

DELEGATED DECISION REPORT

HPK/2024/0321
Valid 24/07/2024

LAND EAST OF
LONGRIDGE LANE
PEAK DALE

REPLACEMENT
AGRICULTURAL BUILDING TO
HOUSE, FEED AND LAMB
SHEEP AND TO STORE
FODDER AND IMPLEMENTS

(FULL - MINOR)

MAIN ISSUES

- Principle of Development
- Design, Character and Appearance
- Amenity
- Highway Safety

DESCRIPTION OF SITE

The application refers to a small area within a wider parcel of land adjacent to Longridge Lane, Peak Dale that comprises an existing field gate access to the public highway and internal 4x4 access which leads to an existing single storey timber stable block constructed following the granting planning permission in August 1998 under HPK/0003/7368, which appears to be in somewhat of a state of disrepair.

The wider parcel of land within control of the applicant is made up of grassland and a nearby equestrian menage, added following the granting of planning permission in July 2012 under HPK/2012/0235.

The topography of the site falls away to the north and east from the brow of the hill where Longridge Lane runs north-south and meets the junction with Batham Gate Road a short distance to the north. The nearest residential property is located to the north approximately 100m distant.

For the purposes of the Local Development Plan, the site lies outside of the built-up area boundary of any defined settlement and in the 'Plateau Pastures' Landscape Character Area.

PROPOSAL

The application seeks full planning permission to demolish the existing stable block and replace this building with an agricultural building which would be used to store plant and machinery and other implements, accommodate livestock and fodder.

Having requested further information from the applicant with regards to the justification and need for the proposed agricultural building on this parcel of land, an

email received from the applicant's agent dated 28th October 2024 provides the following content:

- The applicant rents 81 acres of land near Flagg and Sheldon (approximately 7km distant) which has increased since this application has been submitted.
- The applicant currently has 37 large lambs due to go to market, with a further 22 sheep also due to go to slaughter, and an additional 18 sheep at Peak Dale
- The applicants have been in business with their holding a short time and have been purchasing lambs in spring to raise through the year to sell before winter, keeping only a handful to breed from, having no suitable welfare facilities
- Up to 10 ewes remain on the current land during the winter months which have previously been housed in the stable block during wet or wintery conditions, which whilst not ideal, and does not conform to relevant regulations, it is better than letting animals die
- The rented land at Flagg and Sheldon allow the applicant to produce their own fodder and bedding, as well as sufficient grazing land, with the plan being to expand and increase flock size in 2025.
- The increased flock numbers will incorporate ewes for lambing and store sheep for finishing and slaughter, with the ambition of increasing the number of ewes to 50, which would produce on average 100 lambs, but this can only happen if a new building is constructed.
- The implements and machinery associated with the agricultural operations are currently kept on a temporary basis in Flagg. However, the owner of the land has requested that these be moved to enable the owners livestock to be brought in for the winter months.
- The proposed building would also enable the applicants to house their machinery on their holding and ensure that it is secured, reducing risk of theft

The proposed agricultural building is shown to have a length of 18.2m and a width of 12.1m (220sqm), reaching an eaves height of 3.6m and an overall dual pitched ridge height of 5.32m, with a roof pitch angle of 15 degrees.

As originally submitted, the building was shown to be finished in a Juniper Green fibre cement sheeting, and vertical cladding, on a small concrete panel base. Velux rooflights are to be located in the roof, with the entrance to the building characterised by a roller shutter door on the northwest elevation fronting the area of existing hard standing served by the internal access track.

In the interests of good design, having regard to guidance within the Landscape Character Assessment SPD, revisions have been sought and subsequently submitted that shows changes to the external appearance of the building.

The concrete base is shown to be replaced with reconstituted stone, with the walls finished in a dark brown metal sheeting, with dark grey roof. It is this revised plan that is subject to assessment within this report.

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
- S7 Buxton Sub-area Strategy
- EQ2 Landscape Character
- EQ3 Rural Development
- EQ5 Biodiversity
- EQ6 Design and Place Making
- EQ10 Pollution and Unstable Land
- CF6 Accessibility and Transport

Supplementary Planning Guidance

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

National Planning Policy Framework 2023

Achieving Sustainable Development	Chapter 2
Building a Strong Competitive Economy	Chapter 6
Promoting Sustainable Transport	Chapter 9
Achieving Well Designed and Beautiful Places	Chapter 12
Conserving and Enhancing the Natural Environment	Chapter 15

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

- HPK/0003/7368 Block of 3no. Stables (Approved 17/08/1998)
- HPK/2012/0235 Construction of a menage for use as a schooling area of horses (Approved 09/07/2012)

CONSULTATIONS

Publicity

Site Notice expiry date: 3rd October 2024
Neighbour consultation period ends: 14th July 2024
Press Advert: N/A

Public Comments

4no. letters of support have been received in connection with this application, the majority of which do not expand on that, with one stating that the proposed building will improve the overall look of and be more in keeping with the area.

Town / Parish Comments

No comments received

Severn Trent Water

No comments received

Derbyshire Wildlife Trust

I've had a look at the photos you sent. I wouldn't request a PBRA in this instance. Exclusively timber stable blocks such as this do not present optimal habitat for bats.

Whilst bats could arguably fly in through the stable doors, there is no enclosed roof void and the structure is unlikely to have good quality crevice features for roosting internally. The walls are single-skin and the roof appears to be made of a corrugated material.

These type of structures could provide opportunities for swallows and I would recommend a nesting bird condition, such as:

- 1. No demolition shall take place between 1st March and 31st August inclusive, unless preceded by a nesting bird survey undertaken by a competent ecologist no more than 48 hours prior to clearance. If nesting birds are present, an appropriate exclusion zone will be implemented and monitored until the chicks have fledged. No works shall be undertaken within exclusion zones whilst nesting birds are present. Appropriate compensatory nesting features shall be installed on site or within the wider landholding, guided by the ecologist.*

Derbyshire County Council Highways

No objections

OFFICER COMMENTS

Principle of Development

The application seeks to replace an existing stable block associated with an equestrian menage with a new agricultural building to serve the applicant's recently established and growing holding.

Following the additional information provided by the applicant, Officers are satisfied that sufficient justification and need for a new agricultural building has been provided to demonstrate that the building is required to support an existing agricultural enterprise, thus supporting the aims and objectives of Local Plan (LP) Policy EQ3 and relevant paragraphs contained under Chapter 6 of the NPPF.

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 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.

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 'Plateau Pastures' Landscape Character Area (LCA). For the larger scale development including agricultural buildings, the following guidance is provided in relation to the detail and form of the development:

Building Form

- *Prefabricated metal buildings do not weather well and remain obtrusive within the landscape. For this reason, materials that do weather well and are sympathetic to the landscape are preferred. Examples include vertical slatted boarding, coloured concrete to blend with existing buildings or reclaimed stone*

- *New buildings should be kept as small as is practically possible and reflect the scale, proportions and form of existing traditional farm outbuilding*
- *Buildings should be durable, easy and economic to repair*

Building Detail

- *Colours should reflect those of existing, traditional limestone buildings, these are blue grey tones*
- *Some stone detailing helps to assimilate new development into the existing landscape setting*
- *New buildings should be lighter or brighter than existing buildings*
- *Darker roofing than walling gives weight and reduces visual impact and reflection on larger buildings*
- *Downpipes and guttering should be discreet, black and located close to the eaves of the building*

Paragraph 135 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 site currently contains an equestrian stable block with an associated menage nearby, and a steel container, which together do not contribute positively to the immediate landscape setting. Any proposal which would result in a visual enhancement should therefore encouraged.

Whilst the site is particularly prominent from nearby public vantage points, particularly to the south from the fringes of Peak Dale, the site benefits from topography whereby the access to the site from Longridge Lane is situated on higher ground.

As such, provided the replacement building is of an acceptable scale and height, and constructed of appropriate materials and suitable colour, it should be possible to introduce this new structure, without resulting in any harm to the character of the immediate and rural landscape.

The existing Stable Block spans a width of 3.9m and length of some 11.6m, reaching an overall height of 2.6m. An adjacent container of similar height is also shown to be removed. Conversely, the proposed agricultural building, which would sited on the same area of hard standing that facilitates the existing stable, would have a length of 18.2m, width of 12.1m and overall ridge height of 5.3m.

Officers requested that the applicant justify the need for the proposed height of the building, which was met with the following response:

“With regards to the height, the eaves height is only 3.65m, the average tractor height is 3.0-3.2m in height, allowances need to be made for eaves beams and gutter above that, this is the lowest eaves the applicant can make it without having to purchase smaller implements and machinery which would then not be adequate for farming the land and towing the trailers full of fodder, especially given the topography on the holding or viable for the business.

The height of 5.2m is the external apex of the building not the eaves level. The building has been designed with a 15-degree pitch, typical of most modern agricultural buildings, this would also allow for a loadall style machine or tractor with forks to manoeuvre inside the building when stacking bales without causing damage to the roof. Again, allowance must be given for the steel rafters which will be approximately 200mm deep so therefore the internal height is reduced again.”

The above amounts to a detailed and credible justification, and it is considered that the proposed building is of an appropriate height to serve its function, which does not exceed what is necessary, in the interests of preserving the character and appearance of the rural landscape.

The proposed agricultural building is shown to be constructed in materials that are functional and practical, and are traditionally used for this type of building, widely seen throughout the rural landscape. As such, the role, function and overall appearance of the building would be consistent with its setting.

During the consultation process, it was acknowledged by Officers that other buildings in the vicinity were constructed of similar materials finished in a similar colour. However, owing to the site being in a more isolated and prominent nature of the site comparable to other building referenced by the applicant, which benefited from a much closer relationship with existing buildings and protected by existing landform, Officers requested that the appearance (materials and colour) of the building be amended in the interests of good design.

Revised plans show the building to have a base constructed in reconstituted stone, above which is a dark brown metal sheeting, which is consistent with the existing stable block and will together with a dark grey roof better assimilate the (larger) building into its rural context.

In considering the revised plans, which shows an improvement in overall appearance by virtue of a change in materials, and taking into account the fact that the replacement of a stable and steel container with a new more modern would result in a limited visual enhancement of the site, it is judged that the application in its revised form is of an appropriate scale, height, massing and visual appearance that does preserve, and to some degree enhances, the immediate and wider rural landscape character, in accordance with LP Policies S1, EQ2, EQ3 and EQ6, the Landscape Character Assessment SPD, 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.

LP Policy EQ10 seeks to ensure that people and the environment are protected from adverse impacts relating to issues including air pollution, noise, light pollution or any other nuisance or harm to amenity, by securing appropriate mitigation by way of planning conditions and obligations.

Paragraph 135 of the NPPF states that planning should create places with a high standard of amenity for existing and future users.

Paragraph 191 of the NPPF requires decisions to ensure that new development is appropriate for its location taking into account potential impacts on health relating to matters including noise and light pollution.

The proposed agricultural building will be located in a relatively isolated location relative to the nearest neighbouring property, with the nearest property being situated some 100m distant. At this distance, given the relatively small scale nature of the holding, it is not anticipated that the introduction of this building and its associated use would not give rise to any adverse harm to public or residential amenity, in accordance with LP Policies EQ6 and EQ10, and relevant paragraphs under Chapters 12 and 15 of the NPPF.

Highway Safety

LP Policy CF6 seeks to ensure that development can be safely accessed in a sustainable manner and that all new development is located where it can be satisfactorily accommodated within the existing highway network and provides suitable off-street parking provision in accordance with guidelines set out under Appendix 1 of the Local Plan.

Paragraph 114 of the NPPF states that in assessing sites for specific applications, it should be ensured that safe and suitable access to the site can be achieved for all users. Paragraph 115 goes on to state 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 impacts on the road network would be severe.

The application site benefits from an existing field gate (agricultural) access from Longridge Lane, and an internal 4x4 access track that connects this access with a small area of hard standing adjacent to the proposed building which can facilitate parking and turning.

The Highways Authority have not raised any objections to the application.

Having regard to the specific site context, the nature of the proposed development and the absence of any objection from the Highways Authority, it is judged that the proposed development will not give rise to any adverse impacts to highway safety, in

accordance with LP Policy CF6 and relevant paragraphs under Chapter 9 of the NPPF.

Other Matters

Ecology and BNG

The application seeks permission to demolish an existing stable block and construct a new agricultural building that is situated on a sealed (hard) surface. As such, whilst the development exceeds 25m², the fact that the site has no habitat value and as such is not required to provide 10% Biodiversity Net Gain (BNG) on site, having regard to the Environment Act (2021).

As the proposal involves the demolition of a building over 20 years old, which contains various openings, the views of Derbyshire Wildlife Trust have been sought with regards to whether Bat Surveys are required. It has been confirmed that such surveys are not required in this instance, but that a precautionary condition is applied to any consent with regards to when demolition is carried out, and if carried out during the nesting season, that it is guided by a suitably qualified ecologist.

As such, matters of Ecology are satisfactorily addressed, in accordance with LP Policy EQ5 and relevant paragraphs under Chapter 15 of the NPPF.

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.

Screening Assessment

The proposal is not directly connected with or necessary for the conservation management of a European site. The proposal will not increase overnight stays or surface water run-off from the site. Therefore it will not risk having a significant negative effect on the SAC either on its own or in combination with other proposals and therefore it is not necessary to carry out an Appropriate Assessment.

CONCLUSION / PLANNING BALANCE

LP Policy S1a reflects the presumption in favour of sustainable development contained within the National Planning Policy Framework. 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.

The application seeks permission for the demolition of an existing stable block and removal of an adjacent steel container and the construction of a purposed built agricultural building on land north of Peak Dale, adjacent to Longridge Lane.

Officers are satisfied that the applicant has sufficiently demonstrated the need for the agricultural building and that it will serve an existing agricultural enterprise, thereby amounting to development that is acceptable in principle having regard to Local Plan Policy EQ3.

Subject to positive discussions and negotiations with the applicant, it has been possible to secure revised plans which are considered to result in a visual enhancement of the site comparable to what currently exists, in a manner that strikes the appropriate balance between functionality and practicality and preserving the character and appearance of the immediate and wider rural landscape character in a prominent location, in accordance with Local Plan Policies S1, EQ2, EQ3 and EQ6, relevant Supplementary Planning Guidance, and relevant paragraphs under Chapter 12 of the NPPF.

The application would not give rise to any adverse harm to public or residential amenity or highway safety, given the distance to nearest properties and that the site benefits from an existing access respectively.

As such, the application, in its final revised form, is considered 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: 12th November 2024

X *B.S. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council