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CPS/GJP/ACBSB

26th September 2025

EXPLANATION OF STATEMENTS
IN SUPPORT OF APPLICATION
TO CONFIRM A RESIDENTIAL (CLASS C3) USE AND
THE REMOVAL OF AN AGRICULTURAL TIE

BY

THE EXECUTORS OF THE ESTATE OF THE LATE NORMAN BRADLEY
IN RESPECT OF THE BUILDING

KNOWN AS

TONGUE LANE FARM

TONGUE LANE

FAIRFIELD

BUXTON

DERBYSHIRE

SK17 7PA

1.0 The Author and basis of instruction

- 1.1 This document has been prepared by G J Perry, Planning Consultant, of 2 Church Street, Uttoxeter ST14 8AG. It is a sole-practitioner firm and I have been involved in advising a wide range of clients, principally in the Derbyshire, Leicestershire, Lincolnshire and Staffordshire areas since 1986. I regularly prepare planning and justification statements for all types of buildings and structures to support planning applications, including Certificates of Lawful Use.
- 1.2 I have been instructed by the Applicants, The Executors of the late Norman Bradley, to produce a report in support of the planning application being submitted for the Certificate of Lawful Use of the property known as Tongue Lane Farm, Tongue Lane, Fairfield, Buxton SK17 7PA to lift the now redundant agricultural tie. The factual information contained herein has been supplied by the Applicants and is believed to be correct in all respects.

2.0 Background to the making of the Application

- 2.1 This is an application for a Certificate of Lawful Use in respect of a property known as Tongue Lane Farm, Tongue Lane, Fairfield, Buxton SK17 7PA. The Application is being made by the Executors of the Estate of the last owner, the late Mr Norman Bradley, and who are his daughters Mrs Christine Furber and Mrs Anne Bradley Seddon. The two daughters were brought up in the property having moved into the on-site bungalow upon completion of its construction in 1975.
- 2.2 The property was originally developed as a livestock unit for the raising of pigs and poultry which use discontinued when Mr & Mrs Bradley withdrew from each in 1995 and 2000 respectively due to financial unsustainability.
- 2.3 The pig operation was stopped in 1995 due to it being financially unviable partly due to the onset of Swine Vesicular Disease (SVD). The business then concentrated on the poultry operation, which principally comprised chickens, eggs and turkeys. This continued until Mr & Mrs Bradley made their difficult decision to withdraw from the poultry business in 2000 due to it having also become financially unviable. At that time, Mr Bradley held discussions with various parties to sell the poultry operations with or without the buildings, but no offers were forthcoming.
- 2.4 Due to changes in agricultural husbandry and statutory body requirements and guidance, it was quickly clear that the remaining building and land were too small to sustain any kind of agricultural operation. Furthermore, in the last 25 years those requirements have only become more restrictive.

- 2.5 All buildings on site, other than the bungalow, its annexe and a more modern portal frame building extending to approximately 280 sq m/3,000 sq ft, were unsuitable for other uses and soon fell into disrepair. The costs of removing the redundant buildings could not be raised from any operations on the site.
- 2.6 To help maintain the remaining property financially, the portal frame building was used by Mr Bradley as a general-purpose workshop and storage building until shortly before his death. The bungalow and its annexe continued to be used for residential purposes and a garage.
- 2.7 Mrs Bradley died on 30th August 2020, and Mr Bradley continued to live in the property until his death on 29th December 2024.
- 2.8 As part of the probate process, the Applicant has sought advice from local property surveyors and other professional advisers, and it is apparent that, apart from the bungalow, its annexe and the portal frame building, the majority of the outbuildings are beyond economic repair. Bury & Hilton valued the property at £500,000 and Crowther Key at £475,000, which is well beyond the means of an agricultural worker.
- 2.9 The landowners of the fields on three sides of the property have been aware of the availability but have expressed no interest in acquiring it.
- 2.10 Since the property has not been used for agricultural purposes since 2000, a period of approximately 25 years, the Applicant has been advised to have the agricultural tie lifted. In order to confirm the use for the last 25 years, nine parties, each of whom has longstanding knowledge of the property, its occupants and the uses have been contacted. The sworn statements, including a property reference plan, are included in the Appendix.

3.0 Planning background

- 3.1 Planning permission was granted for the erection of a bungalow on 9th March 1973 under reference number BUX/772/11. The outline permission included the condition that *The occupation of the house should be limited to persons employed or last employed, locally in agriculture as defined in Section 290/1 of the Town and Country Planning Act, 1971, or in forestry, and the dependants of such persons.* Detailed permission was granted on 25th January 1974, including the same wording under reference BUX/174/5.

- 3.2 Appropriate Building Regulations approval, under reference number BUX/733/15 was obtained and the construction was completed and the bungalow occupied in 1975. Mr & Mrs Bradley continued to occupy the property for the different purposes as described above.
- 3.3 The last 25 years has seen this part of Buxton expand on both sides of Tongue Lane with with implemented planning permissions for mainly residential properties and an extension to the Tongue Lane Industrial Estate.
- 3.4 Planning permission for a development of 73no houses on land directly opposite the site was granted on 26th March 2020 under reference number HPK/2019/0164. This development includes extending the housing boundary of Fairfield to a point well to the south of the site.

4.0 Historical evidence and Statements

- 4.1 Notwithstanding the fact that the Applicants are aware, from their first-hand experience, that it is 25 years since the property was last used for agricultural purposes, they have sought evidence to support this application from nine parties familiar with the property over the period.
- 4.2 All nine parties agreed to swear to confirmatory evidential statements and copies of those Statutory Declarations are attached to the application. The original Statements will be made available as required.
- 4.3 **Please note that all of these statements have been given voluntarily and have been sworn before a Solicitor.**

5.0 Conclusion

- 5.1 In the absence of a clear statement provided by the previous owners of the property, both of whom are no longer alive, sworn statements have been obtained from close family members other parties, most of whom have been familiar with the Farm since the mid-1970s.
- 5.2 From the sworn statements attached to this application, it is clear that the farming operations ceased in 2000 despite efforts made to continue with such a use. No interest in using the land and buildings for agricultural purposes has been shown by the adjoining farmers. By reference to *The Agricultural Budgeting & Costing Book – 100th Edition May 2025* and the *Nix Farm Management Pocketbook*

– *56th Edition 2026*, the unit on its own is not large enough to sustain a freestanding operation. It is also not capable of expansion.

- 5.3 The adjoining housing and industrial estates have come ever closer to the site and the limit of residential development is now well to the south of the application site.
- 5.4 The Applicants request that favourable consideration is given to this application given the strength of the supporting evidence.
- 5.5 Finally, please do not hesitate to contact the Applicants through their Agent should you require any further information.

GJ Perry

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APPENDIX