DELEGATED DECISION REPORT

DET/2019/0031 **Valid 26/09/2019**	**LITTLE OAKS** **BUXTON ROAD** **BLACKSHAW MOOR** **LEEK**	**PROPOSED NEW PORTAL FRAMED OPEN SPAN AGRICULTURAL BUILDING** **(AGRICULTURAL/FORESTRY DETERMINATION)**

MAIN ISSUES

- Qualification criteria under GPDO Schedule 2 Part 6 Class A
- Siting
- Design
- External appearance

DESCRIPTION OF SITE

The extent of the land associated with the proposal is shown on submitted plan drawing LBB.02 and appears of the order of c.50ha (125acres) including woodland. Little Oaks is a detached two storey stone farm house some 250m from the main Buxton Road accessed by a straight tarmac drive which is also a pubic footpath and which goes on to serve Troutsdale Farm a further 500m to the west.

There is an existing agricultural style shed 30m x 15m with dual pitched roof some 20m north east of the farm house. The site of the proposal building is laid to existing hard standing and the immediate surroundings appear as functional farm space contained within mature tree-planted borders which in particular screen the location from the Buxton Road and from the access drive and public footpath.

PROPOSAL

The proposal is for a further dual pitch roofed building attached alongside the existing creating a valley roof between the two. The width proposed is 8.4m and the length c.26m. The roof ridge would be set down relative to that of the existing building. Walls are proposed to be Yorkshire boarding above a skirting wall of concrete panels. The roof is proposed to be in dark blue grey fibre cement sheeting with roof lights.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Core Strategy Development Plan Document (Adopted 2014)
S01 Spatial Objectives
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

Local Plan Submission Version (February 2018)
SS1 Development Principles
SS1a Presumption in Favour of Sustainable Development
SS10 Other Rural Areas Area Strategy
DC1 Design Considerations
DC3 Landscape and Settlement Setting
E1 New Employment Development

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 was held in November 2018 to determine whether the Local Plan is sound and legally compliant. Subject to the findings of the appointed inspector, the Local Plan is expected to be adopted later in 2019. At that point, it 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. Where reference is made in this report to any emerging policies the level of outstanding objections to each policy will be noted and recommendation made as to the amount of weight to be given to the policies 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.

National Planning Policy Framework July 2018
Paragraph(s) 1 – 14;
Section(s) 4 – Decision making; 11 – Making effective use of land; 12 – Achieving well designed places; 15 – Conserving and enhancing the natural environment;

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS
No recent records

CONSULTATIONS

Publicity
Site Notice expiry date: 20th November 2019
Neighbour consultation period ends: N/A
Press Advert: N/A

Public Comments
None

Town / Parish Comments
None

OFFICER COMMENTS

Principle of Development
The application is made under the Permitted Development procedure for agricultural buildings contained at GPDO (2015) Schedule 2, Part 6 Class A.

Class A of Schedule 2 Part 6 to the GPDO provides for an agricultural building to be erected as Permitted Development subject to a prior notification to the LPA, with subsequent assessment, and subject to the land being within an agricultural unit of 5 hectares or more.

The prior notification requirement is an opportunity for the LPA to determine whether prior approval should be required as to the siting, design and external appearance.

To qualify for the Permitted Development route the proposed works must be "reasonably necessary for the purposes of agriculture within that unit". The agricultural use of the land must be "for the purposes of a trade or business" and the unit must be "occupied as a unit for the purposes of agriculture", all as set out in the Interpretation Section (D.1) for Part 6 Classes A to C.

In accordance with policies SS1 and SS1a, the Council expects the development and use of land to contribute positively to the social, economic and environmental improvement of the Staffordshire Moorlands.

When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. This means that planning applications that accord with the policies in the Core Strategy shall be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether: (a) any adverse impacts of granting permission would significantly and demonstrably

outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or (b) specific policies in that Framework indicate that development should be restricted.

Policy SS6c for the rural areas supports only development which meets an essential local need and supports rural diversification and sustainability of the rural areas (or supports sustainable tourism or enhances the countryside).

Core Strategy Policy SS6c (2) is to sustain the rural economy by (inter alia) supporting "limited" business expansion and supporting "diversification" of existing farm enterprises. In strict terms neither of these points fully or expressly covers farm expansion to accommodate a growing farm business for agriculture per se. In the emerging local plan policy SS10 (limited weight due to objections) would support "limited expansion" adding the words "or development" "…of business for employment uses" and further adding the words, "where a rural location can be justified". Again this is still not expressly relevant to agriculture and it may reasonably be considered that there is no express policy support. The determination will fall back to be considered as per the second paragraph above along with Policy R1 noted below.

Notably, Core Strategy Policy SS6c (3) is to "Enhance and conserve the quality of the countryside by: giving priority to the need to protect the quality and character of the area and requiring all development proposals to respect and respond sensitively to the distinctive qualities of the surrounding landscape;"

Core Strategy policy R1 expects a balanced consideration of the extent to which a proposal protects and benefits rural qualities and supports rural economic and community needs stating that, "appropriate development should not harm the rural character and environmental quality of the area".

The purpose of this building is understood to be in support of the functional operation of an established farm enterprise. To this extent the development may be assumed to bring local economic benefits to the rural economy.

There are presently c.100 breeding ewes at the farm. The extant building is used to accommodate them indoors at times such as lambing when indoor shelter can be needed. The proposal building is intended to assist with space needs for the range of equipment and for fodder storage. The proposal building is modest and subordinate to the existing building including lower in ridge height so that it will not stand out and not have any especially noticeable impact on the wider visual environment.

Design
Timber boarded, counter balanced with the lower run of concrete walls and using dark blue-grey to the roof, the building is appropriately designed for the rural location and its agricultural purpose.

Amenity
The nearest un-connected neighbours are at Blackshaw Grange Farm c.220m to the NE. No adverse impacts on neighbour amenity are considered likely.

CONCLUSION / PLANNING BALANCE

This is a modest proposal which is judged appropriate to the needs of a farm of this scale. The building is suitably deigned to an acceptable height (c.4m at the eaves and 5.4m at the ridge) with appropriate material finishes so that it will not seem out of place or even be noticeable in this rural farm location. In other words the siting, design and appearance are all acceptable. For a 50 hectare farm with 100 breeding ewes the proposed and existing buildings appear reasonably commensurate with predictable needs and the qualifying criteria under the GPDO part 6 are considered to be met.

OFFICER RECOMMENDATION : approve

Case Officer: Arne Swithenbank
Recommendation Date: 21st November 2019

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council