DELEGATED DECISION REPORT

DET/2020/0046 **Valid 02/09/2020**	**LITTLE LYMFORD FARM** **TUNSTALL ROAD** **BOSLEY**	**FARM STORAGE SHED EXTENSION** **(AGRICULTURAL/FORESTRY DETERMINATION)**

MAIN ISSUES

- Siting
- Design
- External appearance
- Green Belt
- Landscape

DESCRIPTION OF SITE

The site is a field location and relatively remote, close to the north westerly corner of the District and in the northerly lee of The Cloud (343m AOD) which is National Trust land.

There is a complex and evolving planning history in relation to this site. An original building of 18m x 21m can be identified from air photos dating from 2005/06 and this original building was shown on plans submitted in 2005 when it was proposed to be extended with a lean-to along the south side. The lean-to was approved and built so taking the width to 30m.

The present extant building is therefore large at 30m x 30m x 5.5m to the higher northerly eaves and c.8m to the ridge. Consent was granted following a prior notification application in 2018 (DET/2018/0031) for a further extension to the west gable end of this broad building which would add 23m to its length. The 2018 scheme has not as yet been built. In detail the 2018 scheme would not extend the full 30m width of the existing building all the way to the west as the c.7m width of the lean-to on the south side would be cut short by c. 4m. The 2018 development was described as: “Extension of existing farm building to provide straw, feed and machinery storage” with no suggestion of a livestock housing role.

A full application in 2019 (SMD/2019/0443) “Extension of existing farm building to create additional livestock housing” – described on plan as “calf housing” – is currently pending after the LPA requested further information to justify the development. When the LPA visited the site in 2019 the lean-to section along the south side (which is open internally to the main building) was found to have been fitted with a series of equine loose boxes / stables; the only livestock in evidence were a small number of ponies with a mobile farrier at work. The main building was largely empty but with some machinery, fodder and miscellaneous items in storage.

Only limited further information has been provided.

Also noted in 2019 was a mobile trailer home, a large touring caravan and a gathering amount of miscellaneous structures and stored items to the yard and field areas east of the building. The framework of a three bay extension eastwards of the south side lean-to was present and this now (August 2020) has been enclosed with profiled green metal sheeting. A specific approval for this development has not been placed.

The site of these developments is set back some 270m from the public road. The intervening field rises slightly then dips to a level at the location of the building so that it is somewhat concealed. To the immediate west of the proposed building is a wooded stream clough and the land drops sharply away. The stream course is the District boundary.

There is little scope to view the site from the immediate south and east. There are more open distant views northwards to locations from which the building is likely to be seen at distance. There are clear views across to the site for example from Bosley c.1,400m to the north east. There may be views from the more distant slopes and summit of The Cloud to the south.

There is a community group private club house c.120m to the north at a lower level and the nearest residential neighbours are at Lymford Farm 270m to the ENE and at Five Oaks Cottage 250m to the SE. At the property called Lymford Farm there are in fact now three dwellings following consents in 2017 and 2018 for two barn conversions. It is understood that none of these are occupied by people engaged in agriculture and they would each be regarded as a 'protected building' for part 6 purposes as defined at section D.1(1). There is a further 'protected building' at Five Oaks Cottage 300m to the east south east.

PROPOSAL

To add an irregularly shaped extension to the westerly end of the building extension not as yet built but approved under DET/2018/0031 similar in materials and style to the existing building and the approved extension.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Local Plan (adopted 9th September 2020)

SS1 Development Principles
SS10 Other Rural Areas Area Strategy
DC1 Design Considerations
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; 13 – Protecting Green Belt Land; 15 – Conserving and enhancing the natural environment; 16 – Conserving and enhancing the historic environment.

Adopted Supplementary Planning Documents/Guidance (SPD/G):
- Design Guide 2018 SPD
- Design Principles SPG

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

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

01/0006/FUL – SMD/2001/0267 – agricultural stock building – refused

05/00757/PNOT_AG – SMD/2005/0588 – agricultural building – approved

08/01500/PNOT_1 – SMD/2008/543 – additional bays to the original building as previously extended in 2005 – approved

08/01507/FUL – SMD/2008/0537 – cover to existing yard and cattle feed area – approved – not implemented and expired

SMD/2016/0227 – Provision of new field access and hard track – approved

DET/2018/0031 – Proposed extension of existing farm building to provide straw, feed and machinery storage – permitted

SMD/2019/0443 – Proposed extension of existing farm building to create additional livestock housing – pending

DET/2020/0016 – Extension of existing farm storage buildings – determined as prior approval required – no further submissions received and no consent given

DET/2020/0031 – Extension of existing farm storage buildings – determined as prior approval required – no further submissions received and no consent given

CONSULTATIONS

Publicity
Site Notice expiry date: 2nd September 2020
Neighbour consultation period ends: N/A
Press Advert: N/A

Public Comments
None

Town / Parish Comments
Rushton parish Council – required for 24th September 2020 – none received

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 location considered to be of high quality (level four on a five point scale where five is highest) on the basis of the Staffordshire county-wide landscape assessment.

The holding would appear to meet the minimum size threshold and indeed prior notice applications have been accepted previously. The development undoubtedly amounts to a "significant extension" as defined at D.1(1) and referred to at A.2(3). In this regard it appears to the LPA that the original building as shown on plans accompanying a 2005 application ref 05/00757/PNOT_AG and the 2008 application ref 08-01500 was 2,438 m3 in volume. A partial calculation based on the below eaves (5.3m high) volume of the 10m x 7m section of the NW elevation of the extension now proposed (total 371m3) shows the 10% threshold (244m3) would be exceeded and the above calculation does not take into account all of the extension proposed. The volume of building over part of the triangular plan area of 16m x 10m again to an eaves height of c.5m would amount to a further 400m3. Further portions have not been calculated as already on these partial calculations the volume of c.770m3 would significantly exceed the 10% (244m3) threshold to confirm that an application is required.

It is also a stipulation at A.1(e) that the development would not be permitted if the ground area covered would exceed 1,000m2 calculated as described at D.1(2)(a) –

"the ground area which would be covered by the proposed development, together with the ground area of any building (other than a dwelling), or any structure, works, plant, machinery, ponds or tanks within the same unit which **are being provided or have been provided within the preceding 2 years** and any part of which would be within 90 metres of the proposed development"; [underline and emphasis added]

From drawing 433-086p July 2020 (scale 1:200) the ground area of the extension hereby considered would be c.166m2
The area of the 2018 building under construction but not yet built is: c.654m2
The area of the mono-pitch easterly continuation of the south side lean-to which since 2019 has had sheet cladding added is estimated to be c. 22m x 8m = 176m2

The D.1(2)(a) calculation in relation to A.1(e) is therefore of the order of 996m2 – very close to the 1000m2 threshold restriction.

It is also to be noted following the LPA's investigations into the 2019 pending application including the site visit that there is an apparent equine housing aspect to the existing buildings and much of the existing volume appeared under utilised.

No information is submitted with the current application to verify that the holding is being used in support of an agricultural trade or business and no justification is offered for the still further size increase to the building which is already large for the amount of land and the apparent existing need. Nevertheless it is incumbent upon the developer / occupier to use the buildings only in compliance with the terms under which consent has been obtained.

Paragraph A.1(i) states that development is not permitted (under Part 6 Class A) if:

> "it would consist of, or include, the erection or construction of, or the carrying out of any works to, a building, structure or an excavation used or to be used for the accommodation of livestock or for the storage of slurry or sewage sludge where the building, structure or excavation is, or would be, within 400 metres of the curtilage of a protected building;"

There are at least four 'protected buildings' within 400m of this development and therefore no prior notice submission can be validly made for a structure used or to be used for the accommodation of livestock.

No further information in respect of any of the above has been submitted. The LPA can make its assessment in terms of siting, design and appearance but as already noted, it will remain incumbent upon the developer / occupier to use the buildings only in compliance with the terms under which consent has been obtained. To not do so would render the site subject to planning enforcement investigation.

In terms of siting etc the following should be considered:

- the identified high quality landscape;
- the overall size of building that would result;
- its design and,
- the proximity of trees and woodland to the west and south of the proposal.

Design (siting and external appearance)

The additional development is relatively small in proportion to the existing building / building under development. There will be little likelihood of noticeable additional public view impact as the structure adds 10m to what will already be an approved overall c.54m length (north side) and given that public view may be as much as 1,400m distant.

The extension would take the building closer to the tree belt margins of the land (west and south west) but it is estimated by the LPA will be at least 10m from these trees and not a significant threat to the tree roots and branch spread.

The proposal is to adopt materials consistent with those of the existing / previously approved building – concrete panels to 2m and green steel box profile sheet cladding to eaves and grey roof. It is often considered desirable to use darker and therefore more recessive roof colour finishes. However as this is an extension to an existing building it may be considered on balance more acceptable to adopt a matching colour scheme – especially as this is a relatively small extension to an existing approval.

Amenity

The development is put forward as being not for livestock or manure storage and as such no additional new adverse amenity impacts for neighbours are anticipated.

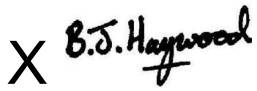
As a proportionately small addition to the existing and given the separation distances from public locations no significant additional adverse impacts on public amenity are envisaged.

CONCLUSION / PLANNING BALANCE

It is appropriate to support farm business expansion on grounds of benefit to the rural economy. In this location and given the relatively small addition involved and that it is relatively to the rear of the existing development it can be considered acceptable in terms of siting, design and appearance.

OFFICER RECOMMENDATION : Prior approval required – approve

Case Officer: Arne Swithenbank
Recommendation Date: 14/10/2020

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council