DELEGATED DECISION REPORT

DET/2020/0015 **Valid 23/04/2020**	**TOWN HEAD FARM FOXT ROAD FOXT**	**REMOVAL AND RELOCATION OF BUILDING, DEMOLITION OF BUILDING AND PARTS OF BUILDING, REINSTATE GARAGE BLOCK** **(AGRICULTURAL/FORESTRY DETERMINATION)**

MAIN ISSUES
Is prior approval required for the siting, design and external appearance of the proposed building?

DESCRIPTION OF SITE
The farmstead at Town Head Farm dates from the 19th Century and is recorded as a historic farmstead. From the roadside stone farm buildings of obvious age are apparent.

The building would be located to the north of the farmstead on an existing hardstanding that appears to be used by the farm for general utility. Beyond the farmstead, approximately 60m further north, Blackbank Wood is designated as ancient woodland and a nature conservation site.

Just 30metres to the north east the nearest non farming neighbouring dwelling fronts the roadside and forms one of a row of three cottages. The farmstead includes a range of functional farm sheds that surround the core cluster of stone buildings.

PROPOSAL
The application seeks a determination as to whether the prior approval of the siting, design and external appearance of proposed development, that includes the erection of a new shed, will be required. The application is submitted, effectively asking the question again, just weeks after already receiving the authority's determination that prior approval of the siting, design and appearance for the development would be required.

It seems that the only difference here is that the applicant now states that the building is required to store equipment, machinery and feed, rather than to house livestock. A change of intended purpose within just weeks and it is not clear why the applicant no longer requires livestock housing, other than he wants to erect the building within 400m of a non farming dwellinghouse.

The application is somewhat confusing and presents a project of development that includes the demolition of a large livestock shed on one part of the site, the reinstatement of a stone garage, and the construction of the new 'replacement' shed on a different part of the site.

It seems that essentially, the applicant does not want to add to the overall provision of farming sheds on the unit but, for a reason that is not explained in the application (other than 'to make better use of buildings and yard areas'), wishes to relocate his largest livestock shed to a different part of the site.

Demolition or removal of buildings and the reinstatement of a garage is not development that is permitted by Part 6 of the GPDO. Full planning permission would be required or, in the case of demolition, Part 11 of the GPDO permits some demolition in certain circumstances but that is subject to its own conditions that must be dealt with separately.

It is not entirely clear whether the new relocated building would be the existing building taken down and reassembled in a different location, this would appear to be the tilt in some of the description, yet the design and sizing of the two sheds shown on plans are different. However, the new 'relocated' shed would be built on an existing area of hardstanding on an open yard area to the north or rear of the site, therefore the subject proposal of this application is simply dealt with and considered as the construction and provision of a new building, while the other elements of demolition, removal or reinstatement of garage are disregarded.

The new building would be 18m by 30m with a maximum ridge height of 5.6 metres. Application includes a site/block plan, full elevations and the form. Yorkshire boarding and fibre cement sheeting. The farm extends to 12 ha.

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS
SMD/2015/0528 Conversion of stone building to dwelling. Refused.
DET/2018/0034 Conversion of stone building to dwelling. Refused.
DET/2020/0011 Replacement Shed. Prior Approval Required.

OFFICER COMMENTS
With the submission of the previous application (DET/2020/0011) it was abundantly clear that the erection of the building would not be permitted by Class A, Part 6 of the GPDO, because the application form clearly stated that the building would house livestock and would be located within 400m of a non farming dwellinghouse, and in these circumstances the terms of the Order are clear, the development is not permitted.

With this resubmitted application the applicant simply states a differing requirement and purpose for the building – it is to store equipment, feed and machinery rather than to house livestock. However, this switch of intended purpose within a matter of weeks, does in itself, cast doubt on the question as to whether the proposed building is 'reasonably necessary for the purposes of agriculture within the unit' if that necessity and purpose can change so easily and rapidly, and it is not clear that livestock housing would instead be provided elsewhere on the site. If the development does not objectively pass that test it is not permitted at all. Moreover, in respect of this, the agricultural necessity for this development is not clear, particularly as the existing livestock shed in its current location would appear to make serviceable provision – it is located within good proximity of the farmhouse, has short direct access, and is on the other side of the farmstead to the non farming residential

neighbours. The new building would be further from the farmhouse, closer to its neighbour's and have a long convoluted access that runs around the farmstead.

The planning history perhaps gives a clue as to the reasons for this proposal, in that two attempts to convert stone buildings into dwelllings on the site have been rejected for reasons that included the proximity of the existing farm livestock shed and general farm activity. It seems probable that the idea here is to clear space around those stone buildings so that future residential amenity would be less affected and the farm could continue to function. This is not a reason of agricultural necessity and in the absence of any other explanation the conclusion can only be that the building, and indeed the other developments, are not reasonably necessary for agriculture and therefore, not permitted.

In any event, prior approval of siting would provide opportunity to consider the building's impact on neighbouring amenity, even if the building is not used for agriculture, an equipment and machinery store, within such proximity, may still have adverse impacts on the neighbour's amenity, particularly as currently the shed is on the other side of the farmstead away from the neighbour. Other considerations relevant to this proposal would include impacts on the setting and significance of historic farmstead; the landscape and the countryside amenity; and the ancient woodland and site of nature conservation to the north.

CONCLUSION / PLANNING BALANCE

There is some question over whether the development is 'reasonably necessary for the purposes of agrciulture' and is permitted by Part 6, Class A of the GPDO. Provision of the building could involve development that has impact on the amenity of nearby residential neighbours, affect the significance of historic farmstead; appear prominent and harmful within a sensitive landscape; and affect the ancient woodland and nature conservation site to the north. The prior approval of the siting, design and external appearance of the building is therefore, required but, its contended, correctly under the context of an application for full planning permission.

OFFICER RECOMMENDATION : PNREQ

Case Officer: Ben Hurst
Recommendation Date: 21/05/2020

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council