DELEGATED DECISION REPORT

SMD/2019/0151 **Valid 05/04/2019**	**COCKINGS FARM SANDY LANE CAVERSWALL**	**PROPOSED 2 NO CATTLE SHELTER BUILDINGS** **(FULL - MINOR)**

MAIN ISSUES

- Whether or not the proposal would amount to inappropriate development in the Green Belt
- The impact on the character and appearance of the area

DESCRIPTION OF SITE

The site comprises parts of an extensive farm (of 9.8 hectares) which lies to the east side of Handley Banks, a country lane running north out of the village of Caverswall. The farm building complex itself is on the west side of another lane which runs between Handley Banks and Caverswall Common Lane further to the north. The surrounding area to the farm comprises more farmland and open fields. The farm and its associated fields is in the Green Belt.

PROPOSAL

This is a full planning application for two new cattle shelter buildings on different parts of the farm to be used in the Winter months or during inclement weather. Building A would be on the western edge of the farm building complex adjacent to an existing yard and another existing farm building (to the north). This is for cows grazing close to the farm complex. It would have floor dimensions of 9.6 x 6.3 metres and a max height of 4.3 metres. It would have a mono-pitch roof and green metal cladding over a concrete base.

Building B would be larger and placed on the opposite side of the farm, the southernmost field which adjoins Handley Banks. This is for cows grazing on the opposite side of the elongated farm. It would be placed on the southern edge of the field, adjacent to trees and hedges. The amended plans for this building show it to be entirely clad in green metal. It would have floor dimensions of 14.2 x 6.3 metres and the same height as Building A. In fact it would be an identical design but would be 1.5 times larger and have cladding down to the ground.

The access to Building B would be via Handley Banks. The access would be created by the removal of a slight amount of vegetation to enlarge existing gaps and also some ground levelling. There would be no hard-surfacing or gravel laid or any other foundations works as only a tractor would use this access to deliver fodder to the building. Access to Building A would be via the existing main entrance to the farm and via existing yards.

Both buildings would also be used to store hay as well as shelter cattle, presumably in the Summer months when cattle sheltering is less of a requirement.

The applicant justifies the position of Building B as follows: *This is to provide mainly winter shelter for some of my highland herd that graze in that area most of the year. During the summer the animals are land locked as the fields back towards the farm are hay meadows of approximately nine acres , which means from March -April right through to the end of September the cattle can no longer return to the farm without damaging a considerable amount of crops used during the winter. The building would provide a good safe environment for both the animals and myself as their handler during times that animal welfare needs are required.*

The applicant gives the following details in support of the access arrangement for Building B:

The access request for the land was applied for to reduce the damage caused to handley banks .The position marked on the map of the access is not a new entrance , this was an abandoned entrance uncovered when long overdue hedge and fencing maintenance was done when the land was purchased by ourselves in 2016 .The shared access currently in use is a little tight to enter with modern farm machines, the adjoining field is also used for agriculture but used on a daily basis and is starting to push both the hedge and verge into an open ditch and drain on the opposite side of the lane whilst trying to change anything with the shared access would involve land agents and solicitors being both timely and costly and so is not ideal . Photo's of the access to be re-used are provided along with photo's of an existing access directly opposite.

Amended plans were also received (on 20th June 2019) to show Building B pushed further along the south boundary of the field, away from the country lane. The plans include annotation of the fields used for crop growing which is mainly all the fields between the farm complex and the cattle field next to Handley Banks. There is also other land to the north of the farm complex within the same ownership although the exact use is not specified.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES
Core Strategy Development Plan Document (Adopted 2014)

Policy SS6c - Other Rural Areas
DC1 – Design Considerations
DC3 - Landscape

Emerging Staffordshire Moorlands Local Plan

National Policy Guidance

Paragraph 48 of the newly adopted NPPF states that:

> *"…decision-takers may also give weight to relevant policies in emerging plans according to:*

- *the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);*
- *the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
- *the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).*

Local Plan process

The Council agreed to publish the Local Plan Submission Version for representations in February 2018. At this point, the Council agreed that the Local Plan was "sound". Formal representations were then invited from residents, businesses and other stakeholders to provide them with the opportunity to support or challenge the soundness or legal compliance of the Local Plan. This stage in the process followed three previous public consultations since 2015 which had informed the preparation of the Local Plan alongside a comprehensive evidence base.

In June 2018, the Council subsequently agreed to submit the Local Plan Submission Version to the Secretary of State for examination. An examination in public is ongoing in order to determine whether the Local Plan is sound and legally compliant. Hearing sessions were conducted in October 2018 and the Inspector issued his initial post-hearing advice in January 2019 which set out some actions for the Council and a range of modifications that would be necessary to make the plan sound. The full schedule of modifications is to be determined and will be subject to consultation in due course. The Inspector will then be in position to write his final report. Subject to the findings of the appointed Inspector, the Local Plan can then be adopted by the Council. This will be towards the end of 2019 at the earliest. Upon adoption, the Local Plan will supersede the adopted Core Strategy and become part of the statutory development plan for the District.

In this context, the Council's position on the weight to be given to the policies contained in the Local Plan Submission Version in terms of the three criteria set out in Paragraph 48 of the NPPF is as follows:

- The stage of preparation – the Local Plan is now at an advanced stage of preparation as the Council has submitted it to the SoS for examination
- The extent to which there are unresolved objections to relevant policies – this varies depending on the policy in question. The Officer Comments section of this report identifies the level of outstanding objections to each policy and recommends the amount of weight to be given to them at this stage in the process
- The degree of consistency of policies with the NPPF – given that the Council has submitted a Local Plan that it considers to be sound, all policies are deemed to be consistent with the NPPF.

Emerging Policies

The following policies are considered to be relevant to this application:

Policy SS10 Other Rural Areas
DC1 – Design Considerations
DC3 - Landscape

National Planning Policy Framework (February 2019)

Sections 12 (Design) and 13 (Green Belts)

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

DET/2018/0025: Conversion of cattle and fodder storage building into one dwelling under Class Q of Part 3 of the GPDO. Approved.

CONSULTATIONS
Publicity

Site Notice expiry date: 22.5.19
Neighbour consultation period ends: 22.5.19
Press Advert: N/A

Public Comments

None.

Town / Parish Comments

Objection raised as cattle and fodder storage buildings were converted into a dwelling so it is questioned why they are needed now. Building B would be inappropriate as there are very few other buildings in the area. The new access to it would be inappropriate onto a narrow country lane.

Local Highways Authority

No objection subject to conditions.

OFFICER COMMENTS

The site is in the Green Belt where stringent policies apply in order to protect the openness of the Green Belt. Development is only allowed under exceptional criteria listed under paras 145 and 146 of the NPPF. New agricultural buildings are listed as not being "inappropriate development in the Green Belt." However, although not mentioned in the application, it appears the buildings are needed to replace a previous cattle and fodder building which was converted into a dwelling under Class Q of the GPDO. This would normally raise the question as to whether the proposed new buildings would be appropriate given that such buildings would have already existed if it wasn't for the conversion and alleviate the need to provide new buildings, unnecessarily impacting on the openness of the Green Belt. However, the conversion into a dwelling was needed for a farm worker (allegedly a relative of the

farm occupants) and a condition was attached to restrict occupation for that purpose. It can therefore be deemed that the conversion assists with the operation of the agricultural unit and in principle, the “agricultural” conversion of a building together with new agricultural buildings where the operational needs are demonstrated is not unacceptable in principle.

The reason for the location of Building B which is in a relatively isolated area of the farm, is due to the use of that particular field at the end of the farm unit, for grazing of cattle. It is a considerable distance from the nearest buildings in the farm complex for which cattle could take shelter in bad weather and furthermore, the fields between the farm complex and the cattle field are used for crop growing and whilst the actual growing occurs more in the summer months, damage to crops could occur if cattle were to cross the fields at any time of the year. I consider this is sufficient justification of need for a cattle shelter building in that particular field. There is also a need for an access for farm vehicles/tractors to deliver hay or fodder into the shelter building and this is proposed to be off the country lane, again due to avoid damage to crops if the crop fields were to be used to access the cattle field. Although it could still be possible to access the field without using the road, the particular access proposed is apparently a previous field access which has become disused and become overgrown. The applicant explains that the re-use of it for a tractor would involve the removal of the vegetation and no surfacing or other works are required. This would not harm the character and appearance of the country land where other “informal” field accesses exist and a planning condition can be attached on the basis that no surfacing including gravel is used to formulate the access.

The Local Highways Authority recommends a condition which requires a bound material to be provided for a 5 metre stretch of access behind the road. There is also reference to a dropped kerb licence and works but there is no dropped kerb on the country lane. I do not consider the condition is necessary as the access is only intended to be used by a tractor to deliver fodder.

Further amended plans have been submitted which considerably move Building B further away from the road where it would be less prominent and also better screened by boundary trees (small) and hedges. It has also been moved away from one particular large mature tree close to the road to avoid damage to it.

Building A is proposed for the grazing needs of cattle adjacent to the farm complex and is in an appropriate location next to existing buildings and yards.

The scale of both buildings is not excessive for the purposes of sheltering cattle on a farm of almost 10 hectares and to store the associated fodder needed by the sheltering cattle. The buildings have an appropriate functional design clad in green metal sheeting in order to blend in with the landscape. The cladding for Building B has been further extended down to the ground to reduce visibility further in the landscape. The design of Building A harmonises and blends in with the adjacent farm buildings which have a mix of materials.

CONCLUSION / PLANNING BALANCE

The proposed two agricultural buildings are appropriate development in the Green Belt and due to their scale, design and revised siting (in the case of Building B) and despite one being far more isolated than the other, the character and appearance of the rural area and the landscape in general would not be harmed. I consider that adequate justification is given for both their need and their siting. The proposal would therefore comply with the rural areas strategy and the design policies in the Core Strategy and would also comply with the NPPF including Section 13 relating to the protection of the Green Belt.

OFFICER RECOMMENDATION : APPROVE

Case Officer: Chris Johnston
Recommendation Date: 21.6.19

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council