



PLANNING STATEMENT

AGRICULTURAL ACCESS AND TRACK
LAND WEST OF UPPER BLINDLOW LANE

Mr R Jackson

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Prepared by
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INTRODUCTION

- 1.1 GFW (Planning, Architecture and Development) have been instructed by Mr R Jackson (the 'Applicant') to submit a retrospective planning application for an agricultural access and agricultural track, off Upper Blindlow Lane, Flagg, Buxton ('the Site').
- 1.2 The access is located on the west side of Upper Blindlow Lane. From here the agricultural track then follows the field boundaries across several fields (in the applicant's ownership) to link with an existing agricultural track which then connects with 'The Ditch - an unclassified road between the A5270 (Old Coalpit Lane) and the intersection of Main Street, Marston, and Phippenwell Road, Chelmorton'.
- 1.3 The land is agricultural and as such benefits from permitted development rights under Schedule 2, Part 6, Class A, of the Town & Country Planning (General Permitted Development) (England) Order 2015, as amended. However, the development requires a full planning application as the prior notification process was not utilised before the works commenced.
- 1.4 Having regard to section 38 (6) of the Planning and Compulsory Purchase Act 2004, this planning statement considers the application's conformity with the Development Plan, relevant national planning policy and other material considerations.
- 1.5 In addition to this statement, the application also comprises the following;
 - Site location plan
 - Existing site plan
 - Proposed site plan
 - Ecology survey and BNG Matrix
- 1.6 The applicant has been in discussion with Mr Andy Thomas (Compliance and Monitoring Officer) prior to the submission of this application.

PROPOSED DEVELOPMENT

- 2.1 The application is retrospective for a new agricultural track and agricultural access.
- 2.2 The agricultural track is 1,348.75m in length, ranging from 3.5m to 3.8m in width. It is surfaced using crushed limestone. It closely follows existing field boundaries from Upper Blindlow Lane to link with an existing agricultural track to the northeast, which then connects with 'The Ditch', an unclassified road between the A5270 (Old Coalpit Lane) and the intersection of Main Street, Marston, and Pippenwell Road, Chelmorton.
- 2.3 The new agricultural access connects to the adopted highway in the south at Upper Blindlow Lane. It has two field gates positioned 23.1m from the edge of the carriageway which enable vehicles to pull safely off the highway prior to opening or closing the gates. At the edge of the carriageway the access is 11.3 metres in width. A new drystone wall to match the existing wall will be built at the access to connect the existing wall with the new field gates. This will be constructed using reclaimed limestone to match the existing.
- 2.4 The topography of the site is generally uneven and steeply sloping in places. The highest elevation is 412m above sea level. The steep topography of the site can pose difficulties for the safe operation of farm machine, which the track significantly improves.
- 2.5 The new access and track improves safety for agricultural purposes such as the movement of agricultural vehicles and livestock, the distribution of feed, and the cultivation and harvesting of crops. This also removes agricultural vehicles from the narrow road network in the area improving traffic conditions and safety for all users. In addition, the track will help prevent soil erosion and compaction.
- 2.6 Agricultural tracks using crushed limestone are characteristic of this area, being part of the traditional landscape. Although appearing harsh when first laid they quickly establish regrowth and blend with the landscape whilst providing practical solutions to agricultural practices.

Photo 1 – Newly laid track



Photo 2 – Established track



SITE AND SURROUNDINGS

- 3.1 The application site ('the Site') is located to the west of Upper Blindlow Lane, Flagg, and comprises a new agricultural access and agricultural track, as detailed by the red-line on the submitted Location Plan
- 3.2 The access location is at Easting – 410614, and Northing – 368469. The track follows existing field boundaries across the applicant's land and links to an existing track to the northeast.
- 3.3 The surrounding land use is agricultural.
- 3.4 The site is located in an area identified as Flood Zone 1. Land in this flood zone is considered to be at low risk of flooding.
- 3.5 The site is not located in an area identified as a Coal Mining Reporting Area.
- 3.6 There are no Public Rights of Way which cross the site. A public footpath (route code: HP14/6/1) runs through adjacent fields to the west and southwest of the site.
- 3.7 The site is bounded by the Peak District National Park to the northeast.
- 3.8 The following designated sites have been identified within a 3km radius of the site (source: Magic Maps).

Designation Type	Description	Distance from Site
Local Wildlife Site	Greatlow Field Pond	470m
Special Area of Conservation	Peak District Dales	1.4km
SSSI	Topley Pike and Deep Dale	1.4km
SSSI	Hurlow Meadows	2.2km
SSSI	Chrome and Parkhouse Hills	2.6km
Priority Habitat	Lowland meadow and pasture	On site

- 3.9 Three designated heritage assets are located within 1km of the site. The closest is the Greatlow Farmhouse, a Grade II listed building 420m to the southeast of the site. A Scheduled Monument – Nether Low bowl barrow – is 590m north of the site and the Chelmorton Conservation Area is 980m north.
- 3.10 The agricultural track crosses the potential route of the Roman Road.

PLANNING BACKGROUND

- 4.1 Review of the High Peak Borough Council online planning portal identified no planning applications related to the site.

PLANNING POLICY

- 5.1 Planning law (section 38(6) of the Planning and Compulsory Purchase Act 2004) requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 5.2 The National Planning Policy Framework (Dec 2023) (NPPF) sets out the Government's planning policies for England, and the Planning Practice Guidance (PPG) provides further details on how these should be applied.
- 5.3 The new Labour Government has issued (July 2024) proposed revisions to the NPPF. These are subject to an 8 week consultation. A Ministerial Statement issued by the Deputy Prime Minister and Secretary of State for Housing Communities and Local Government (30 July 2024) accompanies the Consultation Document. The Framework, and Ministerial Statement are material planning considerations and should be taken account where relevant determining planning applications.
- 5.4 In addition to the NPPF regard should also be had, where relevant, to the statutory development plan.

Statutory Development Plan

- 5.5 The statutory development plan for the site consists of the High Peak Local Plan (2016). It is anticipated that the following policies would be considered in the determination of this application:
- S1 Sustainable Development Principles
 - S1a Presumption in Favour of Sustainable Development
 - S2 Settlement Hierarchy
 - S7 Buxton Sub-area Strategy
 - EQ2 Landscape Character
 - EQ3 Rural Development
 - EQ5 Biodiversity

PLANNING ASSESSMENT

- 6.1 Based upon an assessment of the planning policy and material considerations, this section will assess the following key issues:

- Principle of Development
- Landscape Impact
- Ecology
- Highways

Principle of Development

- 6.2 Policy S1 of the High Peak Local Plan (HPLP) sets out the principles of sustainable development in accordance with the National Planning Policy Framework (NPPF), it expects *'all new development makes a positive contribution towards the sustainability of communities and to protecting, and where possible enhancing, the environment; and mitigating the process of climate change'*. This is subject to a range of criteria. Policy S1A reflects the NPPFs presumption in favour of sustainable development. Whilst policy S2 sets out a settlement hierarchy for the plan area.
- 6.3 The site is not within a settlement and as such is considered as countryside within the terms of Policy S2. Within Policy S2, the site lies within an area defined as 'Other Rural Areas' where *'development will be strictly limited to that which has an essential need to be located in the countryside'*. The proposed development is in general accord with policies S1 and S2 of the Local Plan, it is agricultural development required for the purposes of agriculture in a countryside location where this is expected and acceptable.
- 6.4 The plan area is divided into three sub-areas. The Site lies within the Buxton sub-area and policy S7 sets out a strategy for development in the area. This policy is highly focused on the town of Buxton but relevant sections do seek to protect and enhance the natural environment and maintain the quality of life, as well as ensuring that development protects or enhances the landscape character and setting of the Peak District National Park. The policy at criterion(3) specifically supports the diversification and growth of the local economy by supporting the needs of local businesses and employers. Agriculture is an important local business to the area and nationally. The safe and efficient movement around agricultural land should be supported. The application is in general accordance with Policy S7.
- 6.5 Policy EQ2 describes how the Council will seek to protect, enhance and restore the landscape character of the Plan Area for its own intrinsic beauty and for its benefit to the economic, environmental and social well-being of the area. To achieve this development is required to have particular regard to maintaining the aesthetic and biodiversity qualities of natural and man-made features within the landscape, including trees and woodlands, streams, walls or other topographical features. Policy EQ2 also states that development is required to protect and/or enhance the character, appearance and local distinctiveness of the landscape and setting of the Peak District National Park. Development will be resisted which would harm or detriment the character of the local and wider landscape.
- 6.6 Policy EQ2 requires that development proposals are informed by, and sympathetic to the distinctive landscape character areas as identified in the Landscape Character SPD in addition to evidence of the historic landscape characterisation and the setting of the Peak District National Park. Where appropriate, landscape mitigation measures should be incorporated into the proposal. The application site and its wider surroundings are classified as Plateau Pastures landscape type within the White Peak area of Derbyshire.
- 6.7 The Plateau Pastures landscape is characterised by medium to large regular fields enclosed by dry-stone walls with narrow strip fields around settlements. The dry-stone walls are constructed from the locally sourced limestone and are distinctive for the random sized rubble used and the straight lines they are built in. Tree cover is also a distinctive feature, often occurring as small plantation blocks and shelter belts sparsely scattered through the landscape. The Landscape Character SPD summarises that the unifying influence of the limestone as the distinctive building material, together with strong pastoral traditions and lack of modern development ensures the landscape retains its rural character.

- 6.8 The proposed track is for agricultural purposes and is traditional of the area. It utilises locally sourced limestone rubble. The use of limestone is considered an appropriate material given its distinctive presence across the area. An Ecological assessment and BNG calculation is included with the application. The mitigation suggests that additional tree planting is required. It is proposed that this is achieved by means of extending the existing shelter belt adjoining the track through the planting of native trees. The development and BNG mitigation is in general accord with Policy EQ2.

Landscape Impact

- 6.9 The Landscape Character of Derbyshire published by Derbyshire County Council is a character assessment of the County's varied landscapes. The site is located within the White Peak character area which is described as a gently rolling upland, limestone plateau punctuated by steep sided dales, scattered villages and isolated farmsteads within a pastoral setting. The White Peak character area is divided up into four different landscape character types.
- 6.10 The landscape character type of the site and the surrounding area is classified as Plateau Pastures. This character type is recognised as a gently rolling, upland limestone plateau characterised by nucleated limestone villages, dry-stone walls, a pastoral land-use and open, expansive views.
- 6.11 The agricultural nature of the landscape is noted in the landscape character assessment. Across the landscape medium to large regular fields are enclosed by dry-stone walls constructed from the local limestone.
- 6.12 The proposed agricultural access track is constructed from limestone sourced from within the farm and its field walls. The materials used for the agricultural track is thus appropriate to the landscape.

Ecology

- 6.13 It is both a national and local requirement that development proposals consider the potential impact on protected species or their habitats.
- 6.14 There are existing mature trees located on and adjacent to the agricultural fields through which the proposed track runs. The proposal will retain and avoid harm to the existing trees so as to be in accordance with Policy EQ9 which seeks to protect existing trees, woodlands and hedgerows.
- 6.15 Policy EQ5 of the HPLP seeks the conservation of the biodiversity and geological resources of the Plan Area, by ensuring development proposals will not result in significant harm to biodiversity or geodiversity interests. Under this policy, development is encouraged to contribute positively to the overall biodiversity of the Plan Area.
- 6.16 Since 12th February 2024 all developments nationally have been required to provide a 10% Biodiversity Net Gain within the red line boundary unless exceptions apply. A BNG calculation has been prepared in support of the application. This indicates that 101 new trees of native species are required to be planted. This will be achieved by extending the shelter belt adjacent to the track, on land included within the redline boundary.
- 6.17 The proposed biodiversity enhancement measures are considered suitable to meet the requirements of national BNG policy and HPLP Policies S1 and EQ5.

Highways

- 6.18 The access connects to the adopted highway at Upper Blindlow Lane. It has two field gates positioned 23.1m from the edge of the carriageway which enable vehicles to pull safely off the highway prior to opening or closing the gates. Details of the field gates are included at Appendix A. At the edge of the carriageway the access is 11.3 metres in width. The highway is narrow but fairly straight at this point. It is considered that adequate visibility can be achieved in both directions.
- 6.19 A new drystone wall to match the existing wall, at a height of no more than 1.0m will be built at the access to connect the existing wall with the new field gates. This will be constructed using reclaimed limestone to match the existing.

- 6.20 It should be noted paragraph 115 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety or the residual cumulative impact on the road network would be severe.

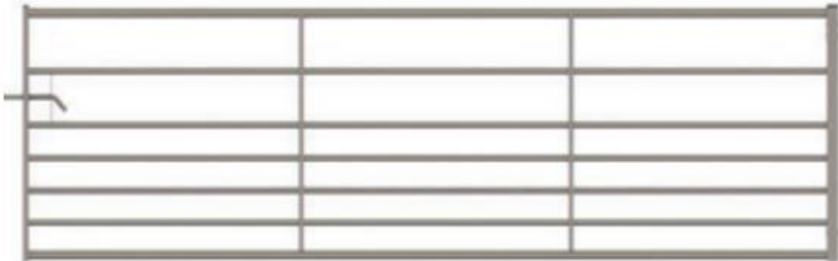
CONCLUSION

- 7.1 The planning application documentation demonstrates that the proposed development is an acceptable form of development and is in accordance with the development plan where the development plan is considered to be up to date.
- 7.2 The proposal is for the retrospective creation of an agricultural track and access on an agricultural unit of greater than 5 hectares. The track is constructed of locally sourced limestone which is considered an appropriate material which accords with to the landscape character. The proposed agricultural track is required to facilitate the safe operation of farm vehicles over steep terrain, and thereby support the continued operation of the agricultural holding.
- 7.3 It is considered that the proposal would normally be permitted under Class A Permitted Development rights and can therefore be considered an appropriate form of development.
- 7.4 On this basis, it is considered that the proposed development complies with both national and local planning policy and this application should therefore be found to be acceptable.

APPENDIX A

FIELD GATES DETAILS

Ashbourne - 7 Rail



- 1143mm high
- Box section RHS bracing for improved strength
- Top and bottom rails 43mm dia tube
- Intermediate rails 29mm dia tube
- Spring loaded sliding bolt fastening
- 50mm x 50mm SHS sleeved hanging stile
- Available from stock in a full range of sizes between 610mm and 4880mm
- Bespoke sizes available at extra cost

