

14. FULL APPLICATION – ERECTION OF ADDITIONAL LIVESTOCK BUILDING AND EXTENSION TO EXISTING AGRICULTURAL BUILDING ON LAND OFF DAM LANE, PARWICH (NP/DDD/0817/0911, P5642 + P5522, 31/08/2017, 418070/354106/ALN)

APPLICANT: MR B CHADFIELD

Site and Surroundings

The application site is located on the northern side of Dam Lane, a classified road that runs between Parwich and Alsop en le Dale. The site is in open countryside, being located some 180m to the west of the edge of the settlement of Parwich.

The application site edged red comprises the three field parcels that are within the applicants ownership and extends to some 2.5 acres.

At present there is a single portal framed agricultural building located on the land, in a position close to the road and just to the east of a vehicular access into the site. This building was constructed following the grant of planning permission in 2013. The building is currently being used for cattle housing, and for the storage of feed, machinery and farming equipment. To the west of the building is a levelled yard area.

A public right of way crosses the site in an east-west direction to the north of the existing building.

Proposal

Planning consent is sought for an extension off the south facing gable of the existing agricultural building, between the building and the road. The building would measure 9.2m wide (with a further 2.1m canopy) by 12.1m long (two and half bays). The height of the building would match the existing at 3.8m to the eaves and 4.9m to the ridge. The building would be open fronted on the west facing elevation in the same manner as the existing building. Two bays of the extension would be used to provide additional cattle housing and the smaller end bay as a covered much store area.

It is also proposed to erect a separate 5 bay agricultural building at right angles to the existing and abutting its northern gable end, such that an L shaped building block would be created. At present the land rises steeply upwards to the north of the existing shed so engineering works would be required to excavate the bank and make space for the new building. The building would measure 22.8m long by 9.1m wide and would be higher than the existing with an eaves height of 4.9m and a ridge height of 6.1m. This building would be used for the storage of straw and for sheep housing.

Both buildings would be constructed in materials to match the existing – a mixture of vertical timber boarding and green coloured sheeting to the sides above a concrete base plinth and green coloured sheeting to the roof.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions:

1. **3 year time limit**
2. **Adopt amended plans.**

- 3. Remove when no longer required for agriculture.**
- 4. Landscaping scheme to be implemented.**
- 5. All spoil to be disposed of off-site at a licenced waste disposal facility.**
- 6. Existing trees to be protected during development works.**
- 7. Minor design details.**

Key Issues

1. Whether the proposed buildings are agriculturally justified.
2. Whether the proposed building would be harmful to the landscape character of the area.
3. Impact on Archaeology
4. Impact on residential amenity.

History

July 2012 – planning consent granted for the erection of agricultural building.

Consultations

Highway Authority - No objections subject to all use remaining ancillary to current authorised use of the land.

District Council – no response

Parish Council - The Council noted the concerns of a resident about the size of the proposed building neighbouring residential property and the potential for future expansion. Council chose not to support this application due to the over bearing presence of the proposed building.

Authority's Archaeologist – raises objections. The proposed development is within an area of ancient enclosure, fossilised medieval strip fields; these are fields that relate to the medieval open field system of Parwich. The present day field shape and field boundaries, characterised by the enclosed narrow strips with a characteristic s-shaped curve, and with extensive areas of lynchets and ridge and furrow earthworks. Fields that reflect these very early enclosure patterns survive extensively to the west, south and east of the village. To extend the area of the yard and insert a new building will result in an escalation of harm. Additional development on the site would result in cumulatively greater harm with little opportunity for mitigation or enhancement to offset the harm. However, out of the two options put forward a new building in the proposed location would require a much smaller amount of new excavation than a new building to the west of the yard. Should the application be positively determined it is crucial that further development does not take place on this sensitive site for the integrity of the fossilised open field system

Another archaeological consideration is the disposal of spoil, and a large amount of digging out will be required for the proposed new building. Two areas for spoil disposal are proposed in the amended landscaping plans. One of these is in the field to the east and marks the location of existing mounds (marked as *Area One* on the plan). This field is also part of the fossilised medieval field system and the earthworks in this field represent ridge and furrow earthworks and headland strips, resulting from how this field was worked and ploughed as part of the open field system. To spread spoil in this area would result in these features being backfilled and their legibility in the landscape being lost. These are important archaeological features and an

important aspect of the local historic landscape, they are precious and they should be preserved. Under no circumstances should the Authority allow these features to be backfilled.

Representations

Four letters of support have been received raising the following points:

- The site is well screened and the proposals would not encroach on the quiet enjoyment of the area.
- Access to the site is good.
- The site is not within proximity of any other residential dwellings.
- Investment in agriculture in a rural community is important.
- The building would not cause harm in views from the road or the public right of way.

One letter of 'general comment' had been received which raises the following points:

- The buildings are large in scale and in relation to the field in which they sit. Consequently hope that the Authority fully considers the impact both on residential properties and the public right of way.
- Little information has been provided to show that the applicant has secured sufficient local farmland in the long term to enable the planned growth and to warrant such a large building. Expect that the Authority will request further information with regard to tenancy agreements prior to granting consent

Main Policies

Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L1

Relevant Local Plan policies: LC13, LC4

Assessment

Saved Local Plan Policy LC13 allows for development necessary for the purposes of agriculture provided that they are close to the main group of buildings wherever possible and in all cases relates well to existing buildings and landscape features, respects the design of existing buildings and building traditions, makes use of the least obtrusive location and does not require obtrusive access tracks, roads or services. Further advice is provided in the Authority's Adopted Supplementary Planning Guidance on Agricultural Developments. This states that if insufficient information is provided to justify proposals, applications may be refused.

Issue 1 – Whether the proposed buildings are agriculturally justified.

A justification statement submitted with the application explains that the applicant owns the 2.5 acres that make up the application site. Further to that, a further 71.5 acres of land is rented. 31.5 acres of that is within the immediate vicinity of the application site and the other 40 acres is at Hulland Ward. Additional information has been provided during the course of the application with regard to the rented land. This takes the form of letters from the landowners and copies of agreements. The information shows that the rental agreements are either informal or short term agreements of between 1 and 3 years. Whilst more secure long term agreements would provide more certainty about the future of the business, the letters provided do indicate that the various landowners are willing to continue to rent their land to the applicant for the foreseeable future. On that basis officers are satisfied on balance that there is sufficient security in the land holding to justify the proposed development.

The applicant currently runs a herd of 13 Whitepark beef cattle and a flock of 80 breeding ewes. It is stated that by the end of 2019 the applicant aims to expand the business by increasing cattle numbers to 26 and the sheep flock to 100. Submitted building space requirement figures suggest that the proposed extension/new building would provide sufficient space for the needs of the business at the 2019 projected levels.

On the basis of this information officers of satisfied that the buildings as proposed are reasonably necessary for the purposes of agriculture in accordance with the Adopted Supplementary Guidance.

Issue 2 – Whether the proposed buildings would be harmful to the landscape character of the area.

Core Strategy policy L1 states that development must conserve and enhance valued landscape character, as identified in the Landscape Strategy and Action Plan and other valued characteristics. Within the Landscape Strategy the site is within the ‘village farmlands on shale ridges’ landscape character type within the Derbyshire Peak Fringe. This is a small scale, settled pastoral landscape associated with gently rolling shale uplands, where views are typically filtered through scattered mature trees in field boundaries. Identified priorities include the protection of historic patterns of development.

The existing building and the proposed buildings would be largely screened in views from the road to the south by a 2m high close boarded fence that has been erected along the roadside boundary and around an access pull in area that has been created at the access point to the property and consequently the building would have little impact upon the landscape character of the area when viewed from the highway.

A material consideration is whether the fence itself is acceptable in visual terms. The fence has been erected by the applicant without the benefit of planning permission. Where the fence abuts the boundary with the highway, planning permission is likely to have been required because the fence would classed as over 1m high adjacent to the highway. However here the fence has been erected to the rear (north) of an existing mature hedgerow which largely screens it from view. The fence does not interfere with visibility sightlines from the access because it is set back some 5m from the edge of the carriageway. The fence is more prominent where it surrounds the access pull in area. Here the fence has been erected on a semi-circular line and is open in views from the road. However in this location the fence is set well back from the boundary with the highway and therefore is likely to have been ‘permitted development’. At the request of officers an amended plan has been submitted to show supplementary planting in front of the fence in this area, to the side of the gate. It is considered that this would mitigate the appearance of the fence and adequately screen the whole site in views from the highway.

A public right of way runs in an east-west orientation on higher ground to the north of the proposed buildings. The buildings would be visible from the path, albeit at a lower level. The applicant has agreed to plant a native hedgerow to the south of the footpath between it and the proposed buildings. The hedgerow would run the length of the field and would link up the existing hedgerow running north to south on each site of the field. It is considered in this case that a hedgerow would be sufficient to screen the buildings due to the differences in levels and the fact the building would be dug into the banking.

Subject to the additional planting it is considered that the proposals would conserve the valued landscape character of the area and would not compromise the priorities identified in the Landscape Strategy in accordance with policies GSP3, L1 and LC13.

In conclusion the buildings would be located in the least obtrusive location on the land in ownership, would match the design of the existing building and would not require any obtrusive tracks, roads or services. The proposals therefore comply with the requirements of LC13.

Issue 3: Impact on Archaeology

Core Strategy policy L3 requires that development must conserve and where appropriate enhance or reveal the significance of archaeological, artistic or historic asset and their setting, including statutory designation and other heritage assets of international, national, regional or local importance or special interest.

The Authority's senior archaeologist has identified that the application site forms part of a rare, intact block of former strip fields that exist to the west, south and east of the village of Parwich. Whilst she does not raise objections to the extension between the existing building and the road, she considers that the digging out and extension of the yard to accommodate the new building would cause significant harm to the earthworks.

Following the raising of these concerns officers have visited the site again to identify whether an alternative site could be found that is less harmful to archaeological interest. The only feasible site would be on the opposite (north western) side of the yard. However in order to provide the necessary manoeuvring space for large farm vehicles, the yard area would need to be extended and the whole footprint of a new building would be within a largely undisturbed area of ridge and furrow (although there is evidence that there may have been some raising of ground levels by tipping in this area). In contrast over half of the area of the footprint of the building currently proposed would be on previously disturbed land – i.e. a levelled hardstanding next to the existing building and a graded back banking. Amended plans show that rather than cutting the land back from the base of the new building it proposed that the rear wall of the building would act as a retaining wall thus minimising land disturbance. Consequently a strip of only approximately 3m wide by 25m long of previously undisturbed 'ridge and furrow' would be affected.

Whilst officers accept the view of the archaeologist that the fossilised medieval fields are an important and rare landscape feature and that the proposals will result in harm, it is not considered that the harm would be significant in this case in view of the fact that the affected area is a very small part of a much more extensive area of ridge and furrow that surrounds the village and it appears that the features are less well preserved here than elsewhere in the immediate vicinity. Alternative sites are not feasible and another consideration is the fact that the principle of agricultural development has already been accepted on the site. On balance it is considered that the public benefits of facilitating the management of the surrounding farmland in the interest of National Park purposes outweighs the less than substantial harm that has been identified.

The plans as submitted showed that excavated material from the engineering works associated with the proposals would be disposed of by spreading in two areas within fields to the east and south of the application site. As these areas have also been identified as part of the medieval field system it is considered that the resulting changes in ground levels would be inappropriate and the applicant has agreed to dispose of any spoil off-site at a licenced disposal facility. A condition to secure this is considered to be necessary and reasonable.

Issue 4: Impact on residential amenity.

Core Strategy policy GSP3 and Saved Local Plan policy LC4 require that the amenity, privacy and security of the development and of nearby properties be given due consideration.

The nearest residential property to the application site is a detached dwelling known as 'Marbyn', which is located some 120m to the south east of the site. Due to the separation distances and the presence of intervening mature hedgerows and trees it is considered unlikely that there would be any significant impact upon the occupiers of the dwelling in question as a result of noise and smells and there would be no impact with regard to overshadowing.

The proposals therefore comply with the requirements of policies GSP3 and LC4.

Conclusion

In conclusion it is considered that the proposed development is agriculturally justified and would conserve the landscape character of the area as identified in the Landscape Strategy. The less than substantial harm to archaeological interest at the site is outweighed by the public benefits. It is unlikely that there would be any significant impact on residential amenity as a result of the development. The application is therefore recommended for conditional approval

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