DELEGATED DECISION REPORT

DET/2020/0017 **Valid 07/05/2020**	**OLD FURNACE FARM** **GREENDALE** **OAKAMOOR**	**PRIOR APPROVAL FOR NEW STEEL FRAME AGRICULTURAL BUILDING** **(AGRICULTURAL/FORESTRY DETERMINATION)**

MAIN ISSUES

- GPDO Schedule 2 Part 6 Class A;
- Siting;
- Design;
- External appearance.

DESCRIPTION OF SITE

The application site is a parcel of land to the north-east of Old Furnace Farm, Greendale, Oakamoor. Generally the land to the north of the applicant's dwelling is at a higher level and there are wide ranging views over the countryside to the south. Land levels within the site vary and it is noted that some excavation has likely occurred in the past to result in a building site which has a sunken appearance. Some of the site has been surfaced with hardcore including an access track to the field gate. Access to the public highway is along a shared track shared with the occupants of Oak Cottage to the east. At the time of the site visit it was noted that machinery (including tractor) and building materials were being stored on the site. The applicant has confirmed in writing that the materials are only being stored here temporarily whilst the residential conversion of a barn in completed.

PROPOSAL

This is a Prior Notification application for the erection of an agricultural building with a footprint of approximately 18.3m x 9.15m, eaves height of 3.65m and ridge height of approximately 5.2m; the shallow pitched roof would contain a total of 16 roof lights. Walls would be constructed using profile sheeting (dark green/light grey) and concrete panels. The roof would consist of either profiled metal sheets or fibre cement corrugated sheets. The large door would be located within the southern facing gable end.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Core Strategy Development Plan Document (Adopted 2014)

SS6c Other Rural Areas Area Strategy
SD4 Pollution and Flood Risk
DC1 Design Considerations
DC3 Landscape and Settlement Setting
R1 Rural Diversification

Supplementary Planning Guidance (Design Principles for Development in the Staffordshire Moorlands)

1. Agricultural Buildings

Supplementary Planning Document

1. Staffordshire Moorlands Design Guide

Emerging Staffordshire Moorlands Local Plan

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 was agreed by the Council and the subject of public consultation between 18th September 2019 and 31st October 2019. The schedule consisted of modifications that the Inspector has deemed necessary to make the Local Plan sound. Following the consultation, the Inspector concluded that further hearing sessions were necessary to consider; proposals for safeguarded land at Gillow Heath in Biddulph, housing land supply, Local Green Spaces in Cheddleton (Ox Pasture), Biddulph (Dorset Drive and implications for the emerging neighbourhood plan) and Blythe Bridge. They were held on 4th and 5th February.

On 27th February, the Inspector issued his post hearing advice. Key recommendations in the letter include:

- The proposed safeguarded land at Gillow Health, Biddulph should be removed. Neither should the site be allocated for housing as requested by the landowners as the case for exceptional circumstances has not ben met. The land will remain Green Belt as per the Local Plan Submission Version agreed by the Council in June 2018;
- No further housing allocations in Biddulph are required;
- No further amendments to the housing trajectory are required aside from pushing back the predicted commencement of the Wharf Road, Biddulph site (excluding BDNEW) until 2022/23.
- Monitoring of housing supply will determine if a full or partial Local Plan review is required within 5 years;
- Land at Ox Pasture (Cheddleton) and Dorset Drive (Biddulph) should revert back to the Local Green Space designations as per the Local Plan Submission Version as agreed by the Council in June 2018;
- Other modifications were considered during the recent hearings sessions are necessary to make the plan sound, including; updating neighbourhood area housing requirements (Policy SS4) to reflect the latest monitoring data, updating the employment land area for the Tunstall Road allocation to reflect the masterplan and other adjustments to the wording of Policy SS4 and Policy DC2.

No further representations will be sought by the Inspector. As such, the Local Plan policies as proposed to be modified in September 2019 along with the Inspector recommended revisions (February 2020) provide a strong indication of the final policies likely to be adopted in the Local Plan. The Inspector's final report is expected within 2 months and will reflect the post hearing advice. The Council will be able to consider the adoption of the Local Plan at this point. As such, the plan is at a very advanced stage of preparation with some of the key outstanding objections now having been resolved following the February 2020 hearing sessions.

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 considered below:

- The stage of preparation – the Local Plan is now at an advanced stage of preparation as the main modifications have been subject to consultation
- The extent to which there are unresolved objections to relevant policies this varies depending on the policy in question – the Inspector wishes to explore outstanding objections on a limited number of issues at the February hearing sessions further before drawing conclusions.
- The degree of consistency of the relevant policies in the emerging plan to this Framework – policies have been modified to address soundness issues identified by the Inspector to date. It is the Council's view that the policies (as modified) are consistent with national policy. The Inspector has yet to draw final conclusions, particularly on the matters subject to further hearing sessions.

Given the above, the majority of policies (as modified) can be given substantial weight

SS10	Other Rural Areas Strategy
SD5	Flood Risk
DC1	Design Considerations
DC3	Landscape and Settlement Setting

National Planning Policy Framework

Including sections;

12: Achieving well-designed places.
15: Conserving and enhancing the natural environment

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

88/00792/OLD	Extension to form self-contained flat and conservatory. Approved.
06/00647/FUL	Conversion of outbuilding into 3 holiday cottages. Approved.
06/01300/NOT_AG	Agricultural equipment store. Approved.
11/00719/FUL	Change of use of agricultural outbuildings to DIY Livery yard. Approved.

SMD/2016/0644 Conversion and alteration of redundant barn into a dwelling and garage. Refused and allowed at appeal.

CONSULTATIONS

Public Comments

One letter of objection received making the following comments

- Occupants of Old Furnace Farm have recently demolished two agricultural barns;
- Property is no longer a working farm;
- Farm has two/three fields only;
- Three cattle in one of the fields have only appeared in the last month and are not the applicant's cattle;
- First time there has ever been any stock on the land apart from horses;
- Could this agricultural barn become a redundant building and then turned into another dwelling?'

Letter received from applicant in response to the above objections.

- The two buildings were not suitable as an agricultural store as they were not tall enough to accommodate even my small 1950 John Deere tractor without substantial modification.

- "First time occupiers have had any stock", again incorrect. We have kept cattle on the land prior to running a horse livery yard (2005) .
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- "2 to 3 fields insufficient". Land area is > 5 hectares - the specified amount in order for the application.

OFFICER COMMENTS

The application forms state that the agricultural holding size is approximately 5.4 hectares and that this land generally surrounds the applicant's own dwelling (as shown on the submitted location plan). A covering letter and subsequent emails from the applicant has confirmed the following;

- Applicant no longer in full time employment so the land is to be used to generate an income;
- Cows and horses currently on the site belong to other people however cattle have been on the land prior to the livery use;
- Intention is to keep young beef stock and/or sheep, approximately 12 young beef or 60 sheep or a combination of the two. Applicant states if he were to keep beef cattle for only 6 months then he could increase numbers, he has also kept chickens for many years and intends to do so again;
- Building would be used to store the normal equipment associated with a small agricultural holding;
- Agricultural equipment would include tractor and loader, topper, harrow, tipping trailer, transport trailer, quad bike, small trailer, sprayer and small digger (all currently acquired by applicant
- Food stuffs would include hay and corn;
- Fencing materials: posts, rail, wire and post knocker;

- Two buildings have been demolished as they were not suitable as an agricultural store; they were not tall enough to accommodate a small 1950 John Deere tractor without substantial modification;

The information submitted clearly shows that the proposed building is to be used in the first instance for the storage of agricultural machinery with the intent of developing further an agricultural business. Part 6 'Agricultural and Forestry' of the Town and Country Planning (General Permitted Development) (England) Order 2015 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.' The proposed building size (including height) is not considered excessive for the holding size and the amount of machinery which would be stored securely. There is no reason to disbelieve that the building is not 'reasonably necessary for the purposes of agriculture within that unit.'

The proposal complies with the Part 6 allowances for the following reasons;

A.1
(a) this is not a separate parcel of land which is less than 1 hectare in area;
(b) N/A as no Part 3 Class Q or S development has taken place;
(c) does not involve works to a dwelling;
(d) N/A as the building is designed for agricultural purposes;
(e) building does not exceed 1000 square metres (April 2018 amendment);
(f) not within 3km of aerodrome;
(g) building does not exceed 12m high;
(h) building is not within 25m of metalled trunk or classified road;
(i) is not to be used for livestock or slurry/sewage sludge storage;
(j) is not development on/over article 2(4) land;
(k) not to be used for storage of fuel for or waste from a biomass boiler or anaerobic digestion system.

It is considered that the application does comply with the requirements of Part 6, Class A and therefore the matters to consider are those of the siting, design and external appearance of the building.

Siting, design and external appearance

There is easy vehicular access to the proposed building site, the chosen location is an obvious one. The sunken nature of the land bounded by the well-established trees to the north and a significant distance away from the public highway means that the building will have some visual seclusion from the north, west and east. It is likely that there would be views of the building from further to the south; however the site circumstances mean that the building would be seen in the context of boundary trees and would not occupy a skyline location. Any views from the south would also be of the southern gable end, the narrowest part of the building.

The size, form and proposed materials of the building are not uncommon to other agricultural buildings located within the Staffordshire Moorlands. It is also noted that at approximately 167 square metres the proposed footprint is well within the allowances allowed under Part 6.

CONCLUSION / PLANNING BALANCE

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

OFFICER RECOMMENDATION : Approve

Case Officer: Lisa Jackson
Recommendation Date: 3/6/2020

X B.J. Haywood

Signed by: Ben Haywood
On behalf of Staffordshire Moorlands District Council