DELEGATED DECISION REPORT

DET/2019/0035 **Valid 07/10/2019**	**THE OAKLANDS DAM LANE BIDDULPH MOOR**	**PRIOIR NOTIFICATION FOR A PROPOSED STEEL FRAMED AGRICULTURAL BUILDING** **(AGRICULTURAL/FORESTRY DETERMINATION)**

MAIN ISSUES

- Whether the scheme complies with the GPDO Schedule 2 Part 6 Class A;
- Siting;
- Design;
- External appearance.

DESCRIPTION OF SITE

The application site is a property called The Oaklands, Dam Lane, Biddulph Moor. The site contains a detached dwelling and a collection of outbuildings including stone and tile barn, corrugated 'nissan hut' type structure and an open fronted shelter positioned between the two aforementioned buildings. At the time of the site visit there was a tractor parked within the farm yard, a large hay bale stack and an area which appears to be used as a manure storage area. The property sits within a corner plot where Dam Lane takes a sharp turn towards the north. Other land within the applicants control is located to the north and south of the dwelling. The application site is located within the Green Belt, it does not lie within any Conservation Area and there are no Listed Buildings/structures within the vicinity.

PROPOSAL

This is an Agricultural Notification application for the erection of a detached, pitched roof building. The building would have a rectangular shape, its footprint measuring 9.144m x 13.716m and north and south elevations having a gable form. A total of 12 rooflights would be spread equally over the two sides of the sloping/pitched roof. Eaves height would be approximately 3.7m, the shallow pitched roof leading to a ridge of 4.9m high. Proposed materials include concrete plinth, olive green coloured metal profile sheeting for the walls and grey fibre cement roof covering. The application form states that the building would be used for the storage of agricultural machinery.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Core Strategy Development Plan Document (Adopted 2014)

SS1	Development Principles
SS1a	Presumption in Favour of Sustainable Development
SS6c	Other Rural Areas Area Strategy
DC1	Design Considerations
DC3	Landscape and Settlement Setting
R1	Rural Diversification
T1	Development and Sustainable Transport

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 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:

SS1	Development Principles (Moderate)
SS1a	Presumption in Favour of Sustainable Development (Significant)
SS10	Other Rural Areas Area Strategy (Limited)
DC1	Design Considerations (Moderate)
DC3	Landscape and Settlement Setting (Significant)
E1	New Employment Development (Moderate)
T1	Development and Sustainable Transport (Moderate)

Supplementary Planning Document

1. Staffordshire Moorlands Design Guide

Supplementary Planning Guidance

1. Design Principles for Development in the Staffordshire Moorlands: Agricultural Buildings.

National Planning Policy Framework

Including sections;

12: Achieving well-designed places

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

99/00746/FUL Single storey front and rear bedroom and lounge extension. Approved.

CONSULTATIONS

Public Comments: No representations received.

Biddulph Town Council: No representations received.

OFFICER COMMENTS

Principle of Development

Part 6 'Agricultural and Forestry' of the Town and Country Planning (General Permitted Development) (England) Order allows (subject to compliance with the relevant criteria) for the erection of agricultural buildings providing that they are 'reasonably necessary for the purposes of agriculture within that unit.' Although the application site is located within the Green Belt the principle of the erection of an agricultural building does not need to be considered (although Green Belt policy does allow for agricultural development and cites it as one of the policy exceptions).

The application form and submitted plans show that the holding equates to a total land area of 6.52 hectares split over four fields/areas to the north and south of the house with an additional parcel of land within the 'Under the Hill' area (close proximity to the applicant's dwelling). Some of the land is owned and some is rented. The holding is run as a highland beef cattle farm and it is understood that (confirmed by the planning agent) machinery is currently stored at a property in Sandbach although some machinery was noted during the site visit (not undercover). The applicant has confirmed that there can be 15-20 cattle depending on the season and the market. It would appear that this is a smaller farming enterprise when compared with others in the Moorlands area but nevertheless a farming activity.

Part 6, Class A, 'Agriculture and Forestry' of the Town and Country Planning GPDO requires for the erection, extension or alteration of a building to be 'reasonably necessary for the purposes of agriculture.' After having visited the site it is clear that there is a reasonable need for some secure machinery storage space and the new building would replace an old 'nissan' hut type structure.

Assessment of Part 6 Class A

- New building is reasonably required for the purposes of agriculture.
- Total site area is 6.52 hectares which is greater than the 5 hectares required.

A.1
(a) New building would not be sited on a separate parcel of land less than 1 hectare in area;
(b) No part of the site has been subjected to a development under Part 3 Class Q or S;
(c) Does not concern a new/extended agricultural dwelling;

(d) Building is designed for agricultural purposes;
(e) Building will not exceed an area of 1000 square metres;
(f) Building is not within 3 kilometres of an aerodrome
(g) Does not exceed 12m in height;
(h) Not within 25m of a trunk or classified road;
(i) Will not be used for livestock or storage of slurry or sewage sludge;
(j) Not on article 2(4) land or connected with fish farming;
(k) Not for storage of fuel or waste from a biomass boiler;

It is considered that the application complies with the technical requirements of Part 6 Class A and therefore consideration is given to the siting, design and external appearance of the building for which it is considered approval should be sought.

Siting, design and external appearance

The plans show that the new building would be of a good design and there are no objections to its overall appearance including the materials proposed which are commonly used within the Moorlands area. The building is not excessively large (13.716 m x 9.144 m) and its eaves and ridge height are modest. The proposed footprint (at approximately 125 square metres) is significantly below that 1000 square metre allowance as set out within the April 2018 amendments to the GPDO.

Given the proximity of the building to Dam Lane and the fact that the fields to the north drop in level, there will inevitably be some visual impact upon the countryside at this point. The building will however be seen in the context of existing buildings on the site and is a reasonable modernisation of a farm yard.

CONCLUSION / PLANNING BALANCE

For the reasons outlined above it is considered that the scheme complies with the provisions of Part 6, Class A of the GPDO and that the scheme is acceptable in terms of siting, design and external appearance.

OFFICER RECOMMENDATION : Approval

Case Officer: Lisa Jackson
Recommendation Date: 04/11/2019.

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council