest there is a functional requirement for a small building primarily to store equipment and fodder.
- 34. If permission were granted, we would recommend planning conditions to require that the building is demolished and removed when no longer required for agriculture in accordance with policy DMC1. C. We would also recommend a planning condition be imposed to remove permitted development rights for change of the use, bearing in mind that that the building is only acceptable in principle for agricultural purposes.
- 35. The design of the building is simple and reflects the functional need for storage of machinery and fodder and would also be suitable for accommodating livestock when required. Therefore, we consider that the application does demonstrate that the proposed building is functionally required for agricultural purposes in accordance with policy DME1. A.

Impact of development

36. The proposed building would be sited adjacent to the existing group of buildings formed by the existing dwelling, its garden, outbuildings and stable. The siting of the building follows Officer advice given previously. The concerns raised by the Parish Council are noted, however, the proposed site would minimise the additional visual impact of the building by ensuring that it is sited close to the existing building group. The building would therefore be read as part of the group rather than an isolated new structure and minimise visual and landscape impact. It would also only require a minimal amount of cut and fill in equal amounts to a maximum change of 400mm.
37. The proposed site would be located away from existing mature trees on site so that any adverse impacts on trees and protected species can be ruled out. The fields are improved grassland and therefore the development would not harm any designated habitat or protected species.
38. The building would be a modest size with a pitched roof. The buildings on site and in the local area are traditional design with slate roofs. Modern agricultural buildings are generally not built from traditional materials but are designed with pitched roofs. The proposed design would be an acceptable subject to planning conditions to secure the colour and finishes of the proposed external materials and doors. Therefore, the building is in accordance with policy DME1.B (iii).
39. Concerns about the impact of the works to the access and new track are understood. These works appear to have commenced without planning permission. We are concerned about some of the works to the access, particularly the new timber fence and timber clad retaining wall, however, these works fall outside of the scope of this planning application and will be dealt with as separate matter.
40. The track is part of this planning application and is required to facilitate siting the building adjacent to the building group due to ground levels and poor access at Hurst Nook Cottage itself. Works to construct the track have commenced and currently ground works and spoil piles along the track length are prominent in the landscape. However, the proposed track when completed would have a relatively short length and logical route to the proposed building.
41. Additional plans have been submitted at a larger scale since the June Committee meeting to better illustrate how the track would be constructed using 'cut and fill' to minimise changes to ground levels. The change in level halfway down the track to form the track surface would be a narrow area of 400mm deep with a larger area of 500mm fill which would transition down the slope to meet natural field level over a distance of 2m. Nearer to the gateway the submitted photograph shows the transition back to the natural slope level would be over a longer section.
42. The section through the proposed turning area and driveway down beside the building would require a maximum cut for the drive of 500mm into the top side of the bank and where the turning area was sited, a maximum fill is needed of around 650-700mm. This fill area would be tapered back to existing ground levels from the edge of the turning space over a 4.5m length down the slope to the natural field level (7m overall fill width up to drive and transition point where the cut into the slope begins). Officers are satisfied that the changes in slope can be accommodated successfully on this hillside without landscape harm and photographs from the agent since the last meeting demonstrate the minimal visual impact of even the partially constructed track.

43. The track would have a traditional gritstone surface and once completed would weather to a traditional 'cart track' which would have a very limited visual and landscape impact and reflect other tracks within the local area. The agent has taken on-board the suggestion to accelerate this traditional final appearance with the addition from the start of a grassed strip down the centre line. A condition is therefore suggested to achieve this at an appropriate 1m min width to best mitigate the landscape impact.
44. In addition the plans now show new tree planting immediately below the building and the edge of the turning area which would further mitigate the visual impact of the building and the turning area. A small grouping of trees here on the edge of the building group would be appropriate in landscape terms. No detail of precise species are shown but a condition is suggested to agree the details. Therefore, despite the concerns from the Parish Council, on balance, the proposed building and track are considered to be acceptable. If permission were granted planning conditions would be recommended to ensure that the track is constructed as proposed with a gritstone surface and grassed central strip 1m wide.
45. External floodlighting would be a further landscape concern in such an exposed hillside location and therefore a condition is suggested to prevent any external lighting other than in accordance with details that may be agreed in advance by the Authority.

Other Issues

46. The development would utilise an existing field access. Concern is raised about loss of a layby, however, this development would not affect the layby. The proposal does not affect the position of the existing field access and we agree with the Highway Authority that the proposal does not raise any highway safety issues given the proposed agricultural use.
47. Given the position of the proposed building and track and distance to neighbouring properties, there are no concerns that the development would harm the amenity, privacy or security of any neighbouring property.
48. Given the type and size of the building proposed there are limited opportunities to limit energy and water use. The application proposes to install water butts and we welcome the proposed use of sustainably sourced timber. In the context of the scheme the proposals are acceptable and in accordance with policy CC1.

Conclusion

49. The application does demonstrate that the proposed building is functionally required for agricultural purposes in accordance with Core Strategy policy DS1 and Development Management policy DME1 A.
50. The proposed building and amended track details are acceptable subject to the above mentioned conditions to control the proposed construction, materials, finishes and landscaping. The proposals are therefore in accordance with policy DME1 B. The development would not harm highway safety or the amenity of neighbouring properties.
51. Therefore, having taken into account all material considerations, including matters raised in representations we consider that the development is in accordance with the development plan. The application is therefore recommended for approval, subject to conditions.

Human Rights

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

List of Background Papers (not previously published)

53. Nil
54. Report Author: John Keeley – Area Planning Manager