

DELEGATED DECISION REPORT

HPK/2023/0422
Valid 29/09/2023

DEACONS FARM, BUXTON
ROAD, CHINLEY,
DERBYSHIRE, SK23 6DR

REPLACEMENT
AGRICULTURAL BUILDING TO
HOUSE AND FEED
LIVESTOCK (FULL – MINOR)

MAIN ISSUES

- Principle of Development
- Design Considerations (inc effect on Heritage Assets)
- Impact upon Residential Amenity
- Highway Safety

DESCRIPTION OF SITE

The application site relates to a land which is located within the Green Belt, as defined by the Local Plan policies map. The site relates to a farm complex known as Deacons Farm. The site includes a farmhouse with attached barn, and separate detached barns. The site is located within a small group of buildings, in ribbon form along Buxton Road, which comprise dwellings and a school, a railway line lies to the north. The site is accessed via two points of access from Buxton Road. The farmhouse is a Grade II Listed Building known as Deacons Farmhouse, the official listing describes the building as:

Mid C18. Coursed gritstone rubble with quoins. Gritstone dressings. Stone slate roof. Four stone stacks, each rising from mid way up the gable, either side of each gable wall.

Two storeys, double fronted, three bays. Central doorcase with bead moulding to edge of flush lintel, jambs and imposts. Plank door. To either side three-light flush mullion windows with C20 casements. Above two similar windows and single light window over door. To rear similar windows in same arrangement, except for central stairwell window.

Interior has ovolo moulded beams. Stone flagged hall with panelling to east side.

PROPOSAL

This application proposes the erection of an agricultural building. The building would be 45.72m in length, and 13.41m in width. The building would have a pitched roof with height to eaves of 4.572m and 6.369m to ridge. The building would be open on one elevation, with the remaining elevations constructed from concrete panels at lower level with vertical timber cladding above. The roof would be finished with fibre cement sheeting in juniper green colour.

The building is proposed to provide improved accommodation for a dairy herd. The dairy herd at the farm was recently lost to TB.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

High Peak Local Plan (Adopted 2016)

- S1 Sustainable Development Principles
- S1a Presumption in Favour of Sustainable Development
- S6 Central Sub-area Strategy
- EQ1 Climate Change
- EQ2 Landscape Character
- EQ3 Rural Development
- EQ4 Green Belt Development
- EQ5 Biodiversity
- EQ6 Design and Place Making
- EQ9 Trees, Woodlands and Hedgerows
- CF6 Accessibility and Transport

Supplementary Planning Guidance/Documents

High Peak Design Guide (2018)

National Planning Policy Framework

- Section 6: Building a strong competitive economy
- Section 12: Achieving Well-designed Places
- Section 13: Protecting Green Belt Land
- Section 15: Conserving and enhancing the natural environment

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/2016/0085 - Proposed erection of agricultural building – Approved – 14/07/16

HPK/2015/0257 - Proposed Erection of an Agricultural Livestock Building –
Withdrawn – 06/07/15

CONSULTATIONS

Publicity

Site Notice expiry date: 09/11/23
Neighbour consultation period ends: 02/11/23
Press Advert:

Public Comments

None

Town / Parish Comments

Chinley, Buxworth & Brownside Parish Council supports this application subject to some additional landscaping, particularly on the western boundary, given the scale of the proposed building.

DCC Highways

There are no highway safety objections to the above mentioned planning application.

United Utilities

We strongly encourage all developments to include sustainable drainage systems to help manage surface water and to offer new opportunities for wildlife to flourish. We request that Local Planning Authorities and applicants do all they can to avoid surface water entering the public sewer. The flows that come from this surface water are very large when compared with the foul water that comes from toilets, showers, baths, washing machines, etc. It is the surface water that uses up a lot of capacity in our sewers and results in the unnecessary pumping and treatment of surface water at our pumping stations and treatment works. If new developments can manage flows through sustainable drainage systems that discharge to an alternative to the public sewer, it will help to minimise the likelihood of sewers spilling into watercourses and the flooding of homes and businesses.

HPBC Conservation Officer

Initial Comments - Deacons Farm is a GII listed vernacular bay farmhouse situated close to the Buxton Road. Not to be confused with Deacons Cottage, which is the two storey taller house to the west of the vicinity. Deacons Farm is nestled into the front of the site due to the topography here and what little remains of any soft landscaping.

Deacons Farmhouse appears to have lost a substantial amount of its original roofing material to the west wing of the building. This material palette is noted in the listing description. From preliminary investigation there appears to be no planning history to evidence the works. Currently it sees to the west wing a corrugated metal or plastic roofing which from chronological street view photographs appears most recently altered. I am querying this as currently the alien material is deemed to pose harm to the listed building. Clarity required.

This scheme looks to replace an existing agricultural building with a renewed structure of a much larger footprint. Located at the rear, or south of the site there are no other listed structures in this vicinity. The existing appears to be a form of dutch barn with open sides and roof with respective one storey or smaller structure to the rear.

The proposed sees a quite massive building associated to agricultural use. The colours and design attempting to allow for it to be inconspicuous but I am concerned in light of the sheer scale of the structure, those elements will afford it very little.

I cannot gauge from the drawings the exact increase in size from the existing to the proposed and would like this made clearer. I suggest that if a structure of this footprint is required, that its height be reevaluated. This is due to the fact that the setting of the listed building at the front of the site will be seen to come to harm with the mass of this structure closely behind it. I cannot see that it is sensitive to setting, though it is acknowledged the structure is sited at the rear of the site. Nonetheless this remains part of the asset's setting and context upon which historic value is drawn from. I do not believe this has fully been taken into account in the heritage statement. Whilst I am not well rehearsed in the workings of an active farmstead it is curious as to why the building must be so exceptionally tall when it is to house cattle.

I will await further information before providing final comment.

Further Comments - There needs to be a listed building consent application to change this roofing material as this currently unauthorised work was said to be done in 2006. In the scale of things this is still recent. There is no planning history for this. Unauthorised works to listed buildings is not subject to immunity timeframe as would be a planning permission elsewhere. This can be dealt with separately and I will inform enforcement.

As previously noted despite the explanation whilst it is appreciated please can the difference in scale and measurements be made clearer on the drawings in order for me to assess.

Further Comments - This is a substantial increase in size and due to the proximity of the asset I am not sure whether there is public benefit to the asset. It will always remain as a dwelling in private use.

Has it been explored as to whether if this size is so required that the building be located further into the back of the site?

OFFICER COMMENTS

Principle of Development

The application proposes the erection of a building within the Green Belt as defined by the Local Plan policies map.

Policy EQ3 relates to rural development and states that development in rural areas will be strictly controlled and that the support will be given to proposals for agricultural and related development which help sustain existing agricultural enterprises and new agricultural buildings that maintain landscape quality and the character of the countryside.

Policy EQ4, which relates to Green Belt development, states that development in these locations will not be permitted unless it is in accordance with national planning policy.

The NPPF identifies that the construction of new buildings within the Green Belt will be considered to be inappropriate development and will only be allowed where it meets one of the exceptions identified within paragraph 154. Paragraph 154 allows for buildings for agriculture and forestry. The erection of agricultural buildings can be considered to be appropriate development in the Green Belt.

The Planning Act confirms that *“agriculture” includes horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land), the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes, and “agricultural” shall be construed accordingly*”.

In this instance, the application site is clearly an established agricultural enterprise. The supporting documentation confirms that the holding extends to approximately 1000 acres, of which, 550 acres are owned and that the farm is used to rear cattle and sheep and to produce milk, beef and fodder crops.

As there is an existing established agricultural enterprise on the site the development meets one of the exceptions for appropriate development within the Green Belt. As such there is no requirement to assess the effect of the development on its openness or the reasons for including the land within the Green Belt.

In terms of compliance with Policy EQ3, it is understood that the business has recently lost its dairy herd, in its entirety, to TB. This was exacerbated by having to lack of housing and housing cattle in a barn of substandard size, when following relevant recommendations.

The proposal seeks to improve conditions at the farm, to provide housing in accordance with DEFRA guidance and FABBL recommendations. This would allow the farm to rebuild its dairy herd to approximately 120-150 cattle, and allow the enterprise to deliver its milk production quota. The building would deliver appropriate accommodation to deliver the proposed stocking densities and appropriate ventilation. Existing buildings are not of an appropriate size or design to meet appropriate standards.

Therefore, it is considered that the building is for development which would help to sustain an existing agricultural enterprise and, therefore, complies with Policy EQ3 in this regard. The principle of the development is therefore acceptable.

Design Considerations (inc Heritage Assets)

Effect on Landscape

The application site is located within a rural area where policy EQ3 requires development to not have an adverse impact on the landscape. Policy EQ3 seeks to support proposals for agriculture and related development which help sustain existing agricultural enterprises, including small scale farm shops selling local

produce, complementary farm diversification and new agricultural buildings that maintain the landscape quality and character of the countryside.

Policy EQ2 states that the Council will seek to protect, enhance and restore the landscape character of the Plan Area, including its own intrinsic beauty. Policy EQ6 requires development to be well designed and respond positively to its environment requiring development to be respect the character, identity and context of the landscape.

The building would replace existing buildings on the site, although these buildings are comparatively small in the context of the scale of the building proposed. While large in scale, a building of such a scale is indicative of modern farming and necessary to meet existing standards and guidelines. The building would be site close to the existing buildings at the farm and as such is well related to existing buildings on the site and along Buxton Road. Views of the development from the south, would therefore be in the context of existing buildings. However there would be an opportunity to provide some additional landscaping to help soften the effect of the development from wider views.

From Buxton Road, the building would be set back some distance from the road, and sited behind the existing farm buildings. As such the building would not be prominent on the streetscene to cause any harm to the area.

The overall design of the building is considered to be appropriate for its intended use and, again, is indicative of modern farming. The design and appearance of the building would therefore be appropriate.

The proposal would not have a harmful effect on the landscape and would accord with Policies S1, S6, EQ2, EQ3 and EQ6 of the Local Plan.

Effect on Heritage Assets

As identified above, Deacons Farmhouse is a Grade II Listed Building. Local Plan Policy EQ7 states that the Council will conserve heritage assets in a manner appropriate to their significance. This will take into account the desirability of sustaining and enhancing their significance and will ensure that development proposals contribute positively to the character of the built and historic environment. Particular protection will be given to designated and non-designated heritage assets and their settings, including listed buildings.

NPPF paragraph 205 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Para 206 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

The main consideration in this instance is whether the proposed works would cause harm to the significance of the heritage asset. The application proposals do not affect the listed building itself, but does relate to development within its setting. The significance of the heritage asset primarily lies within its architectural detailing and historic use, although the agricultural setting of the building, and its landscape, forms part of its significance.

The Conservation Officer has raised concern with regard to the scale of the building and its impact on the setting of the Listed Building. It is noted that the building is large and would, undoubtedly amount to change in the setting of the building. However, there are intervening buildings between the Listed Building and the proposals, while the development also replaces some buildings with poor aesthetics. Views of both the Listed Building and proposed building in the same context would be limited, particularly from Buxton Road. Furthermore, operationally, it is appropriate to housing the dairy accommodation close to the milking parlour, which is within the Listed Building. Therefore, it is considered that the development would cause less than substantial harm to the significance of the heritage asset, with the harm being at the lower end of this.

The NPPF, at 208, advises that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

In this instance, the proposed development would help to sustain an existing agricultural enterprise by providing livestock housing which complies with existing guidelines and standards, and allowing the enterprise to rebuilding its dairy herd. The development would therefore bring direct associated social and economic benefits, along with indirect knock-on benefits. These would amount to public benefits of the scheme which would outweigh the limited less than substantial harm arising from the proposals.

Amenity

Policy EQ6 requires that development achieves a satisfactory relationship to adjacent development and does not cause unacceptable effects by reason of visual intrusion, overlooking, shadowing, overbearing effect, noise, light pollution or other adverse impacts on local character and amenity.

The building is located sufficient distance from neighbouring dwellings not to result in any overbearing, overshadowing or loss of light. The application site is an established agricultural enterprise and therefore there would be existing noise and disturbances arising from the site. The dairy herd, before its loss, was sited in a similar location to the application building. In addition, the site would have to operate in accordance with other environmental legislation. Therefore, there would be no adverse effects on the amenity of neighbours.

Highway Safety

The site can be adequately served by an existing track and would have appropriate turning and manoeuvring space. It is not considered that there would be any conflict

between vehicles to give rise to highway safety issues. DCC Highways have raised no objection to the proposed development.

CONCLUSION / PLANNING BALANCE

It is acknowledged that the development would cause some limited harm to the setting of a Grade II Listed Building. This would be outweighed by the public benefits of the development which would help to sustain an existing established farming enterprise. The proposal would comply with the policies contained within the Development Plan, guidance within the NPPF and relevant legislation, and as such it is recommended that the application for planning permission be approved.

OFFICER RECOMMENDATION: APPROVE

Case Officer: Declan Cleary

Recommendation Date: 22/01/24

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council