
Appeal Decision

Site visit made on 10 July 2017

by Alison Partington BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 28th July 2017

Appeal Ref: APP/M9496/W/17/3171518

Cliffe House Farm, Loxley Road, Sheffield S6 6LJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr William Hague (Hague Farming) against the decision of Peak District National Park Authority.
 - The application Ref NP/S/0316/0281, dated 30 March 2016, was refused by notice dated 20 September 2016.
 - The development proposed is the erection of an agricultural building.
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of an agricultural building at Cliffe House Farm, Loxley Road, Sheffield S6 6LJ in accordance with the terms of the application, Ref NP/S/0316/0281, dated 30 March 2016, subject to the conditions set out in Annex A.

Main Issues

2. The main issues in the appeal are:
 - The effect of the proposal on the character and landscape setting of the area;
 - Whether or not the proposal would preserve the setting of the nearby Listed Building; and
 - Whether or not, having regard to local and national policy, the material considerations in this case would amount to the exceptional circumstances necessary to justify major development in the Peak District National Park.

Reasons

Character and Landscape Setting

3. The appeal site lies on a steeply sloping hillside on the northern side of the Loxley Valley, and forms part of an extensive farm enterprise. At present the site forms a corner of a field immediately to the north of a large modern agricultural building, which together with the proposal would act as the hub for the whole holding. To the south of this existing building lie 2 dwellings with various outbuildings that are not in the appellant's ownership.
4. The proposal is a typical modern agricultural building which would be a similar size to the existing building but would be lower in height. It would be used for the storage of both animals and materials. The proposed building would be

located to the north of the existing barn and would be perpendicular to it. It is proposed to cut into the hillside so that the proposed building would have the same floor level as the existing building. The excavated material would be used to create a landscaped bund around the building. The current proposal differs from that considered in an appeal¹ in 2015, in that it is only for one rather than two buildings, and in that the building would be sited in a slightly different position.

5. Policies L1 and GSP3 of the *Peak District National Park Core Strategy Development Plan Document (adopted October 2011)* (CS) and Policy LC4 of the *Peak District National Park Local Plan (adopted March 2001)* (LP) highlight the need to conserve and enhance the landscape character, the built environment and other valued characteristics of an area and the site. The *National Planning Policy Framework* (the Framework) also states that in National Parks great weight should be given to conserving the landscape and natural beauty (paragraph 115).
6. Policy LC13 of the LP gives specific advice on new agricultural buildings. This indicates that these should: be close to the main group of buildings; respect the design, scale, mass and colouring of existing buildings and the building traditions of the area; avoid harm to the area's valued characteristics; and not require obtrusive access tracks, roads or services.
7. The National Park Authority (NPA) have stated that the appeal sites lies within the 'Slopes and Valleys with Woodland' area of the 'Dark Peak Yorkshire Fringe' as defined by the *Peak District Landscape Character Assessment (July 2009)*. This is characterised as being a small scale but extensive pastoral landscape which is heavily wooded in places, and which has a varied undulating and often steeply sloping topography. Interlocking blocks of ancient semi-natural and secondary woodland are a characteristic feature, together with patches of acid grassland and bracken on steeper slopes.
8. The area in which the appeal site is located is representative of the character area, as it comprises both undulating and steeply sloping topography, with woodland on the valley sides and patches of acid grassland on the high ground. Although the large scale arable fields are not characteristic of the small scale pastoral landscape, the appellant has stated that changes to the field boundaries have not occurred in the recent past.
9. The appellant has submitted a number of photomontages from 7 different viewpoints in the area, which provide a useful tool in assessing and understanding the likely impact of the proposal from a broad range of locations in the immediate, short, medium and long term.
10. The proposed building would be located within what is an established group of buildings on this hillside, and would utilise the existing access from Kirk Edge Road. Whilst it is a large building, it would serve an extensive agricultural landholding, and the agricultural need for the building has not been disputed by the NPA. Nothing I have seen or read leads me to come to a different conclusion.
11. Like the adjacent building it would be a modern rather than a traditional agricultural building, but its design, scale, mass and materials would reflect the

¹ Appeal Reference APP/M9496/W/15/3081096

existing barn. The proposal would be approximately 2.5m lower in height than the other barn, and whilst I note the suggestion that it is not necessary for the building to be so high, the appellant has highlighted that in order to provide sufficient storage space, any reduction in height would require an increase in the footprint of the building.

12. In contrast to the current building, despite its size, the setting of the proposed building into the hillside, and proposed landscaped bunding around the site, together with the existing woodland would restrict views of the building from many directions. Where views are possible, they would only be able to see part of the building, and so the scale and mass of the building would not be readily discernible. In addition, its location to the rear of the existing building would prevent views of it, particularly in the more distant views from the southern side of the valley. As such, it would not be a prominent or dominant feature in the landscape or the area. Moreover, where it would be able to be seen, the dark colour of the proposed materials, and the fact that it would not often break the skyline, would limit its impact.
13. The existing building is particularly prominent in views from the footpath to the east of the site and when this footpath passes through the cluster of buildings immediately to the south of the barn. Whilst part of the roof of the new building would initially be seen in conjunction with the existing barn by users of the footpath, the proposed landscaping would screen these views of the proposed building in the short term, and in the long term would significantly reduce views of the existing barn from the footpath as well.
14. I note the concerns of the Inspector dealing with the previous appeal on the site regarding the impact of the bunding and landscaping. However, the banking and bunding has now been redesigned, and I am satisfied that the proposed remodelling of the landscape to accommodate the proposed building would now be achieved in a way that would be sympathetic to the local topography and landscape features. I also consider that the tree planting would appear as a natural extension of the existing woodland to the south and west of the site. As such it would not appear as a discordant feature within the landscape and would help to contribute to this characteristic element of the landscape.
15. Therefore I consider that the proposal can be assimilated into the landscape without causing harm to the character and landscape setting of the area, and the changes to the proposal have satisfactorily addressed the concerns of the previous Inspector in this respect. Moreover, as the proposed landscaping would significantly improve the screening of the adjacent building, which in views from several directions is a dominant and discordant feature in the landscape, overall I consider the proposal would enhance the local landscape setting. As such the proposal would accord with Policies L1 and GSP3 of the CS and LC4 and LC13 of the LP, set out above.

Setting of Listed Building

16. The former farmstead of Fair Flatt Farm, which is located across the field to the east of the appeal site, contains a barn which is a Grade II Listed Building. The barn originally included accommodation as well as being for agricultural use, and its significance lies in part in the contribution it makes as an example of a typical upland farming building of its period.

17. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the decision maker shall have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses.
18. The setting of the barn has already been compromised to a certain extent by the existing agricultural building. Moreover, as the field of which of the appeal site forms a part, is no longer a small scale pastoral field, but a large arable field, it does not, in my view, make a positive contribution to the setting of the listed barn.
19. Initially part of the roof and part of the southern gable to the proposed building would be seen from the listed barn, but as the landscaping matures there would be no intervisibility. In addition, in contrast to the previous appeal, the revised siting of the proposed building to the western side of the appeal site, furthest from the listed building, and away from the prominent gable of the existing building, means that the cumulative impact of the proposed and existing building in the short term, would be limited.
20. Furthermore, in the longer term, the significant screening of the existing building by the landscaping proposed as part of the appeal scheme would be beneficial to the setting of the listed barn. As this landscaping would, in my view, be seen as an extension to the existing characteristic woodland to the south and west of appeal site, it would not be detrimental to the setting of the listed barn.
21. Consequently, I consider that the proposal would not harm the setting of the nearby Listed Building. It follows that the proposal would comply with national policy outlined in the Framework. It would also accord with Policy LC6 of the LP and Policy L3 of the CS which seek to preserve and where possible enhance listed buildings and their settings.

Major development

22. The size of the building is such that it constitutes major development. Paragraph 116 of the Framework and Policy GSP1 of the CS indicates that within National Parks major development should only be allowed in exceptional circumstances. The Framework also requires that it must be demonstrated that they are in the public interest. Paragraph 116 indicates that consideration of such applications should include an assessment of: the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy; the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it elsewhere; and any detrimental effect on the environment, the landscape, and recreational opportunities, and the extent to which that could be moderated.
23. As highlighted above, the NPA have not disputed the need for the building. The landholding associated with the farm enterprise is extensive and currently only served by the existing building adjacent to the site. Whilst some open storage would still be required, the additional building would allow the safe storage of animals, materials and equipment in accordance with regulations. Although the proposed building would not be likely to generate significant

- numbers of new jobs, it would secure the jobs of those currently employed, as well as continuing to contribute to the local economy through the use of local services. Although the employment may be limited in scale, there would clear benefits in supporting and enabling this rural enterprise to prosper.
24. During my site visit I was able to view much of the landholding associated with the farm. From this I was able to see that the location of the building elsewhere would be likely to be significantly detrimental to the landscape as much of the land is exposed, and has little in the way of existing vegetation to act as screen. As such the opportunities to mitigate the impact of the building through topography or vegetation would be much more limited.
25. Furthermore, the location of the building adjacent to the other building enables benefits to be gained through economies of scale, reducing operating costs and maximising operational efficiencies, which would not be possible if the building was located elsewhere. Whilst some third parties have suggested that there are suitable alternative sites on the land holding that are outside the National Park, but are still centrally located and have good access to the road network, I have not been referred to any specific sites, and so have been unable to assess their suitability. Moreover, the NPA have not endorsed this argument, nor have they suggested any other potential sites
26. I have already concluded above that the proposal would not harm the character and landscape setting of the area. Moreover, in significantly improving the screening of the existing building, the proposal would enhance the landscape. This would particularly benefit users of the local footpath network, as well being a public benefit of the scheme.
27. Consequently, considering the above, in this case I consider that the material considerations are such that they represent the exceptional circumstances necessary to allow major development within the National Park. As such it would accord with Policy GSP1 of the CS and paragraph 116 of the Framework, outlined above.

Other Matters

28. Concern has been raised regarding the way the NPA dealt with the planning application for the existing building on the site. However, this is not a matter that is before me in this appeal. It has been suggested that the proposal may lead to an application for further buildings on the site, or as a precedent for development elsewhere. Nevertheless, the acceptability of any future applications either on the site or elsewhere in the National Park, would have to be considered by the NPA, and this does not constitute a reason for refusing this current application.
29. Whilst the proposal may increase the intensity of activity at the site from that which exists at present, the site forms part of what is a long established working farm that I understand formerly had an extensive range of cattle buildings. I also noted that between the site and the houses immediately to the south lies a series of outbuildings that will help to limit noise and views of the agricultural operations. In the light of this, and taking into account the history of farming activity on the site, I am satisfied that the proposal would not result in an unacceptable change to the living conditions of nearby occupiers. In addition, any noise and disruption during the construction phase would only be for a limited period of time.

30. The majority of the site is at present used for grain cultivation, and there is no evidence to indicate that there any protected species in the site. Given this, and in the light of the extensive planting that will take place as part of the appeal scheme, I am satisfied that the scheme would not be detrimental to flora or fauna.

Conclusion and Conditions

31. For the reasons set out above, I conclude that the appeal should be allowed.

32. In addition to the standard implementation condition I have imposed a condition specifying the relevant plans as this provides certainty. In the interests of the character and appearance of the area conditions are required to control the external appearance of the building, the landscaping of the site and the removal of any excess spoil. For reasons of pedestrian safety a condition to ensure the segregation of the footpath along the access track and through the yard is necessary.

Alison Partington

INSPECTOR

Annex A

Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan PL-07; Site Location Drawing No. CHF MP PL-01; Existing and Proposed Site Layout and Roof Plans Drawing No. CHF MP2016 PL-02; Proposed Agricultural Building Plans and Elevations Drawing No. CHF MP PL-03; Existing and Proposed Elevations and Resulting Site Cross Sections Drawing No. CHF MP PL-04 and CHF MP PL-05 Rev A; Landscape Masterplan Number CHF01 Rev D; Planting Plan Number CHF 07; Planting Details Number CHF 08; Sections Number CHF 09.
- 3) The landscaping works shall be carried out in accordance with the approved details with the bunding and mounding being completed before any part of the development is first brought into use, and all planting seeding and turfing being carried out in the first planting and seeding seasons following the substantial completion of the building and bunding. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
- 4) Any excess spoil not used in the landscaping scheme shall be disposed of off-site via a licensed waste operator.
- 5) The building hereby permitted shall be used for agricultural purposes in connection with the associated landholding and when no longer required for those purposes the building shall be removed and the land reinstated to its former contours and use.
- 6) The concrete panelling on the southern gable end and the exposed east and west facing walling of the building hereby permitted shall be painted a dark green colour to match the roof cladding within one month of the completion of the building works and shall be retained as such thereafter.
- 7) The Yorkshire boarding on the building hereby permitted shall be painted or stained a dark brown colour before or immediately upon erection and shall be retained as such thereafter.
- 8) The metal roof, roller shutter door, pedestrian doors and wall sheeting to the building hereby permitted shall be pre-coloured dark green and retained as such thereafter.
- 9) No development shall take place until the fencing to protect the line and users of the public footpath through the yard and along the access track, as shown on the approved Landscape Masterplan, has been completed. The fencing shall then be retained as such thereafter.