



Appeal Decision

Site visit made on 7 August 2020

by R Morgan MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 September 2020

Appeal Ref: APP/M9496/W/20/3245444

Land north west of Main Road, Taddington, Buxton SK17 9UF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr S Smith against Peak District National Park Authority.
 - The application Ref NP/DDD/0819/0911, is dated 19 August 2019.
 - The development proposed is an agricultural building to house livestock.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr Smith against the Peak District National Park Authority. This application is the subject of a separate Decision.

Procedural Matter

3. The application form refers to the site address as 'Main Street'. However, I note that mapping software refers to the road running through the village and in front of the appeal site as 'Main Road', and the Parish Council has referred to 'Main Road' in their consultation response. The Authority refers to 'Main Road', but also to 'High Street'. In the absence of any clear consensus on this matter, I have referred to the site address as being 'Main Road' throughout this decision notice.

Main Issue

4. Although it did not determine the application within the required period, the Authority has provided a detailed assessment of the proposal and has indicated the grounds on which it would have refused the application. Based on the evidence provided in the Authority's statement, the main issues are:
 - the effect of the proposal on the character and appearance of the Fossilised Strip System as a non-designated heritage asset, the Taddington Conservation Area and on the Peak District National Park; and,
 - whether a functional need for the proposed agricultural building in this location has been demonstrated.

Reasons

Character and appearance

5. The appeal site is one of a number of narrow strips of agricultural land bounded by dry stone walls, which front onto Main Road and slope gently up to rolling hills beyond. The landscape falls within the Limestone Village Farmlands character area within the White Peak, and the strip fields form part of a historic landscape described as Ancient Enclosure – Fossilised Strip System (FSS) in the National Park Historic Landscape Character Assessment. This largely intact landscape has significant historical and archaeological value and is identified by the Authority as being a non-designated heritage asset, which is rare and precious within the National Park.
6. The site is close to the eastern part of the village of Taddington, which is characterised by traditional stone cottages fronting onto Main Road. This part of the village, together with areas of the surrounding countryside which contribute to its setting, is designated as the Taddington Conservation Area (TCA).
7. The proposed agricultural building would be located on the part of the holding where the appellant already stores equipment. The site has access from the road, and it makes sense from an operational point of view for the building to be there. However, the site is in a sensitive location, close to the village and the boundary of the TCA, and within the FSS.
8. The building would be simple in form, and the design and proposed materials would be consistent with guidance in the Agricultural Developments Supplementary Planning Guidance 2003. The use of limestone on the gable ends would help the building to blend into the landscape and a condition could be imposed regarding the colour of the roofing material. The gable width does not appear excessive and the reason for the Authority's concern over this is unclear.
9. The outdoor storage of vehicles and equipment draws attention to the site and increases its prominence within the landscape. That aside, a building of the proposed scale, design and materials would not appear out of place in this rural setting. The appeal site is screened to a reasonable extent by a dry-stone wall and, particularly during the summer months, by the mature trees which line both sides of Main Road. Additional landscaping is proposed which would provide further screening. Overall, the effect of the proposed building on the character and appearance of the setting of the TCA would be neutral.
10. The National Planning Policy Framework (the Framework) sets out that in relation to non-designated heritage assets, balanced judgements are required, having regard to the scale of any harm or loss, and the significance of the heritage asset. Given its rarity, its historical, archaeological and landscape value, and its largely intact nature, the FSS is a non-designated heritage asset of high significance, which contributes to the cultural heritage of the Peak District National Park (PDNP). Paragraph 172 of the Framework indicates that the conservation and enhancement of cultural heritage should be given great weight in National Parks.
11. Although the proposal would be located within an existing field and so would not breach the integrity of the FSS, it would introduce a new permanent built

form into this rare landscape which, other than the dry-stone walls which define it, is open and largely free of development. The building would be visible despite the screening, and would cause moderate harm to the significance of this heritage asset. There may be other, less sensitive locations on the holding where a building could be sited which would have a more limited impact on the FSS. However, no assessment of alternative site options has been provided to back up the assertion that the proposed location is the best.

12. I conclude that insufficient information has been provided to justify the harm to character and appearance of the FSS and the PDNP. As such, the proposal would conflict with Policy GSP1 of the Core Strategy Development Plan Document 2011 (CS) which requires that all development shall be consistent with the National Park's legal purposes and duty; and CS Policies GSP2 and L1, which seek to conserve and enhance the valued landscape characteristics of the National Park. There is also conflict with Policies DMC3 and DME1 of the Development Management Policies 2019 (DMP), which require that, amongst other considerations, attention be paid to the degree to which agricultural buildings complement the character of the historic landscape, and DMP Policy DMC5 regarding the protection of heritage assets. Further conflict exists with Section 16 of the Framework regarding the conservation and enhancement of the historic environment.
13. The Authority has also referred to CS Policy DS1, but I have found no conflict with this policy, which allows for agricultural development in the countryside. Reference is also made to DMP Policy DMC8, regarding the preservation and enhancement of conservations areas, however the effect on the character and appearance of the TCA would be neutral, so the proposal does not conflict with this policy.

Functional need for the building

14. DMP Policy DME1 is concerned with new agricultural buildings, and requires proposals to demonstrate the functional need for the scale of building being sought. Schemes should provide details of the agricultural operation, the size, location and appearance of the proposed building, and its intended usage.
15. The agricultural holding comprises of some 8.18 hectares and includes a number of strip fields, the majority of which are located in a cluster to the south east of the appeal site. It is unclear from the information provided how the various fields within the holding are used, either for grazing, crops or other usage.
16. The appellant has confirmed that the agricultural operation has sheep and a small herd of 20 beef cattle. The proposed building would provide shelter for the cattle. Such shelter is important to ensure the welfare of the animals, particularly through the winter, and to allow for any veterinary treatments required.
17. The proposed building would have a floorspace of around 60m² and would be 4.2m high. No detailed information has been provided as to how the building would be used, whether it would be only for sheltering animals, or if it would be used for any other purposes such as storage. For example, at the time of my site visit area of hardstanding around the existing building was being used for the storage of agricultural equipment, and a variety of vehicles were present. Furthermore, there is no clear evidence that the size of the building proposed is

commensurate with any relevant guidelines for the space needed for the herd of cattle.

18. The appellant has confirmed that there are no other buildings on the holding which could be used to shelter the animals, and that a shed, which is located in a residential area of Taddington, would be unsuitable for cattle. However no further evidence has been provided in relation to the location or size of that building.
19. I am aware that this case follows an earlier dismissed appeal in which the Inspector found information relating to functional need to be sketchy. Based on the information before me I must similarly conclude that the appeal submission lacks detail and that the functional need for the proposed agricultural building in this location has not been clearly demonstrated. As such, the proposal would conflict with the requirements of DMP Policy DME1 regarding the functional requirements for new agricultural buildings.

Conclusion

20. Material considerations do not indicate that I should conclude other than in accordance with the development plan as a whole. I therefore conclude that the appeal be dismissed.

R Morgan

INSPECTOR