

## DELEGATED DECISION REPORT

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HPK/2024/0018  
Valid 01/02/2024

LAND AT TAWNY GATE  
COWLOW LANE  
COMBS

NEW SAFE/FEED SHELTER  
TO FIELD FOR DARTMOOR  
SHEEP AND NEW ACCESS  
GATE INTO FIELD

(FULL - MINOR)

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### MAIN ISSUES

- Impact on countryside
- Highway safety

### DESCRIPTION OF SITE

The application site comprises a pasture field that is situated on the northern side of Cowlow Lane between Dove Holes and Combs. The land is rolling countryside. A traditional dry stone wall forms the boundary with Combs Lane. Footpath 44 adjoins the eastern boundary of the field where there is currently an existing field access and stile.

The opposite side of Cowlow Lane is within the Peak District National Park. The site itself is not subject to any special or protected landscape designations.

### PROPOSAL

It is proposed to erect a field shelter to the south eastern corner of the field. It is also proposed to install a new field access gate.

The field shelter comprises a three sided timber structure with a roof. It measures 7.5m long and 3.6m wide and height of 2.4m.

The field access proposes a removing 4m of walling to insert a five bar timber gate, which would be recessed by 1.3m to allow for a pull-in area which also facilitate the opening of the gates.

### RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

#### High Peak Local Plan 2016

S 1 Sustainable Development Principles  
S 1a Presumption in Favour of Sustainable Development  
EQ 3 Rural Development  
EQ 6 Design and Place Making  
CF 6: Accessibility and Transport

## **Chapel- en-le-Frith Neighbourhood Plan**

Section 5 relates to the countryside but none of the NP policies are applicable to the proposal.

## **National Planning Policy Framework**

Chapter 15 – Conserving and enhancing the natural environment

## **SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS**

None

## **CONSULTATIONS**

### **Publicity**

Site Notice expiry date: 07.03.24

Neighbour consultation period ends: 07.03.24

Press Advert: 07.03.24

### **Public Comments**

None received

### **Town / Parish Comments**

No Objection

## **Derbyshire County Council Highways**

No objections on highways safety grounds and a condition is recommended:

*The Development hereby approved shall not be brought into use until the access, parking and turning facilities have been provided as shown on drawings PL03 P2 and PL05 P1.*

## **Derbyshire County Council Public Right of Way**

Comments: FP 44 was poorly digitised as it is outside the 4.5metre buffer normally given to field boundary paths. As the current wall has likely been built within the last 20 years, this has added a new boundary enclosing the path . All these factors have led to the line of FP 44 appearing off track. But as the Parish claim supports the original line as being against the field boundary, we will be sending a digital map correction request to correct the line of the path to be against the field boundary.

## **OFFICER COMMENTS**

### **Principle of Development**

The proposal relate to agricultural and the site is in a countryside locality where there are strict controls on development. The site is understood to be a small holding so does not benefit from permitted development rights under the GPDO Class 6 for holdings over 5 hectares.

The proposals therefore need to be considered in the context of local plan policy EQ 3 Rural Development. The policy is generally supportive of agricultural related development subject to their being no adverse impact on the character and appearance of the rural environment.

The proposed development is considered modest in scale and necessary for agricultural purposes. Whilst the site is very open, its impact in the landscape will be minimal as it has been sensitively located in the front corner of a field so that it is partly obscured by the stone wall. The site is adjacent to the National Park Boundary but no objection has been received from the PDNPA. The proposed materials are timber which is considered appropriate to the rural locality. As such there would appear to be no policy conflict with policy EQ 3.

### **Design & Amenity**

The proposed materials are timber which is considered appropriate to the rural locality. There would be no adverse impact on residential amenity as a result of these proposals. The proposals therefore satisfy the requirements of policy EQ 6.

### **Highway Safety**

#### New access

Cowlow Lane is a narrow single track road that connects Dove Holes with Combs there are a limited number of passing bays along the lane. The introduction of a new access will break up the wall which is continuous along most of Cowlow Lane. However, the occasional field access gate is a regular feature of the rural environment so is not considered incongruous.

The Highway Authority were consulted on the proposal and are satisfied that the access has been designed in safe manner and accordingly raise no objection subject to the imposition of a condition. Accordingly, the access is considered acceptable and complies with policy

#### Public Right of Way

Footpath 44 lies adjacent to site boundary but its access will not be impeded by the proposals. DCC PROW were consulted about the application and have commented about its digital alignment and that an inner fence may be erected to separate the footpath from the site.

## **CONCLUSION / PLANNING BALANCE**

The proposals relate to the site's agricultural use and are considered both necessary and appropriate. The site is located in countryside and adjacent to the national park boundary but the proposals are not considered to have an adverse impact on the landscape. The Highway Authority are satisfied that the new access is safe and raise no objection. Accordingly the proposals are considered to satisfy local plan policies S 1, EQ 3, EQ6 and CF6 and the NPPF and the proposals are recommended for approval.

**OFFICER RECOMMENDATION :    Approve**

**Case Officer: Rosie Dinnen**

**Recommendation Date: 04.04.24**

X *B.S. Haywood*

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Signed by: Ben Haywood

**On behalf of High Peak Borough Council**