



Appeal Decision

Site Visit made on 13 April 2021

by K A Taylor MSC URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 April 2021

Appeal Ref: APP/M9496/W/20/3258506

White Rake Cottage Tideswell Moor, Tideswell, Buxton, SK17 8JE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr David Critchlow against the decision of Peak District National Park Authority.
 - The application Ref NP/DDD/1018/0995, dated 29 October 2018, was refused by notice dated 28 February 2020.
 - The development proposed is demolish an unsafe general purpose farm building and replace it with one for the same use.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have taken the description of development from the Council's decision notice as this appears to be more concise than the application form. This is also the description as set out in Part E of the appeal form. The Council dealt with the proposal on this basis and so shall I.
3. I observed at the time of the site visit that the existing elevations did not fully reflect the plans I have before me, including additional openings. The appeal proposals relate to the demolition of the building. I therefore consider that these omissions would not affect the issues in this appeal.

Background and Main Issues

4. Following the submission of updated ecological information from Protected Species Surveys, 'Bat Survey Report (Rev A)' and an email on 31 March 2021 received by the Council, in relation to insufficient information being provided for bats and birds. The Council have advised that this addresses the concerns and no further information would be required. As such, the third reason for refusal falls away which relates to protected habitats and species. I do not disagree with the views of the Council in respect of this matter, the enhancement and mitigation measures could be safeguarded by suitable worded conditions, and hence it does not fall to be considered as a main issue.
5. Therefore, the main issues are
 - The effect of the proposed development on the character and appearance of the area, having particularly regard to the non-designated heritage asset, historic landscape and on the Peak District National Park; and
 - Whether a functional need for the proposed development in this location has been demonstrated.

Reasons

Character and Appearance

6. The appeal site is located within the designated countryside to the north west of Tideswell within the Peak District National Park. It is identified in the Peak District Landscape Character Assessment¹ as the White Peak, an area of settled uplands lying on the boundary between Derbyshire and Staffordshire at the southern end of the Pennine Hills. The character landscape type is Limestone Plateau pastures, an upland pastoral landscape with a regular pattern of straight roads and small to medium sized rectangular fields bounded by limestone walls. Key characteristics include isolated stone farmsteads and field barns, dating from the late 18th century and early 19th centuries with open views to surrounding higher ground. There is also identification of historic features and prehistoric monuments within the character area.
7. The overall strategy for the White Peak is to protect and manage the distinctive and valued historic character of the settled, agricultural landscape, whilst seeking opportunities to enhance the wild character and diversity of remoter areas. This includes sustaining traditional buildings and settlements, as it sets out that there has been an intensification of use of farming and forestry. Agricultural intensification has been accompanied by dereliction of traditional stone field barns and an increase in large modern agricultural building for livestock, such changes to agricultural practices could result in landscape change.
8. Traditional farm buildings are of significant value to the character of the landscape and it is important to maintain the fabric and appearance of such buildings, isolated field barns are a special cultural feature in the White Peak. Changes to the appearance of either the building or its surroundings should be avoided, especially where these are not in keeping with the rural character of the landscape.
9. Policy GSP1 of The Peak District National Park Local Development Framework, Core Strategy Development Plan Document, 2011 (CS) sets out strategy and statutory purposes of securing the National Park (NP) Purposes and sustainable development, in that conservation and enhancement of the NP will be given priority. Policy GSP3 requires all development to conform to principles, including respect, conserve and enhance all valued characteristics of the site and buildings. Particular attention will be paid to the impact on the character and setting of buildings, scale of development appropriate to the character and appearance of the NP, siting, landscaping and building materials, design, form.
10. CS Policy L1, requires that development must conserve and enhance valued landscape character, as identified in the Landscape Strategy and Action Plan, and other valued characteristics. Policy L3, requires development conserves and where appropriate enhances or reveal the significance of archaeological, architectural, artistic or historic assets and their settings. Other than in exceptional circumstances development will not be permitted where it is likely to cause harm to the significance of any heritage asset.
11. Policy DMC3 of the Peak District National Park, Development Management Policies, Part 2 of the Local Plan, 2019 (DMP), permits development of a high

¹ Landscape Strategy and Action Plan, 2009

standard 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, amongst other things will be paid to scale, form, mass, height, landscape features and the wider setting. Design, details, materials and finishes reflect or complement the style and traditions of the locality and other valued characteristics. This is also supported by Policy DME1 for agricultural development which should contribute to the conservation of valued landscape character; respect design, scale, building traditions, whilst having no adverse effects on the area's characteristics.

12. Policy DMC5 of the DMP, requires development affecting heritage assets, including its setting must clearly demonstrate its significance including how any identified features of value will be conserved and where possible enhanced and why the proposed development is desirable or necessary. Supporting evidence must be proportionate to the significance of the asset. It requires proposals likely to affect heritage assets with archaeological and potential archaeological interests to be supported by appropriate information that identifies the impacts including non-designated heritage assets. If applicants fail to provide adequate or accurate detailed information to show the effect of the development, it will be refused. Development of a 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, unless it is considered to be acceptable following a balanced judgement taking into account its significance.
13. Paragraph 170 of the National Planning Policy Framework (the Framework) sets out that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and recognise the intrinsic character and beauty of the countryside. Paragraph 172 advises that great weight should be given to conserving and enhancing landscape and scenic beauty NP's, which have the highest status of protection. The conservation and enhancement and wildlife and cultural heritage are also important considerations in these areas and should be given great weight. The scale and extent of development in NP should be limited.
14. Paragraph 184 recognises that heritage assets range from sites and buildings of local historic value to those of the highest significance. These assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. Paragraph 192 requires that in determining applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets, its positive contribution to sustainable communities, and the desirability of making a positive contribution to local character and distinctiveness.
15. Paragraph 193 considers the impact on the significance, great weight should be given to the asset's conservation and is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm. Paragraph 197 requires that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

16. The appeal site consists of a stone and render traditional barn which appears to be in poor condition, due to deterioration in parts but is still in use containing elements of general storage. The wider site, although excluded outside of the red line of proposed development has two dwellings, and a mix of agricultural buildings. The barn would be demolished and replaced with a modern agricultural building, consisting of part stone up to some 2.36m, then vertical blue fibre cement sheets to the eave's height and fibre cement sheeting to the roof. There would be a number of openings, including vehicle and pedestrian access on the elevation facing the yard.
17. The Council have identified the barn as a non-designated heritage asset of archaeological and historic interest. White Rake Farm is an extant 19th century farmstead and has a Historic Buildings, Sites and Monument Record (HBSMR) with it. Subsequently it was included as a site in the Peak District Historic Environment Record (MPD2186). The barn appears on the first edition of the OS map of 1880. The farmstead is identified as a loose cluster and is a typical linear farmstead, consistent with those within the White Peak character area. There has been a partial loss, less than 50% of a traditional farm building, which indicates that the farmstead has high heritage potential.
18. The barn appears to be an example of a typical Peak District combination barn with cowhousing below and a fodder storage loft above, although it is acknowledged the building has been altered and adapted over time. As such, it would be likely to be legible within the fabric of the building, internally and externally the potential for archaeological interest and evidential value to be of at least local significance.
19. The Council confirm that no supporting information, heritage assessment, archaeological assessment or justification for the total loss of the barn, being a non-designated heritage asset was provided as part of the application. The appellant has provided a description of the site and there is no dispute it is a non-designated asset within the statement of case. However, the detail of information appears to be taken from the Council's officer's report with no independent analysis of the historic barn, its features including the extent of surviving fabric, fixtures and fittings and neither any understanding of the historical development of the farmstead from the 19th century and where the significance of the site lies within the landscape.
20. Furthermore, I am not satisfied with the appellant's contention that such assessments including archaeology (desk based) or that significant features of the barn identified could not be carried out prior to full or partial demolition. As such, I consider there is insufficient information or justification about the significance of the non-designated heritage asset to assess or justify the total loss of the barn.
21. The appellant places emphasis on the existing state of the building and I acknowledge that they may have general concerns over the roof collapse and its proximity to the road. A structural inspection (SI) was undertaken on 28 February 2019, dated 6 March 2019², albeit limited in detail. The SI concludes that the barn is of poor-quality construction and in very poor structural condition with the partial roof collapse and evidence of external wall movement. It advises that it is very difficult to predict the structural behaviour of the stone barn but considers that the structure could be stabilized by the

² Rhodes & Partners, PRG-22778-002

- installation of tie bars and plates and walls would require reconstruction. It recommends that the barn is demolished and rebuilt in traditional construction, reusing the existing materials.
22. Taking in to account the recommendations of the SI, and although it is visually apparent the barn is in a poor condition, the barn is not classed as a dangerous structure and some immediate repairs could be undertaken to stabilise the barn. Therefore, I consider that in the absence of substantive evidence to the contrary I am unable to conclude that the building is completely unsafe or would endanger the public and if necessary, the repairs could be undertaken, with any necessary consent. Therefore, this would not be a public benefit in terms of public safety that would justify or outweigh to the harm to the character and appearance of the area, wider historic landscape or the complete loss of a non-designated heritage asset, being the barn.
23. I acknowledge that the footprint of the proposed new building would remain the same, and elements of the lower sections would be constructed by re-using the existing stone. However, without sufficient or significant justification the overall appearance of the historic farmstead and the impact on the landscape would be tarnished by the introduction of a new modern agricultural building once the barn was lost. The building would clearly be seen along the public highway given its scale and siting along the roadway, and it would potentially change the character of the landscape. Furthermore, it is unclear and without substantive evidence to the contrary, whether an alternative use of the building could be utilised to retain the non-designated heritage asset without it being lost.
24. For the reasons given above, I conclude that there is insufficient information been provided to justify the harm to the character and appearance of the area, historic landscape, the loss of the non-designated heritage asset and the Peak District National Park. As such the proposal would be contrary to Policies GSP1, GSP3, L1 and L3 of the CS, which taken together require all development to be consistent with the NP's legal purposes and duty; and seek to conserve and enhance the valued landscape characteristics of the NP. It would also be contrary to Policies DME1, DMC3 and DMC5 of the DMP, Part 2, which amongst other things, require agricultural development to complement the character of the historic landscape, respect building traditions characteristic of the area; and protect heritage assets.
25. The proposal would also conflict with the aims of Section 15 and Section 16 of the Framework which requires that great weight should be given to conserving and enhancing of the natural environment and the historic environment.

Agricultural Need

26. DMP Policy DME1 sets out that for new agricultural and forestry buildings, they will be permitted provided that it is demonstrated the building at the scale proposed is functionally required for that purpose from information provided by an applicant on all the relevant criteria listed within the policy. The list includes such detail as to the location, size of the farm, type of agriculture, stock, existing buildings, uses and demand and that it contributes to the landscape and NP objectives.
27. The Council confirm that the planning application did not include any supporting or justification for the demolition and erection of a new agricultural

building. The appellant has provided some, all but limited with the appeal. This includes that they are the owner of an agricultural unit of circa 180 acres (73 hectares) with 120 head of beef cattle. However, the appellant has retired, and the farm business is operated by their son who lives within a property adjoining the appeal site but the dwellinghouse to the west is in third party ownership. Therefore, the information is somewhat confusing as to the extent of the operational farm buildings already on the site, ownership and the appellants ongoing connection to farm operations and how the farm holding location is divided and to what extent by Manchester Road.

28. There is no substantive evidence on existing or perceived demand for the requirement of the location of a new building, other than the appellant wants a secure building to the closest possible proximity to the farm buildings to the east of the road. The appellant does state it would be for the use of storage of a tractor, trailers and quad purposes including that pieces of equipment can be worked on for such purposes as welding, however the detail is limited. There are no comparisons to any other buildings on the holding or their uses which could potential be used for such purposes or may indeed be in use already given that the majority of the existing building is in disrepair.
29. The appellant indicates that theft is widespread of high value agricultural equipment in the area and so a storage facility further away would be a concern. However, I have no substantive evidence that this is the case in the area and that security prevention measures could not achieve this protection elsewhere on an existing building if this was currently in use.
30. Given that the information provided is limited, confusing and to an extent sketchy in part. I must conclude that there is insufficient evidence that the functional need for the proposed agricultural building in this location has been clearly demonstrated. As such, the proposal would be contrary to Policy DME1 of the DMP, Part 2, which requires the functional need of new agricultural buildings to be justified. It would also be at odds with the guidance contained within the Council's Supplementary Planning Guidance on Agricultural Developments in the Peak District National Park, in so far relating to supporting information for planning applications and Siting and Design Guidelines.

Conclusion

31. The proposed development would be contrary to the development plan taken as a whole. There are no other material considerations that would indicate that the proposed development should be determined other than in accordance with the development plan.
32. For the reasons given above I conclude that the appeal should be dismissed.

K A Taylor

INSPECTOR