

DELEGATED DECISION REPORT

HPK/2020/0511
Valid 29/04/2021

28 RHODES TOP
PADFIELD
GLOSSOP

RETROSPECTIVE
APPLICATION FOR A LEAN
TO STABLES FOR MUCK
TRAILER STORAGE

(FULL - MINOR)

MAIN ISSUES

- Principle of Development & Green Belt
- Design, Character and Appearance
- Amenity

DESCRIPTION OF SITE

The application relates to an existing single storey stable block and access track to the rear of No.28 Rhodes Top, Padfield outside of the domestic curtilage of the property which was firstly approved under HPK/2007/0661 and amended under HPK/2008/0546.

The stable block has a 'L' shaped form finished in timber with a corrugated pitched roof and is served via an access that extends southwards beyond the side elevation of No.28 Rhodes Top beyond a field access gate which is constructed from concrete. The stable block stands on a concrete base and at the time of a site visit has been extended to the east in the form of a secondary open timber canopy with corrugated sheeting added to the boundary with the adjacent agricultural field.

For the purposes of the local development plan, the site lies outside of the built-up area boundary in the open countryside and within the Green Belt.

PROPOSAL

The application seeks retrospective consent for the timber canopy that has been added to the existing stables without planning consent. The application has been submitted following a complaint made by a member of the public and subsequent enforcement investigation.

The canopy is constructed from timber, has a flat roof, and spans a width of 4.6m and a depth of 6.8m which is consistent with the existing stable block. The canopy is used to store manure from the adjacent field and is protected from the elements on its eastern side with corrugated sheeting.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Section 38(6) of the Planning and Compulsory Act 2004 requires proposals to be determined in accordance with the Development Plan taking into consideration any material considerations relevant to the determination of the application.

The Local Development Plan for this site comprises the High Peak Local Plan (2016). Adopted Supplementary Planning Guidance documents and the National Planning Policy Framework (NPPF) are also material considerations in determining applications.

High Peak Local Plan 2016

- S1 Sustainable Development Principles
- S1a Presumption in Favour of Sustainable Development
- S2 Settlement Hierarchy
- S5 Glossopdale Sub-area Strategy
- EQ3 Rural Development
- EQ4 Green Belt Development
- EQ6 Design and Place Making

Revised National Planning Policy Framework 2019

- | | |
|-----------------------------------|------------|
| Achieving Sustainable Development | Chapter 2 |
| Achieving Well Designed Places | Chapter 12 |

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

- | | |
|---------------|--|
| HPK/2007/0661 | Four Stables (one To Be Used As A Tack Room And Feed Store) Small Flag Yard At Front And Path From Gate To Stables (Approved 10/10/2007) |
| HPK/2008/0546 | Resubmission Of HPK/2007/0661 To Reposition Timber Stable Block Of 3 Stables And One Tack/storage Room Built On A Concrete Base Allowing One Metre Access Path Round Stables And Hardstanding Yard (Approved 10/11/2008) |

CONSULTATIONS

Publicity

Site Notice expiry date: 8th June 2021
Neighbour consultation period ends: 31st May 2021
Press Advert: N/A

Public Comments

One objection has been received which centres on the building of a structure on Green Belt land.

Town / Parish Comments

N/A

OFFICER COMMENTS

Principle of Development & Green Belt

The application seeks permission for an extension to an existing lawful structure used for equestrian purposes on a site that lies outside of the built-up area boundary within the open countryside and in the Green Belt. The application is therefore subject to Local Plan (LP) Policies EQ3 and EQ4 and relevant restrictive policies contained under Chapter 13 of the NPPF relating to Green Belt development.

LP Policy EQ3 refers to rural development proposals which lie outside of the defined built-up area boundaries and seeks to ensure that new development is strictly controlled in order to protect the landscape's intrinsic character and distinctiveness. The policy supports equestrian related development where it does not have an adverse impact upon the character and appearance of the area.

LP Policy EQ4 relates to Green Belt development and requires all development proposals in the Green Belt to be assessed in line with national policy, which are set out under Chapter 13 of the NPPF.

Paragraph 143 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 144 of the NPPF goes on to state that local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Paragraph 145 of the NPPF sets out the exceptions to where the construction of new buildings are regarded as inappropriate development. These exceptions 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"

The original building is defined within the NPPF as the building as it stood on 1st July 1948 or alternatively if built after this date the building as it stood in its original form. The building has only recently been built following the granting of permission in 2008 and has not been the subject of any extensions or alterations beyond those proposed within this application.

There is no definition either with the Local Plan or indeed within the NPPF as to what constitutes 'disproportionate additions' over and above the original building. As such, each application should be judged on its own individual merits having regard to specific characteristics of the site and the proposed development.

The existing stable block is shown to have an approximate floor area of 65m² and an approximate volume of 175m³. The proposed canopy is shown to cover an area of 25m² and volume of approximately 60m³, albeit with the canopy displaying an open character on its front elevation. These figures equate to an increase in approximately 30% in both floor area and overall volume.

Having regard to the above figures, the open characteristics of the proposed structure and its subordinate relationship with the existing stable block, being sited on the same area of existing hard standing, it is considered that the proposed development will not result in disproportionate additions over and above the original building and as such complies with LP Policy EQ4 and relevant restrictive policies under Chapter 13 of the NPPF.

As such, the principle of development can be supported provided the application can demonstrate that the proposal will not result in any harm to the character of the rural area and compliance with all other material considerations.

Design, Character and Appearance

LP Policy S1 sets out a number of sustainability principles which all new development proposals should incorporate in order to make a positive contribution towards the sustainability of communities and to protect, and where possible enhance the environment.

LP Policy EQ3 refers to rural development proposals which lie outside of the defined built-up area boundaries and supports equestrian related development where it does not have an adverse impact upon the character and appearance of the area.

LP Policy EQ6 states that all development should be well designed to respect and contribute positively to the character, identity and context of High Peak's townscapes, in terms of scale, height, density, and layout.

Paragraph 127 states amongst other things that decisions should ensure that developments will add to the overall quality of the area; are visually attractive as a result of good architecture; and are sympathetic to the surrounding built environment.

The proposal relates to additional extension of a lawful equestrian stable block in the form of a timber canopy that is bounded on its eastern side by corrugated sheeting, which the applicant has informed is there to protect manure that is stored under the canopy from the elements. The concrete panels below are there to prevent the stored manure from being flooded, given the topography of the site.

The proposed canopy is constructed from a similar albeit slightly different coloured wood to that of the stable block and is considered to be broadly in keeping with the existing character and appearance of the building. The corrugated sheeting combined with concrete breeze blocks is, combined with the timber canopy, is considered to be typical of a rural location and in the absence of any public footpaths in the vicinity would not result in any harm to the overall character appearance of the

rural landscape, in accordance with LP Policies S1, EQ3 and EQ6, and relevant paragraphs under Chapter 12 of the NPPF.

Amenity

LP Policy EQ6 requires all new development to have a satisfactory relationship with existing land and buildings and protects the amenity of the area, which includes residential amenity of neighbouring properties. Aspects of residential amenity include impacts such as a loss of sunlight, overshadowing and overbearing impacts, loss of outlook, and loss of privacy.

Paragraph 127 states that planning should create places with a high standard of amenity for existing and future users.

The application relates to an additional canopy that is used in conjunction with a well established stable block, and is located approximately 35m from the nearest neighbouring residential property on Rhodes Top. Given the existing lawful use of the site and the distance to nearby residential properties, it is not considered that the introduction of a proposed canopy would result in any further impacts to the amenity of residential properties over and above that which currently exists, and as such the application is considered to comply with LP Policy EQ6 and paragraph 127 of the NPPF.

CONCLUSION / PLANNING BALANCE

LP Policy S1a reflects the presumption in favour of sustainable development set out within the National Planning Policy Framework (NPPF). It states that planning applications that accord with relevant policies in the Local Plan will be approved without delay.

Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development. For decision taking, this means approving development proposals that accord with an up-to-date development plan without delay; or, where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission, unless:

- the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

This retrospective application has been found to comply with all relevant local development plan policies and all other material considerations, which includes relevant restrictive policies relating to Green Belt development contained under Chapter 13 of the NPPF. The application is therefore found to constitute a sustainable form of development, and in line with LP Policy S1a and paragraph 11 of the NPPF is recommended for approval subject to appropriate conditions.

OFFICER RECOMMENDATION : Approve with Conditions

Case Officer: James Stannard

Recommendation Date: 24th June 2021

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council