



Appeal Decision

Site visit made on 10 December 2019

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 10th January 2020

Appeal Ref: APP/M9496/W/19/3237817

Hardingsbooth Farm, Leek Road, Longnor SK17 0QW

- 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 Philip Johnson against the decision of Peak District National Park Authority.
 - The application Ref NP/SM/1118/1061, dated 15 November 2018, was refused by notice dated 18 April 2019.
 - The development proposed is agricultural building to house and feed livestock.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. In May 2019, after the Council determined the application, the Peak District National Park Development Management Policies Part 2 of the Local Plan for the Peak District National Park (the DMPD) was formally adopted. Consequently, saved Policy LC4 of the Peak District National Park Local Plan Adopted March 2001 (the LP) cited in the Council's decision notice has been superseded. It is not therefore relevant to my consideration of the appeal, which must be determined in accordance with the current development plan. On the basis of the information before me, the most relevant policies of the DMPD are Policies DMC3 and DME1.
3. The DMPD was at an advanced stage of preparation when the application was determined and it had been adopted when the appeal was made. Therefore, I am satisfied that both parties were aware of and have had the opportunity to comment on the adopted policies.

Main Issue

4. The main issue is the effect of the proposed development on the landscape and scenic beauty of the Peak District National Park.

Reasons

5. Hardingsbooth Farm is a rural farmstead in the Peak District National Park (the PDNP) approximately 2km west of Longnor. It is in an elevated and prominent position above Oakenclough Brook, which is a tributary of the nearby River Manifold. The farm comprises a range of buildings, including a traditional farmhouse and stone barn together with more modern agricultural buildings. There is also a small number of stone-built properties nearby between the farm

and the brook. The surrounding countryside is an undulating agricultural landscape with fields of grassland, boundary dry stone walls, patches of woodland and trees, and scattered traditional farmsteads and cottages.

6. The Environment Act 1995 sets out the statutory purposes of national parks, including to conserve and enhance their natural beauty. In carrying out these purposes, national parks also have a duty to seek to foster the economic and social well-being of local communities within the national park. The National Planning Policy Framework (the Framework) states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks. In this respect, the most relevant policies of the Peak District National Park Local Development Framework Core Strategy Development Plan Document Adopted October 2011 (the CS) and the DMPD are consistent with the Framework and with the relevant statutory purposes and duties.
7. The proposal is a steel framed agricultural building with an adjacent midden store and a concrete yard extension. The building would be over 40m long and 16m wide, with an eaves height of over 3m. It would be approximately 12m from the existing buildings. It would be constructed from concrete panels with Yorkshire boarding and a cement roof. The midden would be approximately 18m by 10m with concrete walls. In addition, there would be significant excavation of the steep bank at the edge of the existing yard in order to create the level platform for the building. The excavated material would be used to infill a natural valley feature in a field to the south west of the farm.
8. The proposed building would be a significantly large and bulky feature. By virtue of its prominent location, it would be a dominant feature. It would be made more conspicuous by its separation from existing buildings and its large expanse of unbroken single pitch roof. In this respect, I note that the Council had advised that the visual bulk and impact of the building could be reduced by amending its design and location. This is consistent with the guidance of the Peak District National Park Authority Design Guide Supplementary Planning Document (dated 2007) (the SPD) and the Agricultural Developments in the Peak District National Park Supplementary Planning Guidance Adopted July 2003 (the SPG) that very large buildings should be broken up or designed to reduce their apparent bulk and mass.
9. The extent of cutting into the steep-sided bank which rises above the farm would create a large engineered feature. By virtue of its height, length, uniform shape and slope, the cutting would be an incongruous feature that would not relate well to the natural and irregular undulations of the surrounding area. It would appear conspicuously artificial and it would not be assimilated into the rural landscape.
10. The excavated material would be deposited in a field below the farm where it would be used to infill a shallow valley feature and raise the level of the land. The resulting large expanse of unnaturally levelled land would be a significant alteration to the landscape in this location. The re-use of the excavated material would be a benefit to the appellant by enabling an intensification of agricultural use. However, the loss of the natural topographic variation and the resulting visual harmonisation and intensification of use the land would be detrimental to the character of the landscape.
11. Travelling along the adjacent road towards Longnor, the proposal would be screened from view by the elevated land above the cutting. However, it would

be visible travelling from the direction of Longnor. It would also be visible from other locations in the surrounding area, including rights of way and the network of rural lanes that traverse the landscape. There would be a cumulative visual impact from the combined effect of the significantly large building, associated midden and yard extension, the large extent of engineered cutting and the infilling and raising of land levels. By virtue of its location, scale and design, the proposal would be visually obtrusive and it would detract from the panoramic views of the landscape in this location. Consequently, it would not conserve or enhance the landscape and scenic beauty of the PDNP.

12. I accept that the appellant would be willing to implement a landscaping scheme to mitigate the adverse effects of the proposal. However, the limited linear planting belt proposed adjacent to the midden would not result in any meaningful screening of the scheme, particularly the bulk of the building and the large artificial cutting. It would not accord with the landscaping guidance in the SPD or the SPG. Furthermore, no alternative landscaping proposals have been submitted to demonstrate that the proposal could be satisfactorily integrated into the landscape through planting.
13. Therefore, the proposed development would result in harm to the landscape and scenic beauty of the national park. It would conflict with Policies GSP1, GSP3 and L1 of the Peak District National Park Local Development Framework Core Strategy Development Plan Document Adopted October 2011 (the CS), Policies DMC3 and DME1 of the DMPD and the landscape aims and policies in the Framework. These require, among other things, that development should avoid adverse effects on the natural beauty of the landscape and valued characteristics, consistent with the legal purposes and duty of the national park. It would also conflict with the spoil and waste disposal aims and objectives of Policy CC3 of the CS and Policy DMMW4 of the DMPD.
14. My attention has been drawn to farmsteads elsewhere where buildings have been cut into sloping land. Full details have not been provided and I cannot therefore be certain that schemes elsewhere are directly comparable to the appeal scheme, including in terms of location and scale, surrounding landscape context and impact or the relevant planning policy context. They do not provide a justification for the appeal scheme, which must in any case be considered on its own merits.

Other Considerations

15. Hardingsbooth Farm is a dairy farm that operates in conjunction with the nearby Heath House Farm. Under the existing arrangements, calving and rearing of young stock is undertaken at Heath House Farm which is approximately 1.5km away. If these activities were to be carried out at Hardingsbooth Farm, it would avoid the need to transport livestock between the 2 sites and it would also enable the two farms to function independently in the future. While this would clearly be a benefit to the appellant, there is little before me to demonstrate that the existing operation is not currently viable. Moreover, it has not been demonstrated that the private benefit, and the public benefit arising from the reduction in vehicle movements, would outweigh the public harm to the landscape of the national park.
16. There is evidence before me that Hardingsbooth Farm has previously suffered an outbreak of bovine tuberculosis (bTB), which prevented livestock movements and necessitated the slaughter of some stock. I acknowledge that

the lack of livestock accommodation at the site would have contributed to the appellant's difficulties at that time. However, there is little substantive evidence before me to either quantify or qualify the benefit that the proposal would have in the event of a future bTB outbreak at the holding. This is not therefore a matter that weighs significantly in favour of the scheme.

17. Alternative locations around the holding have been explored and discounted by the appellant on the basis of ground conditions, landscape impact or distance from the farmstead. However, while I appreciate that the alternatives explored might not be the appellant's preferred option, I am not persuaded that there are no alternative schemes in terms of location, design or layout that could not deliver substantially the same benefits without the harm to the PDNP.
18. The Council received a third party representation in support of the scheme and further letters of support have been submitted with and to the appeal. Notwithstanding the absence of third party objections, the letters of support are not a benefit of the scheme and they do not outweigh the harm that I have identified.
19. The evidence before me indicates that the scheme has a long planning history and that the parties have engaged with one another including in relation to an earlier withdrawn application, during the processing of the application subject of the appeal and following its refusal. However, although both parties have worked to find an acceptable solution, correspondence relating to the earlier withdrawn application was clear that the proposal would only be acceptable if the justification outweighed the harm and if the adverse impacts of the proposal could be mitigated through careful design and landscaping. In this respect, I accept that a building at this site would be a benefit to the appellant and his business. However, neither the scheme before me nor the revised plans that were produced following determination of the application demonstrate that the adverse effects on the national park would be mitigated.

Conclusion

20. I have concluded that the proposal would conflict with the development plan and there are no other considerations, including support, that outweigh that conflict. For this reason, the appeal should therefore be dismissed

Sarah Manchester

INSPECTOR