

Application Number: WNS/2021/1797/MAF

Location: Manor Farm Passenham Road Passenham MK19 6DQ

Proposal: The relocation of existing Manor Farm farmyard and conversion of existing buildings at Manor Farm to three dwellings with associated works.

Applicant: The Parks Trust

Agent: Smith Jenkins LTD

Case Officer: Tom Ansell

Ward: Deanshanger

Reason for Referral: Major development (site area & floor space created)

Committee Date: 12 May 2022

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS

Proposal

The application has two fundamental elements to it...

- Conversion of existing redundant agricultural buildings to three residential dwellings and garaging, including all ancillary/associated landscaping and other works
- Relocation of farmyard to new site 200m north-west of the village, including the erection of two buildings and creation of hardstanding, boundary treatments and associated landscaping

Consultations

The following consultees have raised **objections** regarding the application:

- Old Stratford Parish Council (no outright objection, but concerns/queries raised), Crime Prevention Design Advisor

The following consultees have raised **no objections (subject to conditions)** or have made **neutral observations** in respect of the application:

- Local Highway Authority, Environment Agency, Environmental Protection, Building Control, Ecology, Tony Kernon [Council's Agricultural Consultant]

Four comments have been received from neighbouring properties. Two offer objections to one or both elements of the scheme, one offers support and the other is supportive of the principle but has concerns over various matters that are not planning related (i.e. boundary positioning/land ownership).

Conclusion

The application has been assessed against the relevant policies in the NPPF, the adopted Local Plan and other relevant guidance as listed in detail at Section 8 of the report.

The key issues arising from the application details are:

- Principle of Development
- Visual impact of the development, including impact on appearance/setting of conservation area and listed buildings
- Residential amenity
- Highway safety
- Ecology
- Other matters (security)

The report looks into the key planning issues in detail, and Officers conclude that the proposal is acceptable subject to conditions.

Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.

MAIN REPORT

1. APPLICATION SITE AND LOCALITY

- 1.1 The application site in this instance consists of two separate locations. The first is an existing farmyard located to the south-west of Passenham Road and Manor Farmhouse and Manor Farm Barn, containing a number of buildings in various states of disrepair/disuse. The farmyard remains in use for housing cattle, as observed on visits to the site. Relative to the hamlet of Passenham, the farmyard sits in the north-western corner, within the conservation area.
- 1.2 The second site is around 200m to the north-west of the existing settlements built limits, and is around 1.1ha in size. It is a relatively small portion of a larger field used for agriculture, with an existing field boundary to the south-east, and two public rights of way converging to the immediate south-east. It lies just outside the conservation area boundary on the north-eastern side of Passenham Road.
- 1.3 Passenham is a hamlet that has no settlement confines, and is thus regarded as being entirely in open countryside. It is surrounded by a typically agrarian landscape. It is overwhelmingly rural in character, with a significant number of the buildings being of historic significance and traditional in design, appearance and finish.

2. CONSTRAINTS

- 2.1. The application sites are both within open countryside as discussed above. Furthermore, the existing farmyard sits within the conservation area, in close proximity to listed

buildings, and within archaeological asset sites. The land around the site identified for the new farmyard is also identified as being archaeologically sensitive. Flood zones 2 and 3 cover the very southern edges of the farmyard, although all existing and proposed development lie well outside of this, in flood zone 1.

- 2.2. Public footpaths run south-west/north-east immediately east of the site, although the proposed farmyard in the presently undeveloped field will not impact these.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. The development seeks to convert three of the more solidly constructed buildings within the existing farmyard to residential dwellings, and remove all other buildings that are not necessary. Barn B, a slightly more functional and modern building, would become a contemporary, rectangular dwelling over two floors. Barn C would become a Z-shaped single storey dwelling formed from mainly traditional elements. Barn D will be become a modest three-bedroom unit with a new pitched roof, formed from a brick stable block. A further barn (Barn A) would be reused for undercover parking and storage.
- 3.2. Intrinsically linked to this redevelopment of the existing farmyard is the intended relocation of the farm's 'base' to a new yard around 200m north-west of the village, on the north-eastern side of Passenham Road.
- 3.3. A substantial building well exceeding 1000sqm will provide a single, undercover facility for keeping and managing livestock (cattle), with a central walkway provided to maximise efficiency of use and also provide a safe vantage point to those visiting the site in an educational capacity (i.e. with a school). A further building will be provided containing straw for the cattle, with a very modest lean-to ancillary educational office/study room attached. The new farmyard will be around 1.1ha in size, bordered by post and rail fencing, with access points maintained into the surrounding field.

4. RELEVANT PLANNING HISTORY

- 4.1. The following planning history is considered relevant to the current proposal:

Application Ref.	Proposal	Decision
S/2017/0522/FUL	Conversion existing farm buildings to four dwellings	Appeal dismissed against refusal
S/2019/1645/AGD	Prior determination for erection of agricultural storage building	Planning permission required
S/2020/0014/AGD	Prior determination for erection of agricultural storage building	Planning permission required

- 4.2 Application S/2017/0522/FUL was refused by the Council, appealed by The Parks Trust (the current applicants) and the appeal was subsequently dismissed. The scheme proposed the conversion of all buildings on site, including the Dutch barns, as well as the construction of garages to serve three of the dwellings. One of the buildings was also proposed to be extended.

- 4.3 The Council refused permission for three reasons that are bullet pointed below:

1. Insufficient information to demonstrate that the existing buildings were capable of conversion, contrary to adopted policy and Supplementary Planning Documents
 2. Poor design and detailing (i.e. fenestration) failing to sustain or enhance the character and appearance of the farmyard grouping/conservation area
 3. Absence of an Ecological Survey preventing the Council from assessing the impact of the development on protected species
- 4.4 The third reason for refusing was addressed by the applicants through the submission of relevant information. The Inspector assessed the other reasons, and concluded that the scheme failed to propose appropriate conversions to existing buildings, included works that resulted in ‘domestic rather than agricultural’ character, and failed to accord with policy R1 by proposing an unsuitable mix of accommodation types that ‘did not meet the needs of all sectors of the community’. While the Inspector recognised some benefits of the scheme, they ultimately concluded that these were not outweighed by the harm caused to the significance of the conservation area.

4.5 The Inspector subsequently dismissed the appeal.

Pre-application advice

- 4.6 Advice has been sought under reference P/2020/0316/PRM for the conversion of the buildings in the farmyard into residential accommodation, and the relocation of the farmyard to a new location north-west of the village. It was accompanied by an agricultural appraisal document.
- 4.7 Officers considered the information submitted and offered the following conclusions on the principle of development:

‘The proposals for relocating the farmyard and converting Manor Farm, which will come in as a joint single application, are both supportable in principle. There are rational planning reasons for the farmyard moving away from the built form of the village into a more prominent location, and while there are some small notable conflicts with adopted policies, particularly around permitting three new dwellings in a less sustainable location, these are outweighed by the potential benefits to be gained through using a high-quality and sensitively treated residential scheme to enhance this part of Passenham while bolstering the Council’s housing supply.

Furthermore, in line with the encouragement found in the NPPF (Section 6), I afford weight to the need to support the continued viable operation of an existing agricultural enterprise by permitting its relocation (while also allowing it to provide educational enrichment to the benefit of the local community).’

- 4.8 Officers also recommended some design tweaks in respect of the barn conversions, and recommended robust landscaping works were included with any submission relating to the new farmyard.
- 4.9 While it might be argued that the Council’s position as outlined in the pre-application differs quite significantly from that taken in 2017 (and supported at appeal), the full justification for this position will be set out in the sections of the report below.

5. RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

- 5.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

Development Plan

- 5.2. The Development Plan comprises the West Northamptonshire Joint Core Strategy Local Plan (Part 1) which was formally adopted by the Joint Strategic Planning Committee on 15th December 2014 and which provides the strategic planning policy framework for the District to 2029, the adopted South Northamptonshire Local Plan (Part 2) and adopted Neighbourhood Plans. The relevant planning policies of the statutory Development Plan are set out below:

West Northamptonshire Joint Core Strategy Local Plan (Part 1) (LPP1)

- 5.3. The relevant policies of the LPP1 are:

- SA – Presumption in Favour of Sustainable Development
- S1 – Distribution of Development
- S10 – Sustainable Development Principles
- BN2 – Biodiversity
- BN5 – The Historic Environment and Landscape
- R1 – Spatial Strategy for the Rural Areas
- R2 – Rural Economy

South Northamptonshire Local Plan (Part 2) (LPP2)

- 5.4. The relevant policies of the LPP2 are:

- SS1 – The Settlement Hierarchy
- SS2 – General Development Principles
- LH1 – Residential Development Inside and Outside Settlement Confines
- LH4 – Single Dwellings in the Open Countryside
- EMP3 – New Employment Development
- EMP4 – The Visitor Economy
- EMP6 – Farm Diversification
- HE1 – Significance of Heritage Assets
- HE5 – Listed Buildings
- HE6 – Conservation Areas
- NE5 – Biodiversity and Geodiversity

Material Considerations

- 5.5. Below is a list of the relevant Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Supplementary Planning Guidance
- Design Guide
- Parking Standards and Design

6. RESPONSE TO CONSULTATION

Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

Consultee Name	Position	Comment
Old Stratford Parish Council		Concerns over development being contrary to policies covering open countryside development and highway safety. Concerns also raised in respect of how farm waste/slurry will be managed and the potential impact on ridge and furrow near the development site.
Local Highway Authority		No outstanding objections or concerns in respect of either the conversion scheme or the farmyard scheme, subject to conditions being imposed relating to standard issues as well as a CEMP to control the construction of the bund around the outside of the farmyard. The off-site measures proposed by the Transport Statement are considered to be acceptable in principle. The LHA advises that a S782 agreement will be required for carriageway widening and installation of passing bays.
Crime Prevention Design Advisor		Concerns over absence of security detail for new farmyard building, given potential for theft of farm machinery. No capable guardianship over the site. Details of security measures requested in respect of new farmyard. Concerns over absence of active surveillance towards new dwellings, and potential for unauthorised vehicular access to be achieved.
Environment Agency		No comments to make.
Environmental Protection		Conditions requested concerning... <ul style="list-style-type: none"> Noise (pre-occupation, new residential units) Construction Management Plan (pre-commencement) Contaminated Land (precommencement due to trigger points) EV charging infrastructure

Building Control		No objections, all rain water to soakaway, fire vehicle access to be ascertained.
Bedford Group of Internal Drainage		Outside of the board's district – no comment to make.
Ecology Officer		Conditions requested... <ul style="list-style-type: none"> • Comply with Preliminary Ecological Appraisal • Revised survey if development not commenced by 1st June 2023
		<ul style="list-style-type: none"> • Detail of a bat and bird box scheme to be submitted
Health and Safety Executive		No comments to make as outside current consultation zone/protocol etc.
Tony Kernon – Kernon Countryside Consultants [on behalf of Council]		<p>Bullet points from conclusion:</p> <ul style="list-style-type: none"> • From the evidence and photographs, it appears that the existing buildings are no longer suited to modern cattle, straw, sheep or machinery uses on a large scale. Replacement seems to be reasonably required, therefore. • From the evidence provided the new buildings appear to be reasonably required and designed for cattle housing and straw storage. • The toilet block and office appear to relate to proposed educational visits rather than agricultural uses. • I am not convinced that such an extensive area of hardstanding is required, however. • The relocation of cattle buildings away from the small settlement would appear to be sensible, to separate cattle from noise and smell sensitive receptors.

7. RESPONSE TO PUBLICITY

Below is a summary of the third party and neighbour responses received at the time of writing this report.

- 7.1. There have been four responses to the application at the time of writing. One of these offers support, although does not justify this support. One does not object in principle but raises a number of questions that relate to the accuracy of the drawings in how they represent boundaries/land ownership, the final boundary treatments proposed as they

relate to the garden/boundary of the dwelling, as well as why land is being shown as gifted to a specific property. The other two are more clearly objections, with one of them explicitly stating this, although it is anonymous inasmuch that an address has not been provided. Nonetheless, the reasons for the objections are summarised below...

- Passenham has been preserved in its historic format with no new buildings constructed, and is considered to be a rare example in terms of land use and visible form of how hamlets and small villages used to be.
- Retaining and restoring the existing farmyard would have maintained the historical pattern of the hamlet.
- Proposing a new building to the north-eastern side of the lane intrudes on the view from all properties on the south-western side of the lane.
- Passenham Road is not constructed for heavy goods traffic, is insufficiently in width, is part of the national cycle network and is used by those walking to and from Elizabeth Woodville school and the development would result in risk of danger to users.
- Risk of loss of ecological habitats (hedgerows), flooding through covering of permeable surfaces, loss of archaeological assets, smells and odours from livestock.

8. APPRAISAL

Principle of Development

- 8.1. Both of the sites are in open countryside as defined by policy SS1 of the LPP2, given that Passenham does not have any settlement confines.

Policy – residential development

- 8.2. Policy LH1(2.) seeks to limit new residential development outside of settlement confines unless it complies with a number of exceptions. Exception (d) refers to 'a single dwelling in accordance with policy LH4'.

- 8.3. Policy LH4(1.a.) supports the re-use of a redundant or disused permanent building providing the proposal...

- Does not involve a building in such a state of dereliction or disrepair that it would require complete demolition and re-building (i); and
- Does not result in the requirement for another building to fulfil the function of the building being converted (ii); and
- The development enhances its immediate setting (iii)

This approach is consistent with the exceptions listed in Paragraph 80 of the NPPF.

- 8.4. Policy R1 of the LPP1 places small settlements and hamlets at the bottom of the development hierarchy, but does advise that '*development outside the existing confines will be permitted where it involves the re-use of buildings*' and offers support to residential development that results '*in environmental improvements on a site*' such as '*the re-use of previously developed land*'.

Policy – relocated farmyard

- 8.5. The LPP2 is relatively silent on new agricultural development, although the onus generally remains on the applicant to demonstrate an essential need (as per the requirements of Class A of Part 6 of the GDPO). The amount of evidence and justification needed to support any scheme is generally commensurate to the scale of the proposal. In this instance, the creation of an entirely new farmyard from scratch in a previously undeveloped location requires very robust justification, provided in this instance as an agricultural appraisal prepared by Landscape.
- 8.6. Moving back to relevant policies, looking at the LPP2, relocating or safeguarding existing employment which is created or provided through an agricultural enterprise based in the open countryside could be considered to comply with elements of policy EMP3(2.), in that it can only operate in an open countryside location (2.a.iii).
- 8.7. The proposal in question involves a modest educational element; the cattle building is being designed to make it safer for visiting school children to be escorted through, and a modest lean-to is being added to the straw storage building to create basic classroom/WC facilities. While this isn't strictly 'tourism' in compliance with EMP4, I afford some positive weight to the benefits of providing an ancillary educational element. Policy EMP4(2.) 'The Visitor Economy' supports development outside of settlement confines where the location is essential to the business (a), it does not affect the vitality or viability of nearby settlements (b) and complements existing service and facility provision in the neighbouring settlements and surrounding area (c).
- 8.8. Policy EMP6 considers 'farm diversification'; while the educational aspect isn't intended to diversify the income of the farming enterprise, this policy is generally supportive of schemes that do not prejudice the on-going viable operation of the agricultural use and that respect the character of the surrounding area with regards to design, scale and siting etc.
- 8.9. Policy R2 of the LPP1 includes provision for farm diversification too (R2(b)), but more pertinently offers general support for *'the use of land for agriculture, forestry and equestrian activity'* (R2(g)).
- 8.10. Finally, Section 6 of the NPPF 'Building a strong competitive economy' requires Councils to enable 'the sustainable growth and expansion of all types of business in the rural areas, both through conversion of existing buildings and well-designed new buildings' (Para 83(a)). Para 84 goes on to advise Councils that the needs of local businesses and communities might only be accommodated on sites 'adjacent to or beyond existing settlements, and in locations that are not well served by public transport'.

Assessment

- 8.11. The two schemes before the Council are intrinsically linked; the regeneration of the existing farmyard necessitates the creation of the new one, and Officers have been advised it will assist in funding the new farmyard too (although it is not proposed or being assessed as enabling development).
- 8.12. Given the above, Officers will assess the creation of the new farmyard first.

Relocated farmyard

8.13. The conversion and 'loss' of buildings in the existing farmyard to a residential use could be seen to be unnecessarily manufacturing a need for a new farmyard situated out of the village. However, it is argued by the applicants (via agents) that the existing buildings are not capable of meeting the existing needs of the farmer.

8.14. Officers note that this is alluded to in the agricultural appraisal in paragraph 3.2:

'Some of the older buildings on site (still of a utilitarian design) were more likely constructed 50+years ago and the cost of repairs would be prohibitive. In particular the large 'dutch barn' has now outlived its usefulness having been designed and built for 1930's era agriculture. The use of 'big bales' requiring mechanised handling and storage means that building heights are important and the move to better ventilation to reduce the incidence of pneumonia in young stock mean that traditional courtyard style buildings are no longer appropriate for large scale modern agriculture.'

8.15. The feasibility study alluded to by the appraisal suggests that a new purpose-built site would be the best outcome for the farmer, and on this point, Officers can see the merits

of the argument. The existing site contains buildings which are very unlikely to ever be reutilised for the purposes of more intense, modern agriculture for the reasons given.

8.16. This is a position that is reinforced by the conclusions reached by Tony Kernon, the agricultural consultant who has appraised the submitted justification statement and evidence on behalf of the Council. He submits that the existing buildings *'are no longer suited to modern cattle, straw, sheep or machinery uses on a large scale'*. He concludes that *'replacement seems to be reasonably required'*.

8.17. In respect of relocating the farmyard, Mr Kernon notes that the statements justifying the relocation of the farmyard do not appear to be *'supported by evidence of complaints or other documented problems'*. However, he advises that he would normally recommend positioning large livestock buildings away from neighbours, and to this end, the relocation seems *'logical'*.

8.18. On this point, Officers note the local respondent's view that those who live in Passenham all post-date the farm and its operations in this location and have learned 'to live' with the disruption/noise/smells etc a working farmyard creates. Officers have no reason to doubt this, and it seems logical that those moving into new dwellings in the immediate vicinity do so on the understanding that the farmyard remains in use (albeit at a limited capacity due to the condition of the buildings).

8.19. However, it remains the case that the power lies with residents who live close to the site, even those who have very recently moved into the area. If a complaint was received that resulted in the Council's Environmental Health team concluding that a statutory nuisance was being caused, the farming operations at the site could be jeopardised by significant restrictions the Council has the power to impose.

8.20. The site chosen for the new farmyard is over 200m away from the village and nearest non-ancillary sensitive receptors (although it is still well within the 400m limit placed upon livestock buildings by Class A, Part 6 of the GDPO). While it will result in creating an entirely new farmyard within a presently undeveloped field, introducing two substantial buildings where there is presently no built form at all, it is not altogether unusual to find this particular arrangement of farmyard and nearby hamlet within the district (i.e. see

locations along Banbury Road near Litchborough or Astwell Park Farm near Helmdon/Wappenham).

- 8.21. The scope and scale of the farmyard and its visual impact will be assessed in subsequent sections. However, Mr Kernon concludes that the buildings '*appear suitable for the enterprise described in the agent's response of 25th April 2022*' (a copy of this is enclosed in Mr Kernon's comments which can be seen on the Councils Planning register). Furthermore, it is now known that the farming enterprise will continue to use other farmyards for holding the remainder of the livestock. This has allayed initial concerns aired by Mr Kernon, who now concludes that the buildings both '*appear functional and therefore able to meet the needs of cattle and straw storage*'.
- 8.22. With regards to the educational element, Officers have maintained the viewpoint that the Council is not seeking to approve a new educational facility with ancillary agricultural elements which are purely for the purpose of providing education, but an agricultural facility which can incidentally be used as an educational mechanism during the course of its natural operation. The scale of the study room as submitted on the drawings is felt to be wholly commensurate to a modest, ancillary facility that will allow the site to be used for purely ancillary educational purposes. The design of the cattle shed will also help this, with its large central 'viewing' area that is safely removed from the animals.
- 8.23. One point that Mr Kernon has raised is the scale of the external yard surrounding the building. He notes the significant area of hardstanding, and acknowledges that some will inevitably be required for storing silage bales, but '*the area is seemingly greater than is required*'. The agent has submitted that this area is necessary as there is a need to safely store bagged silage and baled straw, as well as allowing the safe movements of tractors, trailers and lorries needed to service the farm, without obstructing free access to both sides of the building and the handling of livestock.
- 8.24. Officers tend to agree that the size of the external yard initially appears excessive. However, it is also noted that a landscaping bund and boundary treatments are proposed to 'cap' the extent of hardstanding, and limit the 'spread' of the new farmyard into untouched countryside around it. Officers are inclined to consider that there might be a need in the future for further building(s) within the yard to provide further livestock or hay storage for the enterprise (if the nature of the business changes). The farmyard's scale as proposed would allow this to happen in a logical way, without causing further encroachment beyond what will become a well-defined edge to the farmyard. Should further encroachment be required, this would require substantial, robust justification, and be fully in the control of the Council.
- 8.25. Furthermore, the Council will be able to control the layout and treatment of the farmyard using planning conditions, as well as the construction and planting (and future maintenance) of the bund.
- 8.26. Officers are satisfied that, on the basis of Mr Kernon's appraisal, that there is a reasonable need for new buildings to service the farming enterprise, and that relocating the existing farmyard to a new, bespoke site just outside the village is a logical way to approach this.
- 8.27. While this results unavoidably in a degree of visual harm (assessed later in the report), the site chosen is felt nonetheless to be appropriate and logical given its relationship with land used by the farmer, and the nature of the agricultural enterprise (i.e. cattle farming). The agreed need for new buildings to allow the enterprise to continue operating, along with the evidential unsuitability of the current buildings, together with the subsequent

economic benefits of providing the facility are felt to weigh against the harm identified in an exercise of planning balance, and thus the Council can offer its support to the principle of this element.

Residential conversions

- 8.28. The Council has accepted that the existing buildings are unlikely to be utilised for agricultural purposes, and can therefore be considered redundant. Therefore, it is logical to consider how they might be reused. The yard contains a diverse range of buildings; a Dutch barn (Barn A), a larger barn of more modern construction (featuring brickwork and cladding – Barn B), a more traditional Z-shaped barn formed from both brick and stone sections (Barn C), and a very modest building with a mono-pitched roof, adjacent to Manor Farm Cottages (Barn D).
- 8.29. The buildings are in a mixed state of repair, and it is evident that, in some respects, the amount of work needed to facilitate residential conversions of these buildings will be quite significant. Photographs taken by Officers recently show that there will be a need for more than just localised repairing and rebuilding in some cases.
- 8.30. Officers note that the first criteria of LH4(1.a.) requires the building to not be in such a state of dereliction or disrepair that it would require *‘complete demolition and re-building’*. This test is notably less onerous than the one which would have been applied to historic applications, such as the 2017 scheme which was refused.
- 8.31. The 2017 scheme was supported by a structural survey undertaken by Andrew Howard and Partners. It is dated 11th January 2017. It appraises five buildings in total, although the scheme before the Council today only seeks to convert three of these to residential units (Building 2, what is described as Building 3a, and part of Building 4).
- 8.32. The structural survey considers each building in turn. It finds that the buildings are structurally in positions that could facilitate conversions with some repair work.
- Building 2 is considered to be in ‘fair’ condition, have steelwork that is reusable and a roof structure that can withstand (lightweight) slates without the need for additional strengthening to existing structural steelwork.
 - Building 3a (the traditional, stone building) was felt to be *‘readily’* able to convert to residential accommodation, with a roofing structure in *‘good structural condition’* with *‘very few signs of deterioration’*. There was no evidence of structural weakness in the stone and brick walls, with the structural condition described at the time as *‘good’*.
 - Building 4 is described as being a brick-built stable block, where the 215mm thick brickwork appeared *‘relatively recently’* constructed, and in good structural condition. The report concludes that the steel building attached to Building 4 needed more work to be convert-able, but this is now irrelevant as it is being removed as part of the current scheme.
- 8.33. As this survey is now five years old (and recommended that certain works were carried out within the next five years), an addendum to this report has been provided from David Smith Associates, dated 30th March 2022. They confirm that they visited the site on 28th March 2022, although were not able to inspect all parts of the structure.
- 8.34. The visual inspection carried out by David Smith Associates confirms that *‘while general maintenance is required to ensure the building’s performance, [they did]*

not have any significant comments to add to Andrew Howard & Partners' report dated 11th January 2017 and, therefore, confirm its findings and conclusions are acceptable for your present use'.

- 8.35. Officers have also visited the site and have inspected the buildings closely on site. A more detailed description and assessment of each barn is provided below, for clarity:

Barn A

- 8.36. Barn A is a very long Dutch barn. It is entirely open fronted from ground to eaves, and has been historically extended at the rear using a lean-to. This lean-to is to be demolished as part of the proposal.
- 8.37. Barn A is of very simply construction, effectively formed from a number of metal vertical support poles underneath a simple curved metal-clad roof. The intention is to leave the metal posts exposed, and to replace the roof with similar metal sheeting or standing seam. Vertical cladding will be added at first-floor level around the building (including on the gables). Four of the 10 bays will be infilled with blockwork at ground floor level, too (and so will the gables). The remaining six bays will be completely open (front and back) and retained for vehicle parking, with two spaces provided per dwelling. An internal floor will be added to provide storage space for each residential unit above the garaging.
- 8.38. The building isn't going to become permanently inhabited, and so the scope of works required to facilitate its intended use will not need to be as significant. Its use for undercover parking and as domestic storage (including cycles and refuse bins) is felt to

be a benefit to the scheme, as it reduces the risk of future occupiers seeking permission for garages, sheds and other domestic buildings that will ultimately harm the setting and appearance of the site.

- 8.39. Furthermore, the building's character, with the exception of the narrow openings on its principal elevation, remains largely agricultural, assisted mainly by keeping the majority of the ground floor bays open.
- 8.40. While the works proposed to this building are nonetheless quite significant – new roof, new walling, first-floor internally – it is not felt to undermine the spirit of policy LH4(1.a.) or conflict with its wording, and providing these facilities utilising existing built form within the site is much preferred to proposing new build garaging and other domestic storage buildings within the site.

Barn B

- 8.41. Barn B is a large, rectangular building presently used for housing cattle. It is of relatively simple construction, featuring a metal frame clad partly in corrugated metal and partly in blockwork, which itself is clad by imperial bricks mainly red in colour although with plenty of variation. The metal frame rests on brick support columns, and the majority of the main walling is in brick too. While its form is not strictly traditional, the use of imperial bricks and the type of bonding used suggests that this building does have some age attached to it.
- 8.42. Barn B is of more robust construction than Barn A, with lots of opportunities for existing openings to be used to provide lighting internally. The plans intend to

retain the facing brickwork and use a matching brick where any partial rebuilding is required. The floor plan shows development over two levels, providing four bedrooms in total, with an enclosed first floor on one side and a floating mezzanine on the other.

- 8.43. It is clear that a reasonable amount of localise repair and rebuilding are required to the existing walls, as well as an entirely new gable in one elevation which will be infilled while continuing the limited mix of large, simple glazing panels, brickwork and timber cladding. The roof will be replaced, to match the proposed roof on the Dutch barn (metal or standing seam).
- 8.44. However, there is enough building of substance here to provide more than an ample starting point for conversion, avoiding a situation whereby there is minimal contribution by the original fabric. The walling is in good condition and should not require completely removing, and the solid steel structure remains as the framework. Converting Barn B complies with LH4(1.a.) of the LPP2.

Barn C

- 8.45. Barn C is the most traditional of the buildings to be converted, finished mainly in local limestone under a slate roof. It is a Z-shaped building, with a steeply pitched roof, with one section being open on two sides.
- 8.46. The walling isn't entirely stone; on the south-east elevation it is a yellow brick over stone. However, the walls all generally look to be in good condition, with the stonework and brickwork requiring localised repointing and, in a couple of places, possibly replacement. The central wing of the building has experienced some issues with the roof in recent times, as the slates have collapsed into the building. The roof structure internally does not look capable of supporting slates of the sort put on it (the slates look reasonably 'new' or recently added), and so the replacement of at least some of the roof structure must be considered as part of reusing this building. This work should not affect the existing walling in any way, are not felt to undermine the principles of policy LH4(1.a.), given that the rest of the building should remain standing while this happens.
- 8.47. Of the four buildings Barn C is felt to have the most architectural merit, and when other buildings have been removed from around Barn C and it has been repointed and reroofed, it is likely that it will enhance the setting and appearance of the site, particularly as limited new openings are proposed, thus retaining (and revealing) more of its character.

Barn D

- 8.48. Barn D is a modest stable building, shallow front to back, finished in a similar brickwork to Barn B (imperial sized with specific bonding). It has a mono-pitched roof clad in corrugated metal at present.
- 8.49. Barn D is in good, solid condition with little evidence of its walling requiring repair, repointing or replacement. Its roof is regrettable, and as such it is proposed to replace it with a pitched roof, covered in slate. This will fundamentally enhance its setting and character (as linear stable blocks in brick and slate are common traditional buildings within the district's more historically sensitive areas).

- 8.50. The conversion proposes little alteration to its external appearance, other than the removal of a larger unsympathetic building to its north and the formation of a pitched roof. Existing openings are retained and reused, thus ensuring its conversion complies with the requirements of policy LH4(1.a.).

Conclusions on Barns A - D

- 8.51. Overall, it might be argued that the balance of rebuilding vs conversion is quite evenly split with this scheme. Barn A clearly requires quite a significant amount of new 'in fill' walling and a first floor inserted to perform its function; however, its function is not going to be that of a habitable dwelling, and it will instead provide critical facilities to each dwellinghouse within the site. Barns B and C require quite a lot of localised rebuilding and repair work, where walls/roofing is required to be replaced more substantially; however, both of these buildings do have robust frameworks supporting substantial wall and roofing structures. Barn D is perhaps in the best condition, but requires a bit of alteration (i.e. the provision of a pitched roof) to ensure its character better accords with its historic surroundings.
- 8.52. The policy is clear that *complete* demolition and rebuilding is prohibited, and from observations made on site, and on the basis of historic structural survey reports and updated addendums that confirm the buildings remain in a similar condition today, Officers are satisfied that the buildings can be converted and/or altered to suit their intended uses without their complete demolition and rebuilding. Control can be retained over the use of materials where new samples are introduced.
- 8.53. More importantly, the final criteria of LH4(1.a.) requires the development to '*enhance its immediate setting*'. It is felt that by permitting the sensitive renovation and part-rebuilding of these structures, particularly when combined with the rationalisation of their surroundings in terms of disposal of dilapidated buildings, waste materials, improvement of boundaries with appropriate boundary treatments and contextually appropriate landscaping etc, will ensure the end result is an overall enhancement to the appearance of this part of Passenham.
- 8.54. Moving onto other matters of principle, policy LH4 permits the creation of single dwellings in the open countryside, in recognition of the fact that the open countryside is generally regarded as a less sustainable location to focus new development. It is also generally considered to be good practice to convert single buildings into single dwellings rather than split them arbitrarily, as this can result in adverse harm to the character and appearance of the building and immediate environs (due to the need for each unit to have a garden etc).
- 8.55. Therefore, providing three units from three barns is felt to be the most appropriate way to progress development here, and while Barn A is clearly unsuitable for residential inhabitation, utilising its design and configuration to provide each unit with undercover parking and domestic storage above is considered to be very sensible, as it obviates the need for any residential unit to pursue separate garaging or domestic outbuildings in the future (and thus adversely impacting the character and appearance of the site as a whole).
- 8.56. However, the proposal will unavoidably result in three new dwellings in an open countryside location near to a hamlet with no facilities. While Officers have no reason to doubt the assertions of respondents that the road is used by those walking/cycling to the nearest school in Deanshanger (a 'Primary Service Village'), it is safe to assume that it will be considered necessary by all future

occupiers of the development to use a car for the majority of journeys. A little further afield than Deanshanger is Old Stratford, and then a handful of miles away is Milton Keynes. Car use will be essential to access these settlements.

- 8.57. Officers note the encouragement from the Government via permitted development rights that Councils should support the reuse of redundant buildings in rural areas as a means of bolstering the country's housing supply. While the buildings here do not benefit from such rights (being within a conservation area), it does not change the fact that Councils are generally discouraged from considering the sustainability of a location when looking at the reuse of agricultural buildings, particularly in respect to whether or not it is only accessible by car, and instead encouraged to consider the quality of the highway network immediate around and within the site.
- 8.58. Outside of Passenham, the highway network is excellent in scale and efficiency (the A422/A5 etc). The network within Passenham is a little poorer, although two-way traffic can be maintained for the majority of the highway into the settlement. Also notable is that the existing farmyard generates a degree of traffic related to its agricultural use (as set out in the transport information, assessed later), and it is felt that three residential units will not change the present impact on the immediately local highway network.
- 8.59. Furthermore, while the Council's historic decision (on four units) and the Inspector's subsequent conclusions (particularly in respect of R1) are duly noted, the scheme before the Council today has been submitted under a different policy context.
- 8.60. Policies covering the re-use of redundant buildings are felt to be less onerous and flexible in the LPP2 vs the original Saved Local Plan 1997, and this is afforded considerable weight. Furthermore, the scheme is materially different in that it proposes fewer units, which are not proposed to be extended or modified to provide greater footprints. The Dutch barn is no longer proposed to be used as a dwelling, but to remove the threat of future development (garages/outbuildings), and it also allows the Council to request EV charging infrastructure, which offsets to some degree the harm caused by necessitating additional private car journeys to the nearby settlements, if those vehicles are powered sustainably.
- 8.61. Therefore, to conclude on this element, Officers are satisfied that the scheme before the Council complies with the relevant policies of the LPP2 and, while it does not propose affordable housing and nor does it respond to any demonstrable local demand, the limited conflict with R1 of the LPP1 is outweighed by the visual benefits of resolving and rationalising the current site in a sensitive way, avoiding extensions and new domestic buildings, all while providing three additional units, bolstering the Council's housing supply too.

Principle conclusions

- 8.62. The proposals for relocating the farmyard and converting the existing buildings at Manor Farm are both supportable in principle. There are rational planning reasons for the farmyard moving away from the built form of the village into a new location, and while this location is prominent and will result in some visual harm, and while the three dwellings are being permitted in an arguably less sustainable location, these conflicts are outweighed by the potential benefits to be gained through securing in the future both economic security for the agricultural enterprise and a high-quality and sensitively treated

residential scheme within the current farmyard which should enhance this part of Passenham while bolstering the Council's housing supply.

Visual impact of the development, including impact on appearance/setting of conservation area and listed buildings

Legislative and policy context

8.63. Policy LH1(1.b.) requires new development to avoid causing harm to the character of the area through the loss of both public and private open spaces, including residential gardens.

8.64. Policy SS2 'General Development and Design Principles' contains SS2(b.), which requires new development to...

'...use a design-led approach to demonstrate compatibility and integration with its surroundings and distinctive local character of the area in terms of type, scale, massing, siting, form, design, materials and details.'

8.65. Policy SS2(m.) requires new development to avoid adversely affecting...

'...built heritage and sites of nature conservation value or sits of geological, geomorphological or archaeological importance.'

8.66. The site sits within Passenham Conservation Area and in reasonably close proximity to a Grade II listed building (Manor Farmhouse). There are also non-listed 'Other Important Buildings' – non-designated heritage assets – nearby which share visibility with the site.

8.67. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that in carrying out its functions as the Local Planning Authority in respect of development in a conservation area: special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

8.68. Likewise Section 66 of the same Act states that: In considering whether to grant planning permission for development which affects a listed building or its setting, the local *planning authority...shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.* Therefore significant weight must be given to these matters in the assessment of this planning application.

8.69. Conservation Areas and Listed Buildings are designated heritage assets, and Paragraph 193 of the NPPF 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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Policy BN5 of the JCS 2014 echoes this guidance.

8.70. Policy HE5 'Listed Buildings' advises that development within the setting of listed buildings will be permitted where they 'preserve the setting being mindful that the setting may extend beyond the immediate curtilage of the building'. It should also be borne in mind that the setting of a listed building could be the private garden or any private space within the vicinity that shares inter-visibility with it and the site/proposed development.

- 8.71. Policy HE6 'Conservation Areas' requires new development to 'respect the character and appearance of the area in terms of scale, form, massing, design, materials and detailing' (HE6(1.a)).
- 8.72. Policy HE7 'Non-designated Heritage Assets' requires new development to 'respect the character, appearance and setting of the asset in terms of design, materials, form, scale and massing' (HE7(1.)).
- 8.73. Any harm identified to the significance of the assets identified surrounding the site will need to be offset by the public benefits of delivering the proposal (Paragraph 202 of the NPPF).

Assessment – new farmyard

- 8.74. The new farmyard will sit half-opposite the edge of the conservation area, which extends some 240m north-west beyond the built limits of the hamlet. It will arguably impact upon views out of the conservation area from the main road. Views will also be attainable towards the site from the north-west, from the A422, where there is a gap in the boundary landscaping. There are no footpaths here, so views are only really glimpsable from passing vehicles. However, the scale of the new building in particular will make it quite easy to see, albeit at a distance. The view from the north-west will frame the new building and farmyard against the conservation area, thus also affecting (at a lower scale) views towards and into this asset.
- 8.75. The farmyard is over 200m from the nearest dwelling within the hamlet, and further still from the Grade II listed building Manor Farmhouse. Inter-visibility between the site and the listed building is virtually impossible to achieve, even at a distance from the northwest. For this reason, the setting (and significance) of the listed building is not affected by the farmyard or the buildings within.
- 8.76. The new farmyard will create a plot of land exceeding 1ha in size, containing two buildings; a straw store with a lean-to extension situated on the south-western edge flanking the highway (behind a hedgerow) and much larger and more prominent cattle shed building positioned centrally within the plot. The smaller building has a simple pitched roof structure, whereas the larger building is formed from two pitched-roof elements with a flat-roofed central corridor. The buildings are shown in a mixture of brick (lean-to extension), green cladding and (in the case of the large building) concrete panels.
- 8.77. To the north-west of the plot will be a bund to assist with screening of views from the A422, and to the north-east a farmer's fence with two field access gates. The plot borders an existing field boundary to the south-east and will directly flank the main highway to the south-west, where a new commercial vehicle grade access will be created with a significant step back to a security gate with coded access. Around the outside of the plot on all sides except for the north-eastern side where the access into the field is proposed, is a 'landscape screen' formed of tree planting.
- 8.78. The new farmyard will ultimately have an adverse visual impact on the present agrarian landscape in this location. The creation of an engineered hardstanding area around two new buildings, one of which will be substantial in scale, will ultimately disrupt the current undeveloped and untouched rural appearance and character of the site and its environment. It will also result in less than substantial harm to the conservation area by

disrupting present views out of it, which will change from open countryside to new built form.

- 8.79. Officers have previously noted in this report that it is not entirely uncommon to find medium to large farmyard complexes sited in prominent yet seemingly isolated positions within the district, often near larger roads. The buildings proposed, while admittedly 'new' built form, are designed and finished commensurately with their intended functions, and such buildings are commonly seen everywhere within the Council's district in the rural areas. Therefore, the construction of new agricultural buildings in this rural location is not going to result in something wholly incongruous, incompatible or anomalous to the setting.
- 8.80. Officers acknowledge that care needs to be taken not to make it look overly unnatural (i.e. bunds can sometimes appear alien in a landscape that is generally devoid of natural relief). It is felt that utilising conditions to control the eventual landscaping around the perimeter, the construction of the bund, the visual impact of the farm yard surfacing and the materials proposed for the new buildings affords the new farmyard the best chance in cohesively integrating itself into this more isolated rural location.
- 8.81. While the siting of the main cattle shed is considered to sterilise the site to a degree in respect of what further buildings could be cohesively and comfortably integrated into the farmyard in the future, this is not a matter for consideration now, as such proposals would require separate permission as and when they become relevant.
- 8.82. To conclude, the scale, design, siting and finish of the farmyard itself and the buildings proposed within, together with the landscaping, hard surfacing and other works needed, do result in harm, but this harm is felt to be necessary to achieve longer term benefits. The harm is limited by the fact that such development is not incongruous or anomalous to this setting or location, and the scheme proposes buildings of an appropriate design, finish and scale.
- 8.83. The established need for the farmyard to relocate away from the present site into a new bespoke farmyard should be afforded significant weight, and supporting this relocation delivers benefits that weigh in favour of supporting the development, where such weight comfortably balances against the harm identified above.
- 8.84. Fundamentally, ensuring the agricultural enterprise can continue to operate in a more efficient and functional way is consistent with the NPPF's instruction to LPAs that decisions should enable *'the growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings'* [emphasis added].

Assessment – residential conversions

- 8.85. Officers have already touched upon the design approach taken for each barn in the 'Principle' section above, where it was necessary to consider the building's capacity to withstand a conversion, and what works are proposed to help facilitate the future residential use. A brief, further assessment of the design of each building is provided below.

Barn A

- 8.86. The older Dutch barn will be the most altered building of the four, with new walls going in at first floor level around the building and at ground floor level in certain places where

enclosed rooms are being created for storage. The design proposed retains the simple functional appearance and finish of the building, with the six open bays at ground floor level ensuring its historic use as a storage building remains legible. The windows are perhaps the only giveaway that the buildings have been more significantly repurposed, and while it is questionable as to whether non-habitable accommodation requires natural daylight, the windows tie well into the vertical cladding through being longer, narrower units (i.e. they are not domestic in design or appearance), and are arranged such as to avoid formality or symmetry.

- 8.87. Barn A is felt to have been sensibly repurposed for vehicular storage/parking and other uses that will only be incidental to the residential occupation of the other buildings within the site.

Barn B

- 8.88. While it does feature some older brick elements, this building isn't really traditional in character or form, with a wider squatter plan, and as such is a little trickier to resolve in design terms. It is noted that existing openings have been utilised where possible, and the use of generally contemporary glazing solutions is welcomed.
- 8.89. Officers note that some modest design changes have been implemented since preapplication advice was issued, slightly simplifying the fenestration by making panes of glass wider/taller and with less framing. The number of rooflights has been reduced from four to two and the use of limestone has been dropped (it doesn't feature anywhere on the building), simplifying the palette of materials.
- 8.90. While there is still perhaps a little strong reliance on symmetry and 'formality' of the opening arrangements on the elevations, the end result is felt to be cohesive and beneficial to the character of the building. The use of a simple palette of materials – brick, timber cladding and metal roofing – will avoid the building appearing overly complicated.
- 8.91. Barn B's finish and design is therefore felt to be acceptable, working with the limited character of the original building (mainly derived from the brickwork) and using appropriately contemporary openings such that the historic functions remain readable following conversion.

Barn C

- 8.92. This is a more traditional agricultural building finished in local stone and brickwork, with a mixture of slate and terracotta roof tiles, although the latter are going to be replaced with slate, so the entire building's roof is finished in the same historically appropriate material. The use of slate across the entire building is considered to represent a modest conservation gain.
- 8.93. Elsewhere, the conversion is sympathetic in respect of the design and appearance of openings. The glazing inserted into the open-fronted section of building will be set behind the pillars, respecting the form of the existing building and allowing this to be the focal point. Five rooflights are proposed over bedrooms that otherwise do not benefit from significant openings within the elevations, and these are arranged informally such as to avoid symmetry.
- 8.94. The conversion of Barn C is felt to be appropriate, keeping the majority of the external materials as they are, changing the roof to unify the entirety of the building, and ensuring

that new openings are avoided where possible, and where they are proposed, they are sympathetic to the building's character.

Barn D

- 8.95. The conversion of this simple brick building is very simple and works very well with the existing openings, proposing five simple full-height windows/doors serving the internal accommodation along one elevation, and then a further one on the gable. Two rooflights are proposed, one over a bathroom and another over the long corridor. The roof is being changed from mono-pitched to a pitched roof, which allows for slate to be introduced as a more contextually appropriate material.
- 8.96. The works proposed here are felt to enhance the building's character and setting, resulting in a successful conversion.

Landscaping – conversion scheme

- 8.97. In the pre-application report, the following advice on landscaping and boundary treatments was imparted:

'At the meeting the importance of appropriate boundary treatments and landscaping were stressed. Boundary treatments for this type of development should ideally all be brick or stone walls, as close-boarded timber fences are much too urban and would be inappropriate in this context. Landscaping could be utilised to soften these harder edges to the gardens. As the gardens are placed somewhat randomly around the buildings, dictated by the orientation of the buildings and the position of openings, there needs to be a balance between keeping amenity spaces private and generously proportioned but also retaining some sense of openness (farmyards are rarely arbitrarily subdivided by walls or fences as this is inefficient for a farmer). This is why, for example, I think keeping the front of Barn A completely open and free of any boundary treatments is really important, as it provides a bit of relief from the large expanse of wall to the side of Barn B's 'Garden 02'). However, more could be taken to improve this, by stepping the wall down to 1.2m in height halfway along the gable to Barn B.'

- 8.98. While details on the boundary treatments is not provided, a landscaping scheme has been, along with a detailed block plan. The latter shows the above advice being adhered to inasmuch that Barn A's frontage remains open with some modest landscaping areas strategically placed to break up the expanse of its elevation. The walls of the barns, including Barn B's, will be suitably softened by a suitably robust landscaping/planting buffer. Such strips of landscaping are generally inadvisable in other locations, such as modern estates, where they are unlikely to be maintained, although the strips proposed in modern estates can be very narrow and insufficient. However, the risk of these strips being ignored and lost is felt to be much lower, given the unique setting and arrangement of the site.
- 8.99. As alluded to above, the gardens are necessarily demarcated using walls rather than fences, and while this does have the effect of subdividing the yard up, this is not wholly to the detriment of the site's character. On site, Officers noted that Barn A was being used to hold cattle, and would have likely historically also been used for storing implements and/or hay. It is logical that it has an open aspect on both sides, therefore.

Barn B was also a holding building for cattle, and as such it would be logical for there to be some form of enclosure/handling pen to be positioned strategically around it. Similarly,

Barn C has an open-fronted element which suggests, historically, it might have been used to house livestock, and as such a smaller holding pen would not be unexpected immediately in front of it. Barn D, as a stables, would likely have been left open and free of boundaries, so the subdivision of this part of the site is a little more regrettable, but does not result in significant harm.

- 8.100. The main surfacing material found within the site is gravel, appropriate in this context, and around Barn A and on either side of the southern access into the site there is grassy/lawned areas. There appear to be some planted beds arranged in a more formal pattern within this latter grassy area, which are not entirely appropriate given the informality of the site, but are used sparingly, with the majority of the site laid to lawn with an informal access track in, more or less as it is arranged now (albeit with less hardstanding).
- 8.101. On the whole the planting around the periphery of the site, including the specimen trees within the proposed native hedgerow on the site's eastern side (demarcating the northern access where there is a much more open aspect to the countryside), is appropriate and in keeping with the rural character and appearance of the site and its surroundings.
- 8.102. Elsewhere, the planting around the base of the barns can be a little more domesticated and ornate, as it is likely that this planting will eventually change or even be switched out for hardstanding or other decorative features.
- 8.103. Overall, the landscaping plan submitted is felt to be acceptable and obviates the requirement for a traditional landscaping condition to be imposed on the development. Instead, wording requiring compliance with the submitted plan, or else the submission of an alternative, will be utilised instead.

Landscaping – new farmyard

- 8.104. A landscaping scheme has also been submitted for the farmyard. This intends to show how the edges of the site will be treated to, over time, provide softening and screening towards the site mainly from the A422 to the north-west.
- 8.105. Around the outer edge of the site, it is intended to plant a native hedgerow. Internally, on the north-western edge, will be a bund containing a mixture of native deciduous woodland planting, woodland understorey mixes and a shallow-rooting native shrub mix. This combination of planting along the substantial north-western edge of the site will, over time, help achieve the desired outcome of softening the development from distant views, thus reducing the visual impact caused by the development.
- 8.106. On the inside of the bund, a line of trees is also proposed. These trees are all native to the district, and will complement the planting described above.
- 8.107. Given the sensitivity of the site and the longer distant views achievable, and as it is considered to be of particular importance that the planting shown on the landscaping scheme properly establishes itself, Officers will increase the usual five-year maintenance period to ten years for this landscaping scheme.

Conclusions

- 8.108. To conclude, the design approach taken with the conversion scheme will result in a high-quality environment that respects the setting of the site and enhances the appearance and character of the buildings. The landscaping proposed will work well with

this, and a boundary treatments plan condition will secure appropriately finished and scaled demarcations of the private amenity spaces.

8.109. The new farmyard will result in some visual harm through the simple encroachment of new built form into as yet untouched open countryside. However, the scheme before the Council would not appear alien or incongruous within this landscape, and despite the scale of the buildings, the design and finish will allow them to sit within the landscape without appearing anomalous. Further landscaping/screening will help soften the impact of the farmyard from distant views from the A422. Ultimately, the visual harm caused by this development is felt to be outweighed by the demonstrable need for the farmyard to secure new buildings and relocate away from the sensitive receptors in the village.

8.110. As such, the development as a whole complies with the policies set out earlier in this section, and in an exercise of planning balance, the significance of the heritage assets (the setting and appearance of the conservation area, the setting of the listed buildings) are adequately preserved and, in the case of the conversion scheme, likely enhanced through the removal of unsightly and redundant modern buildings and the retention of more characterful, historic buildings, subject to further detailing on finish/materials/architectural detailing etc. Where harm is caused to the conservation area (the new farmyard), this harm is outweighed in a planning balance exercise as required by Paragraph 202 of the NPPF.

Residential amenity

Policy

8.111. Policy SS2(1.f.) of the LPP2 refers to amenity and supports developments that...

‘...will result in a good standard of amenity for its future occupiers in terms of privacy, sunlight, daylight, outlook, natural ventilation, noise, odour and vibration; and will not unacceptably harm the amenity of occupiers and users of neighbouring properties and the area through noise, odour, vibration, overshadowing or result in loss of privacy, sunlight daylight or outlook, unless adequate mitigation measures are proposed and secured.’

Assessment

8.112. Officers have attended both sites and have carefully assessed the relationships between the three new dwellings to be formed from existing buildings and the adjacent non-ancillary residential dwellings (Manor Farmhouse, Manor Farm Barn, Manor Farm Cottages 1 and 2). Officers are satisfied that none of the buildings to be converted in the existing farmyard and neither the physical buildings to be erected on the farmyard, will impact on any residential amenities in terms of either physical scale/siting or in terms of overlooking/privacy.

8.113. Similarly, Officers are satisfied that there is no harmful inter-visibility, erosion of privacy or cause for concern in respect of how the proposed dwellings within the farmyard will relate to one another. All amenity spaces are private and not overlooked. Barn B does contain some first-floor windows facing outwards from both gables, but these are significant distances from habitable areas of Manor Farmhouse, and Barn A is not being converted to a residential dwelling so there are no amenities to consider in that direction. All other windows tend to face out into private gardens at ground floor level.

8.114. Officers note that 1 Manor Farm Cottages will have some of its garden exposed when a building presently attached to Barn D is removed. However, the boundary treatments

condition will allow Officers to ensure a suitable replacement boundary treatment is provided to continue the delineation of the boundary and safeguard the privacy of the occupiers of this neighbour.

8.115. It should also be noted that Manor Farmhouse is being gifted an additional area of garden as a result of Barn D's conversion. This improves its existing amenity space provision, and is regarded as a (modest) benefit of the scheme.

8.116. The use of the new farmyard as a cattle shed will introduce noise and unpleasant smells within a little over 200m of non-ancillary residential dwellings. However, it must be emphasised that the existing farmyard remains in use as a working farmyard, where cattle is handled and kept. Officers observed this on site as recently as February 2022. With some minor works that are likely to fall within relevant permitted development guidelines, the existing farmyard could be changed such that the intensity of the use could be increased, too, albeit only modestly given the poor condition of the existing buildings.

8.117. While this is unlikely, it is a situation that could potentially have a more deleterious effect on the amenities of surrounding non-ancillary residential development, and it is afforded weight.

Conclusion

8.118. It is considered that siting a new, high-quality building outside of Passenham delivers the benefit of moving this harmful use and risk away from the existing residents, thus likely improving the quality of amenity for all residents, and ensuring there is less risk of further harm arising in the future.

Highway safety

8.119. Policy SS2(1.j.) requires new development to provide '*a safe and suitable means of access for all people (including pedestrians, cyclists and those using vehicles*'. The NPPF (Paragraph 111) advises that development should only be prevented or refused on highway grounds '*if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe*'.

8.120. The conversion scheme is in a location that will generally rely on its occupiers using private motor cars. The acceptability of this has already been assessed in the 'Principle' section of the report. The Transport Statement received on 8th February submits that the present farmyard averages between 3 and 4 movements per day, from a single entrance. The residential scheme will result in more movements (14), but these will be split across two entrances. The vehicles will primarily be cars, too, rather than larger plant and other machinery that could be associated with agricultural uses (in particular, trucks carrying cattle or delivery hay etc).

8.121. Therefore, it is not considered that the use of the site as a residential complex comprising of three dwellings will have a material impact on the highway network within Passenham compared to the site's present use for agricultural purposes.

8.122. The new farmyard has caused concerns to be raised in respect of highway safety, and the appropriateness of Passenham Road as a means of accessing the new complex. Highways have requested a full Transport Statement, now submitted and presently under review by the Local Highway Authority. This statement is intended to show that the new site will not result in a severe residual cumulative impact. Again, Officers afford weight to

the extant use of the existing farmyard, and the level (and type) of traffic this could generate if the use continued and intensified.

- 8.123. The Highway Statement shows how an HGV could access the site and enter and exit in a forward gear. Parking is also clearly providable within the curtilage of the new farmyard that would comply with the SPD on Parking Standards and Design. However, it is the suitability of the road between the new site and the junction between Passenham Road and the quarry access/A422 roundabout that has raised most concern amongst respondents.
- 8.124. The Transport Statement advises that the traffic generated by the new farmyard will be identical in number to those generated by the existing farmyard. Officers, again, are mindful that there is no planning restriction on the existing yard, such that farming operations could change and generate double or even triple the number of daily vehicular trips, and such trips could be made by larger vehicles.
- 8.125. The Transport Statement submits that, as the existing and proposed farmyards are accessed off the same highway and are in relatively close proximity, the relocation of the operations will not have a material change in conditions experienced by users of Passenham Road. It is also submitted that a new, larger and more efficient building and site that can accommodate larger delivery vehicles could actually result in a slight reduction in the number of vehicles. Officers accept this logic.
- 8.126. The applicants intend to address the concerns about the likelihood of larger vehicles becoming more frequent visitors to the site by proposing off-site highway improvements that the Council can secure using Grampian-style conditions. The improvements shown on the plans within the transport statement are a long passing bay to the north-west of the new site's entrance, and further widening of the junction between Passenham Road and the quarry access road.
- 8.127. The LHA has confirmed that the proposed measures are acceptable, subject to a condition requiring details of the off-site measures as well as a Construction and Environment Management Plan to cover the construction of the site and the bund.
- 8.128. Consequently, on the basis of such conditions being used, Officers are satisfied that the development will not result in an unacceptable risk to the safety of highway users in Passenham, and the development will not result in severe cumulative impacts on the local highway network. Ecology Impact

Legislative context

- 8.129. The Conservation of Habitats and Species Regulations 2017 provide for the designation and protection of 'European sites' and 'European protected species' (EPS). Under the Regulations, competent authorities such as the Council have a general duty to have regard to the EC Habitats Directive and Wild Birds Directive.
- 8.130. In terms of EPS, the Regulations make it an offence (subject to exceptions) to deliberately capture, kill, disturb, or trade in the animals listed in the Regulations, or pick, collect, cut, uproot, destroy, or trade in the plants listed therein. However, these actions can be made lawful through the granting of licenses by the appropriate authorities by meeting the requirements of 3 strict legal derogation tests:
- a. Is the development needed to preserve public health or public safety or other imperative reasons of overriding public interest including those of a social or

economic nature and beneficial consequences of primary importance for the environment?

- b. That there is no satisfactory alternative.
- c. That the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

Policy Context

- 8.131. Paragraph 170 of the NPPF states that Planning policies and decisions should contribute to and enhance the natural and local environment by (amongst others): a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils; and d) minimising impacts on and providing net gains for biodiversity. Paragraph 175 states that planning authorities should refuse planning permission if significant harm to biodiversity cannot be avoided, adequately mitigated, or, as a last resort, compensated for and should support development whose primary objective is to conserve or enhance biodiversity. Opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.
- 8.132. Paragraph 180 of the NPPF states that planning decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should (amongst others) limit the impact of light pollution from artificial light on nature conservation.
- 8.133. National Planning Practice Guidance (PPG) states that Local Planning Authorities should only require ecological surveys where clearly justified, for example if there is a reasonable likelihood of a protected species being present and affected by development. Assessments should be proportionate to the nature and scale of development proposed and the likely impact on biodiversity.
- 8.134. Policy NE3 of the Part 2 LP seeks to conserve and wherever possible enhance green infrastructure. Policy NE4 seeks to protect and integrate existing trees and hedgerows wherever possible and requires new planting schemes to use native or similar species and varieties to maximise benefits to the local landscape and wildlife. Policy NE5 requires that proposals aim to conserve and enhance biodiversity and geodiversity in order to provide measurable net gains. Development proposals will not be permitted where they would result in significant harm to biodiversity or geodiversity, including protected species and sites of international, national and local significance, ancient woodland, and species and habitats of principal importance identified in the United Kingdom Post-2010 Biodiversity Framework.
- 8.135. Policy BN2 of the JCS 2014 states that development that will maintain and enhance existing designations and assets or deliver a net gain in biodiversity will be supported. Development that has the potential to harm sites of ecological importance will be subject to an ecological assessment and required to demonstrate: 1) the methods used to conserve biodiversity in its design and construction and operation 2) how habitat conservation, enhancement and creation can be achieved through linking habitats 3) how designated sites, protected species and priority habitats will be safeguarded. In cases where it can be shown that there is no reasonable alternative to development that

is likely to prejudice the integrity of an existing wildlife site or protected habitat appropriate mitigation measures including compensation will be expected in proportion to the asset that will be lost. Where mitigation or compensation cannot be agreed with the relevant authority development will not be permitted.

Assessment

- 8.136. Natural England's Standing Advice states that an LPA only needs to ask an applicant to carry out a survey if it's likely that protected species are present on or near the proposed site. , The Standing Advice sets out habitats that may have the potential for protected species, and in this regard the site contains a group of traditional and modern farm buildings and a nearby area of pasture There are hedgerows on the boundaries and the sites are surrounded by agricultural land.
- 8.137. In order to discharge its legal duty under the Conservation of Habitats and Species Regulations 2017 the LPA must firstly assess whether an offence under the Regulations is likely to be committed. If so, the LPA should then consider whether Natural England would be likely to grant a licence for the development. In so doing the authority has to consider itself whether the development meets the 3 derogation tests listed above.
- 8.138. In respect of planning applications and the Council discharging of its legal duties, case law has shown that if it is clear/ very likely that Natural England will not grant a licence then the Council should refuse planning permission; if it is likely or unclear whether Natural England will grant the licence then the Council may grant planning permission.
- 8.139. The application is supported by a detailed protected species survey which has been reviewed by the Council's Ecology Officer. They have concluded that the findings of the report suggest that it is unlikely that the development proposed will have a significant impact on protected species or habitats if the recommendations and mitigation identified in Section 6 of the report are followed fully and successfully.
- 8.140. Officers are satisfied, on the basis of the advice and conditions suggested by the Council's Ecologist and the absence of any objection from Natural England, that the welfare of any EPS found to be present at the site and surrounding land will continue and be safeguarded notwithstanding the proposed development and that the Council's statutory obligations in relation to protected species and habitats under the Conservation of Habitats & Species Regulations 2017, have been met and discharged

Other matters (security/welfare etc)

- 8.141. Officers note the observations of the Crime Prevention Design Advisor and those of a neighbouring respondent, in that the new farmyard will not benefit from natural surveillance or capable guardianship. This will leave it more vulnerable to crime, which is more likely to be an issue if there are isolated buildings containing farm machinery.
- 8.142. Officers have requested further information in the form of a preliminary security statement that will set out (in general terms) how the site can be secured and protected from crime. This will be the precursor to a planning condition requiring the submission of full security information prior to the farmyard being brought into use. Given lengthy response times in isolated, rural locations, the Council will be able to use this condition to make sure the steps being taken intend to deter crime in the first instance, rather than preventing criminals from achieving access to the buildings etc.

- 8.143. Officers are mindful that, in the event the farmyard is constructed and brought into use, and subsequently experiences security issues despite appropriate measures being taken, or any other issues caused by its relative isolation, a future landowner might opt to address this by requesting the siting of a dwellinghouse on the site itself. This is a point raised by Mr Kernon in his comments, too.
- 8.144. While the Council must determine the application as presented, on its own merits, and not on the basis of what might happen in the future. It certainly cannot refuse permission for the farmyard because it *might* result in a need for an on-site presence in an unspecified point in the future.
- 8.145. It can acknowledge that granting permission *might* assist the case that might be made for an on-site agricultural worker's dwelling. This is not a point the agent is making, instead arguing that as the applicant (the MK Park's Trust) are not changing their farming practices, and that the business will run on the same basis as it does now at the old buildings. As there is no dwelling at the current site (which are closer to residential properties but not well overlooked), this is suggesting there is little risk of a dwelling becoming needed.
- 8.146. However, any request for a dwellinghouse (temporary or otherwise) is going to have to be robustly justified, accompanied by an appropriate agricultural appraisal and will need to pass the tests established by the Councils LPP2 (policy LH4). Such an appraisal will be assessed by the same or another agricultural consultant as part of that process.
- 8.147. Officers have considered tying the smallest barn (Barn D) to the ownership of the farmyard. While this is not a formal 'agricultural tie', what it would do is prevent a modest property near to the farmyard from being sold on the open market. The Trust (or any end user) could let this out to the farmer utilising the new farmyard, or alternatively let it out to any one on the open rental market.
- 8.148. Officers are not convinced that such a condition would be accepted by the applicant (the Parks Trust), as it is understood that the intention is for them to sell the site with permission in order to fund the creation of the new farmyard. A dwellinghouse within this site that is tied to the farmyard would inevitably make this approach much more difficult, or even impossible.
- 8.149. Furthermore, it does not ultimately solve the problem of providing on-site capable guardianship. The new farmyard would lie over 200m to the north-west, out of sight and sound of Barn D.
- 8.150. Therefore, Officers are satisfied that the approach taken above – requesting further security information preliminarily with a view to using a more onerous condition to ensure the future occupier takes every step possible to prevent crime from taking place within the farmyard – is reasonable and proportionate to this application.
- 8.151. Any subsequent submissions for any other form of development will need to be assessed on their own merits against relevant policy at that time.

Other matters – flood risk

- 8.152. To the south-west of the site lies a Flood Zone 2 and 3. The entirety of the site, the three dwellings, the Dutch Barn and the new farmyard all lie to the north of this, in Flood Zone 1.

8.153. The Flood Risk Assessment submitted with the application advises that the proposed development is at low risk of flooding due to being in a Flood Zone 1. Development is submitted as being appropriate. Officers concur.

8.154. The FRA advises that the surface water can be dealt with via an outfall to watercourse and a SUDS feature (storage swale). Details of this can be submitted as a condition at a later stage.

8.155. Foul water is to be discharged (using a gravity-fed drainage solution) to the adopted Anglian Waters mains sewer passing through the main carriageway. This is acceptable, and no further details of this are required.

9. FINANCIAL CONSIDERATIONS

9.1. The development proposes the demolition of some existing buildings (and floorspace), the conversion of remaining floorspace, and the insertion of new floorspace (in Barns A and B). The CIL Additional Information Form has not been completed correctly, and Officers have not yet calculated the totals to determine whether, taking the demolished floorspace into account, there is a net increase in residential floor area.

9.2. This is typically done immediately prior to the issuing of the permission, and in this instance, Officers will need to obtain a revised CIL Additional Information Form to assist with this. This information will be requested and processed appropriately in the event the application is approved in line with the Officer's recommendations.

10. PLANNING BALANCE AND CONCLUSION

10.1. Passenham is a highly sensitive conservation village, well preserved and a good example of a historic hamlet that has evolved mainly through the conversion of historic agricultural buildings to the south-west of the main road through the settlement.

10.2. This application seeks permission to convert an existing and in-use agricultural complex into residential units, while relocating the agricultural enterprise to a new farmyard which will be established around 200m to the north-west of the village of Passenham. These elements are clearly intrinsically linked.

10.3. The new residential conversion complex will make use of a mixture of buildings that are both traditionally historic in character and a little more modern and functional in character. The buildings require a degree of works to make good, repair and, in some cases, rebuild to facilitate the conversions. However, the works cumulatively do not fail the test of policy LH4(1.a.), in that none of the buildings require fully demolishing and rebuilding from the ground up. This is confirmed by the 2017 structural survey, which can still be afforded weight according to the 2022 addendum provided by the agent.

10.4. Importantly, with the right materials and architectural detailing, if undertaken carefully and to a high-quality, it is felt that the rationalisation of the farmyard through the removal of older, redundant and unsightly buildings and the revealing of the more traditional buildings within, will result in a visual uplift and an enhancement to this part of Passenham, allowing it to sit comfortably within the historic character of the village.

10.5. The new farmyard will fundamentally and permanently alter the appearance of the presently untouched landscape to the north-west of the settlement. The new buildings and surrounding farmyard are substantial in scale, but are necessarily so to improve the

efficiency of the agricultural enterprise and future-proof the site to allow it to accommodate some level of expansion in the future.

- 10.6. The existing farmyard is economically unviable to redevelop for agricultural purposes, and intensifying a potentially noisy and malodorous use near to non-ancillary receptors is not a recommendable alternative.
- 10.7. The scale, siting and appearance of the buildings within the new farmyard are commensurate to their intended function.
- 10.8. This is all generally agreed with by the Council's agricultural consultant Mr Kernon.
- 10.9. Visually, the new farmyard will not appear incongruous or anomalous in this agrarian environment. With sensitive treatments to the edges of the farmyard, including a landscaping buffer and a bund, it is considered that distant views from the A422 will eventually be of what appears to be a long-established complex in a logical (open countryside) location.
- 10.10. Concerns about highway safety have been noted, and addressed through the submission of a Transport Statement. The applicants will continue to work with the Local Highway Authority to ensure that, utilising Grampian conditions and those controlling the implementation of the permission, the scheme avoids harming the safety of highway users.
- 10.11. The scheme is ultimately felt to deliver benefits; environmental/conservational benefits to the existing farmyard, the relocation of harmful and conflicting land uses away from non-ancillary receptors (not yet an issue, but potentially one in the future), visual uplift to the existing farmyard, and it also helps an established agricultural use continue functioning within the district from premises that will secure a more efficient operation and deliver a modest educational benefit too.
- 10.12. Harm arising from the development, mainly through introducing new substantial built form in an untouched, green field in a seemingly isolated location, and affecting the setting/views into a conservation area, is felt to be outweighed by the benefits described above, in a careful exercise of planning balance.
- 10.13. Therefore, Officers feel that the Council should offer its support to the application and, subject to the conditions set out below and to the LHA confirming its satisfaction with the Transport Statement, grant approval for this development.

11. RECOMMENDATION / CONDITIONS AND REASONS

RECOMMENDATION – DELEGATE TO THE ASSISTANT DIRECTOR FOR PLANNING AND ECONOMY TO GRANT PERMISSION SUBJECT TO THE CONDITIONS SET OUT BELOW (AND AMENDMENTS TO THE CONDITIONS LISTED BELOW AS DEEMED NECESSARY):

CONDITIONS

Time Limit

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason - To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Compliance with Plans

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents:
 - 21 14 001 P1 Site Location Plan received 25th October 2021
 - S3563 02 Topographical Survey (site A)
 - La5151 100a Site B Landscape received 25th October 2021
 - 21 14 006 P3 Site B Proposed Layout received 25th October 2021
 - 21 14 011 P2 Barn A Proposed received 25th October 2021
 - 21 14 021 P2 Barn B Proposed received 25th October 2021
 - 21 14 031 P2 Barn C Proposed received 25th October 2021
 - 21 14 041 P2 Barn D Proposed received 25th October 2021
 - 21 14 050 P4 Cattle Shed Proposed Plan received 25th October 2021
 - 21 14 052 P3 Straw Barn Proposed received 25th October 2021
 - 21 14 051 P4 Cattle Shed Proposed Elevations received 25th October 2021
 - Preliminary Ecological Appraisal prepared by Philip Irving, dated June 2021, received 25th October 2021
 - Paddock Geo Engineering Preliminary Contamination Risk Assessment Parts 1, 2 and 3 dated May 2016, received on 25th October 2021
 - Paddock Geo Engineering Site Contamination Risk Assessment dated September 2021 and received on 25th October 2021
 - Flood Risk Assessment prepared by MAC Pre-Planning Engineering dated September 2021 and received 25th October 2021
 - 21 14 003 P5 Site A Proposed Layout received 8th February 2022
 - LA5151-101B Landscape Site A received 9th February 2022
 - Transport Statement Rev B prepared by Abington Consulting Engineers dated 7th April 2022 and received on 11th April 2022
 - Structural Survey addendum reference TZ/22/48372/HM dated 30th March 2022 and received 1st April 2022

Reason – For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply with Government guidance contained within the National Planning Policy Framework.

3. The development hereby permitted shall be carried out in accordance with the mitigation, recommendation and enhancements in section 6 of the Preliminary Ecological Appraisal, by Philip Irving, dated June 2021, unless otherwise agreed in writing by the Local Planning Authority.

Reason : To protect habitats and/or species of importance to nature conservation from significant harm in accordance with the Government's aim to achieve sustainable development as set out in Section 15 of the National Planning Policy Framework.

CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BEFORE ANY DEVELOPMENT COMMENCES

4. If the development hereby approved does not commence by 1st June 2023, a revised protected species survey shall be undertaken prior to the commencement of the development to establish changes in the presence, abundance and impact on protected species. The survey results, together with any necessary changes to the mitigation plan or method statement shall be submitted to and approved in writing

the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

Reason : To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

5. Due to the contamination identified in the submitted reports Paddock Geo Engineering Preliminary Contamination Risk Assessment Parts 1, 2 and 3 dated May 2016 and Paddock Geo Engineering Site Contamination Risk Assessment dated September 2021, all received on 25th October 2021, no development hereby permitted shall take place until

- (a) a scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use has been prepared by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and
 - (b) has been submitted to and approved in writing by the Local Planning Authority.

No development shall take place until the Local Planning Authority has given its written approval of the scheme of remediation and/or monitoring required by this condition.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Policy SS2 of the South Northamptonshire Local Plan, Policy BN9 of the West Northamptonshire Joint Core and Section 15 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

6. Prior to the commencement of the development the applicant will secure the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.

This written scheme will include the following components, completion of each of which will trigger the phased discharging of the condition:

- (i) fieldwork in accordance with the agreed written scheme of investigation;
- (ii) post-excavation assessment (to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority);
- (iii) completion of post-excavation analysis, preparation of site archive ready for deposition at a store (Northamptonshire ARC) approved by the Planning Authority, completion of an archive report, and submission of a publication report to be completed within two years of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded and the results made available, in accordance with NPPF Paragraph 205.

- 7. Prior to the commencement of works on any aspect of the new farmyard, full details of all proposed security arrangements, using the preliminary statement submitted and received by the Council on 7th March 2022 as a template, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason : To safeguard the site and reduce risk of crime in accordance with policy SS2 of the Local Plan Part 2.

CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BY DEVELOPER BEFORE SPECIFIC CONSTRUCTION WORKS TAKE PLACE

- 8. Before any above ground works commence a scheme for the provision and implementation of surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The drainage works shall be constructed and completed in accordance with the approved plans before the first occupation of any of the buildings/dwellings hereby approved.

Reason : To ensure satisfactory drainage of the site in the interests of achieving sustainable development, public health, to avoid flooding of adjacent land and property to comply with Policy SS2 of the South Northamptonshire Local Plan Policy BN7 and BN9 of the West Northamptonshire Joint Core Strategy and Government advice in the National Planning Policy Framework.

- 9. No development shall take place on either site, other than demolition of buildings identified for removal on the approved plans, until a Construction and Environment Management plan has been submitted to, and approved in writing by the Local Planning Authority. The statement shall provide for at a minimum:
 - a) The parking of vehicles of site operatives and visitors;
 - b) The routing of HGVs to and from the site;
 - c) Loading and unloading of plant and materials;
 - d) Storage of plant and materials used in constructing the development;
 - e) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;

- f) Wheel washing facilities including type of operation (automated, water recycling etc) and road sweeping;
- g) Measures to control the emission of dust and dirt during construction;
- h) A scheme for recycling/ disposing of waste resulting from demolition and construction works;
- i) Delivery, demolition and construction working hours;

The statement shall also provide specific information pertaining to the following elements:

- j) Construction of the earth bund along the north-western edge of the proposed farmyard, including the management of the movement of materials and vehicular trips during construction
- k) Construction of and subsequent anticipated trip rates/use of the educational building within the proposed farmyard

The approved Construction and Environment Management Plan shall be adhered to throughout the construction period for the development.

Reason : To ensure the environment is protected during construction in accordance with Policy SS2 of the South Northamptonshire Local Plan and Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

10. Sample panels of any new limestone and/or brickwork which are to be used in repairing or rebuilding parts of any of the buildings, or in the construction of any walls that form boundary treatments - including those that flank neighbouring property boundaries - shall be constructed on site to be inspected and approved in writing by the Local Planning Authority before those elements are commenced. Any stone sample panel(s) shall be laid, dressed, coursed and pointed using a lime-based mortar with brushed or rubbed joints. The sample panel(s) shall be constructed in a position that is protected and readily accessible for viewing in good natural daylight from a distance of 3 metres. The panel(s) shall be retained on site for the duration of the construction contract.

Reason : To ensure that the materials are appropriate to the appearance of the locality and to ensure the satisfactory appearance of the completed development in accordance with Policies SS2, HE5 and HE6 of the South Northamptonshire Local Plan Policy and Government guidance contained within the National Planning Policy Framework.

11. Samples of all roofing materials (including ridge tiles) for both the replacement roofs shown on the approved plans and any other repair work not shown on the approved plans shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The development shall be carried out in accordance with the samples so approved.

Reason: To ensure that the materials are appropriate to the appearance of the locality and to ensure the satisfactory appearance of the completed development in accordance with Policy SS2 of the South Northamptonshire Local Plan.

12. A schedule of materials and finishes, including samples or photographs of the proposed materials to be used in the external walls and roof(s) of the cattle barn and the straw barn proposed in the new farmyard shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The development shall thereafter be completed in accordance with the approved details.

Reason : To ensure that the materials are appropriate to the appearance of the locality and to ensure the satisfactory appearance of the completed development in accordance with Policies SS2 and HE5 of the South Northamptonshire Local Plan Policy and Government guidance contained within the National Planning Policy Framework.

13. Notwithstanding the submitted details, further details of the construction and finishes, including sections, of the proposed windows and doors and their surrounds (including any lintels), rainwater goods, eaves and verges to be installed into Barns A, B, C and D, to a scale no less than 1:5 shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of that work. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the new works are sympathetic with the character of the existing building and to accord with policy SS2 of the Local Plan Part 2.

14. Full details of all boundary enclosures proposed along all boundaries and within the curtilages of both sites as depicted on approved drawing **21 14 001 P1 Site Location Plan** received 25th October 2021 shall be submitted to and approved in writing by the Local Planning Authority before the dwelling hereby approved reaches slab level and such means of enclosure shall be erected prior to the first occupation of any dwellinghouse or either the cattle barn or the straw shed. **Please see Informative 1.**

Reason : To ensure the satisfactory appearance of the completed development, to safeguard the privacy of the occupants of the existing and proposed dwellings and to comply with Policy SS2 of the South Northamptonshire Local Plan and Government guidance contained within the National Planning Policy Framework.

15. Notwithstanding the landscape bund for Site B [see **condition 16**], both sites shall be landscaped in accordance with the following drawings...

- LA5151-101B Landscape Site A received 9th February 2022
- LA5151-100A Landscape Site B received 25th October 2021

...unless, prior to the development progressing above slab level or such alternative timeframe as agreed in writing by the developer and Local Planning Authority, an alternative scheme for landscaping the site is provided to and approved in writing by the Local Planning Authority. The scheme shall provide the following:

- a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas
- b) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each

- tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation,
- c) details of the hard landscaping including hard surface areas, pavements, pedestrian areas and steps.

The approved alternative scheme shall be implemented by the end of the first planting season following occupation of the development.

Reason : To ensure that a satisfactory landscape scheme is provided in the interest of well planned development and visual amenity and to accord with Policies SS2 of the South Northamptonshire Local Plan and Government guidance contained within the National Planning Policy Framework.

16. Notwithstanding the details of the bund shown on approved landscape drawing **LA5151-100A Landscape Site B** received 25th October 2021, detailed plans of the proposed bund to be positioned along the north-western boundary of the new farmyard shall be submitted to and approved in writing by the Local Planning Authority prior to the development of any buildings within the farmyard above slab level. The details shall include:

- Elevational and sectional drawings
- Intended finished ground levels for the landscape around and on top of the bund
- All species of plants, including numbers, spacing and size to be placed in front of (to the north-west) and on the bund

The bund and its associated landscaping shall be implemented prior to the farmyard being first brought into use and maintained for a period of **10 years** in accordance the stipulations of condition 26 and retained as such thereafter.

Reason : To ensure that a satisfactory landscape scheme is provided in the interest of well planned development and visual amenity and to accord with Policies SS2 of the South Northamptonshire Local Plan and Government guidance contained within the National Planning Policy Framework.

17. In the event that contamination to land and/or water is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. No development shall continue until a risk assessment has been carried out by a competent person in accordance with current government and Environment Agency Guidance and Approved Codes of Practice. Each phase shall be submitted to and approved in writing by the Local Planning Authority.

- Phase 1 shall incorporate a desk study and site walk over to identify all potential contaminative uses on site, and to inform the conceptual site model. If potential contamination is identified in Phase 1 then a Phase 2 investigation shall be undertaken.
- Phase 2 shall include a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals.

- Phase 3 requires that a scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use shall be submitted to and approved in writing by the Local Planning Authority. The remediation shall be carried out in accordance with the approved scheme and the applicant shall provide written verification to that effect.

The development shall not be occupied until any approved remedial works have been carried out and a full validation report has been submitted to and approved in writing by the Local Planning Authority.

Reason : To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use to comply with Policy SS2 of the South Northamptonshire Local Plan.

18. No development shall commence in respect of the new farmyard (Site B) until the works to improve Passenham Road, including the widening of the junction and the formation of a passing place as shown on the approved plan **21027/104 'Highway Improvements'** contained within the **Transport Statement prepared by Abington Consulting Engineers** dated 31st January 2022 and received on 8th February 2022, have been provided in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority.

Reason : To accord with Government Guidance in Section 12 of the National Planning Policy Framework and Policy SS2 of the South Northamptonshire Local Plan which requires that development shall have a satisfactory means of access and in the interests of highway safety during the course of construction of the farmyard, and the convenience of users of the adjoining highway. This information is required prior to commencement of this phase of the development as it is fundamental to the acceptability of the scheme.

CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BY DEVELOPER BEFORE OCCUPATION

19. The development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 5. A verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Policy SS2 of the South Northamptonshire Local Plan, Policy BN9 of the West Northamptonshire Joint Core and Section 15 of the National Planning Policy Framework.

20. Full details of the siting, appearance and colour of any electricity or gas supply meter housings to be located on the external elevations of the three dwellings shall be submitted to and approved by the Local Planning Authority prior to the occupation of any dwelling. The development shall thereafter be carried out in accordance with the approved details

Reason: To safeguard the character and appearance of the dwellings and safeguard the visual amenity of the area in accordance with policy SS2 of the South Northamptonshire Local Plan.

21. The refuse bins for the three dwellings shall be stored in a location that accords with details shown on drawings **21 14 011 P2 Barn A Proposed** received 25th October 2021, or alternatively the bins shall be stored within the undercover garaging provided to each dwellinghouse as shown on **21 14 011 P2 Barn A Proposed**, unless, prior to the dwelling's first occupation, alternative details of all refuse storage facilities are submitted to and approved in writing by the Local Planning Authority. The alternative storage facilities shall thereafter be provided in accordance with the alternative details before the building to which they relate is first occupied.

Reason: In order that proper arrangements are made for the storage and disposal of waste in the interests of well planned development and in accordance with Policy SS2 of the Local Plan Part 2.

22. Notwithstanding the typical sections and elevations or siting shown on approved plan **21 14 003 P5 Site A Proposed Layout** received 8th February 2022, a refuse collection point serving all three dwellings shall be provided, in accordance with alternative details, including siting, full elevations, design and finish, which shall be submitted to the Local Planning Authority for approval prior to the first use or occupation of the development hereby permitted. The refuse collection point shall be provided prior to first occupation and shall thereafter be permanently retained and maintained for the storage of refuse bins in connection with the development.

Reason : In the interest of well-planned development and visual amenity and to accord with Policy SS2 of the South Northamptonshire Part 2 Local Plan and Government guidance contained within the National Planning Policy Framework.

23. The new farmyard (Site B) shall not be brought into use until full details of the 'Commercial Vehicle Crossover' at the site's access point with Passenham Road have been submitted to and approved in writing by the Local Planning Authority. The formation of the access shall thereafter be undertaken in accordance with those details prior to its first use.

Reason : To accord with Government Guidance in Section 12 of the National Planning Policy Framework and Policy SS2 of the South Northamptonshire Local Plan which requires that development shall have a satisfactory means of access and in the interests of highway safety and the convenience of users of the adjoining highway. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

24. The dwellings hereby permitted shall not be occupied until they has been provided with electric charging equipment of AC Level 2 (or equipment providing for no lesser standard of efficiency) to serve that dwelling.

Reason : To comply with Policy S10 of the West Northamptonshire Joint Core Strategy and Policy INF4 of the South Northamptonshire Local Plan Part 2, and to maximise opportunities for sustainable transport modes in accordance with paragraph 110(e) of the National Planning Policy Framework.

CONDITIONS TO BE COMPLIED WITH AT ALL TIMES

25. All planting, seeding or turfing comprised in drawing **LA5151-101B Landscape Site A** received 9th February 2022 shall be carried out in the first planting and seeding seasons following the occupation of the building(s) or on the completion of the development, whichever is the sooner, and shall be maintained for a period of 5 years from the completion of the development. Any trees and/or shrubs which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent for any variation.

Reason: To ensure that the agreed landscaping scheme is maintained over a reasonable period that will permit its establishment in the interests of visual amenity and to accord with Policy SS2 of the South Northamptonshire Local Plan.

26. All planting, seeding or turfing comprised in drawing **LA5151-100A Landscape Site B** received 25th October 2021 as well as the details submitted to discharge condition 16, shall be carried out in the first planting and seeding seasons following the occupation of the building(s) or on the completion of the development, whichever is the sooner, and shall be maintained for a period of **10 years** from the completion of the development. Any trees and/or shrubs which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent for any variation.

Reason: To ensure that the agreed landscaping scheme is maintained over a reasonable period that will permit its establishment in the interests of visual amenity and to accord with Policy SS2 of the South Northamptonshire Local Plan.

27. Notwithstanding the provisions of Classes A-E (inc) of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting or amending that order) no enlargement, alteration or improvement of the dwellinghouses hereby permitted, nor any outbuildings within the curtilage of any dwellinghouse permitted, shall be undertaken at any time without the prior planning permission of the Local Planning Authority.

Reason: To ensure that the amenities of the adjoining occupier(s) are not adversely affected by loss of privacy and to protect the rural character and appearance of this part of the village, in accordance with Policy SS2 of the South Northamptonshire Local Plan.

28. Notwithstanding the provisions of Class A of Part 2, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting or amending that order) no gate, fence, wall or other means of enclosure shall be erected, constructed or placed in any location around any buildings, at any time, without the prior express planning permission of the Local Planning Authority.

Reason: To prevent compromising the presentation of the development to the street scene and preserve the visual amenities of the area in accordance with Policy SS2 of the South Northamptonshire Local Plan.

29. The buildings hereby permitted within the new farmyard as shown on drawing **21 14 006 P3 Site B Proposed Layout** received 9th February 2022 shall be used only for the purposes of agriculture, as defined in Section 336 (I) of the Town and Country Planning Act 1990. The associated educational facilities shall only be used for educational purposes that are wholly ancillary and directly related to the agricultural use and shall remain associated with the farming enterprise being conducted from that site.

Reason : To ensure that the development is used for agricultural purposes only, in accordance with Government Guidance contained within the National Planning Policy Framework and Policy LH1 of the South Northamptonshire Local Plan.

INFORMATIVES

1. The Council expects most enclosures within this site to be brick or stone walls, coursed and pointed accordingly, with relevant detailing (i.e. capping) where contextually appropriate. Close boarded timber fences might be appropriate delineating the borders between the gardens of Barns B and D from neighbouring properties (in particular, a new fence or wall will need constructing between Barn D's garden at 1 Manor Farm Cottages where the existing building is being demolished). Around the periphery of the site, any boundary treatment that isn't planted must be a simple post and rail timber fence.
2. The applicant's and/or the developer's attention is drawn to the requirements of the Control of Pollution Act 1974, the Environmental Protection Act 1990 and the Clean Air Act 1993, which relate to the control of any nuisance arising from construction sites. The applicant/developer is encouraged to undertake the proposed building operations in such a manner as to avoid causing any undue nuisance or disturbance to neighbouring residents. Under Section 61 of the Control of Pollution Act 1974, contractors may apply to the Council for 'prior consent' to carry out works, which would establish hours of operation, noise levels and methods of working