

Equestrian Design

PLANNING APPLICATION

For the erection of a replacement barn for the storage of implements and equipment and the housing of animals, to Ellibancke Farm, Redmoor Lane, New Mills, Derbyshire.

SUPPORTING INFORMATION AND DESIGN AND ACCESS STATEMENT

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Introduction:

This application essentially constitutes a revised resubmission of application 'HPK/2012/0313' which was previously refused by way of delegated decision by High Peak Borough Council on the 20th July 2012, a decision upheld on appeal (APP/H1033/A/12/2180900). Fundamentally however this resubmission seeks permission for a much smaller building which is not materially larger than that which it seeks to replace. This resubmission has respected the conclusions of the recent appeal decision for the land. It also responds to proactive and positive pre-application advice received from the local planning authority in response to a revised proposal whilst determination of the appeal was still pending.

The replacement barn is still required to support the establishment and subsequent running of a smallholding on the wider land. The scale of this small-holding has now been reduced slightly to more closely align with that which could be supported by the storage and operational limitations of the now proposed replacement barn. Notwithstanding this the replacement barn still relates to meeting essential needs genuinely required to support the working of the wider land and as such is therefore still for a similar use to that which can lawfully be made of the existing one. This was accepted by the Inspector during the recent appeal as evidenced by paragraph 6 of his decision report (APP/H1033/A/12/2180900):

"6. In terms of the existing structure, at my site visit I observed that it is in poor condition, consisting mainly of an open timber frame and corrugated roof. It is likely that it had an agricultural use at some time and I observed that it was being used for the storage of straw. I am therefore satisfied that the proposed replacement barn would be in a similar use, but it would be significantly larger."

The Inspector further identifies, at paragraph 5 of their decision report, that in order to ensure that the building would be used for housing livestock and the storage of hay, feed, fertiliser and agricultural plant and machinery, a planning condition could be used to provide the necessary assurances that the building would be used for the intended agricultural purposes.

This revised application is once again submitted on behalf of the applicant by Equestrian Design. It is evident, based on the aforementioned reasoning, that this revised proposal must now be regarded as appropriate development within the Green Belt and as such that it is, in principle at least, acceptable. This supporting statement seeks to demonstrate that the revised proposal is acceptable in all other regards and that as such planning permission should be forthcoming without delay.

Proposal Context:

The application site was acquired by the applicant in December 2010. The farm was already registered as a small holding (albeit that it had not been recently operational as a small holding, but it has been used for the grazing of cattle and the growing of hay) and alongside the main residence, Ellibancke Farm, is ideally suited to operation as a small holding.

At the time of purchase, the house and land (including the boundary treatments) were both in very poor and run down condition. It has long been the intention of the applicant to reinstate the previous agricultural activity at the site and rejuvenate the land as a successful small holding employing purely organic principles, and the applicant has already undertaken a significant programme of investment in order to realise this ambition.

Planning approval has since been granted to alter and extend the main dwelling, with these works having now been essentially completed. The house as it was before was of poor design, with insensitive flat roof additions, and had suffered from years of neglect. Investment has transformed the property into one which is more balanced and appropriate in design terms consequently leading to a much improved appearance of the wider area.

Work has also progressed with improvements to the wider site and significant improvements have been made to the land, and there are plans for the boundary treatments. Having suffered from years of neglect, hedging gaps are to be replanted, collapsed areas of dry stone wall boundaries are to be rebuilt, many of the fenced boundaries and gates within the site are being repaired or replaced in their entirety and much of the 'yard' area immediately adjacent to the building the be replaced has been cleared of debris and the vegetable growing area has also been dug over and increased in size, in preparation for the fast approaching planting season. Over 400m of field drainage has been replaced, and the land has been fertilised; a new water trough facility, fed by a natural stream has been installed in the field to provide live stock with water. These efforts have focussed specifically on once again enabling the site to function as an operational small holding.

An existing building on the site, which evidently as accepted in the recent appeal previously fulfilled agriculture purposes, is in a rundown condition and hence poor state of repair. Many of the structural elements that remain of this building are rotten, the roof leaks and the side panels of the building have been lost over time. The overall condition of the building is such that it is not practical, nor viable to retain it or use it for livestock as it is not weather proof and is in danger of collapse.

It is this building which this application once again seeks to replace with a new building the intended purpose of which is to provide animal housing alongside fulfilling the implement and equipment storage requirements of the smallholding. No alternative storage option is available on the wider land.

Securing approval for the replacement barn is regarded as fundamental in establishing the holding as a self sustaining enterprise. Given that work on the house is now almost completed (work is due to be completed at the end of April), only the absence of the proposed storage building is precluding the small holding from being properly established.

Rationale for the Proposal:

The wider application site, which extends to approximately 7 acres, was successfully registered as a small holding in August 2011 and assigned a unique County Holding Parish number by Defra's Rural Payments Agency. Proof to this effect is appended to this supporting information by way of a copy of the letter of relevance from the Rural Payments Agency, which confirms that the Farm is registered as a rural business and has a Farmer Single business identifier of 118145878, a vendor number of 563128 and a County Parish Holding number of 09/150/02120.

In previous submissions the local planning authority asserted that the land in question had not yet been registered with them for rates purposes as anything other than residential. This owed simply however to the applicant not yet having moved on to the site and as such not yet having properly commenced the operation of the small holding. To date the applicant do however keep a small herd of sheep (40) on the land, but since there is no suitable shelter at Ellibanke Farm they have to leave site in February and return in April to allow lambing to take place safely. Now that the applicant is in a position to properly establish the smallholding their intention is to reduce the number of sheep kept on the land to no more than 15 in number, which will then allow the applicant to keep and breed goats (max 5) a small number of rare breed organic beef cattle (max 3 or 4) rare breed pigs and a flock of hens (20). The numbers of animals have been reduced from those shown in the previous application, due to the reduction in building size. The applicant also intends to increase the size of the vegetable growing area, to approximately double its current size.

It is anticipated that the sheep will achieve a lambing rate of 110%, producing their lambs in March/April each calendar year, with the lambs being sold in the late summer/autumn. The goats will produce their young at a slightly lower rate than this, at around 75% and the intention is also to breed from the beef cattle. The variation in types and numbers of livestock, hens and vegetables at the farm will allow the applicant to maintain a sustainable rolling income from the agricultural enterprises

throughout the year. This scale of operation will equate consistently throughout the year, alongside all other activities of maintaining the land, to in excess of the 0.5 standard labour requirement employed by DEFRA in their agricultural census and small-holding definition.

The size of the animal herd and subsequent care needs for this and the wider land is importantly considered to factually constitute 'agriculture' and is of a scale which is clearly beyond the scope of 'hobby farming'. This notion was accepted by the Inspector during the recent planning appeal (APP/H1033/A/12/2180900). Whilst the operation of the land will not constitute the primary source of income for the applicant, the holding will operate to seek to derive a small profit and hence to generate an economic output from the land in question. The livestock on site will be bred to sell for slaughter although some of the weaned animals may be sold to other rare breed farms. It is also the intention of the applicant to sell surplus eggs from the hens and vegetables to local retail shopping outlets and farmers markets, with initial enquiries generating strong interest in these products. The hens on the land will also provide a much-needed service for the applicant whilst scratching for food on the fields, as they also scratch through the manure left by the animals, which in turn helps to maintain the organic principles of the farm.

The proposed building has been designed to be fit for purpose with regards to modern day agricultural practises and with regards to the applicant's specific needs, the building will fulfil storage, animal welfare and security needs. As already mentioned a planning condition can be attached to any forthcoming approval to provide assurances the building will be used for the intended and accepted (by the Inspector) agricultural use.

The new building is to comprise of a single open area within its envelope, the primary purpose of which will be for the housing of animals during the greater part of the year. The goats will need to have access to shelter at all times and will be inside all year round (particularly at night time). The cattle will need to be kept inside during the worst of the winter weather (for welfare and pasture management reasons) and at various times throughout the year the building will also be used for temporary pens for lambing, calving and also during shearing and dipping time or when other specific animal welfare tasks such as inoculations or vaccinations dictate so. The land has been organically maintained for several years and so is species rich and needs to be protected from poaching during wetter weather.

In addition to the need for animal housing, there is also a need for under cover and vermin secure storage of hay and straw, organic feed, organic fertiliser and some of the farming plant, equipment and materials.

There is currently no intention to grow, cut and make hay, on the land, and so the intention is to buy hay in from approved organic suppliers when required. The hay also requires storage in a waterproof environment on the site. The ability to do so is growing in importance as drier and warmer spring climates continue to drive up prices. Space will also be required for the storage of different types of feed and feed supplements for the hens, beef cattle, goats and the sheep.

With regards to plant and equipment, storage needs relate to housing a small tractor together with agricultural implements such as a small trailer, small grass topper, chain harrow, roller and other ancillary agricultural tools and equipment (fencing materials and equipment, chainsaw, brush cutter, shovels, spades, wheelbarrows and general small hand tools the like) that are used on the existing land – all of which need to be kept in a secure, waterproof building.

It is not financially sustainable to keep and maintain permanent larger plant and equipment that may be required to carry out task such as the spreading of manure etc. and so as with the sheep dipping and sheep shearing, the applicant will employ external contractors to carry out these sorts of tasks as and when required. These specific activities serve to demonstrate the wider economic benefits of the proposal.

The nature of the smallholding is such that flexibility is paramount in that the precise use of the available space will vary throughout the year primarily according to the specific animal needs at a given point in time. Whilst this revised and reduced scale of building presents a challenge in this regard, the applicant is confident that by potentially reducing the number of animals it was originally intended to keep on the land, and adopting innovative management approaches to other aspects of the enterprise, the available space will prove adequate. Evidently however the applicant will need to manage the space carefully throughout the year, continually prioritising agricultural needs and activities.

Site Context:

The application site directly abuts the northern boundary of the defined curtilage of the applicant's home, Ellibancke Farm House. Ellibancke is no longer a working farm and no longer entails any operational yard or range of outbuildings. The application site does not however constitute an isolated form of development being clearly grouped with a small cluster of other buildings on Redmoor Lane which are primarily residential in nature.

A narrow wedge of open land to the west and north separates this cluster from the settlement of New Mills. To the west is a wider wedge of green land which separates the cluster from the A6 and associated ribbon development along its length. To the south is rolling and open countryside.

The application site and associated grouping, whilst outwith the Local Plan defined settlement boundary of New Mills, are in such close proximity that in reality they function as part of the village as opposed to constituting an isolated out grouping in their own right. This notion is reinforced in visual terms when the site is viewed from the east and south, being set against the 'built environment' backdrop of New Mills. The same is true, but to a lesser extent, when viewed from the northwest owing to the distant backdrop of the settlement of Furness Vale and ribbon development associated with the A6.

The application site evidently comprises its own planning unit which is distinct from the adjacent farm house. The site, which has clearly defined limits in boundary terms and is therefore well contained, is considered to have a strong degree of affinity with the adjacent grouping of buildings and hence built environment as opposed to open rolling countryside. This notion is well demonstrated when the site is viewed from the north or west given the clearly visible roofscape beyond.

The Proposal – Design Principles:

Proposed building

The proposed barn is to be single storey in nature, with a shallow pitched roof, and has been designed to take on a traditional and low key agricultural guise. The building will primarily be constructed from timber, on a block concrete base, with the walls to be pressure treated shiplap boarding stained dark in colour. The roof will comprise of corrugated roof sheets in a dark colour, with opaque rooflights. This approach will ensure that the building does not constitute a conspicuous feature and hence that it does not appear out of character within the wider landscape; a notion accepted by the Council and the Inspector during the recent appeal, as evidenced by paragraph 10 of the appeal decision (APP/H1033/A/12/2180900):

"10. The Council has accepted that the proposed use of timber walling and dark corrugated roof would be an improvement on the appearance of the existing barn and that it would not be out of keeping with the character of the Dark Peak settled valley pastures. I agree that the use of the proposed materials would be acceptable to the character of that part of the Dark Peak area, in accordance with the recommendations in the Landscape Character Supplementary Planning Document (SPD).

The sole reason the recent appeal was dismissed, as paragraph 10 of the decision note proceeds to make clear, was because the previously proposed barn:

“would be higher and have a significantly greater internal floor space than the existing structure that it would replace. In such a prominent location on the hillside, this increase in scale would harm the character and appearance of the countryside.”

Given that this revised proposal seeks to replace the existing barn within the broad parameters of its size and volume, in the same location and respecting essentially the same footprint, such an approach would evidently not give rise to the same concerns. Consequently the siting, form and position of the proposed barn is not considered to cause harm to the openness and visual amenities of the Green Belt, nor constitute encroachment into the countryside.

Whilst the form of the building is slightly different to that of the existing one, it must be acknowledged that such an approach is legitimately necessary to ensure the new building is fit for purpose within the context of modern day practises and site specific requirements of the smallholding. Whilst the existing barn is largely open in character this owes to the side panels having been incrementally lost over the years as opposed to having been designed in this way. As such the closed nature of the new building, coupled with the need for such an approach being evidently justified in the preceding sections, should not go against the proposal. This notion was evidently not challenged by the local planning authority or Inspector through the course of the previous refusal or appeal.

In conclusion, and put simply, the proposed barn will clearly not entail a greater presence in the landscape in comparison to that which it proposes to replace.

Access

Whilst the current arrangements on the site are clearly run down and haven't all been used for some time, the applicant is keen to maintain the type of arrangements that have previously been in use on the site, with access being available to the main element of the barn from the northern side. Therefore there will be no need or requirement to provide any new access points onto the highway.

Traffic generation

The proposal will not give rise to any noticeable and importantly material increase in the volume of trips to and from the site. The equipment to be stored within the building relates to the agricultural enterprises that will be carried out on the site and so in this regard will not generate off-site movements.

Surface Water Run Off / Drainage

The existing building does not appear to have an underground surface water system present to deal with any rainwater produced from the roof. Any rainwater produced from the downspouts of the new building will be drained into a new system, which in turn will be harvested and re-used on the farm, to both minimise the environmental impact of the farm and also help to maintain the organic principles on which the small holding is now based.

Security

Security is not a substantial concern for the applicant, as the building will be situated in a position so that it is in clear view of the windows of the house at all times. It is the intention to fit an alarm to the building and good quality locks are also intended to be fitted to the doors, not least for insurance purposes.

Climate Change

The use of the existing public transport links already in existence to the property, will be unaffected by this proposal. All the surface water drainage is to be harvested and re-used on the enterprise and as such it is not expected to have any detrimental effect on the surrounding water courses or drainage arrangements.

Flood Risk

The property and field are not situated in a known flood risk area and are recognised as such by the Environment Agency and therefore there is no significant risk of flooding.

Trees

As indicated within the submitted information, there are trees in close proximity to the building. The provision of the new building will not result in the loss of any trees and the storage of any building materials during the construction process is to be kept a minimum of 3m away from any trees in the area

Conformity with the Development Plan:

The Development Plan currently comprises of those saved policies from the High Peak Local Plan which was adopted in March 2005. Given adoption of the Local Plan was post 2004, the recently introduced (March 2012) National Planning Policy Framework (NPPF) makes clear that full weight can be afforded to saved policies within for a 12 month transitional period. It must be recognised however that the basis upon which some of the saved policies were founded, no longer remain relevant owing to the changes in national policy introduced by the NPPF.

Assessment against the Development Plan Proposals Map identifies that the site is within the designated Green Belt and furthermore within a wider area designated as a Special Landscape Area. As such Local Plan policies OC1, OC2 and OC3 are considered pertinent in establishing the acceptability or otherwise of the principle of the proposal. Owing to the nature of the proposal OC6 is also considered pertinent.

Policy OC2 identifies that within the Green Belt

“approval will not be given, except in very special circumstances, for the construction of new buildings for purposes other than:

- agriculture and forestry;*
- essential facilities for outdoor sport and recreation and cemeteries;*
- limited extension, alteration or replacement of existing dwellings;*
- limited infilling or redevelopment at existing major developed sites”*

and advises that

“Development within or conspicuous from Green Belts should not injure the visual amenities of the Green Belt.”

Policy OC2 was founded on the former national guidance on Green Belts in the form of PPG2. Whilst the NPPF carries forward the key tenets of Green Belt objectives unchanged, it does add, at paragraph 89, to the list of circumstances when the erection of a new building is deemed to be appropriate to include:

- “the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building; and*
- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.”*

The Inspector with regards to the recent appeal in relation to the previous proposal on the land accepted at paragraph 7 of their decision report that (APP/H1033/A/12/2180900):

“Although I have found that the replacement barn would be materially larger than the one it replaces, a suitable planning condition would ensure that it would be used for agriculture. As such, it would represent one of the exceptions given in paragraph 89 of the Framework, and the proposal would therefore not be inappropriate development for the purposes of Section 9 of the Framework.”

This notion evidently remains unchanged.

The proposal must now be further regarded as appropriate development within the Green belt by virtue of the fact that it relates to the replacement of a building, in the same use and not materially larger than the one it replaces. Such a notion draws support from paragraph 6 of the recent appeal decision (APP/H1033/A/12/2180900):

“6. In terms of the existing structure, at my site visit I observed that it is in poor condition, consisting mainly of an open timber frame and corrugated roof. It is likely that it had an agricultural use at some time and I observed that it was being used for the storage of straw. I am therefore satisfied that the proposed replacement barn would be in a similar use, but it would be significantly larger.”

In conclusion the proposal evidently complies with the NPPF and must be regarded, in principle at least, as appropriate development within a Green Belt setting.

Local Plan Policy OC1 ‘Countryside Development’ identifies that:

“Within the Countryside, Planning Permission will be granted for development which is an integral part of the rural economy and which can only be carried out in the Countryside provided that individually or cumulatively:

- the development will not detract from an area where the open character of the countryside is particularly vulnerable because of its prominence or the existence of a narrow gap between settlements; and*
- the development will not generate significant numbers of people or traffic to the detriment of residential amenity, highway safety, landscape or air quality or otherwise have an unacceptable urbanising influence; and*
- the development will not have a significant adverse impact on the character and distinctiveness of the countryside”*

The proposal is considered to comply with Policy OC1 primarily because it relates to the replacement of an existing building for the same end use as opposed to the introduction of a wholly new building and use. Given that the proposal is part of wider efforts to rejuvenate and bring back into beneficial use a small-holding which through years of neglect has fallen into a significant state of disrepair, it is considered that the proposal should be acknowledged as positively enhancing the character and distinctiveness of this area of the countryside.

Importantly it must also be acknowledged, again alongside the wider efforts on the land, that from an economic perspective the proposal seeks to support a prosperous rural economy through reinvigorating a land-based use rural enterprise. This is

particularly evident whereby the enterprise will employ external contractors to carry out a range of tasks such as manure spreading, sheep shearing, animal inoculations etc. which whilst not significant in economic terms must, particularly within the context of the NPPF, nevertheless be regarded as a material consideration in favour of the proposal.

With regards to Local Plan Policy OC6 'Agricultural Development in the Countryside', this identifies that:

"Planning permission will be granted in the countryside for development required for agricultural purposes, provided that;

- The scale of development is appropriate to the agricultural need; and*
- The development is designated and sited such that it does not cause significant harm to visual or residential amenity, or local landscape character; and*
- Buildings will be demolished if no longer required for agricultural purposes in prominent or isolated locations and in other locations if an acceptable alternative use cannot be found."*

Preceding sections of this report have sought to provide detailed justification for the proposal, which is now confined in any event to replacing the existing building on the site. Retaining the same siting and orientation as the building which is to be replaced will help to ensure that the development does not materially increase any effect on local landscape character, as elaborated to further in the design section of this statement.

Finally Local Plan Policy OC3 'Special Landscape Area Development' states that:

"Within the Special Landscape Area defined on the proposals map, development in accordance with policies OC1 and OC2 will be permitted, provided that it will not detract from the special qualities and character of the Special Landscape Area.

Where development is permitted in the Special Landscape Area the developer will be required to have special regard to the landscape quality of the area in relation to siting, design and landscaping."

In response to this it should be noted that the proposal is considered to comply with Local Plan Policies OC1 and OC2. Furthermore, owing to the aforementioned reasoning, it is not considered that the proposal will in anyway detract from the landscape character but conversely, alongside the wider improvements being made to the land, help enhance landscape quality and the proposal is therefore considered

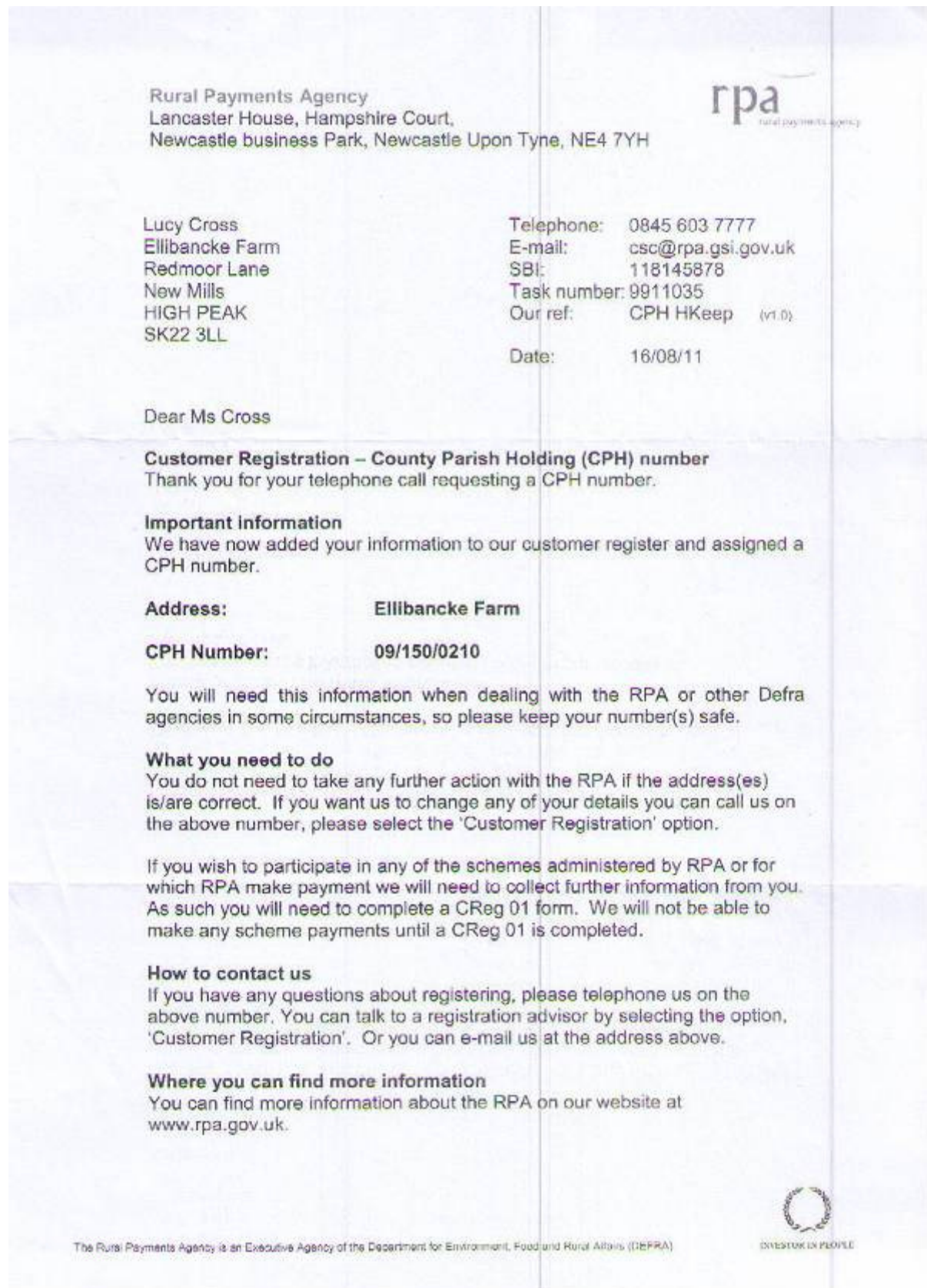
to be appropriate in principle in that it evidently complies with key Development Plan policies of relevance.

Conclusions:

The proposed replacement barn is evidently acceptable in principle because it conforms with the requirements of the statutory Development Plan and specifically those provisions which relate to governing development within the Green Belt.

As opposed to adversely impacting the openness or visual amenity of the Green Belt in this locality, the proposal also includes the removal of an extremely run down and dilapidated building already present on the site, which is genuinely considered to result in positive environmental enhancements which should reaffirm support for the proposal.

In conclusion the proposal is, based on the extensive reasoning set out within this report, considered appropriate, acceptable and in accordance with all national and local policies of relevance and as such, it is our belief that a recommendation of approval should be forthcoming. Whilst it is accepted that pre-application advice is given entirely without prejudice, it should also be noted that this submission seeks to positively respond to the concerns underpinning previous refusals for similar proposals on the land, based on positive and proactive discussions with the local planning authority and the outcome of the recent appeal.



Appendix 2 – Various photographs of the site



View of the existing building from the north, with the old animal pens in the foreground.



View of the existing building from the south, from Redmoor Lane.



View of the existing building from the west, from Redmoor Lane, with the hedges in the foreground



View of the existing building from the north east, with the existing vegetable patch in the foreground.



View of the existing building from the field