



Appeal Decision

Site Visit made on 10 March 2021

by Mr Andrew McGlone BSc(Hons), MCD, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 March 2021

Appeal Ref: APP/M9496/W/20/3264570

Spring Croft, Pothooks Lane, Grindon ST13 7PE

- 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 Adrian Bestwick against the decision of Peak District National Park.
 - The application Ref NP/SM/1219/1317, dated 5 December 2019, was refused by notice dated 10 June 2020.
 - The development proposed is the erection of an agricultural building to house commercial breeding sheep and associated feedstuffs and equipment and the formation of stone surfaced access track.
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of an agricultural building to house commercial breeding sheep and associated feedstuffs and equipment and the formation of stone surfaced access track at Spring Croft, Pothooks Lane, Grindon ST13 7PE in accordance with the terms of the application, Ref NS/SM/1219/1317, dated 5 December 2019, subject to the conditions in the attached schedule.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the Peak District National Park landscape.

Reasons

3. The appeal site lies on the eastern side of the lane within the open countryside. Springfield Farm is around 200 metres to the north-west. A public right of way extends along the site's eastern boundary. The site lies within the 'Upland Pastures of the South west Peak'. Its key characteristics are of: undulating slopes with dispersed gritstone farmsteads and loose clusters of dwellings; permanent pasture enclosed by gritstone walls and some thorn hedgerow; and various shaped small to medium sized fields. Ground levels on the appeal site fall from west to east.
4. Paragraph 172 of 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, which have the highest status of protection in relation to these issues.
5. The proposed building would house breeding sheep during lambing, be used for medical treatments and during periods of bad weather. The appellant's existing flock comprises of 60 commercial breeding sheep spread across 4 parcels of land nearby. The building would also provide dry and secure storage of associated farming equipment. Spring Croft is said by the appellant to be the

only suitable parcel of land for the proposed building due to land ownership, accessibility and the provision of natural and mains water. On this basis, it is common ground between the parties' that there is a functional need for the proposed building and the associated works supporting its use and access.

6. Several alternative sites were explored and discounted by the appellant based on access and potential landscape effect. I recognise the practicalities experienced by the Council in terms of assessing potential alternative sites at the time when it considered the application, but there is no substantive evidence to counter the appellant's assessment about suitable alternative sites. I do, however, note that Officers visited the appeal site.
7. The building would be built in open pasture, and not be located close to a farmstead, other farm buildings or dwellings in the area. The proposed access track would extend a considerable distance along the western roadside field boundary from an existing field access gate off the lane. The hardstanding and the access would largely be screened from view by the existing wall. They would not be obtrusive or an uncommon form of development in this landscape which is characterised by farming activity.
8. The design, form, appearance and finish of the proposed building would be that of a modern agricultural building. I consider that these would not be harmful in themselves. The building would be sunken into the ground at its southern end and it would be viewed up against the rising landscape when viewed from the north. Its siting would make best use of existing ground levels by being situated on the lowest part of the site. Built form would be added to the land, but the development would reflect the agricultural use of land that is dispersed across the surrounding area. The building would form part of views of the wider landscape setting which already takes in several modern agricultural buildings.
9. Adding planting to the site to mitigate the effect of the building could appear as an artificial addition to the landscape, especially initially. However, the suggested landscaping condition would allow for a scheme to be designed to respond to the landscape character of the area. Due to the siting of the building and the topography of the land, together with the provision of landscaping, a harmful effect would not be caused to its characteristics as the scenic views of the landscape would be conserved.
10. I conclude that the proposal would be consistent with the purposes and duty of the National Park as the design, scale, siting, mass and form of the proposed building would respect the character of the area and avoid an adverse effect on the area's valued characteristics including important local views. Thus, the proposal would conserve and enhance the landscape and scenic beauty of the National Park. For these reasons, the proposal would accord with Policies GSP1, GSP2, GSP3, DS1, L1 and LC1 of the Core Strategy Development Plan Document – Adopted October 2011, Policies DMC3 and DME1 of the Development Management Policies and Framework paragraph 172.

Conditions

11. An approved plans condition is necessary in the interests of certainty. In tandem with the description of development it would define the permission and the building's use. I do not therefore consider it necessary to impose a condition restricting its use and longevity to the purposes of agriculture. As discussed earlier, a landscape condition is necessary to conserve and enhance

the landscape and scenic beauty of the National Park. I have amended the version suggested by the Authority so that it satisfies the six tests and to amend the timing of the submission as the landscaping is not fundamental before development starts.

Conclusion

12. There are no material considerations that indicate the application should be determined other than in accordance with the development plan. For the reasons set out above, I conclude that the appeal is allowed.

Mr Andrew McGlone

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: SPG 01 Rev A and SPG 02.
- 3) Before the building hereby permitted is first brought into use, a detailed scheme of landscaping shall have been submitted to and approved in writing by the National Park Authority. The scheme shall include indications of any existing trees and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of the buildings or the completion of the development, whichever is the sooner; and 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.

END OF SCHEDULE