

11. FULL APPLICATION – DEMOLITION OF EXISTING AGRICULTURAL BUILDING AND ERECTION OF A SINGLE LOCAL NEEDS AFFORDABLE DWELLING AT MANOR FARM, POWN STREET, SHEEN (NP/SM/0517/0472, P10832, 411347/361629, 15/05/17/ALN)

APPLICANT: MISS D CRITCHLOW

Site and Surroundings

The application site is located on the northern edge of the village of Sheen. Sheen is a linear village layed out on a north-south axis along Pown Street. The application site is located on the opposite side of the road to the main farmstead, at the junction of Pown Street and a minor road known as Pike Lane. The site lies wholly within the Sheen Conservation Area,

The site comprises an 'L' shaped parcel of land which extends to some 990 sqm and occupies the south eastern corner of a larger agricultural field. To the north west of the site lies a grade II listed ruin (listed as an agricultural barn) and to the north there is single storey agricultural building constructed with natural gritstone walls and a sheeted roof. On the opposite (eastern) side of Pown Street lies the main farmstead at Manor Farm, which is grade II listed. To the north, west and south is open countryside.

Proposal

Planning permission is sought for the demolition of the single storey agricultural building and the erection of a single, detached local needs affordable dwelling. The dwelling would be located in the south eastern corner of the application site with its principle elevation facing south over Pike Lane and its eastern gable abutting the roadside boundary.

The dwelling would have a T-shaped plan layout with a traditional double fronted design and a two storey rear gable projecting at right angles from the main dwelling. The dwelling would be constructed in natural gritstone under a blue clay tiled roof. The property would have a floor area of 97 sq metres and would comprise an open plan kitchen dining room with separate lounge and single garage on the ground floor and three bedrooms and bathroom above.

Two parking spaces would be provided to the rear (north) of the dwelling. Vehicular access would be gained from an existing agricultural access in the south western corner of the site. An existing access on the corner of Pown Street and Pike Lane would be closed by the continuation of the drystone wall. The residential curtilage of the dwelling would be defined by a new drystone wall.

RECOMMENDATION:

That the application be REFUSED for the following reasons:

- 1. It has not been demonstrated that the applicant is in housing need and the applicant does not have the necessary period of occupancy to meet the 'local' criteria set out in policy LH2. The proposed dwelling would not therefore address eligible local needs and is contrary to Core Strategy policy HC1.**
- 2. No assessment of the significance of the roadside barn has been submitted and consequently the impact of the proposals on the setting of the nearby listed buildings and character of the Conservation Area cannot be adequately assessed, contrary to advice in the National Planning Policy Framework, Core Strategy policies GSP2, GSP3 and L3 and Saved Local plan policies LC5 and LC6.**

Key Issues

1. Whether the applicant has a local need for affordable housing and whether the need can be met in the existing housing stock.
2. Whether the size and type of the proposed house means it would be affordable in perpetuity to local people on a low or moderate income.
3. The acceptability of the location and design of the proposed house, and its landscape and visual impact.
4. The impact on the fabric and setting of designated and non-designated heritage assets.

History

Pre-application advice was sought in 2016 with regard to the potential to convert the ruined barn to a dwelling or for the erection of new-build affordable local needs dwelling. It was concluded that the listed ruin was not a suitable candidate for conversion to a dwelling because there is so little of the original fabric left standing. Officers advised that a new build affordable dwelling on the application site may be acceptable subject to the applicant demonstrating a local need and subject to the submission of an assessment of significance of the listed barn and its setting including the roadside barn.

Consultations

Highway Authority – no objections subject to conditions to close up the existing access; to ensure the new access is appropriately surfaced and to control the location of any gates.

District Council – no response

Parish Council – fully support this application. We need to allow more young people to do this as they cannot afford market prices and have to move away, when their family are in the village and have been for 3 or 4 generations.

Natural England - the proposal is unlikely to affect any statutorily protected sites. Refer to standing advice with regard to protected species. This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The Authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application.

Authority's Conservation Officer - No information, e.g. Heritage statement, has been provided on the significance of the roadside barn (to be demolished) and no details have been submitted on the making good of the land once the building has been removed. Without the information requested above, the impact of the proposed planning application on the setting of the listed buildings and character and appearance of the Conservation Area cannot be fully assessed. The erection of a new building on the proposed site will not harm the existing settlement pattern, as it is likely to be read with the cluster of buildings that comprise Manor Farm. The proposed orientation and siting of the new build is in accordance with the siting of other traditional buildings in the settlement, as is the general design approach. Some of the detailing could be rationalised and improved. I am extremely concerned about the new continuous boundary wall proposed to the west and north of the new building. The construction of the proposed western and northern boundary walls will restrict access to the listed building and this in turn could hinder the consolidation /restoration of the listed building. An alternative vehicular access to the listed barn has not been indicated /provided as part of this planning application.

Authority's Archaeologist – objects on the grounds of insufficient information. The proposed development will affect the setting of two designated heritage assets (Manor Farmhouse and the 17th century 'Field Barn') and will result in the loss of the long outbuilding which is considered to be a non-designated heritage asset of local significance. In determining applications, NPPF requires applicants to describe the significance of any heritage assets affected, including any contribution made by their setting. The application argues that the demolition of the long outbuilding and the construction of a house will have a positive effect on the setting of the Listed Buildings, without considering or describing either the nature of the significance of the affected listed buildings, or the contribution that their setting makes to their significance. Furthermore the application does not acknowledge that the long barn has any heritage value, and there is no evidence that the historic environment record has been consulted. As such the application is contrary to para.128 of the NPPF. I recommend that prior to the determination of this application a heritage statement that identifies the heritage assets affected by this development and describes the nature, extent and level of significance and the contribution of their setting to their significance is submitted.

Main Policies

Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, HC1, L2, L3, CC1

Relevant Local Plan policies: LC4, LC5, LC6, LH1, LH2, LT18

National Planning Policy Framework

The National Planning Policy Framework (The Framework) is a material consideration which carries particular weight where a development plan is absent, silent or relevant policies are out of date.

Paragraph 55 of the Framework says that housing should be located where it will enhance or maintain the vitality of rural communities.

Paragraph 115 of the Framework says that great weight should be given to conserving landscape and scenic beauty in National Parks and that the conservation of wildlife and cultural heritage are important considerations and should also be given great weight. Paragraph 115 refers to the National Parks and the Broads Circular which states that Government Policy is that the National Park should encourage affordable housing to meet local need and that the Parks are not suitable locations for unrestricted housing and therefore does not provide general housing targets.

Paragraph 132 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. In determining applications LPAs should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting.

Development Plan

Policy DS1 of the Core Strategy reflects the objectives of national policy and sets out very clearly that new residential development should normally be built within existing settlements within the National Park. Core Strategy policy DS1 B states that the majority of new development (including about 80% to 90% of new homes) will be directed into Bakewell and named settlements, with the remainder occurring in other settlements and the rest of the countryside.

Core Strategy policy HC1 reflects the priorities set out in national policies and the development strategy for new housing in the National Park set out in DS1 because HC1 states that provision will not be made for housing solely to meet open market demand and prioritises the delivery of affordable housing to meet local needs within named settlements where:

- (i) there is a proven need for the dwelling(s). In the case of proposals for more than one dwelling, this will be judged by reference to an up to date housing needs survey prepared by or in consultation with the district council as housing authority. In the case of individual dwellings, need will be judged by reference to the circumstances of the applicant including his or her present accommodation;
- (ii) the need cannot be met within the existing housing stock. Individuals may be asked to provide evidence of a search for suitable property which they can afford to purchase within both their own and adjoining parishes;
- (iii) the intended occupants meet the requirements of the National Park Authority's local occupancy criteria (policy LH2). In the case of proposals for more than one dwelling, where the intended occupants are not specified, a satisfactory mechanism to ensure compliance with the local occupancy restriction will be required - normally a planning obligation;
- (iv) the dwelling(s) will be affordable by size and type to local people on low or moderate incomes and will remain so in perpetuity;
- (v) the requirements of Policy LC4 are complied with.

Policy LH2 of the Local Plan sets out criteria to assess local qualification for affordable housing whilst the supporting text to LH1 and the Authority's supplementary planning guidance (SPG) offers further details on size guidelines, need and local qualifications to support the assessment of applications for local needs housing against the criteria set out in LH1.

Assessment

Whether the applicant has a local need for affordable housing and whether the need can be met in the existing housing stock.

Policies DS1 and HC1 of the Core Strategy and LH1 of the Local Plan policy state that housing that addresses *eligible local needs* can be accepted in or on the edge of named settlements

Of these five criteria, LH1(i) states that applications must demonstrate that there is a proven need for the dwelling, and in the case of an individual dwelling, need will be judged by reference to the circumstances of the applicants including his or her present accommodation. LH1(ii) also states that the applicant must demonstrate that the need cannot be met within the existing housing stock. LH1(iii) says that the intended first occupants of newly-built affordable dwelling shall meet the Authority's local occupancy criteria as set out in saved Local Plan policy LH2.

Exceptionally new housing will be permitted for a person with a proven need in accordance with Policy LH1 provided that the dwelling will be occupied by:

- (i) a person (and his or her dependants) who has a minimum period of 10 years' permanent residence in the parish or an adjoining parish and is currently living in accommodation which is overcrowded or otherwise unsatisfactory or
- (ii) a person (and his or her dependants) who has a minimum period of 10 years' permanent residence in the parish or an adjoining parish and is forming a household for the first time; or

- (iii) a person not now resident in the parish but with a proven need and a strong local connection with the parish, including a period of residence of 10 years or more within the last 20 years; or
- (iv) a person who has an essential need to live close to another person who has a minimum of 10 years' residence in the parish, the essential need arising from age or infirmity; or
- (v) a person who has an essential functional need to live close to his or her work in the parish, or an adjoining parish within the National Park.

In this case, the Design and Access Statement explains that the applicant was born and raised in Sheen, originally residing at Manor Farm. The applicant then worked locally before moving to Jersey in 1998 and then on to South Wales. She returned to the Peak District in 2010, living firstly at Parsley Hay and then in Sheen in 2011. She managed the Staffordshire Knot public House from 2013 and resided on site. The statement explains that in November 2016 she moved to Leek but that she wants to return to the village in which she was born.

There has been some conflicting information with regard to the applicant's current residence in that following a query from officers the agent has submitted an email at week 19 of the application stating that in fact the applicant has lived with her father and brothers at Manor Farm Sheen since January 2017 (to help with her father's care), which contradicts information provided in previously submitted documents.

Assuming the applicant has lived in Leek since November 2016 (as originally put forward), the information that has been submitted suggests that in the last 20 years the applicant has 8 years 1 month occupancy and in the last 10 years, 6 years 1 month. As such, although the applicant has local connections, she does not have the necessary period of occupancy to comply with either criteria (i) or criteria (ii) of policy LH1.

The agent has argued that until November 2016 the applicant has always been registered on the electoral role in Sheen parish and that during both her employment in Jersey and in South Wales she returned home on a regular basis (once a month during her employment in Jersey and at least once a fortnight during her employment in South Wales). However, officers consider that this considerable period of time spent living and working away and travelling (10 years 9 months in total) cannot be classed as being resident in the village.

The agent has also stated that the applicant needs to live close to her father who resides in the village and has a progressive illness that effects mobility. Whilst it is clear that it would be convenient for her to live close by, officers take the view that the information provided does not demonstrate an essential functional need.

With regard to whether the applicant is currently in housing need, the submitted information states that the applicant currently resides in Leek. It is not clear whether the applicant is an owner occupier or whether she is in rented accommodation but the agent states that there are 5 people in the current household and the dwelling has only 2 bedrooms and is therefore unsuitable. The Adopted SPD states at paragraph 5.5 that people who already have an open market property to sell, even if they perceive this home to be generally unsuitable for their particular purposes, cannot be regarded as being in need. There is therefore insufficient information to demonstrate that the applicant is in housing need.

The agent has submitted details of properties for sale in the locality. It is clear that the properties currently on the market are beyond the means of a person on a low to moderate income so had the applicant demonstrated a local housing need then officers are satisfied that any need could not be met within the existing housing stock.

In conclusion although the applicant has strong local connections with Sheen, it has not been demonstrated clearly that she is in housing need and she does not have the necessary period of occupancy to meet the 'local' criteria set out in policy LH2.

Whether the size and type of the proposed house means it would be affordable in perpetuity to local people on a low or moderate income.

Saved Local Plan policy LH1 (iv) states that in meeting local need for affordable housing, the dwelling in question must be affordable by size and type to people of low or moderate incomes.

The Authority's Adopted Supplementary Planning Guidance on Meeting the Need for Affordable Housing states that dwellings with a floorspace of up to 87 sqm are likely to remain more affordable. More recently, the consultation version of the new Development Management policies sets a slightly higher maximum, based on the Government's 2015 nationally described space standards of 97 sqm for a five person dwelling.

The net floor area of the proposed dwelling (excluding the garage) is 97 sqm which is within the maximum size limit in the emerging policies. As such the size of the dwelling is likely to mean that it would remain more affordable to people on low to moderate incomes.

The supporting text within the emerging Development Management policies also explains that the smaller the area of land taken up by each house, the lower the value of the house will be on completion and in perpetuity. Whilst the red edge site area is 900 sqm the overall plot size of the proposed dwelling and its curtilage is approximately 550 sqm (including the footprint of the dwelling) which is considered to be modest and means that the value of the plot is likely to remain affordable.

Build costs are estimated at £1200 per sqm equating to a total cost of £116,400. There are no higher than normal maintenance costs or expensive drainage arrangements anticipated and the value on completion is estimated at £130,000.

The acceptability of the location and design of the proposed house, and its landscape and visual impact.

The Adopted Conservation Area appraisal for Sheen explains that the settlement sits within an open agricultural landscape. The hilltop location of the village gives it an open, remote feel. Large gaps along the street frontage between buildings allow long views and glimpses of the landscape and enables a close visual connection with the countryside. Most of the gaps and green spaces within the conservation area are designated as Important Open Space. Saved Local Plan policy LC5 states that applications for development in a Conservation Area should clearly demonstrate how its character and appearance will be preserved and where possible enhanced.

The application site is within an area of Important Open Space within the Conservation Area. However it is considered that in principle the erection of a new building on the proposed site would not harm the existing settlement pattern, as it would be read with the cluster of buildings that comprise Manor Farm. The proposed orientation and siting of the new build is in accordance with the siting of other traditional buildings in the settlement.

In terms of the detailed design of the dwelling, the submitted plans show a traditional design in local materials. Following comments from the Authority's Conservation Officer, amended plans have been received showing the orientation of the roof of the garage altered; proposed 'kneelers' omitted; a proposed external soil vent pipe omitted and, as amended, the form, detailing and materials are considered to be acceptable. The parking spaces would be located fairly discreetly to the rear north-west of the dwelling and the modest garden would be contained by a new drystone wall along the new northern and western boundaries. In addition, the amended plans

show the inclusion of an access gateway from the garden of the property to the paddock to the north, thus giving continued access to the listed barn.

In conclusion it is considered that the design and landscape and visual impact of the proposed dwelling would accord with policies GSP3, L1 and LC4.

The impact on the fabric and setting of designated and non-designated heritage assets.

The proposed dwelling would sit in close proximity to the Grade II listed field barn to the north and opposite the Grade II listed Manor Farm. In addition the proposals would involve the demolition of an existing single storey agricultural building to the north. The barn in question is laid out on a north-south axis along the east side of the site, abutting the roadside boundary. Officers consider that visually this building has little aesthetic value and arguably detracts from the character of the Conservation Area in particular due to its shallow pitched sheeted roof and semi-derelict looking south facing gable end and associated sheep pens. However the Authority's Conservation Officer points out that the walls of the barn are constructed in locally sourced blocks and the barn may have some historic significance, being present on the 1st edition (1880) Ordnance Survey Maps. The Conservation Officer states that the core of the barn may originally have been built as an ancillary structure to the listed 17th century barn (formerly a cottage). In 1963 planning permission was granted for a replacement barn in the same position as the existing. The approved plan indicates that the older barn was to be demolished, however instead it was retained, adapted and extended.

The Conservation Officer advised at the pre-application stage that there would be no objection in principle to the demolition of the barn if it was found that the structure had little significance and any new development would enhance the setting of the listed ruin and the Conservation Area. However, no information (e.g. Heritage Statement or Assessment) has been provided with regard to the significance of the barn and no details have been submitted on the making good of the land once the building has been removed. The Authority's Archaeologist has raised similar concerns. Officers consider that the re-instatement of the land could reasonably be controlled by means of a landscaping condition. However without a Heritage Assessment it is not possible to assess the impact of the proposed demolition both in terms of the loss of the building itself and the impact on the setting of the listed buildings and the Conservation Area.

Consequently the proposals conflict with advice in the NPPF and adopted policies L3 and LC5. Following discussion the agent has informed officers at the end of July 2017 that a Heritage Statement was being commissioned, but to date has not been received.

Other matters

Residential Amenity

The only other residential property in the vicinity of the application site is Manor Farm, located on the opposite side of Pown Street. This property is set back from the road and set at right angles to the proposed dwelling. As a result and due to the presence of the intervening road it is not considered that there would be any significant impact upon residential amenity as a result of the proposals in accordance with policies GSP3 and LC4.

Ecology

A bat survey report has been submitted with the application. This concludes that there is no evidence of bats using the farm building to be demolished. Consequently it is concluded that the proposals would conserve species of biodiversity importance in accordance with Core Strategy policy L2.

Conclusion

It has not been demonstrated clearly that the applicant is in housing need and the applicant does not have the necessary period of occupancy to meet the 'local' criteria set out in policy LH2. In addition insufficient information has been received to allow an assessment of the significance of the single storey agricultural building and the impact of its demolition contrary to Core Strategy policy L3 and Local Plan policy LC5 and advice in the NPPF.

Human Rights

Any human rights issues have been considered and addressed in the preparation of this report.

List of Background Papers (not previously published)

Nil