DELEGATED DECISION REPORT

DET/2020/0009 **Valid 03/03/2020**	**HEYBRIDGE FARM** **UTTOXETER ROAD** **LOWER TEAN**	**AGRICULTURAL STEEL PORTAL FRAMED BUILDING FOR STORAGE OF STRAW AND AGRICULTURAL MACHINERY.** **(AGRICULTURAL/FORESTRY DETERMINATION)**

MAIN ISSUES

The Council determined within the requisite 28 days that prior approval of the building's appearance and siting would be required.

The main question here with this application is whether, in light of additional information and detail that has been submitted, the prior approval of the siting and appearance of the proposed building can be approved?

DESCRIPTION OF SITE

Heybridge Farm is a probable mid 19th century farmstead laid out around a regular three-sided courtyard, red brick farmhouse and additional detached outbuildings, which form part of a planned farmstead of the Phillips family of Heath House and Tean Hall Mill.

The original red brick farmstead buildings surround a courtyard in an L shape providing sheds and stables adjacent to the house. The end of the L shape is crowned with the tower of a Grade II listed dovecote.

Immediately to the rear of the original farmstead, a conglomeration of contemporary farm sheds provide around 1500sqm of floor area across about 5 adjoining buildings. The planning history shows how the farm sheds have steadily expanded to the south west into the countryside and toward the River Tean. One of the buildings provide cattle stalls across 440sq m. The rest and majority of the buildings provide storage for large vehicles and machines and what appeared to be large stacked bags of fertiliser.

While there does appear to be some cattle rearing on the unit, the site provides the business base for Chandlers Lime and Fertiliser Ltd. which is apparently a contracting service which imports and supplies fertilisers, lime, and aggregates using large and specialist vehicles and machines, some of which are fabricated on site, all according to the website. This explains some of the observations made on site.

PROPOSAL
Proposes a 960 sqm portal frame shed. 6m to eaves and 9.5m max ridge height.

Described as an implement and feed/straw store, it explains that modern farm machinery is getting larger and needs more space to be securely stored. The farm has 80 + head of beef cattle and the new building would make it possible to buy inputs, (ie. straw, cattle feed) in larger quantities thus making the business more cost effective and sustainable as a working family farm.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Core Strategy Development Plan Document (Adopted 2014)

DC1 Design Considerations
DC2 Historic Environment
DC3 Landscape Character
SD4 Pollution

Submission version of the Local Plan
DC1 Design Considerations
DC2 Historic Environment
DC3 Landscape Character
SD4 Pollution

The Council published the Inspector's final report thereby drawing a close to the examination in public. The report concludes that with the recommended main modifications, the plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework (NPPF). As such, the main modifications which accompany the Inspector's report provide a clear indication of the final policy wording when read in conjunction with the Local Plan Submission Version (2018).

In this context, the Local Plan is now at the most advanced stage of preparation prior to adoption; the Inspector has now drawn his final conclusions; and the policies have consistency with the NPPF in all but some limited cases. Given the above, all policies (as modified) should be given substantial weight.

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS
01/00126/FUL Agricultural building
03/00906/NOT_AG Agricultural building
10/00442/PNOT_1 Agricultural building to store and maintain agricultural machinery

CONSULTATIONS

Publicity
The applicant provided evidence to confirm that he has displayed a site notice to comply with the requisite condition of the GPDO.

OFFICER COMMENTS

Is the building permitted by Part 6 of the GPDO?
When the Council determined that prior approval would be required for the building they flagged a concern that the building was not reasonably necessary for agriculture and therefore, not permitted at all. With further consideration and investigation, more definitive comments can be made on that point.

To be permitted development the building must be built on agricultural land comprised in an 'agricultural unit' and be reasonably necessary for the purposes of agriculture within that unit. For the purposes of the Order 'agricultural unit' must be interpreted as agricultural land which is occupied as a unit for the purposes of agriculture including any dwelling or other building occupied for the purposes of farming the land. However, here it seems obvious that the unit is mainly occupied for the purposes of the contracting business Chandler Lime and Fertilisers Ltd. meaning that it is currently a 'mixed use' unit, that does not obviously benefit from change of use planning permission, and is not only or mainly occupied for the purposes of agriculture within the unit. This in turn casts doubt and question on the extent to which the building is reasonably necessary for agriculture when the existing and proposed building provision would inevitably be purposed for interchangeable uses between agriculture and business. Either existing buildings already built for agriculture are being used instead for the business meaning yet another shed is required for agriculture; or simply this new building is required primarily for the business to provide storage space for the large contracting vehicles and machinery, product to be supplied to customers, or to fabricate the specialist parts and equipment. The proposed design and appearance of the building perhaps suggest the latter, given that it would be a very large closed shed with a small double door at each gable end – a building designed for security, containment and concealment rather than the open functionality of agricultural storage. On this basis, the building is not permitted by Part 6 of the GPDO and it requires full planning permission.

However, for the purposes of completeness and to address the question relevant to this application, the impacts of the building's proposed siting are discussed below.

Appearance of the Building
The building would have a concrete block base, profile sheet walls and fibre cement roof. It would be very much enclosed and contained with proportionally small double doors at each gable end. Largely it would have the appearance of a functional portal frame shed, not uncommon on farms, but neither would it be particularly distinguishable from the type of unit that appears on industrial or employment sites. Certainly the building would not be designed to have any of the features that can obviously mark a building as having agricultural function, for example wide open bays and hit and miss Yorkshire board cladding for ventilation.

Impact of siting on the neighbour's residential amenity

The entirety of the building's 37m long side elevation would be built against the residential neighbour's land boundary to the east of Yew Tree Cottage. The building would be just 25m from the side elevation of their dwelling. The applicant's agent points to the 'substantial boundary' and the intervening parcel of land ownership between the boundary and the dwelling. The land registry confirms that the land between the boundary and the dwelling has a separate land title to that of the dwelling. However, a site visit confirms that the intervening land parcel provides garden or amenity land for the resident and the substantial boundary amounts to a mature traditional hedge that is less than 6 metres high and would not wholly conceal the side of the building which would be very imposing and overbearing, apparent through and above that hedge. The resident would be prevented from maintaining or pruning the hedge without revealing more of the building.

The business website suggests that they fabricate on site many of their specialist parts and equipment - if this work were to take place within the building it could amount to industrial process and potentially cause noise and disturbance. However, even if the building were simply used to store farm implements, machinery and straw and feed, loading and unloading and manoeuvring within, has the potential in itself to cause noise and disturbance at unsocial hours. This would have unreasonable amenity impact just 25m from a dwellinghouse.

Impact of siting on the character and appearance of the area

The back, or southwestern edge, of Heybridge farm is formed by the most recently constructed shed (2010) and a squared area of concrete hard surfacing that is open to a rectangular field parcel just 55metres from the River Tean and the open countryside beyond. From the public footpath, approximately 150m to the south west, these functional farm buildings sit in a gap between mature trees and the older mid 19th Century brick buildings of the original farmstead (including the farmhouse). Above the roofs of the farm sheds the top of the Grade II listed dovecote tower can be seen positioned centrally within the complex, the only distant view of the building that would be available to the public. This can all be seen in the photograph attached below that was taken from the footpath.

The new building would project 37m into the field with a gable end that would be just 20metres from the river and have a considerable width that would cover over the farm track that provides access to the bridge. The proposed building would extend the mass of farm sheds with further encroachment into the countryside where it would be imposing, intrusive and result in the loss of the foreground and setting between the farm and the River with obvious harm to the character and appearance of the area and the quality of the landscape as a result. The building would completely conceal the mature hedge and tree that encloses Yew Tree Cottage and contributes to the character and quality of the landscape.

The building would obstruct and cover over the private way that crosses the river and provides access to the fields beyond it would also place a door on the gable end that would open and present to the short 20m depth of field before the river. It is not shown or included as part of the proposal but it seems rather inevitable that with this arrangement the applicant is likely to want to form a new private way with an alignment that deviates around the building to link to the bridge and provide some

new area of hard surface to the front of the gable doors. This additional hard surface would itself be intrusive and harmful, but could also become a standing area for vehicles and machines that would have their own harmful presence and impact. So close to the river there could be diesel and oil run off into the water course.

Impact of siting on the setting of the Grade II listed Dove Cote

While the shed would not obscure or conceal the Grade II listed dovecote, from this position, its setting and context would become increasingly lost behind an expanding mass of modern farm sheds and the large wide gable end of the new building would be an intervening visual focus for the eye that would be disruptive to the setting of the listed building and harmful to the designated heritage asset.



CONCLUSION / PLANNING BALANCE
The building would be sited where it would:

- cause encroachment and intrusion into the countryside to the southwest of the existing yard and shed in the foreground of a Grade II listed dovecote;
- have the entirety of its northwest elevation (37m long and 6m high to eaves) against the boundary of the adjacent residential property, approximately 25m from the dwelling's side elevation (Yew Tree Cottage, part of a Grade II listed building);
- obscure from the landscape a mature tree and hedgerow, potentially causing them harm and resulting in their loss;
- be built over the top of the existing farm track that provides access to the fields at the south of the river, this and the positioning of a door on the south west elevation makes it probable that a new less direct track and additional hard surfaces would be required within proximity of the water course.

This would result in disproportionate harm to the character and appearance of the landscape, countryside and the setting of a grade II listed dovecote, particularly when viewed from the public footpath to the south of the property. The building would have unreasonable impact on the residential amenity of the adjacent residential neighbour at Yew Tree Cottage through its imposing presence and the potential for noise and disturbance from commercial activity. The development would conflict with policies DC1, SD4 and DC3 of the Staffordshire Moorlands Core Strategy and Emerging Local Plan and the NPPF.

OFFICER RECOMMENDATION : PNREQ REFUSE

Case Officer: Ben Hurst
Recommendation Date: 27/03/2020
23/07/2020

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council