



Appeal Decision

Site visit made on 20 May 2022

by R Morgan BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21st June 2022

Appeal Ref: APP/H1033/W/21/3286291

Field To Corner Morland Way & Grinlow Road, Harpur Hill, Buxton, Derbyshire, SK17 9JH

- 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 D Fox against the decision of High Peak Borough Council.
 - The application Ref HPK/2021/0190, dated 5 April 2021, was refused by notice dated 13 August 2021.
 - The development proposed is a timber frame and clad agricultural building.
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Decision

1. The appeal is allowed and planning permission is granted for a timber frame and clad agricultural building at field to corner of Morland Way & Grinlow Road, Buxton, SK17 9JH in accordance with the terms of the application, Ref HPK/2021/0190, dated 5 April 2021, subject to the following 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:
 - PL 01A - Site plan
 - PL 02 – proposed plans

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The appeal site is located in an area of upland limestone country, close to the settlement of Harpur Hill. Travelling from the village Hill towards the appeal site along Grinlow Road, dramatic views unfold across the open moorland, before the road descends into a valley. The landscape is one of undulating fields and moorlands used for sheep grazing, divided by dry stone walls and punctuated with rocky outcrops.
4. The High Peak Landscape Character Supplementary Planning Document 2006 (SPD) identifies this area as falling within the Limestone Moorland landscape character area (LCA). The area around the appeal site clearly contains many of the features of the LCA. However, its location close to the edge of Harpur Hill and near to the Harpur Hill Business Park means that this area is also influenced by built development and the industrial areas nearby.

5. Morland Way follows the contours of the hillside along a winding route. The road passes through a largely undeveloped landscape, but there are a number of farm and domestic buildings along the road, close to the appeal site. As the road also leads to the business park, it is quite busy, and when I visited the site there was a steady stream of large vehicles passing by. There are a variety of road signs along this initial section of Morland Way, including two prominent signs associated with the business park, as well as streetlights and other highway infrastructure. The presence of these features along Morland Way means that the area within which the appeal site is located in does not fully reflect the description of the LCA as a largely unsettled area, with only occasional farmsteads and small hamlets.
6. The appellant has provided details of a recent planning permission for a large portal framed factory building at Ferney Bottom Farm, close to the appeal site (HPK/2021/0020). This development would be served by a new access off Morland Way, and if constructed would add further built form and associated highway infrastructure to this rural landscape.
7. The proposed timber building would have a footprint of approximately 11m x 3.6m, and would have the appearance of a small stable block. It would be used as a shelter for the appellant's flock of 60 sheep during bad weather and at lambing time. The building would be used instead of the existing structure which the appellant rents some 1.6 miles away, which is in a very dilapidated condition and is no longer suitable.
8. The appeal site is clearly visible when viewed from Grinlow Road and Morland Way to the east, and the proposal would introduce new built form into this open rural landscape. However, the proposed building would be modest in scale and of low height and horizontal form. It would be sited at the edge of the field, close to the field gate, and would appear to be 'tucked into' the corner of the field.
9. The SPD sets out development principles for this area. The proposed building would be viewed in front of the grassy bank which rises steeply behind the site, and would be visually framed within the bend in the road. It would be seen in the context of the winding road, with its associated vehicle restraint barrier, which curves up behind the site. As a result of the topography, it would not disrupt the skyline. Its position adjacent to a field boundary with remnants of a dry stone wall would also help provide visual containment.
10. The building would not form part of any existing complex of agricultural buildings, but would be sited close to the stone farmhouse and barns which front directly onto Morland Way, immediately opposite the appeal site. There is no other built development on this side of the road, but the presence of the nearby farm buildings would mean that the proposal would not appear as an isolated structure in an otherwise undeveloped landscape.
11. The proposed access track would be formed of hardcore, but the visual impact of this would be reduced over time, as it would be softened by vegetation growing through it. The short track would not appear as an unduly urbanising feature in the landscape.
12. Buildings in the surrounding area are constructed of a variety of materials. The proposed building would not be formed of stone, but timber is a traditional material which would not appear out of place in this rural area.

13. Overall, I find that the scheme would protect the character of the landscape, and would not cause undue harm to the character and appearance of the area. The proposal would help sustain an existing agricultural enterprise and would protect the natural environment and distinctive landscape character of the area. As such, it would be consistent with Policies S1, EQ2, EQ3 and EQ6 of the High Peak Local Plan 2016.
14. I have identified no conflict with the detailed requirements for the Limestone Moorlands area contained within SPD, or with paragraph 130c) of the National Planning Policy Framework, which requires that development is sympathetic to local character and landscape setting.

Other Matters

15. The appellant has not provided details of other land which he rents, but his preference to site the shelter on land in his ownership is understandable, and the location of the site close to where the appellant lives will make caring for the animals easier, particularly during inclement weather. In any event, I have found that the proposed siting is acceptable, so it is not necessary to consider potential alternatives any further.
16. The site is within the catchment of the Peak District Dales Special Area of Conservation, which has been identified by Natural England as being in an unfavourable condition due to excessive nutrients, specifically phosphorus. Within this area, consideration needs to be given as to whether proposed new development would lead to further harm by creating a source of water pollution or impacting on water quality. Recent advice on this matter, issued by Natural England on 16 March 2022, notes that requirements for Habitats Regulations Assessment (HRA) will apply to agricultural projects requiring planning permission that have the potential to release additional nitrogen and/or phosphorus into the system.
17. In this case, the proposed building would provide for the storage of animal feed and bedding, and would provide shelter to sheep and lambs. It would replace an existing building, also within the relevant catchment, which is used for a similar purpose. There is no suggestion that the number of animals in the flock would increase, so there would be no intensification of the existing operation. The appellant has confirmed that the development would not generate additional nutrients, and there would be no wastewater discharges.
18. Given the scale and nature of the proposal, I am satisfied that it would not result in additional discharge of nutrients into the catchment. It is therefore unnecessary to consider this matter any further, and HRA is not needed.

Conditions

19. I have imposed the standard implementation and plans conditions, in the interests of certainty. No other conditions are necessary.

Conclusion

20. For the reasons given, the appeal is allowed.

R Morgan

INSPECTOR