The Planning Inspectorate

Appeal Decision

Site visit made on 6 October 2020

by Graham Wraight BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 November 2020

Appeal Ref: APP/B3438/W/20/3253774
Coates Farm, School Lane, Biddulph Moor ST8 7HR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr P Baker against the decision of Staffordshire Moorlands District Council.
- The application Ref SMD/2020/0052, dated 28 January 2020, was refused by notice dated 26 March 2020.
- The development proposed is the erection of a general purpose agricultural building.

Decision

1. The appeal is dismissed.

Procedural Matter

2. Since the Council refused planning permission it has adopted the Staffordshire Moorlands Local Plan 2020 (LP). As a result, the Policies within that document carry full weight and they have replaced the Staffordshire Moorlands Core Strategy Policies 2014, which are no longer in force. The Council has confirmed that the adopted LP Policies that it relies on are SS1, SS2, SS10, E1, DC1 and DC3. Both the appellant and the Council have been given the opportunity to make further comments on the change to planning policy that has occurred.

Main Issues

3. The main issues are:

(i) Whether the proposal would be inappropriate development in the Green Belt having regard to the revised Framework and any relevant development plan policies

(ii) The effect of the proposal on the character and appearance of the area

(iii) Whether the proposal would be an acceptable development within the countryside, with regard to the provisions of local policy in respect of the location of development.

Reasons

Whether inappropriate development

4. The planning application was made on the basis that the proposed building is to be used for agricultural purposes. Paragraph 145 of the National Planning

Policy Framework (The Framework) states that the construction of new buildings is inappropriate in the Green Belt but it provides a number of exceptions, which includes buildings for agriculture and forestry. Policy SS10 of the LP refers back to national policy in respect of development in the Green Belt and therefore I shall determine this issue with regard to the revised Framework.

5. The appellant owns two parcels of agricultural land, one immediately adjoining the appeal site and the other at Timbersbrook, both of which I visited. It is stated that the land holdings are 2.8 hectares and 12.2 hectares respectively and that the land is used for the production of hay/silage, the grazing of livestock and the production of logs. The appellant does not currently farm the land in his ownership, but aspirations to do so are outlined in the documents that have been submitted.

6. The Council raises concern that the proposed building is intended to be used for domestic purposes in conjunction with the existing dwelling at Coates Farm and not for agricultural purposes. There are two main strands arising from this; firstly that the appellant is not engaged in agriculture and therefore has no purpose for an agricultural building, and secondly that the proposed building is not suitable for agricultural use.

7. The appellant's land holding is of a size which makes it feasible for them to establish an agricultural business and the land is already used for such purposes by others. I have not been made aware that the appellant currently has access to a building on either the Coates Farm or Timbersbook land, other than domestic outbuildings associated with the dwelling at Coates Farm, and I did not observe any such buildings during my visit. A limited amount of agricultural equipment, including two tractors and trailers, was stored outside at the time of my visit. The appellant has indicated that there would be investment in further equipment once secure accommodation could be provided for it. The Council has not provided evidence to suggest that the size of the building would not be reasonable for the size of the landholding available to the appellant.

8. The proposed building would primarily be used for the storage of equipment, machinery, dry goods and materials but it would also be used for storing hay and for housing sheep which are sick or vulnerable on a temporary basis. With respect to hay storage and animal accommodation, the Council questions whether the building could be put to such purposes, but again no evidence has been provided to counter the appellant's assertions in this respect. The Council also questions the design and appearance of the building, but it would have the appearance of a typical modern agricultural building and there is no apparent reason that it could not be put to such a use.

9. Ultimately, I must determine the appeal on the basis of what is applied for, in particular as there is no substantive evidence before me to demonstrate that the proposed development would not be used for, or be suitable for, agricultural purposes in conjunction with the appellant's agricultural landholding. Therefore, as a building for agriculture, the proposed development would not be inappropriate development in the Green Belt and it would be in accordance with the exception set out in paragraph 145 of The Framework. In this respect, the proposal would also be in accordance with Policy SS10 of the LP. As the proposal is a building for agriculture, there is no policy requirement

to undertake any further assessment of the impact that would arise upon the openness of the Green Belt or against the purposes of the Green Belt.

Character and appearance

10. The proposal would be positioned in a prominent location adjacent to the front boundary of Coates Farm with the public highway. School Lane is a narrow country lane but the general surroundings in which the appeal site is situated have a spacious, rural feel as the settlement of Biddulph Moor transitions towards the countryside. These aspects are key components of the character and appearance of the locality in which the appeal site sits.

11. The proposed building would be of a substantial height and bulk and it would sit very close to School Lane. As a result of its size and its positioning, it would be a visibly dominant structure and it would appear as an incongruous feature in the context of its immediate surroundings and the School Lane street scene, even noting the existing vegetation that is located in the vicinity which would provide a degree of screening. This would cause significant harm to the character and appearance of the area.

12. Whilst a plan has been submitted suggesting how further landscaping could be incorporated into the proposed scheme, the impact of a building of the size proposed could not adequately be overcome by landscaping. The appellant also states that the building would be set below the level of School Lane, although no details of the practicalities of this have been provided in light of the fact that the appeal site is currently elevated above the road. Notwithstanding this, setting it down would not eliminate the significant harm that I have identified.

13. The appellant has drawn attention to the fact that the proposed building would be clustered close together to the existing buildings at Coates Farm, however this does not overcome the harm that would result from its proposed positioning, in particular in relation to School Lane. In the appellant's view there are no other, more suitable, locations at either Coates Farm or Timbersbrook however only limited details have been provided in this respect. In any event, I must consider the impact of the proposed development that is before me primarily upon its own merits.

14. For these reasons, I conclude that the proposed development would cause significant harm to the character and appearance of the area. Consequently, the proposal would fail to accord with Policies SS10, DC1 and DC3 of the LP, where they seek to protect character and appearance.

Location

15. Policy SS10 of the LP supports new development which has an essential need to be in the countryside and which supports the rural diversification and the sustainability of rural areas. As agricultural development, this policy places no restriction in principle on siting the proposal in the countryside. However, for the reasons I have set out, there would be conflict with Policy SS10 where it seeks to protect character and appearance. Policy E1 refers to new employment development and it too does not create an in-principle restriction on the type of development that is proposed in the countryside.

Other matters

16. The appellant refers to works that have been undertaken to improve the land at both Coates Farm and Timbersbrook and to the support for the rural economy that is set out in The Framework. Letters of support for the proposal have also been submitted by interested parties. However, these considerations do not outweigh the significant harm to the character and appearance of the area that would result from the proposed development.

Conclusion

17. Although I have not found the proposal to be inappropriate development in the Green Belt and I have found no reason as to why such a development should not, in-principle, be located in the countryside, I have found significant harm to the character and appearance of the area and subsequent conflict with the development plan. I therefore conclude that the appeal should be dismissed.

Graham Wraight

INSPECTOR