The Planning Inspectorate

Appeal Decision

Site visit made on 16 April 2019

by E Griffin LLB Hons

an Inspector appointed by the Secretary of State

Decision date: 23 May 2019

Appeal Ref: APP/B3438/W/19/3221494
Parks Farm, 51 Rudyard Road, Biddulph Moor ST8 7JW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr M Webb against the decision of Staffordshire Moorlands District Council.
- The application Ref SMD/2018/0075 dated 28 January 2018 was refused by notice dated 9 November 2018.
- The development proposed is a timber clad machinery & fodder store.

Decision

1. The appeal is dismissed.

Procedural Matter

2. A revised National Planning Policy Framework (the Framework) was published in February 2019 after the issue of the Council's decision. However, as any policies that are material to this decision have not fundamentally changed in the Framework, I am satisfied that this has not prejudiced any party and I have had regard to the latest version in reaching my decision.

Main Issues

3. The main issues are:

   - Whether the proposal would be inappropriate development within the Green Belt;
   - The effect of the development on the openness of the Green Belt and the purposes of including land within it;
   - If it is inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

Reasons

Whether Inappropriate Development in the Green Belt

4. The Framework identifies that the fundamental aim of the Green Belt policy is to prevent urban sprawl by keeping land permanently open. It states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

5. Paragraph 145 of the Framework states that the construction of new buildings should be regarded as inappropriate in the Green Belt subject to a number of exceptions. The appellant seeks to rely upon the exception which relates to buildings for agriculture and forestry.

6. Policy SS6c of the Staffordshire Moorlands Core Strategy Development Plan Document Adopted 26 March 2014 (the Core Strategy) states that strict control will continue to be exercised over inappropriate development within the Green Belt allowing only for exceptions as defined by Government policy. Policy R1 of the Core Strategy refers to new buildings having minimal impact and being in close proximity to an existing settlement. It further states that within the Green Belt, inappropriate development that would otherwise be acceptable within the terms of the policy will still need to be justified by very special circumstances. Policy SS1a of the Core Strategy refers to the presumption in favour of sustainable development unless specific policies in the Framework indicate that development should be restricted and Policy SS1 of the Core Strategy refers to development principles. As these policies are broadly consistent with the Framework, I can attach substantial weight to them.

7. The appeal site comprises an area consisting of an access track and a modest area of land to the side of the dwelling known as Parks Farm. Whilst it appears that the appeal site was originally part of a field, some ground works have been carried out. It is within the Green Belt and the Staffordshire Moorlands Special Landscape Area, There are dwellings to the south and west of the appeal site and open fields to the north and east.

8. The appeal proposal is for a machinery and fodder store that would be around 18 metres x 9m with an eaves height of around 5 metres and a shallow pitched roof above.

9. In the application form, the current use of land is described as hardstanding and grassland. The application form and the appeal form state that none of the land to which the application relates is or is part of an agricultural holding. Reference is made to additional land managed by the appellant a short distance from the agricultural holding, but no information is provided as to how that works or how it relates to the existing proposal. Whilst the appellant has provided an agricultural holding number, no information has been supplied as to what area the agricultural holding number relates.

10. The Council has referred to a previous appeal decision for an agricultural barn on the same site (APP/B3438/A/06/2006993). In dismissing the appeal, the Council states that the previous Inspector considered that there had to be clear evidence of an agricultural need on the holding for a structure of the size proposed. However, both the latest and previous version of the Framework do not contain any limiting criteria relating to size or any other matters only that the proposal building is for agriculture of forestry.

11. Nevertheless, in order to fall within the exception of the building being for agriculture, information is required as to the agricultural purpose and what land that relates to. Whilst the appellant has indicated that items listed such as a tractor, trailer, mower and a quad bike are essential for the facilities for the agricultural holding, there is limited evidence regarding the agricultural holding, which appears to fall outside the appeal site. There is no information for example as to who owns the additional land, how it operates, and how that

relates to the appeal proposal. Local residents refer to little activity in the surrounding fields and a lack of animals or farm machinery on site generally.

12. The limited appeal site boundary, which excludes adjacent fields, the lack of information about the agricultural holding and the limited information about the maintenance of other land does mean that there is insufficient information to enable me to conclude that the appeal proposal would fall within the exception of being a building for agriculture.

13. As none of the exceptions for new buildings referred to in paragraph 145 apply, the appeal proposal would be inappropriate development which is by definition harmful to the Green Belt. Accordingly, it would not comply with the Framework and with Policies SS1 and SS1a, SS6c and R1 of the Core Strategy.

Openness

14. A fundamental aim of Green Belt policy in the Framework is to keep land permanently open. The openness of the Green Belt is clearly evident around the appeal dwelling particularly with field views to the north and east. The size of the appeal proposal does mean that it is likely to be seen along the public right of way to the east and in some views from Rudyard Road and Hot Lane. There would also be a spatial impact on openness arising from the physical presence of an additional building which would undermine the fundamental aim of keeping land permanently open and have a significant impact on the related Green Belt purpose of safeguarding the countryside from encroachment.

Other Considerations

15. Alterations to the management of land are referred to by the appellant as a potential economic benefit but no limited details are provided, and I therefore attribute limited weight to potential economic benefits.

Conclusion

16. The Framework indicates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. I have found that the appeal proposal would be inappropriate development in the Green Belt and would therefore by definition be harmful to the Green Belt. It would also result in a loss of openness, contrary to the Green Belt purpose of safeguarding the countryside from encroachment. The Framework establishes that substantial weight should be given to any harm to the Green Belt. The other considerations which arise do not clearly outweigh the totality of the harm. Consequently, very special circumstances do not exist.

17. For all the reasons given, I conclude that the appeal is dismissed.

E Griffin

INSPECTOR