DELEGATED DECISION REPORT

SMD/2020/0068 **Valid 06/02/2020**	**FERNLEIGH ASHENHURST LANE** **BRADNOP**	**ERECTION OF A CATTLE SHED** **(FULL - MINOR)**

MAIN ISSUES

- Landscape character
- Amenity

DESCRIPTION OF SITE

The application site is located within open countryside found to the south west of Bradnop and forms one of a number farms found within the locality. The site is located to the south of an existing farm track that extends eastwards off Ashenhurst Lane. The site is located to the rear of the farmhouse and sits between the farmhouse and woodland to the east. The topography of the site is level and the site does not hold an elevated position within the landscape setting.

PROPOSAL

Approval is sought for the erection of a cattle shed.

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
T1 Development and Sustainable Transport

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.

Emerging Policies:

SS1 Development Principles
1a Presumption in Favour of Sustainable Development
SS2 Settlement Hierarchy
SS10 Larger Villages Area Strategy
DC1 Design Considerations
T1 Development and Sustainable Transport

National Planning Policy Framework

Paragraph(s) 1 - 14
Section(s) 12

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None.

CONSULTATIONS

Publicity

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

Public Comments

No comments received.

Town / Parish Comments

No objection.

Staffordshire Ramblers Association

It is important that while the cow shed is being constructed and afterwards in use that the public(walkers) have obstruction free access to use the footpaths that pass around the farm. Provided this is the case then I have no reason to object to the construction of the cattle shed.

Severn Trent Water

No objection.

OFFICER COMMENTS

Principle of Development

Paragraph 11 of the National Planning Policy Framework (NPPF) promotes a 'presumption in favour of sustainable development'. For decision takers this means (c) approving development proposals that accord with an up-to-date development plan without delay; or (d) where there are no relevant development plan policies, or the policies which are more important for determining the application are out-of-date, granting permission, unless: i) the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Paragraph 8 of the NPPF identifies three dimensions to sustainable development as being economic, social and environmental.

In accordance with policies SS1 and SS1a of the Staffordshire Moorlands Core Strategy the Council will expect all new development to make a positive contribution towards the sustainability of communities and to protecting, and where possible enhancing the environment. When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF).

Policy SS6c relates to the other rural areas that comprise the countryside and green belt which fall outside of the development and infill boundaries of the towns and villages, as defined in the Site Allocations DPD.

The 'other rural areas' will provide only for development which, *inter alia*, supports the rural diversification and sustainability of the rural areas; and supports the limited expansion of an existing authorised business; and, the diversification of an existing farm enterprise.

In accordance with policy DC3 the Council will protect and, where possible, enhance local landscape and the setting settlements in the Staffordshire Moorlands by, *inter alia,* resisting development which would harm or be detrimental to the character of the local and wider landscape. Similarly, policy R1 states that appropriate development should not harm the rural character and environmental quality of the area and where new buildings are proposed, development should have minimal impact on the countryside.

Design

The proposed building is to comprise of a cattle shed that is to occupy a footprint of 9.15m x 18.4m. The shed is of a functional appearance dictated by its intended use. The building is to comprise of a steel frame with concrete panelling and Yorkshire timber boarding to the norther, east and south elevations. The west elevation is to remain open with barriers to allow cattle to feed.

In accordance with policies DC1, DC3 and R1 the building is of an appropriate design that, by its very use, represents a common feature within the rural landscape. The building is sited within reasonable proximity to the main farmhouse and would not be read in isolation. A wooded copse located to the east of the building would serve to provide some visual screening.

Amenity

The nearest residential dwelling comprises of Roost Hill Farm which is located 153m to the south of the proposed development site. This distance is considered sufficient to maintain a satisfactory standard of amenity in accordance with policy DC1.

Highway Safety

The site is located to the south of an existing farm track. The proposal includes the creation of a new access, which would not require consent in its own right. However, the track also serves as a public right of way. By virtue of the siting of the proposed building, the development would not cause an obstruction or hinder the use of the public right of way.

CONCLUSION / PLANNING BALANCE

This application is considered to accord with the relevant policies contained in the National Planning Policy Framework and SMDC Core Strategy. As such a recommendation of approval is given.

OFFICER RECOMMENDATION : Approve

Case Officer: Lisa Howard
Recommendation Date: 04.06.2020

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council