

**9. FULL APPLICATION – ERECTION OF CATTLE-SHED AT MIXON GRANGE FARM, PLANTINGSIDE ROAD, ONECOTE - NP/SM/0819/0855 - JF**

**APPLICANT: MR G GRINDEY**

**Site and Surroundings**

1. The site concerned is Mixon Grange Farm, located on Plantingside Road in Onecote. Mixon Grange Farm is an established agricultural holding which comprises of a traditional detached farmhouse with a range of detached stone outbuildings. To the east lies a range of more modern portal framed buildings. The application site, which is accessed via a long and narrow private drive, occupies a remote and isolated location in open countryside. The site is situated in an elevated position with neighbouring properties in close proximity.

**Proposal**

2. A full application has been made for the erection of a cattle-shed.

**RECOMMENDATION:**

**That the application be REFUSED for the following reason**

**The groundworks works associated with the construction of the new agricultural building have the potential to encounter and destroy surviving belowground archaeological remains associated with historic mining and agricultural activity. This will result in permanent and irreversible harm to the archaeological interest of the site. The large amount of groundworks required would potentially result in the complete loss of a section of archaeological remains that are likely to have previously been disturbed and which are of local significance. The applicant is not prepared to undertake the suggested scheme of archaeological monitoring to mitigate the impact of the proposed development. As such, this application is contrary to Policy L3 of the Core Strategy, Development Management Policy DMC5 and Para. 197 of the NPPF.**

**Key Issues**

3. The key issues are whether the development is acceptable in principle, whether it would conserve the character, appearance and amenity of the existing site, and whether it is acceptable from an archaeological perspective.

**History**

4. 1990 – Approval of Application SM1190176 for construction of pond.
5. 2003 – Approval of Application SM0703086 for conversion of barn into holiday accommodation.
6. 2011 – Approval of application NP/SM/1111/1163 for change of use of redundant agricultural building to use as micro-brewery to include minor alteration comprising new doorway window in north elevation.
7. 2016 – Approval of application NP/SM/1216/1204 for conversion of redundant agricultural building into ancillary dwelling.

## **Consultations**

Archaeology – Objection.

Parish Council – Supports the application.

District Council – No comments received to date.

Rangers – No objections to amended plans.

Rights of Way – No objections to amended plans.

Highways – No objections.

EA – No objections.

## **Representations**

8. One representation has been received in relation to this application, making general comments.

## **Main Policies**

9. Relevant Core Strategy policies: GSP1, GSP3, DS1, L1, L3, CC1
10. Relevant Development Management Plan policies: DMC3, DMC5, DMC8, DMH7
11. National Park designation is the highest level of landscape designation in the UK. The Environment Act 1995 sets out two statutory purposes for national parks in England and Wales:
  - Conserve and enhance the natural beauty, wildlife and cultural heritage
  - Promote opportunities for the understanding and enjoyment of the special qualities of national parks by the public
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13. When national parks carry out these purposes they also have the duty to seek to foster the economic and social well-being of local communities within the national parks.

### **National Planning Policy Framework**

14. The revised National Planning Policy Framework (NPPF) was published in July 2018 and replaced the 2012 NPPF with immediate effect. The Government's intention is that the document should be considered as a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. In the National Park the development plan comprises the Authority's Core Strategy 2011 and saved policies in the Peak District National Park Local Plan 2001. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that in this

case there is no significant conflict between prevailing policies in the Development Plan and more recent Government guidance in the NPPF.

15. Paragraph 172 of the NPPF states that 'great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads.'

Development Plan.

16. Policy GSP1 sets out the broad strategy for achieving the National Park's objectives having regard to the Sandford Principle, (that is, where there are conflicting desired outcomes in achieving national park purposes, greater priority must be given to the conservation of the natural beauty, wildlife and cultural heritage of the area, even at the cost of socio-economic benefits). GSP1 also sets out the need for sustainable development and to avoid major development unless it is essential, and the need to mitigate localised harm where essential major development is allowed.
17. Policy GSP3 sets out development management principles and states that all development must respect, conserve and enhance all valued characteristics of the site and buildings, paying particular attention to, amongst other elements, impact on the character and setting of buildings, scale of the development appropriate to the character and appearance of the National Park, design in accordance with the National Park Authority Design Guide and impact on living conditions of communities. GSP3 also requires a high standard of design in accordance with adopted design guidance.
18. Policy DS1 states that agriculture, forestry, and other rural enterprises requiring a rural location, including farm diversification will be acceptable in principle in all settlements and in the countryside outside the Natural Zone.
19. Policy L1 identifies that development must conserve and enhance valued landscape character and valued characteristics, and other than in exceptional circumstances, proposals in the Natural Zone will not be permitted.
20. Policy L3 states that:
  - A. Development must conserve and where appropriate enhance or reveal the significance of archaeological, architectural, artistic or historic assets and their settings, including statutory designations and other heritage assets of international, national, regional or local importance or special interest;
  - B. Other than in exceptional circumstances development will not be permitted where it is likely to cause harm to the significance of any cultural heritage asset of archaeological, architectural, artistic or historic significance or its setting, including statutory designations or other heritage assets of international, national, regional or local importance or special interest;
  - C. Proposals for development will be expected to meet the objectives of any strategy, wholly or partly covering the National Park, that has, as an objective, the conservation and where possible the enhancement of cultural heritage assets. This includes, but is not exclusive to, the Cultural Heritage Strategy for the Peak District National Park and any successor strategy.

21. Policy CC1 states that In order to build in resilience to and mitigate the causes of climate change all development must make the most efficient and sustainable use of land, buildings and natural resources.

Development Management Policies.

22. Policy DMC3 states that where development is acceptable in principle, it will be permitted provided that its detailed treatment is of a high standard that respects, protects and where possible enhances the natural beauty, quality and visual amenity of the landscape, including the wildlife and cultural heritage that contribute to the distinctive sense of place. Particular attention will be paid to siting, scale, form, mass, levels, height and orientation in relation to existing buildings, settlement form and character, including impact on open spaces, landscape features and the wider landscape setting which contribute to the valued character and appearance of the area.

23. Policy DMC5 states that:

A. Planning applications for development affecting a heritage asset, including its setting must clearly demonstrate:

(i) its significance including how any identified features of value will be conserved and where possible enhanced; and

(ii) why the proposed development and related works are desirable or necessary.

B. The supporting evidence must be proportionate to the significance of the asset. It may be included as part of a Heritage Statement or Design and Access Statement where relevant.

C. Proposals likely to affect heritage assets with archaeological and potential archaeological interest should be supported by appropriate information that identifies the impacts or a programme of archaeological works to a methodology approved by the Authority.

D. Non-designated heritage assets of archaeological interest demonstrably of equivalent significance to Scheduled Monuments will be considered in accordance with policies for designated heritage assets.

E. If applicants fail to provide adequate or accurate detailed information to show the effect of the development on the significance, character and appearance of the heritage asset and its setting, the application will be refused.

F. Development of a designated or non-designated heritage asset will not be permitted if it would result in any harm to, or loss of, the significance, character and appearance of a heritage asset (from its alteration or destruction, or from development within its setting), unless:

(i) for designated heritage assets, clear and convincing justification is provided, to the satisfaction of the Authority, that the:

a) substantial harm or loss of significance is necessary to achieve substantial public benefits that outweigh that harm or loss; or

b) in the case of less than substantial harm to its significance, the harm is weighed against the public benefits of the proposal, including securing its optimum viable use.

(ii) for non-designated heritage assets, the development is considered by the Authority to be acceptable following a balanced judgement that takes into account the significance of the heritage asset.

24. Policy DME1 states that new agricultural and forestry buildings, structures and associated working spaces or other development will be permitted provided that it is demonstrated to the Authority's satisfaction, that the building at the scale proposed is functionally required for that purpose from information provided by the applicant on all the relevant criteria.

## **Assessment**

25. An amended application has been made for the erection of a cattle-shed. This is proposed to be a large structure, constructed with pre-stressed concrete wall panels and boarding with a shallow pitched fibre cement roof. The building is proposed to measure approximately 632 square metres in area and would be situated towards the South of the site. The building would be situated between an existing access track and public footpath, with a concrete yard area surrounding the structure. Excavation of the site would be required for the proposed plans. It has been indicated that the new agricultural building is required to house additional livestock on the holding, and that the applicant intends to increase stock numbers up to 80 suckler cows over the next 3-5 years.

### 26. Principle

27. The proposed plans are acceptable in principle. The site is quite clearly a working farm and there appears to be a strong justification for the proposed building. An agricultural appraisal has been submitted to support this application, and this is accepted. The appraisal states that the new agricultural building is required to house additional livestock on the holding and that the applicant intends to increase stock numbers up to 80 suckler cows over the next 3-5 years, starting with increasing by 20% by Spring 2020. The appraisal states that the applicants would manage the land the same as they currently do and would feed the cattle on hay produced from the land. It is stated that the land is capable of maintaining this level of stock without using intensive systems and within the required environmental constraints.

### 28. Archaeology

29. The site of the proposed cattle shed is a site of archaeological interest. The Archaeological Officer was consulted on this application and made the following comments:

30. 'As was detailed in an earlier archaeology consultation response, the site is recorded in the Staffordshire Historic Environment Record and the Peak District National Park Authority's Historic Buildings, Sites and Monuments Record as a an area of historic mining activity, currently of unknown date, but identified from earthworks in a historic aerial photograph. A number of lead rakes either of uncertain or intermittent remains, and remains where mineral hillocks have been removed. A number of lost field boundaries, dated to the post-medieval period or earlier have been identified during farm surveys in neighbouring field.

31. Available information suggest that the area has been improved, and previously disturbed in the past, e.g. mineral hillocks removed, removing any earthworks or surface features of archaeological interest. This does not preclude belowground features surviving, but suggests they are likely to have been previously disturbed to some degree. Any such surviving features are considered to be non-designated heritage assets, of archaeological interest, and have a local level of significance.

32. The groundworks works associated with the construction of the new agricultural building have the potential to encounter and destroy surviving belowground archaeological remains associated with historic mining and agricultural activity. This will result in permanent and irreversible harm to the archaeological interest of the site. Para. 197 of the NPPF requires a balanced judgement that has regard to the scale of this harm and the significance of the heritage asset. In this case, given the large amount of groundworks required, this will likely result in in the complete loss of a section of

archaeological remains that are likely to have previously been disturbed, and which are only of local significance’.

33. The Archaeological Officer advised that a scheme of archaeological monitoring is required to mitigate the impact of the proposed development, and this work would need to be undertaken by a suitable qualified and experienced archaeological contractor to a written scheme of investigation approved by the PNDPA Senior Conservation Archaeologist.

34. The Archaeological Officer suggested the following Condition:

a) No development shall take place until a Written Scheme of Investigation for a programme of archaeological monitoring has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and

1. The programme and methodology of site investigation and recording;

2. The programme and provision to be made for post investigation analysis and reporting;

3. Provision to be made for publication and dissemination of the analysis and records of the site investigation;

4. Provision to be made for archive deposition of the analysis and records of the site investigation;

5. Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation".

b) No development shall take place other than in accordance with the archaeological Written Scheme of Investigation approved under condition (a)."

c) Within a period of 12 weeks from completion of the development the archaeological site investigation and post investigation analysis and reporting shall have been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (a) and the provision to be made for publication and dissemination of results and archive

35. The applicant has indicated that they are not prepared to undertake the suggested scheme of archaeological monitoring to mitigate the impact of the proposed development. As such, the proposed plans would result in permanent and irreversible harm to the archaeological interest of the site and are therefore contrary to policy.

36. Character/Landscape

37. The proposed scale and design of the amended plans reflect adopted design guidance. It is accepted that a location closer to existing buildings would be preferable from a landscape perspective, but it has been indicated that the proposed location is the only feasible option. Subject to detailing and landscaping, the proposed plans would not result in any significant adverse impact.

38. Rights of Way

39. The plans originally resulted in encroachment onto a public footpath. Amended plans were submitted to overcome this issue, and there have been no objections from Staffordshire rights of way team or rangers at the PDNPA.

40. Amenity

41. We do not consider that the proposed location, scale or form of the new building would result in any adverse impact on neighbouring properties. There would be no issues in terms of overlooking, overshadowing or an overbearing impact, and there have been no objections to these plans.

42. Other Matters

43. Given the location of the proposed building and its relationship to other properties there are no concerns that the proposed development would result in any significant impact in terms of highway or environmental matters.

**Conclusion**

44. The groundworks works associated with the construction of the new agricultural building have the potential to encounter and destroy surviving belowground archaeological remains associated with historic mining and agricultural activity. This will result in permanent and irreversible harm to the archaeological interest of the site. The large amount of groundworks required would potentially result in the complete loss of a section of archaeological remains that are likely to have previously been disturbed and which are of local significance. The applicant is not prepared to undertake the suggested scheme of archaeological monitoring to mitigate the impact of the proposed development. As such, this application is contrary to Policy L3 of the Core Strategy, Development Management Policy DMC5 and Para. 197 of the NPPF.

**Human Rights**

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

**List of Background Papers** (not previously published)

Nil