

DELEGATED DECISION REPORT

DET/2022/0019
Valid 06/12/2022

EDGEMOOR FARM
BISHOPS LANE
BUXTON

GENERAL PURPOSE
AGRICULTURAL BUILDING

(AGRICULTURAL/FORESTRY
DETERMINATION)

MAIN ISSUES

- Whether the details submitted in support of the application allows Prior Approval to be granted in relation to the siting, design and appearance of the permitted agricultural building, having regard to Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (the 'GPDO')

DESCRIPTION OF SITE

The application relates to a small area of land adjacent to a cluster of existing agricultural buildings that are associated with Edgemoor Farm, Bishops Lane, Buxton. A review of the planning history shows that Edgemoor Farm has been referred to by Officers as an "*established agricultural enterprise*".

The agricultural unit covers a large area of some 710 acres, with some 210 acres farmed by the applicant (Agricultural Holding No. 09/128/0054). A previous application under HPK/2019/0470 for a general purpose agricultural building to house, feed, and lamb sheep and to store fodder and implements was approved to the north of the site.

The specific site subject to this application is located outside of the well designed cluster of buildings, and beyond a mature of trees/natural vegetation to the west of the main large agricultural building.

The site lies in the open countryside in the 'Moorland Fringe' Landscape Character Area, and within the catchment of the River Wye which forms the Peak District Dales Special Areas of Conservation (SAC).

PROPOSAL

Having received a formal Decision Notice from the Local Planning Authority confirming that the proposed agricultural building complies with the relevant parameters of Schedule 2, Part 6, Class A of the GPDO, but that Prior Approval is required as to the siting, design and appearance of the building, the applicant is seeking approval of these details.

To support the second part of this application, the following plans and documents are the subject of assessment within this report:

- Cover Letter
- Site Notice Images
- Location Plan
- Block Plan
- Plans and Elevations (Ref: EDMO/PP/05/001)
- Cover Letter Landscape Details
- Landscape Layout (Ref: M3639-PA-01-V1)
- Landscape and Visual Commentary (Ref: M3639-LVC-02.23-V1)
- Section Drawings

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

High Peak Local Plan 2016

- S1 Sustainable Development Principles
- EQ2 Landscape Character
- EQ3 Rural Development
- EQ6 Design and Place Making

Supplementary Planning Documents

Landscape Character Assessment SPD (2006)
Design Guide SPD (2018)

National Planning Policy Framework

Achieving Sustainable Development	Chapter 2
Achieving Well Designed Places	Chapter 12

CONSULTATIONS

Publicity

Site Notice expiry date: 13th February 2023
Neighbour consultation period ends: N/A
Press Advert: N/A

Public Comments

None

Natural England

No objection. Natural England consider the proposed development will not have a 'relevant effect' on the Peak District dales SAC and consider no further application is necessary. As per Regulation 76 (4), please consider this letter as notification of our

opinion. As your authority remain the competent authority under the regulations, we advise you to record your decision that a likely significant effect can be ruled out.

Despite a likely significant effect on the Peak District Dales SAC being ruled out, it is our preference that surface water drainage from all new roofs, converted roofs, new hard surfacing etc. should be dealt with on site in a sustainable way by means of Sustainable Drainage Systems (SuDS), incorporating systems to clean the water. Guidance on sustainable drainage systems, including the design criteria, can be found in the CIRIA SuDS Manual (2015) C753.

OFFICER COMMENTS

Whether the details submitted in support of the application allows Prior Approval to be granted in relation to the siting, design and appearance of the permitted agricultural building, having regard to Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (the 'GPDO')

The Local Planning Authority issued a Decision Notice on 28th December 2022 confirming that the proposed agricultural building was permitted, but that Prior Approval was required with regards to the siting, design and appearance.

This second report considers the plans and further information submitted in support of the proposed agricultural building, and, having regard to relevant local and national planning policies and other supplementary planning guidance, whether such details are acceptable.

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 EQ2 seeks to protect, enhance and restore the landscape character of the Plan Area by requiring development to have particular regard to maintaining the aesthetic and biodiversity qualities of natural and man-made features within the landscape, and that are sympathetic to and are informed by the distinctive landscape character areas as identified in the Landscape Character Supplementary Planning Document.

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 agricultural development which helps sustain existing agricultural enterprises including new buildings, that maintain landscape quality and character of the countryside.

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, having regard to matters of scale, height, density, layout, appearance and materials.

The Landscape Character Assessment SPD (2006) identifies that the site lies within the 'Moorland Fringe' LCA. Guidance for larger development within this area includes siting buildings (properties) being nestled into the moorland side below the summit. In addition, new buildings should be kept as small as practically possible and reflect the scale, proportions and form of existing traditional farm buildings.

Paragraphs 3.2 of the Design Guide SPD (2018) states that in the countryside or on the edge of settlements, buildings should sit comfortably in the landscape.

Paragraph 130 of the NPPF 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 proposed siting and orientation of the proposed agricultural building, together with the proposed dimensions and visual appearance have not altered since the original submission.

Officers were of the view that Prior Approval was required due to the high sensitivity of the rural landscape and that the building would be situated on the edge of the existing farmstead in a prominent position in the rural landscape, and the potential for adverse landscape and visual impacts.

The application is supported by a detailed Landscape Plan, Landscape and Visual Impact Assessment, prepared by Barnes Walker, and Section Drawings.

In determining that Prior Approval was required, Officers have already concluded that the scale, massing and height of the proposed building is commensurate with its proposed function and use and is found to be acceptable.

The Landscape and Visual Impact Assessment is comprehensive and throughout and assess the impact from a number of sensitive receptor points. The key conclusions of this document are set out below:

Landscape Impacts

- *The building would result in some cut and fill engineering works that would result in the loss of existing vegetation on the boundary*
- *The planting of a hedge will help assimilate the proposed building and the wider existing farmstead and their landscape setting*
- *Proposed building is consistent with the overriding pattern of development within the study area, reiterated by the fact that the proposed building will be located adjacent to an existing agricultural barn, and close to existing barns and farm buildings*

Visual Impacts

- *Consideration of a number of publicly accessible views has ascertained that the site is partially visible from relatively short to moderate distance views (circa 500m) located upon higher ground to the west*
- *Due to local topography, only the upper section of the proposed building would be partially visible and intervening vegetation located closer to viewer filters view in some cases. This will vary on seasonal basis and therefore the proposed building and the existing farmstead will have a reduced level of prominence when vegetation is full leaf*
- *As they become more established, the proposed hedgerow and associated tree planting will in time, help to improve the assimilation of the proposed and existing built form on the farmstead into views experienced from sensitive, elevated locations to the west*
- *The site is not visible to the east due to its location along the western elevation of the existing barn. Existing woodland to the north screens views looking southwards. There is no publicly accessible land to the south where any meaningful views of the proposed building would occur*
- *The building is considered to be an appropriate form and materiality and will be sited adjacent to an existing barn, connected with an existing farmstead cluster. As a result, the proposed building will be consistent with the visual character of the surrounding landscape.*

The document concludes by stating that the proposals are not expected to result in any tangible adverse landscape and visual effects, and that in the longer term, the proposed hedgerow and tree planting to improve the assimilation of the proposed and existing farm buildings into their landscape setting.

At the request of Officers, Section Drawings have been submitted which show the finished floor levels of the proposed agricultural building, its relationship with the existing cluster of buildings that make up the farmstead, and the extent of the cut engineering operations that arise from the siting of the building in this location.

Having regard to this additional information, the initial concerns raised by Officers in making a judgement as to whether Prior Approval is required in the first instance have been satisfied by the comprehensive and detailed landscape and visual impact assessment and supporting layout and section plans.

The building would be set into the landscape which aligns with the supplementary design guidance that applies to the Moorland Fringe LCA and the rural landscape more widely, being constructed of materials that are appropriate for its function and use, and typical of agricultural buildings. As previously stated the scale and height of the building is considered to be acceptable.

The soft landscaping proposed would satisfactorily mitigate any immediate impacts on the landscape resulting from the extensive cut operations. However, having regard to the likely impacts from nearby visual receptors set out within the LVIA, it is clear that from middle and longer distance views, the impacts would be negligible.

It is recommended that appropriate conditions are applied to this consent, that includes details of how the significant volumes of earth that will be removed as a result of the proposed construction will be dealt with either on or off site, in the form of a Construction Method Statement, and compliance conditions regarding the implementation of the soft landscaping as shown on the Landscape Plan.

Subject to these conditions, it is considered that following a detailed assessment of the proposed development, having regard to the additional plans and information submitted, prepared by suitably qualified professionals, the siting, design and appearance of the building is acceptable with regards to its scale, height, massing and visual appearance, and would preserve the immediate and wider rural landscape character, in line with Local Plan Policies S1, EQ2, EQ3 and EQ6, relevant Supplementary Design Guidance, and paragraph 130 of the NPPF.

Other Matters

Nutrient Neutrality

The site lies within the catchment of the River Wye which forms the Peak District Dales Special Area of Conservation (SAC). The Council has been notified that action must be taken to address exceedances of phosphorus in the River. As such, the Council cannot grant consent for development unless it can rule out “likely significant effects” on the SAC. A Habitats Regulations Assessment (HRA) will be required when the plan or project creates a source of water pollution or has an impact on water quality and when it is within the catchment of the SAC. Initially, a screening assessment will be required to consider if “likely significant effects” (alone or in-combination) on the SAC can be ruled out. If not, this will be followed by an “Appropriate Assessment” where the impact of the plan or project is considered in detail.

Assessment

The proposed agricultural building would result in an increase in surface water runoff and as such comments have been sought from Natural England. Detailed comments have confirmed that with regards to foul water drainage, nutrient neutrality does not apply to this development.

With regards to Surface Water, Natural England have acknowledged that the proposals are associated with an existing agricultural practice and do not include any hardstanding other than the roof, with water from the roof having a low risk of pollution, in comparison to other forms of water pollutants derived from hardstanding and urban areas. The comments conclude by stating that the proposed development will not have a ‘relevant effect’ on the Peak District Dales SAC and consider that no further work or mitigation is necessary.

In light of these comments, Officers are satisfied that the proposed development can be granted without any harm to the SAC. However as recommended by Natural England a condition will be imposed requiring details of how surface water will be dealt with.

OFFICER RECOMMENDATION : **Prior Approval Required and Approved**

Case Officer: James Stannard

Recommendation Date: 3rd May 2023

X 

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council