



Appeal Decision

Site visit made on 11 January 2022

by Diane Cragg Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 February 2022

Appeal Ref: APP/M9496/W/21/3270136

Land North-West of Main Street, Taddington, Buxton SK17 9UF

- 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 S Smith against the decision of Peak District National Park Authority.
 - The application Ref NP/DDD/1120/1049, dated 10 November 2020, was refused by notice dated 8 February 2021.
 - The development proposed is describe as agricultural building for livestock and equipment.
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Decision

1. The appeal is allowed, and planning permission is granted for an agricultural building for livestock and equipment at land north-west of Main Street, Taddington, Buxton SK17 9UF in accordance with the terms of the application ref NP/DDD/1120/1049 dated 10 November 2020, subject to the conditions in the schedule at the end of this Decision.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the Fossilised Strip System (FSS) as a non-designated heritage asset and the Taddington Conservation Area (TCA), and whether the proposal would conserve the landscape and scenic beauty of the Peak District National Park.

Reasons

3. The appeal site comprises a long narrow rectangular field, one of a number of strips of agricultural land bounded by dry stone walls, in open countryside to the east of Taddington village. It is 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 – 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.
4. Taddington is a Conservation Area and the countryside surroundings of the village, including the strip fields which extend to the lanes, are acknowledged as contributing to the setting of the village.
5. The proposed agricultural building would be sited near to the front of the strip field within the farmyard to one side of the field access. It would be

constructed of vertical timber boarding on a blockwork plinth with a steel sheet roof. The Authority is satisfied that the design of the building would accord with the Adopted Supplementary Planning Guidance Agricultural Developments in the Peak District National Park (SPG). Whilst I note the Authority's concerns about the site being located away from other buildings, the structure would be placed within a farmyard where vehicles and equipment are stored.

6. The building would not appear out of place in its rural setting, would be screened to a reasonable extent by the existing dry-stone wall and mature trees along the site frontage, and the overall effect of the proposed development on the setting of the TCA would be neutral.
7. 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. In addition, the Framework requires that great weight is given to the conservation and enhancement of the landscape and scenic beauty and cultural heritage of the National Park.
8. The location of the proposed building would not break the line of the FSS being set within the boundary walls of the particular field strip. It would be of a limited height and would be sited at the lowest part of the land at one side of the plot frontage. Views would be retained through the site that would allow the form of the existing strip field to be seen. The building would be sited in the appellant's farmyard and although the existing unlawful building would be removed, there is no evidence that the existing agricultural paraphernalia within it would be. Whilst I acknowledge that the designated heritage asset is of high significance, given the existing use of the site, the introduction of the proposed permanent building would not harm the significance of the FSS as a whole.
9. Policy DS1 of the Core Strategy Development Plan Document 2011 (CS) supports agricultural development in the countryside in principle. Policy DME1 of the Development Management Policies 2019 (DMP) states that agricultural buildings will be permitted if it is demonstrated that at the scale proposed it is functionally required for that purpose and all relevant criteria set out in section A of the policy are met.
10. The evidence before me is that the holding is approximately 9ha. The proposed building would be used to house livestock and farm machinery. The only existing building on the holding is at the edge of the village and is unsuitable for livestock because of its limited size, its location, and its detachment from the holding. The other parts of the land holding are remote and exposed and the impact of built development on these areas would be significant. The appeal site is the only part of the land holding which benefits from a water supply.
11. Further, it is where the farmyard is located and where the applicant and his predecessors have historically stored farming equipment. It is logical to site the building close to the equipment, both for operational convenience and to avoid a proliferation of operational sites. There are currently 15 cattle on the holding and the appellant wishes to increase this to 20. There are also a small number of pigs.

12. The support from the Authority's Agricultural Advisor indicates participation in a stewardship scheme. Although the scheme would finish in March 2022 the evidence is that such an arrangement or similar would be possible in the future, that the building would relate to the management of the special grasslands on the holding and that the stewardship scheme has contributed positively to the landscape.
13. The Authority accepts that a very small agricultural business may be in operation. It also accepts that the building is designed to house loose cattle, is an appropriate scale for the proposed number of cattle and that none of the other land within the appellant's control would be suitable for the proposed development. Whilst the Authority raises concerns that the cattle are not in evidence and may not belong to the holding. The letter of support from the veterinary practice, although of some age, indicates that the appellant has owned cattle and I have no reason to dispute that the appellant continues to keep them.
14. Taking all these matters into account, I am satisfied that sufficient information has been provided to establish that there is a functional need for the agricultural building in accordance with DMP Policy DME1.
15. In addition, as set out above the design of the building meets the requirements of the SPG, its siting has had regard to the surrounding topography and would be appropriate in terms of its siting, scale, massing and design so that the landscape and scenic beauty of the National Park would be conserved even when attaching great weight to this matter.
16. Therefore, overall, the proposal would not harm the character and appearance of the TCA, or the FSS as a non-designated heritage asset, or detract from the landscape and scenic beauty of the Peak District National Park. Accordingly, there would be no conflict with Policy GSP1 of the CS which requires that all development shall be consistent with the National Park's legal purposes and duty; CS Policies GSP2 and L1, which seek to conserve and enhance the valued landscape characteristics of the National Park or CS Policy DS1. The proposal would also accord with Policies DMC3 and DME1 of the 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 Policies DMC5 and DMC8 regarding the protection of heritage assets.
17. The proposal would also be in accordance with Paragraph 176 and Section 16 of the Framework regarding the conservation and enhancement of the historic environment.

Conditions

18. I have considered the conditions put forward by the Authority with reference to the Framework and the Planning Practice Guidance. The appellant has had the opportunity to comment on the conditions.
19. I have imposed the standard time condition, and in the interests of certainty, I have also imposed a condition concerning the approved plans. To achieve a satisfactory appearance, conditions regarding materials are necessary.
20. I note the appellant's comments in relation to the withdrawal of permitted development rights. I also acknowledge paragraph 54 of the Framework where it states that conditions should not be used to restrict national permitted

development rights unless there is clear justification for doing so. In this case, given the sites sensitive location, I am satisfied that it is reasonable and necessary in order to protect the FSS, as a non-designated heritage asset of high significance, and in the interests of the landscape and scenic beauty of the National Park, to prevent future changes of use of the structure and to ensure the buildings removal from the site in the event that the agricultural use of it ceases.

Other Matters

21. I have had regard to the previous appeal decisions brought to my attention, but I do not have the full details of these previous schemes before me. Therefore, I have considered the design of the building and the evidence to support its need on their own merits and in the context of relevant policies and guidance.
22. I accept that the Parish Council objects to the proposal. However, the basis of the Parish Council's objections is not set out and their lack of support does not alter my conclusions on the main issue.

Conclusion

23. For the reasons given above, I conclude that the proposal would accord with the development plan and the Framework, and therefore the appeal is allowed subject to conditions.

Diane Cragg

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall be begun within 3 years from the date of this permission.
- 2) The development hereby permitted shall not be carried out otherwise than in complete accordance with submitted plans: Site Location Plan (Document 4), Block Plan scale 1/500, Floor Plan and Elevations scale: 1/100 and 1/200.
- 3) The building shall be clad in vertical boarded timber stained dark brown and permanently so maintained.
- 4) The sheeting for the roof for the building hereby permitted shall be factory colour coated to BS5252 Ref No. 18B29 (dark slate blue) and thereafter the sheets shall not be repainted or replaced other than that colour without the prior written approval of the National Park Authority.
- 5) Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015, (or any order revoking and re-enacting that order) the building hereby approved shall not be used for any other

purpose whatsoever other than for purposes related directly to agriculture as defined by s.336 of the Town and Country Planning Act 1990. When the building hereby permitted is no longer required for the purposes of agriculture on the holding, it shall be dismantled, and removed from the site.