

The Croft, Station Road, Chapel en le Frith, SK23 9UE

The Property:

The dwelling, The Croft, formerly forming part of Marsh Green Farm, was granted planning permission on 16th March 1981 (ref: 13952/HPK/1280/1203), the property is also subject to a Section 52 agreement.

The Section 52 agreement dated 21 July 1982, is an agreement between High Peak Borough Council and Wiliam Henry Barratt (now deceased) & Sheila Vera Barratt.

The Section 52 agreement refers to a plan ('the said land'), which amounts to a total land area of circa 164 acres (66.5 ha); which includes the site of The Croft and the farmhouse & buildings associated with the former Marsh Green Farm.

The Section 52 agreement details two stipulations for the owners (Wiliam Henry Barratt & Sheila Vera Barratt), which are as follows:

- 1) That any dwelling erected in pursuance of consent issued under application No. 13952/HPK/1280/1203 shall not be sold assigned or sublet except as one parcel with the farmhouse and buildings presently situate upon the said land and a material part of the said land.
- 2) That the occupancy of the dwelling erected in pursuance of consent issued under application No. 13952/HPK/1280/1203 shall be limited to a person whose employment or last employment is or was wholly in agriculture as defined by Section 290 of the Town and Country Planning Act 1971 or in forestry or a dependant of such a person residing with him (including an dependents of such person) or the surviving spouse of such person.

The application:

The application is submitted (on behalf of Sheila Barratt) for the Section 52 agreement to be discharged, on the basis that given the passage of time the agreement is now obsolete and serves no useful purpose.

Detailed further below is the history and chronology of Marsh Green Farm and The Croft, and the occupiers of The Croft.

The reasons and justification for the Section 52 agreement to be discharged are as follows:

Wiliam Henry Barratt passed-away three years ago, Sheila Vera Barratt is the owner of The Croft and the buildings that remain as part of the former Marsh Green farm (i.e. now known as Marsh Green Business Park). The fam holding which was as detailed on a plan within the section 52 agreement, i.e. the 'said land', amounted to circa 164 acres (66.5 ha). However, the land has been sold and the only aspects that remain are The Croft and the buildings forming Marsh Green Business Park (see submitted plan). In light of the above, it is clear that the first stipulation of the Section 52 agreement has not been adhered to. Furthermore the land sold immediately around the former farm buildings and The Croft is now in residential use – forming the settlement of Chapel en le Frith. The former traditional buildings at Marsh Green Farm are now two dwellings (a complex of three dwellings in total including the original farmhouse).

To clarify the first stipulation of the Section 52 agreement has failed and could no longer be satisfied.

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The Croft when originally built was occupied by Edith Barratt and her son George, which at the time meant that the agricultural condition was being satisfied. However, since August 2008 the property has been occupied by people who have not satisfied the occupancy condition.

The Croft is no longer part of an agricultural farming business. Marsh Green Farm to which the Croft was associated, and was originally built for a farm worker for the farming business, no longer exists.

The submitted document with aerial images and street view images shows the current setting of The Croft.

The Croft is now situated within a residential area and therefore is not in an appropriate setting to serve as an agriculturally tied property.

The second stipulation of the agreement no longer serves a useful purpose given the demise of Marsh Green Farm and the development of the surrounding land for residential purposes.

Details regarding Marsh Green Farm and The Croft, and the occupiers of The Croft:

Edith Barratt decided to retire in 1981 from Marsh Green Farm. Consequently, Edith's son William (Bill) and wife Sheila (who at the time lived at Woodside Farm at Tunstead Milton) took over the farm.

Bill and Sheila Barratt moved into the farmhouse at Marsh Green Farm in January 1982.

Planning consent was granted for the Croft in March 1981, and Edith Barratt and her son George moved into The Croft in November 1981. George worked on the farm with his brother Bill.

The farmhouse at Marsh Green Farmhouse was sold in 1993, and the name was changed to Courtyard House.

Bill and Sheila Barratt then moved into a barn conversion at the farm, which was named Meadow House. This property was then sold in 1994.

Planning consent was granted for a further traditional barn conversion at the farm in 1993, which was named Marsh Green Barn. The barn was partially converted and then sold in 1994.

Bill Barratt suffered a serious back injury at the farm in 1984, which compromised his ability for undertake daily farming activities. Over the years therefore the farm activity was substantially reduced, culminating with a farm dispersal sale in on 25 March 1995.

In May 1995 planning permission was granted for the change of use of the modern farm buildings for a business use (ref: HPK/0003/4376). The site now being known as Marsh Green Business Park. This is the only part of the farm remaining within the ownership of Sheila Barratt.

The majority of the farmland was sold in the late 1990s. Some of the land was sold for development (i.e. residential). The last remaining land associated with the farm was sold in 2016 – the land to the east of Station Road.

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The former farmland surrounding The Croft was developed for housing between 2014 and 2018, i.e. now comprising of Becketts Wood and Rosebay Gardens etc.

Edith Barratt lived at The Croft until she died in October 2000. George continued to live in the property until he passed away in January 2008.

The Croft was unoccupied until August 2008.

in August 2008 Stephen Barratt (Bill and Sheila's son) and his partner Anna moved into The Croft. Stephen worked for Derbyshire County Council and Anna was an office worker for Tarmac – neither were employed in agriculture.

Stephen and Anna lived in the Croft as their family home, with their two children, although they separated in 2015. Until November 2022 Anna and the children continued to live at The Croft.

From December to August 2023 The Croft was renovated and updated and tenants were sourced during the summer of 2023.

In August 2023 Mr & Mrs J Roberts moved in to the Croft, Mr Robert was a retire Judge.

Mr & Mrs J Roberts moved out of The Croft on 30 September 2024.

The Croft is presently unoccupied.

Since August 2008 The Croft has not been occupied by anyone associated with agriculture.