

Independent Examination of Peak District National Park Development Management Policies

Peak District National Park Authority Responses to Matters and Issues

NB, existing modifications are highlighted in red with suggested new changes shown with strikethrough and underline.

Matter 6 – Farming and Economy

Issue 1: Are the policies consistent with the Framework?

Issue 2: Are the policies clear and effective?

Policy DME1: Agricultural or forestry operational development

1 Should the criteria in part A be applied according to the type of agricultural or forestry operation?

The Authority considers that asking for answers to all parts will prevent debates as to which questions should be answered (which could lead to delays in processing the application and inconsistency of approach).

2 Would the requirement of part A to satisfy all 10 criteria be justified in all cases? Would this part be more effective if the requirement to show functional need is assessed on a case by case benefit having regard to the factors listed?

The Authority considers that the suggestion to assess functional need through a bespoke list for each application would leave room for argument over what an applicant should and shouldn't provide as part of an application. This would delay the processing of an application and put pressure on officers to process applications with incomplete information. The Authority suggests that if Part A said 'relevant criteria' it would be accurate, but cautions that this would mean officers would then need to judge on a case by case basis what was relevant to each particular type of operation. The Authority suggests this isn't practical and that requiring an applicant to simply write 0 or N/A where a section is not relevant to the application is not unreasonably onerous.

3 Would the requirement to demonstrate contribution to NPA objectives be more effectively achieved if the objectives were set out in the background text?

The Authority suggests that DME1 A (x) is re-worded to state 'Contribution to NPA objectives e.g. conservation of valued landscape character as established in the Landscape Strategy, including winter housing to protect landscape.

This links the policy to supporting text 4.10. The Authority suggests that the supporting text to policy DME1 could include the following statement:

In order to respond to DME1 A part (x), an applicant should refer to the Local Development Framework Core Strategy spatial objectives established on pages 44 – 47, and the Landscape Strategy.

The Authority also suggests that paragraph 4.12 could also be strengthened by strikethrough of the final sentence and the addition shown below to paragraph

4.12 In all cases, new buildings should only be designed with features and openings necessary for the operational use. Features that are not ordinarily required for such business use and are more commonly associated with other uses should be avoided⁵⁶. In some circumstances it may be preferable to incorporate simple stone work to lower levels in order to tie the modern building more successfully into the historic farmstead and surrounding landscape. ~~Supplementary Planning Guidance provides detailed advice on the siting and design of more modern agricultural buildings. Further guidance on additional information that may be submitted in support of an application is provided in the Authority's Agricultural Developments Supplementary Planning Guidance, for example information on animal welfare, waste management, pollution control, or to meet the requirement for Environmental Impact Assessment. High environmental and welfare standards will carry positive weight in the planning process, subject to meeting the requirements of DME1 and other Local Plan policies.~~

4 Is it necessary for the policy to set out requirements to provide information on location, appearance, dimensions and layout (A (iv) and (viii)) given that this information would normally be expected to be submitted with a planning application?

There is a history of poor information being provided for applications for this type of development and the Authority therefore take a precautionary approach by being specific about what it needs to know in order to assess an application. Development in landscapes away from settlements has enormous scope to harm the National Park. The Authority therefore considers it essential, particularly given the protected status of the area, to be crystal clear what it needs by way of information before making a decision. The commitment to this is evident in the Agricultural Buildings SPG adopted in 2003, and the Authority intends to refresh this upon adoption of this plan. The existence of such guidance since July 2003 demonstrates that whilst the policy requirements are detailed, the Authority provides detailed guidance for land managers to help them produce good quality applications.

DME1: Agricultural or forestry operational development

A. New agricultural and forestry buildings, structures and associated working spaces or other development will be permitted provided that it is proven to the Authority's satisfaction, that the building at the scale proposed is functionally required for the purposes of agriculture; from information provided by the applicant on all the following criteria; ~~that the building at the scale proposed is functionally required for the purposes of agriculture:~~

- (i) Location and size of farm
- (ii) Type of agriculture practiced on the farm;
- (iii) Intended use and size of proposed building;
- (iv) Intended location and appearance of proposed building.
- (v) Stocking type, numbers and density per hectare;
- (vi) Area covered by crops;
- (vii) Existing buildings, uses and why these are unable to cope with existing or perceived demand.
- (viii) dimensions and layout;
- (ix) Predicted building requirements by type of stock/crop/other usage; and
- (x) ~~Contribution to NPA objectives, e.g. winter housing to protect landscape and the proposed building(s) and structure(s):~~ Contribution to NPA objectives e.g. conservation of valued landscape character as established in the Landscape Strategy, including winter housing to protect landscape

B New agricultural and forestry buildings structures and associated work spaces or other development shall.

- (i). be located close to the farmstead or main group of farm buildings, and in all cases relate well to, and make best use of, existing buildings, trees, walls and other landscape features;
- (ii). are not in isolated locations requiring obtrusive access tracks, roads or services;
- (iii). respect the design, scale, mass and colouring of existing buildings and building traditions characteristic of the area, reflecting this as far as possible in their own design;

~~(iv). avoid adverse effects on the area's valued characteristics including important local views, making use of the least obtrusive or otherwise damaging possible location; and~~

~~(v). avoid harm to the setting, fabric and integrity of the Natural Zone~~

~~B. are close to the farmstead or main group of farm buildings, and in all cases relate well to, and make best use of, existing buildings, trees, walls and other landscape features;~~

~~C. are not in isolated locations requiring obtrusive access tracks, roads or services;~~

~~D. respect the design, scale, mass and colouring of existing buildings and building traditions characteristic of the area, reflecting this as far as possible in their own design;~~

~~E. avoid adverse effects on the area's valued characteristics including important local views, making use of the least obtrusive or otherwise damaging possible location; and~~

~~F. avoid harm to the setting, fabric and integrity of the Natural Zone~~

Policy DME2: Farm diversification

5 Please would the Authority explain how Policy DME2 accords with paragraph 28 of the Framework? In particular what is the justification for restricting further changes of use in part A? Would this accord with the advice in the Planning Practice Guidance on use of conditions?

Paragraph 28 of the Framework has been recognised by the Authority with particular relevance shown for the second bullet point, (*i.e. promote the development and diversification of agricultural and other land management businesses*) However, the Authority plan is required to be in accordance with paragraph 14 of the Framework, which for plan making states that authorities should meet the development needs of their area, including objectively assessed need, unless specific policies in this Framework indicate development should be restricted⁹. Footnote⁹ refers to those policies relating to sites within a National Park. The Authority considers paragraph 115 of the Framework to constitute a policy relating to National Parks. It states that great weight should be given to conserving landscape and scenic beauty in National Parks. The Authority argues that paragraph 115 can only be respected if the Authority has the scope to avoid the levels of development that paragraph 28 would otherwise permit and, if it has the scope, within that overall restriction, to control development within broad use classes. Without such a protection, the scope for business to expand and harm landscapes is immense. Examples are available if necessary to show that, once

business establishes in the landscape, it is easier, from a pure business perspective, for it to go on expanding and evolving in the same location rather than re-locating to business premises in more sustainable locations. As businesses evolve and inevitably grow in geographical size and turnover, their connection to positive land management activity is prone to weaken or be broken entirely. Only by having the option to restrict the diversified business activity to that which is genuinely supporting farming and other land management activity can the Authority give great weight to the conservation of landscapes in accordance with paragraphs 14 and 115, and footnote 9 of the NPPF.

The Authority imposes conditions in line with government guidance on application of conditions, but considers that planning conditions occasionally need to be more exacting to ensure conservation and enhancement of the protected landscape in line with paragraph 115.

6 What is the justification for requiring farm diversification businesses to remain ancillary to the farming operation and how would this be monitored?

The Authority considers that, as a general principle, farming helps conserve the landscape, and that a healthy farming sector is essential to encourage conservation of the national park landscapes. However, marginal farming business in upland areas has always needed scope to diversify, and this policy has, for successive plan periods, helped farm business to diversify in a way that goes hand in hand with conservation of valued landscape character. Conversely, business that loses its tie to land management retains no positive stake in the conservation of the Park's valued landscape character, as there is no incentive for any of the money invested in that business, or the profit made from that business, to be re-invested in conserving or enhancing the national park landscapes. In addition, business that doesn't contribute positively to land management has no sustainable reason to remain, and is more likely to be a negative presence, from the perspective of conserving valued landscape character. The National Park has a strategic supply of employment sites at a level deemed appropriate for the area (EB9 and EB11). There is therefore no strategic logic for business to apply to operate away from business sites unless there is a direct link to land management practice. Policy enables business units in DS1 settlements, and guards against loss of strategic sites and smaller sites in villages precisely so that business has scope to operate from sustainable locations in the National Park without harm to landscape character.

In terms of monitoring, the Authority conducts routine enforcement work where breaches of permissions are suspected. Unless there is suspected unauthorised development or there is an application for further development to be considered, there is no further routine monitoring of business in the countryside in order to check ancillary status.

Policy DME3: Safeguarding employment sites

7 Should the policy say that the sites are identified on the Policies Map?

The Authority agrees and suggests the words underlined.

DME3: Safeguarding employment sites

The following sites are identified on the policies map and will be safeguarded for B1, B2 or B8 industrial use and employment use unless the ~~development plan~~ Development Plan and evidence of strategic need ~~(including from any adopted neighbourhood plan evidence or policy)~~ justifies mixed use development, in which case the predominant use (s) should remain in the B1, B2 or B8 use classes:

Aston Industrial Estate

Bakewell: Deepdale Business Park, Ashford Road

Bakewell, Station Road

Bakewell: Riverside Business Park (incorporating Lumford Mill)

Great Longstone Industrial Estate

Calver Sough Industrial units

Great Hucklow Cartledge House Business Centre

Newburgh site Bradwell

Hathersage Hall Farm

Hathersage Station Yard

Station Road, Bamford

Stretfeld Mill, Bradwell/Brough

~~Aston Industrial Estate~~

Vincent Works, Brough

Policy DME4: Change of use of non-safeguarded, unoccupied or under-occupied employment sites in DS1 settlements

8 Policy DMH6 would provide for redevelopment of previously-developed land for housing without a requirement to market the site. Are the requirements of the two policies consistent?

The Employment Land Review, which underpins the policies of the Core Strategy (EB9) and the refreshed evidence that underpins this plan (EB11), suggested that up to 2026, and to meet the economic aspirations of the constituent councils, there is a need for an additional 3.5 ha of industrial space and 1.5ha of office space (EB11). It suggested that this need could largely be met on three currently identified sites of Bakewell Riverside (Lumford Mill), Newburgh site, Bradwell, and Ashford Road Bakewell. However, it also cautioned that, whilst most of this provision could be met on those sites, if those sites, for whatever reason, were not developed, alternative sites in the National Park would need to be considered. It concluded that that there would also need to be scope to allow, through Development Management Policies, further small-scale employment developments and conversions to meet local needs in Derbyshire Dales part of the National Park. Therefore, in order to give scope to meet or retain a level of strategic provision, DME4 requires great care to be exercised before release of employment sites even where they are not specifically safeguarded. This is especially important in the context of a protected landscape where it is difficult to identify and develop totally new employment sites. The policy does however offer flexibility by allowing for cases to be made to shorten the marketing period for such premises. (page 51 footnote 58). DMH6, by contrast, is concerned with previously developed land that is not in business use and is, in its current state, harming the national park environment. Limitation to business use would in these cases prevent development of other uses such as housing, which could prevent the achievement of enhancement.

In some cases, it is employment use that has caused the initial problem and the Authority is keen to have other options to perpetuate harmful uses in future.

9 The numbering of the paragraphs could be clearer. What is the justification for the information requirements of the two paragraphs following part A as they go further than the requirements for safeguarded sites?

M4.23 corrects the numbering and gives the policy parts B, C, and D. The justification for the parts 1.218 and 1.219 (proposed parts B and C of this policy) is that the Authority needs to ensure that any overall provision is in line with the strategic needs of the area. Safeguarded sites are protected to ensure strategic provision, with mixed use accepted only up to, but not beyond the point that strategic provision remains, and only then, if on a site by site basis the predominant use remains B1, B2, and/or B8.

DME4: Change of use of non- safeguarded, unoccupied or under- occupied employment sites in DS1 settlements

The change of use, or re-use of non- safeguarded, unoccupied or under-occupied employment sites in or on the edge of DS1 settlements to non-business uses will be permitted provided that:

A. The site or buildings have been marketed to the Authority's satisfaction for a continuous period of 12 months prior to the date of the planning application, in line with the requirements of this plan and the Authority agrees that there is no business need⁵⁸;

In the case of proposals to change to other class B uses where a change requires planning permission⁵⁹:

~~1.218~~

B The changed nature of any business use proposed for land or buildings is justified by evidence of need for particular business premises and space in the National Park or, if expressed as a need for the district, borough, or metropolitan council, for that council area; and

~~1.219~~

C. In accordance with any evidenced need, the size and type of buildings proposed would address that need; and in all cases

~~1.220~~

D The proposed use enhances any valued character associated with the site or premises, including any cultural heritage significance attached to the site or buildings and the wider settlement pattern

Policy DME5: Class B1 employment uses in the countryside outside DS1 settlements

10 As 'adverse effect' in part A could cover a wide range of potential effects would it be preferable to allow application of appropriate mitigation measures rather than the closed list set out in paragraphs (i) to (iii)?

The Authority considers that the development management policy should be specific when placing requirements on applicants. This closed list is considered necessary to clarify what the Authority considers are appropriate measures to achieve mitigation, whilst allowing new uses of buildings rather than development to buildings.

11 Would paragraphs B (i) and (iii) be consistent with the Planning Practice Guidance?

The Authority points out that the policy itself is an exception to the principle of restricting development in the National Park so, in the interests of giving greater weight to the objective of protecting the National Park in line with NPPF paragraphs 14 and 115, the Authority considers it is reasonable to limit the scope of any permission and restrict its implementation to the applicant.

Policy DME6: Home working

12 Should part A refer to policies DMH7 and DMH8?

The Authority agrees and suggests the addition of the words underlined to part A.

DME6 Home working

The following sites are identified on the policies map and will be safeguarded for B1, B2 or B8 industrial use employment use unless the development plan and evidence of strategic need (including from any adopted neighbourhood plan evidence or policy) justifies mixed use development, in which case the predominant use (s) should remain in the B1, B2 or B8 use classes:

- A Permission for home working will be restricted to a specified activity within use class B1 and restricted to a scale that can be accommodated within the dwelling, or ancillary buildings, without creating a need or demand for further ancillary buildings, or extension of a dwelling beyond that which would normally be permitted by ~~policy~~ policies DMH7 and DMH8; and
- B. Planning conditions and/or obligations will be used as necessary and appropriate to control any aspects of the business activity likely to adversely affect the valued characteristics, residential character or amenity of the area.

The conditions and obligations may include:

- (i) the exclusion of permitted development rights for further buildings or structures;
- (ii) controlling the scale, intensity and type of activity, including vehicular movements and hours of operation;
- (iii) controlling the arrangement for parking and/or storing of vehicles, equipment and materials.

Policy DME7: Expansion of existing industrial and business development where it is not ancillary to agricultural business

13 Could paragraphs E and H be combined as their requirements are similar?

The Authority agrees and suggests the addition of the words underlined to Part E and the deletion of part H.

DME7: Expansion of existing industrial and business development where it is not ancillary to agricultural business.

In or on the edge of a DS1 settlement

In or on the edge of a DS1 settlement, expansion of an existing industry or business will be permitted provided that:

- A. It is operating in an appropriate location; and
- B. The scale and type of development can be accommodated without adversely affecting the amenity and valued characteristics of the area or to traffic safety and circulation; and
- C. Proper consideration has been given to the possibilities of using, modifying or extending buildings to conserve and enhance landscape character before proposing new buildings

Outside DS1 settlements

Outside DS1 settlements, expansion of existing industrial and business development will only be permitted where:

- D. It is of a modest scale in relation to the existing activity and/or buildings
- E. The scale and type of development can be accommodated without adversely affecting the amenity and valued characteristics of the area or to traffic safety and circulation; and provided impact on residential amenity from operating hours, lighting and noise is considered acceptable.
- F. It does not adversely affect, and wherever possible secures the enhancement of the site as well as the future management of valued characteristics of the site and adjoining land ~~within the ownership of the business~~; and
- G. Proper consideration has been given to the possibilities of conserving and enhancing landscape character by using, modifying or extending existing buildings; and
- H. ~~Impact on valued characteristics and residential amenity from operating hours, lighting and noise is considered acceptable.~~