

#### **4. FULL APPLICATION – CONSTRUCTION OF AGRICULTURAL WORKERS DWELLING AT MANIFOLD FARM, BUXTON ROAD, WETTON – (NP/SM/0719/0818, ALN)**

##### **APPLICANT: MR A GILMAN**

1. This application was deferred from the October 2019 planning committee to allow for the applicant to provide further information regarding the siting and lowering of the dwelling, alternative locations, relocation of the slurry store and the possibility of purchasing adjacent land. This information has now been provided.

##### **2. Summary**

3. It has been demonstrated that there is a functional requirement for a second dwelling on the farmstead and the financial test has been satisfied. There is no other, more suitable site on the holding. Nonetheless, as amended, the proposed siting of the dwelling on elevated land on the edge of the village means that the dwelling would break the skyline and it would not relate well to the other buildings on the farm. Consequently the proposals would cause harm to the valued landscape character of the National Park.

##### **4. Site and Surroundings**

5. Manifold Farm is located on the southern edge of the village of Wetton. It is a large mixed dairy and beef farm with 48.5 hectares owned and 44.5 hectares rented on a 'succession' tenancy from Chatsworth Estate.
6. The site is located outside of the Wetton Conservation Area. A public right of way runs in a north-south orientation along the western side of the farm building group.
7. Accommodation at the site currently consists of a detached farmhouse which was erected following the grant of planning permission in 1978. The house is located at the northern corner of the farm building group, close to the road. There is a significant range of modern farm buildings arranged to the south of the farmhouse.

##### **8. Proposal**

9. Full planning permission is sought for the erection of a second agricultural workers dwelling. The dwelling would be located within a field parcel beyond the south western edge of the existing farm building group.
10. The dwelling would be single storey, with an L-shaped footprint. It would have three bedrooms. It would be constructed in natural limestone with gritstone quoins, under a blue clay tiled roof. Two parking spaces would be provided to the east of the dwelling.

##### **11. RECOMMENDATION:**

##### **12. That the application be REFUSED for the following reasons:**

1. **The proposed dwelling, by virtue of its siting on elevated land would be highly prominent above the skyline on the approach to the village from the north and from nearby public rights of way and would appear isolated and unrelated to surrounding development. Consequently the development would cause harm to the landscape character of the area contrary to Core Strategy policies GSP1, GSP3 and L1 and Development Management policies DMH4 and DMC3.**

### **13. Key Issues**

- Whether there is genuine and essential functional need for the second dwelling.
- Whether the financial test is met.
- Siting and Landscape Impact.

### **14. History**

- December 1978 – planning permission granted for erection of farm workers dwelling.
- November 1978 – planning permission granted for erection of farm building.
- 1988 – planning permission granted for erection of agricultural building.
- December 1995 – planning permission granted for erection of agricultural building
- September 2008 – prior notification application granted for proposed agricultural building extension to store fodder.
- August 2014 – prior notification application granted for agricultural building to store fodder and implements.
- September 2018 – enquiry submitted with regard to the current proposals. Officers advised that whilst the functional and financial tests could be met, that the proposed siting would could cause harm to the landscape character of the area.
- September 2019 – planning application submitted for agricultural building to house and feed cattle, and to store fodder and implements (decision not yet issued).

### **15. Consultations**

16. **Highway Authority** – no objections

17. **District Council** – no response

18. **Parish Council** – supports the application. The applicant is a supportive member of the community assisting with snow clearance and other essential tasks. Keeping local families resident in the parish is welcomed.

### **19. Representations**

20. Eight letters of support have been received from members of the local community. They raise the following points (in summary):

- The provision of suitable housing for the farming community/local people is essential.
- There are too many holiday cottages and 2<sup>nd</sup> homes in the village.
- The building design is unobtrusive and in keeping.
- A single storey dwelling would provide flexible accommodation suitable for older family members in the future.
- The continuation of farming is important to the vitality of the village.
- Villages need a core of permanent residents to create and support the longevity of the community.

21. The full text of all letters is available to view on the Authority's website.

## **22. Main Policies**

23. Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L1, HC1, HC2, CC1

24. Relevant Local Plan policies: DMC3, DMH4, DMT8

## **25. National Planning Policy Framework**

26. The National Planning Policy Framework (NPPF) was first published on 27 March 2012 and replaced a significant proportion of central government planning policy with immediate effect. It was updated and republished in February 2019. 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 the Development Management Policies document 2019. 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.

27. Paragraph 172 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.

28. Paragraph 79 states that planning policies and decisions should avoid the development of isolated homes in the countryside unless certain circumstances apply, including that there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside.

## **29. Development Plan**

30. Core Strategy policies GSP1, GSP2 and GSP3 together say that all development in the National Park must be consistent with the National Park's legal purposes and duty and that the Sandford Principle will be applied where there is conflict. Opportunities for enhancing the valued characteristics of the National Park will be identified and acted upon and development which would enhance the valued characteristics of the National Park will be permitted. Particular attention will be paid to impact on the character and setting of buildings, siting, landscaping and building materials, design in accordance with the Design Guide and the impact upon living conditions of local communities. Core Strategy policy GSP4 highlights that the National Park Authority will consider using planning conditions or obligations to secure the achievement of its spatial outcomes.

31. Core Strategy policy HC1 allows, as an exception, housing that provides for key workers in agriculture, forestry or other rural enterprises.

32. Core Strategy policy HC2 states that housing for key workers in agriculture must be justified by functional and financial tests; wherever possible must be provided by re-using existing buildings and will be tied to the land holding or rural enterprise for which it is declared to be needed.

33. 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.
34. Core Strategy policy CC1 requires development to make the most efficient and sustainable use of land and resources, to take account of the energy hierarchy, to achieve the highest standards of carbon reduction and water efficiency, and to be directed away from flood risk areas.
35. Development Management policy DMH4 states that the need for a worker dwelling to support agriculture, forestry or other rural enterprise businesses will be considered against the needs of the business concerned. Development will be permitted by conversion or new build provided that there is a functional need for the dwelling. The policy also gives criteria for assessing whether the business is financially viable. The policy requires that there is no other suitable accommodation available in the locality including by conversion of a traditional building; that construction costs reflect the income of the business and that the new building is within or immediately adjacent to the site of the existing building group and enhances the building group when considered in its landscape setting. The policy also requires that the dwelling is smaller than any house in the building group that is already under the control of the business and in accordance with policy DMH5, unless an acceptable landscape and building conservation outcome for the building group and the setting can only be achieved by a bigger building.
36. Development Management Policy DMC3 requires development to be 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. It also provides further detailed criteria to assess design and landscaping, as well as requiring development to conserve the amenity of other properties.
37. Development Management Policy DMT8 states that off-street parking for residential development should be provided unless it can be demonstrated that on-street parking meets highways standards and does not negatively impact on the visual and other amenity of the local community. It notes that the design and number of parking spaces must respect the valued characteristics of the area, particularly in conservation areas

### **38. Assessment**

39. The National Park Authority's Core Strategy policy HC1 B allows for the provision of housing for key workers in agriculture. Policy HC2 states that such housing must be justified by functional and financial tests.
40. **Whether there is genuine and essential functional need for the second dwelling.**
41. An agricultural appraisal has been submitted with the application. This explains that the farm enterprise currently has a herd of 230 head of dairy cattle and approximately 100 head of beef cattle. A 'standard man days' calculation estimates that there is a labour requirement for seven full time and one part time worker. However the report acknowledges that this calculation is excessive and does not reflect the actual labour required to operate the business. At present there are two full time workers on the farm (the applicant and his son law), with the applicant's partner and daughter working part time and this is considered to be adequate to meet the needs of the business.
42. Officers are satisfied, in consultation with the Authority's land agent, that the appraisal demonstrates a needs for at least 2 full time workers to be within reasonable sight and

sound of the animals during the day and night and that as the applicant and his daughter/son in law do not form part of the same household, they need to live in two separate houses. At present the applicant (the owner of the business) currently lives with his partner in rented accommodation within Wetton village. His daughter and son in law and their two children live in the existing farmhouse at Manifold Farm.

43. The anomaly with this proposal is that Manifold Farm, unlike most farms, is located on the edge of the village of Wetton and as such there is an existing stock of houses close by that could potentially meet the identified need. The information that was submitted with the application stated that at that time (July 2019) the applicant was living in a house within a couple of minutes drive of the farm, and had done for some time. We took the view that if the applicant owned the house he was living in then we did not consider that it would be unreasonable for him to live in the village and to drive the short distance to the farm should an animal be in need of tending during night time hours. However the crucial point was that the applicant was living in rented accommodation at The Old Sunday School and it had been demonstrated through a letter from the landlord that there was no security of tenure on the property. As a result, we concluded that if the applicant and his partner were to be asked to leave the property at short notice and there was nowhere else available in the village, then this would cause problems to the proper functioning of the farm business.
44. However, since the application was presented to the Planning Committee in October 2019 it has come to light that in fact the applicant and his partner had moved out of The Old Sunday School in early 2019 and are currently living in a converted barn on the outskirts of Wetton (Barn Close). Correspondence from the applicant states that he and his partner were forced to move out of The Old Sunday School because the rent was too high. Clearly if there is another property close to the farm which is readily available to the applicant then the need for a second farm workers dwelling would be questionable. It is stated that Barn Close is owned by the applicant's partner's ex-husband and it is stated that the applicant's partner has no legal interest in the property. The dwelling is currently on the market for sale and a letter from the owner of the property states that the applicant and his partner are renting it temporarily until a sale is secured. We are satisfied therefore that this property would not represent a suitable and available second dwelling for the holding.
45. It has been demonstrated through an internet search that at present there appear to be no other properties for sale within the village within a price range that could be supported by the business. Consequently we conclude that there is a genuine need for a second dwelling on the farmstead.

**46. Whether the financial test is met**

47. Development Management policy DMH4 states that in order to be satisfied that stated intentions to engage in or further develop the business are genuine, reasonably likely to happen and capable of being sustained for a reasonable period of time, the Authority will require financial evidence that the business has been operating for a least 3 years; and the business is currently profitable and has been profitable for one of the last three years; and profit for the business is such that it can sustain the cost of the dwelling.
48. Financial accounts have been provided that demonstrate that the business has been profitable for the last 4 financial years and we are satisfied that the profit from the business could sustain the cost of the dwelling.
49. Given that the functional and financial tests have been satisfied the main remaining consideration is the impact of the siting and design of the dwelling on the landscape character of the National Park.

## 50. Siting and Landscape Impact

51. Firstly policy DMH4 requires that where a new building is proposed, there is no traditional building that could be converted within or close to the main group of buildings. In this case the existing farmhouse and the main group of modern farm buildings on the site are within the applicants' ownership, with the main block of owned farmland then extending to the south. The land abutting the farmstead to the east and west including land on which some of the farm buildings are located is within the ownership of the Chatsworth Estate. There is only one traditional building within the farm group and this is a small single storey stone barn on the eastern side of the farmstead and on land owned by Chatsworth. The building is too small to convert to a single dwelling without extension, which in itself would harm the character and appearance if the building.
52. Policies GSP3, L1 and DMC3 all seek to achieve development to a high design standard that respects the landscape character of the area. In particular DMC3 (ix) states that visual context provided within the Landscape strategy together with other specific views including skylines must be carefully considered.
53. The chosen site for the new build dwelling is located within an area of agricultural land to the south west of the building group. At present the western boundary of the farmstead is demarked by an access track and with groups of trees. The piece of land in question is located to the west of the access track and therefore beyond the existing footprint of the farmstead.
54. Manifold Farm is located on rising land. The land rises up from Buxton Road and the village, southwards, and the application site is located close to the crest of the hill. As submitted we considered that although the proposed building would be single storey and would be dug into the ground to some extent, it would still be highly prominent projecting above the skyline when viewed on the approach to the village from the west. Due to ownership issues it was not possible for any planting to be required by condition to add any screening.
55. Following discussion since the item was deferred in October, amended plans have been received. They show the dwelling dug into the surrounding land by a further 600mm. They also show the dwelling shifted by around 5m to the south east to enable a triangular area of new planting within the north west corner of the curtilage of the property, to help screen the building when viewed from the north and west.
56. A Visual Impact Assessment was submitted with the application. This acknowledges that the building would project above the skyline from a 300m stretch of Leek Road and also from the public right of way (Thors Lane) that runs to Thors Cave, but it argues that because of the distances involved and the simplicity of the design of the building, the dwelling would not be prominent and the degree of separation from the existing farm buildings is comparable with other recently completed farm workers dwelling in the National Park. A set of amended visualisations have been received to reflect the changes outlined above.
57. Whilst the further digging in of the dwelling and the changes to the proposed planting would help to reduce the visual impact of the building from that which was submitted, it would still cause permanent harm to the landscape character of the area. Because of

the prevailing topography and the presence of mature trees on the western edge of Wetton, the majority of the built form of the village does not become readily apparent when approaching from the west, until one is almost within the village envelope. The large portal framed sheds at Manifold Farm are well screened both by the land levels and the trees along the western boundary of the site. The open pastoral landscape that surrounds Manifold Farm and Wetton village contributes strongly to the character of the area. The area falls within the Limestone Village farmlands landscape character type within the Authority's Landscape Strategy. Settlement patterns within this landscape type tend to be strongly nucleated and the protection of this pattern is identified as a priority throughout the landscape character type. The proposed dwelling would intrude into the open fields that surround the farm and would be visually separate from the existing buildings. As amended it would still project above an otherwise uninterrupted skyline on this hillside beyond the edge of the village, which is harmful and in conflict with the Strategy. The proposed planting would eventually help to screen the building in the long term although the planting belt that was initially proposed to the south of the dwelling should also be retained in addition to the new triangular belt to the north west and the belt to the east. Notwithstanding this, new planting would take many years to mature and screen the building and the offer of screen planting is not in itself sufficient to justify a dwelling that is fundamentally harmful to landscape quality.

58. It is accepted that limiting the amount of windows on the west facing elevation to avoid light spill would help to mitigate visual impact but this is not sufficient to overcome the landscape harm that has been identified.
59. Aside from the issues of siting, the overall design details of the dwelling are acceptable. Whilst the Authority's Design Guide discourages bungalows, the proposed dwelling would not have the wide plan form of a modern bungalow. Instead it would have relatively narrow gable widths and detailing that is more traditional in character.
60. At the pre-application stage alternative sites were identified and assessed by officers as follows:
  61. Site A – adjacent to existing farmhouse. We identified that this would be the least harmful in landscape terms because of its close relationship with the other buildings on the site, however it was clear that there is an underground slurry store close by which the agent states would need a 7m buffer; there is a public right of way running through the area; and due to the need to maintain access for milk tankers, the area of land available is limited.
  62. In deferring the application members asked for more information about whether the slurry store could be relocated. The agent has responded by explaining that the slurry store works through a gravity fed system running from the adjacent group of livestock buildings along a network of underground channels under the agricultural buildings. He states that there are no other sites within the farm group where a gravity fed slurry tank could be installed within the land ownership. Any tank located on higher ground would be reliant on slurry pumps which can be costly to install, problematic to maintain and operate, labour intensive and costly to run. Relocating the manure store would also require the drainage system for the livestock buildings and parlour to be completely re-designed. Many of the drainage channels were installed prior to the buildings being erected and are difficult to access. Attempting to re-design the layout of these would create a significant cost in ground works, new drainage channels and concrete. A breakdown of costs has been provided and we are satisfied that these costs are likely to be prohibitive.
63. Site B – strip of land with frontage onto Buxton Rd. This is a narrow plot of land and

any dwelling sited here would face directly onto the modern farm buildings and as a result amenity would be compromised. The area also provides a valuable visual buffer between the farm complex and the edge of the Conservation Area.

64. Site C – triangle of land on the eastern boundary. This area is currently visually intrusive due to the dumping of large quantities of waste material in the area. Because of the limited space available the dwelling would need to be 2 storey and from Carr Lane to the east the dwelling would break the skyline and would also appear quite detached from the adjacent farm buildings.
65. Since the application was deferred in October 2019 the agent has provided information stating that discussions have been held with Chatsworth Estate in relation to a potential plot purchase. It states that Chatsworth have not responded in writing for commercial reasons but are not willing to sell a plot in isolation. They would consider a plot as part of re-negotiation the terms of the existing tenancy on the land which they have explained to us in detail. We are satisfied that a renegotiated tenancy is likely to be less secure for the applicant and would have a detrimental impact on the long term security of the farm.
66. In conclusion, we are satisfied that there is not a more suitable site available elsewhere on the farmstead. Nonetheless, despite the amendments that have been made, a dwelling on the chosen site would cause harm to the landscape character of the area contrary to adopted policies.
67. Whilst the Authority has a duty to foster the economic and social wellbeing of local communities, its statutory purpose is to conserve and enhance the natural beauty of the park and this must take priority. In this case, whilst the applicant has worked with us to identify an appropriate site, the chosen site would nonetheless detract from the landscape of the National Park and in policy terms the needs of the farming business do not outweigh harm to landscape.
68. With regard to the other farm workers dwelling approvals that the agent has referred to, each application must be judged on its merits and they cannot be directly compared to the current proposals. The landscape impact for each of those proposals was clearly assessed and judged to be acceptable in those particular landscape settings. It is not considered that those decisions can carry weight in favour of the current proposals.

## **69. Other Considerations**

### **70. Access and Parking**

The existing access onto the public highway would be utilised and visibility from the access is adequate. Two parking spaces would be provided within the curtilage of the dwelling which would serve the needs of the development.

### **71. Amenity Impacts**

The nearest neighbouring residential properties to the proposed dwelling would be some 160m to the north and so as a result of the distances involved it is concluded that there would be no adverse impact upon the privacy and amenity of neighbouring properties.

### **72. Environmental Management**



At the pre-application stage officers advised that an Environmental Management statement should be submitted with the application. Whilst a detailed statement has not been submitted a short section is included within the Design and Access Statement. This states that the dwelling will exceed standard requirements from Building Regulations for energy efficiency and that the dwelling would be heated by an air source heat pump supplemented by a carbon neutral wood burning stove. The submitted plans show that the air source heat pump would be fixed to the south east elevation of the dwellinghouse. Subject to a condition that requires the pump to be installed and operational prior to first occupation the proposals would meet the requirements of policy CC1.

### **73. Conclusion**

There is a functional need for a second dwelling and the financial test has been met. There is not a more suitable site available elsewhere on the farmstead, nor an existing building suitable for conversion. Nonetheless a dwelling on the chosen site would cause harm to the landscape character of the National Park, contrary to adopted policies. It is not considered that the identified needs of the individual business outweigh the landscape harm that has been identified. Accordingly the application is contrary to policies GSP1, GSP3, L1, DMH4 and DMC3 and is recommended for refusal.

### **74. Human Rights**

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

### **75. List of Background Papers (not previously published)**

Nil

### **76. Report Author: Andrea Needham, Senior Planner (South)**