



Appeal Decision

Site visit made on 12 February 2025

by **J Hobbs MRTPI MCD BSc (hons)**

an Inspector appointed by the Secretary of State

Decision date: 18 March 2025

Appeal Ref: APP/M9496/W/24/3350258

Blues Trust Farm, Marnshaw Lane, Longnor, Staffordshire SK17 0QR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Crystal Blue of Blues Trust Farm against the decision of Peak District National Park Authority.
 - The application Ref is NP/SM/0224/0229.
 - The development proposed is construction of an agricultural barn and an additional roadside gated access.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposal on the character and appearance of the area, including the Peak District National Park (PDNP);
 - whether it has been demonstrated that there is a justified need for the scale of the proposed development; and
 - the effect of the proposal on highway safety.

Reasons

Character and appearance

3. Under the National Parks and Access to the Countryside Act 1949 (as amended), the two purposes of National Parks are to conserve and enhance the natural beauty, wildlife, and cultural heritage; and to promote opportunities for the understanding and enjoyment of the special qualities of them by the public. The Act requires me to further these purposes. Moreover, paragraph 189 of the National Planning Policy Framework (the Framework) states that great weight should be given to conserving and enhancing landscape and scenic beauty in the National Parks.
4. The appeal site forms part of the appellant's landholding and is an irregular-shaped parcel of land fronting Marnshaw Lane. Most buildings accessed from the road are modest in size and well-screened by vegetation. Although the area is defined by rolling hills, the appeal site is a relatively flat piece of land. However, the land behind the site drops away significantly. The wider area is characterised by agricultural development including fields bound by dry stone walls. There are a few examples of commercial development nearby, but this is

centred around Leek Road. For these reasons, the area is characteristic of the Southwest Peak Upland Pastures area, as defined by the Authority's Landscape Strategy¹, and contributes to the landscape beauty of the PDNP.

5. The proposed barn would be sited close to Marnshaw Lane and would span across most of the site frontage. The appellant has sought to minimise its size whilst accommodating necessary facilities and proposed a flared roof which would reduce the barn's massing. Notwithstanding this, the scale and massing of the barn would be substantially larger than nearby development. Due to the size of the barn and its siting, it would be highly prominent and appear overly dominant when viewed from Marnshaw Lane.
6. Whilst the proposed barn would be screened in some long-distance views, it would be sited on a hilltop and would be very prominent in local views from Marnshaw Lane and from the other side of the valley within the setting of the Natural Zone. It would appear isolated from other modest structures within the landholding. As such, the siting would be contrary to the guidance within the Agricultural Development SPG² where it advises to reduce the visual impact, isolated buildings should be set in dips or set against a hillside.
7. Most buildings in proximity to the appeal site are of a simple design, often with minimal detailing, single pitched roofs, and small openings. The proposed barn would have a complex roof structure, include large circular openings with green wall features wrapping around the openings, and timber bracings. Consequently, due to its design the proposed barn would appear incongruous when viewed alongside the simple design of surrounding development.
8. I acknowledge that the height of the building may be necessary to store certain pieces of machinery, and that the appellant has sought to replicate the traditional design of long-barns found in the PDNP. However, there is no evidence to explain why the building could not have been separated into a series of smaller buildings as advocated for within the Agricultural Development SPG.
9. The proposed tree planting along the site's frontage would partially screen the proposed barn. It would also help it assimilate with other development along Marnshaw Lane which tends to be well screened. The use of timber cladding stained in dark hues and other high-quality materials, and the reconstruction of the dry-stone wall would be beneficial but would not mitigate the identified harm.
10. The appellant has indicated that the barn falls within the size permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). However, there is no evidence that the Authority has granted prior approval or issued a certificate of lawful development for the barn. Furthermore, it has not been demonstrated that the proposal would meet the conditions set out in the Order. As such, it does not represent a realistic fallback position and does not set a precedent for the appeal proposal.
11. I conclude that the appeal proposal would have a harmful effect on the character and appearance of the area, including the PDNP. It would be contrary to policies GSP1, GSP3, and L1 of the Peak District National Park, Local Development Framework, Core Strategy Development Plan Document, October 2011, and

¹ Peak District Landscape Strategy 2022-2031

² Supplementary Planning Guidance, Agricultural Developments in the Peak District National Park, July 2003

policies DMC1, DMC3 and DME1 of the Development Management Policies, Part 2 of the Local Plan for the PDNP, May 2019 (DMP). These policies indicate that all development shall be consistent with the National Park's legal purposes and duty; and particular attention will be paid to the siting, scale, and mass in relation to existing buildings, amongst other matters.

Scale

12. The appellant has followed DEFRA³ guidance and The Agricultural Budgeting and Costing Book to calculate the amount of required floorspace for the proposed expanded operation. The Authority has not disputed these figures and there is no evidence to indicate why the guidance should not be followed.
13. During my site visit I observed horses and ducks within the landholding and paraphernalia including an electric fence which would be necessary to accommodate grazing animals. This is consistent with the appellant's representations on the current farming practice.
14. The scale of the proposed barn would be large in comparison to the size of the landholding. However, the appellant has set out within their representations that a barn of this size would be necessary, and that the landholding is of a sufficient size to accommodate the expanded operation. There is no compelling evidence before me to dispute this.
15. Therefore, I conclude that it has been demonstrated that there is a justified need for the scale of the proposed development. In this regard, the proposal would comply with DMP Policy DME1 where it indicates that new agricultural buildings will be permitted if it is demonstrated that the scale proposed is functionally required.

Highway safety

16. Marnshaw Lane is a narrow rural track that is used to access several dwellings and farms; it has a speed limit of 60mph. There is no footpath but there are small grass verges either side of the road, beyond which tends to be a short dry-stone wall.
17. The proposal includes the formation of a second access, and the expanded operation would generate additional vehicle movements. Due to the road alignment, the proposed visibility for drivers exiting the site would be much lower than requested by the Local Highway Authority. Nonetheless, due to the characteristics of the road, vehicles are likely to be travelling at much lower speeds than 60mph. Moreover, as there are similar access arrangements for nearby dwellings and farms; pedestrians, cyclists and drivers would reasonably anticipate slow moving vehicles exiting the site. The personal injury collision data shows that there were no accidents on Marnshaw Lane for five years preceding 11 April 2024. Given that the road includes similar accesses to that proposed, this suggests that there is not an existing highway safety problem. I am therefore satisfied that vehicles would be able to enter and/or exit via either access safely.
18. Whilst there is no evidence on current or proposed vehicle movements, an agricultural operation of the scale proposed would not be out of keeping with the character of the area. There is no substantive evidence that the farming of ducks

³ Department for Environment, Food & Rural Affairs

would generate significantly more vehicle movements than other types of farming. Consequently, the number of movements generated by the proposed expanded operation would not be out of keeping with the character of the area.

19. I conclude that the proposal would not have a harmful effect on highway safety and would comply with DMP Policy DMT3. The policy indicates that development which includes a new access onto a public highway, will only be permitted where, having regard to the nature of the road, a safe access is achievable.

Other Matters

20. Benefits of the proposal include the orientation of the proposed barn would promote natural cross-ventilation and the installation of photovoltaic panels on the roof. The appellant would also implement sustainable farming measures and would collaborate with schools to promote awareness of sustainable farming. Nonetheless, given the scale of the proposal these benefits attract modest weight and do not outweigh the identified harm.

Conclusion

21. Within the Design and Access Statement, the appellant has indicated they would provide suitable access for people for whom the protected characteristic of disability may be relevant. I have had due regard to the Public Sector Equality Duty set out within the Equality Act 2010. However, the harm caused to the character and appearance of the PDNP would outweigh the proposal's benefits, including in terms of eliminating discrimination against persons with the protected characteristic of disability, advancing equality of opportunity for those persons, and fostering good relations between them and others.
22. The proposal conflicts with the development plan when considered as a whole and the material considerations do not indicate that the appeal should be decided other than in accordance with it. I conclude that it is proportionate and necessary to dismiss the appeal.

J Hobbs

INSPECTOR