**DELEGATED DECISION REPORT**

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| **DET/2020/0045**<br>**Valid 25/08/2020** | **YEW TREE FARM**<br>**CHEDDLETON HEATH ROAD**<br>**LEEK** | **PROPOSED AGRICULTURAL BUILDING EXTENSION TO STORE FODDER.**<br><br>**(AGRICULTURAL/FORESTRY DETERMINATION)** |

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## MAIN ISSUES

- Whether or not the prior approval of the LPA is required as set out under GPDO Schedule 2 Part 6 Class A – namely as to the:
- Siting
- Design
- External appearance
- Landscape; neighbour and public amenity

## DESCRIPTION OF SITE

The proposed building position would be directly attached alongside an existing similar structure. The location is a moderately broad flat ridge top with prominence in strongly rural surroundings. This is a large working dairy farm of 320 acres (130ha) with some 270 head of cattle (including followers).

Access is along Fynney Lane from the public road at Basford Lane at its junction with Cheddleton Heath Lane some 600m to the west. Fynney Lane is a definitive public bridleway and the proposal building, as with the existing farm buildings, would stand immediately alongside to the south.

Yew Tree House also on Fynney Lane some 300m west of the farm was built following consent for a farm worker dwelling linked with Yew Tree Farm in 2005. Fynney Lane continues eastwards along the centre of the ridge top and at c. 300m to the east of the proposal site is Fynney Lane Farm, now occupied solely as a private dwelling and unconnected with the application farm. Fynney Lane Farm is Grade II* Listed.

## PROPOSAL

To add an irregularly shaped extension to the north west elevation, similar in materials and style to the existing buildings.

From the submitted design and Access Statement: “As indicated on drawing No. 1407-003 this building will incorporate a natural coloured fibre cement sheeted roof to match existing buildings. Vertical cladding down 3.962m below eaves level to be

polyester coated box profile steel sheeting coloured Slate Blue (18B29) re-used from existing building. All roof and vertical joints will be made good with matching barge board. Below cladding to be a shuttered concrete wall."

The statement quotes the building dimensions as being:
27.4m long along the south west side elevation
tapering to 22.860m along the north east side elevation
x 27.432m wide x 6.096m high.

## RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

**Local Plan (adopted 9th September 2020)**
SS1 Development Principles
SS10 Other Rural Areas Area Strategy
DC1 Design Considerations
DC2 The Historic Environment
DC3 Landscape and Settlement Setting
E1 New Employment Development
NE1 Biodiversity and Geological Resources
T1 Development and Sustainable Transport

**National Planning Policy Framework February 2019**
Paragraph(s) 1 – 14;
Section(s) 4 – Decision making; 6 – Building a strong and competitive economy; 11 – Making effective use of land; 12 – Achieving well designed places; 15 – Conserving and enhancing the natural environment; 16 – Conserving and enhancing the historic environment.

**Adopted Supplementary Planning Documents/Guidance (SPD/G)**:
- Space About Dwellings SPG
- Design Principles SPG

**Core Strategy Supporting Evidence Documents**:
- Landscape and Settlement Character Assessment (2008)

## SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

12/01043/FUL [SMD/2012/0960] – extension to an already existing silage pit, along with a proposed
canopy to cover the existing silage pit along with the extension – approved

SMD/2019/0283 – agricultural building for the store of silage and hay – approved

## CONSULTATIONS

**Publicity**
Not applicable at this prior notification stage.

## OFFICER COMMENTS

### Principle of Development

The application is made under the Permitted Development procedure for agricultural buildings contained at GPDO (2015) Schedule 2, Part 6 Class A.

Class A of Schedule 2 Part 6 to the GPDO provides for an agricultural building to be erected or extended as Permitted Development subject to a prior notification to the LPA, with subsequent assessment, and subject to the land being within an agricultural unit of 5 hectares or more.

The prior notification requirement is an opportunity for the LPA to determine whether prior approval should be required as to the siting, design and external appearance.

To qualify for the Permitted Development route the proposed works must be "reasonably necessary for the purposes of agriculture within that unit". The agricultural use of the land must be "for the purposes of a trade or business" and the unit must be "occupied as a unit for the purposes of agriculture", all as set out in the Interpretation Section (D.1) for Part 6 Classes A to C.

The site is in the open rural countryside in a prominent location of generally high quality landscape appearance. [NB the SCC landscape character mapping which would normally be referenced is currently unavailable on line.]

The proposal appears to be an extension to the 2012 approved build which was considered as follows at the time:

**CASE OFFICER ASSESSMENT:**

The proposal is to extend an existing silage clamp and a covering building 21.3m wide by 27.4m in length and 6.09m to the eaves and 8.8m to the roof ridge line. The location is in the Special Landscape Area and at a prominent position on a ridge top. A puiblic right of way follows the track along the ridge centre. This is considered an important recreational countryside access route of the locality. The building is high and as such likley to be quite dominant. The heights appear to match an exisiting building used as loose housing or covered yard area for cattle. As a result the impacts may seem more contained than if the building was the first of its form and scale at this location. In view of the scale of the existing established farm buildings there is considered little to be gairned by reducing the heights. However some landscape tree and/or hedge planting to moderate the impacts is considered important. The application shows an intention to introduce bunding to the eastern elevation side The environmental benefits of providing roof covering to the silage store are recognised and, despite the prominent setting in the SLA, approval is recommended subject to a landscape condition.

The LPA can accept without doubt that the holding meets the minimum size threshold for a prior notice application. It is however a condition at A.2(3) that the proposal must not amount to a "significant extension" as defined at D.1(1):

> "significant extension" or "significant alteration" means any extension or alteration, as the case may be, of the building where the cubic content of the original building would be exceeded by more than 10% or the height of the building as extended or altered would exceed the height of the original building;"

It is to be noted – along with the dimensions quoted under proposal details above – that the proposal is described in the DAS as enabling the applicant to store an

**additional** **135 tonnes of grass** undercover instead of converting to plastic covered bales.

Further information in respect of the above may lead to a conclusion that PD rights are not available.

However, giving the benefit of the doubt and considering whether prior approval should be required, given the identified landscape quality and the overall size of building that would result and its design it is considered that prior approval should be required before this development can proceed.

Other factors also need to be considered:

- The 2012 approval was subject to a landscaping condition – how will this proposed extension relate?
- The more recent 2019 application was subject to local neighbour interest and the overall impacts on the appearance of the farm buildings directly bordering a public right of way (bridleway) need to be considered
- The bridleway is the approach route to Fynney Lane Farm which is a Grade II* Listed Building

**CONCLUSION / PLANNING BALANCE**

Clarification is needed as to the building dimensions. A series of local factors then need to be considered as noted in the report. It would be appropriate therefore to subject this proposal to prior determination. This would also ensure that the proposal is subject to publicity and local people or passing walkers / horse riders would have opportunity to comment.

**OFFICER RECOMMENDATION : Prior approval required**

**Case Officer:** Arne Swithenbank
**Recommendation Date: 22nd September 2020**

X B.J. Haywood

Signed by: Ben Haywood

**On behalf of Staffordshire Moorlands District Council**