DELEGATED DECISION REPORT

DET/2020/0020 **Valid 19/05/2020**	**LAND TO THE SOUTH OF RUE HILL BARN** **THE RICKYARD ASHBOURNE ROAD** **RUE HILL** **CAULDON LOW**	**PRIOIR APPROVAL FOR A PROPOSED STEEL FRAME TIMBER CLAD 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 an open parcel of land on the southern side of the A52 Ashbourne Road opposite Rue Hill House and to the rear of a recently erected dwelling. Whilst being set back from the road the land is visually prominent due to the open and rural character of the area.

PROPOSAL

This is a Prior Notification application for the erection of an agricultural building. There are no proposed elevation drawings but the application form states that the building would have a footprint of 13.8m x 7.5m. The ridge height would be 4m and eaves height 2.8m. Materials would include timber clad walls and anthracite grey sheet metal roof. The application states that the building would be used for storage purposes. The applicant has confirmed (question 4 of the application form) that the building would not be used to house livestock, slurry or sewage sludge.

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

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.

SS1	Development Principles
SS1a	Presumption in Favour of Sustainable Development
SS10	Other Rural Areas Strategy
DC1	Design Considerations
DC3	Landscape and Settlement Setting

National Planning Policy Framework

Including sections:

2:	Achieving sustainable development
12:	Achieving well-designed places
15:	Conserving and enhancing the natural environment

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None

CONSULTATIONS

Publicity

Cotton Parish Council: No representations received.

OFFICER COMMENTS

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.' If the development does not pass that test it is not permitted at all under this process and a full Planning application should be made.

This is raised as a potential concern because there are no details concerning the nature of any farming enterprise, no details about other land owned/rented (including location ((location maps would assist)) and land parcel sizes), why a new building is needed in this particular location and what is to be stored inside (including justification for proposed size). It is also noted that the application does not demonstrate whether the applicant owns/controls any other land within close proximity to this site.

All of the information submitted as part of the application has been considered and a site visit has been undertaken. Whilst in some circumstances the basic application form and site plan are adequate, it is felt that for this proposal the details are not sufficient particularly taking into consideration the exposed and rural location of the site.

The Local Planning Authority (LPA) has the ability to seek further details concerning siting, design and external appearance through the prior approvals procedure. It is recommended that this process is triggered. Drawings that show the full elevations (to scale) and layout of the building, ground levels (existing and proposed) and how the materials would be used should be sought. The LPA has concerns about the potential adverse visual impact of the development within this open countryside setting and the close proximity of the proposed new building to the recently formed dwelling. Additional information may assist in addressing these concerns.

CONCLUSION / PLANNING BALANCE

The erection of a large agricultural building in this particular location has the potential to be visually harmful and unneighbourly. Additional information concerning siting, design, external appearance and whether the development is reasonably necessary for the purposes of agriculture should be sought to establish acceptability or otherwise of the proposal.

OFFICER RECOMMENDATION : The prior approval of the siting, design and external appearance of the building is required.

Case Officer: Lisa Jackson
Recommendation Date: 16/06/2020.

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council