

DELEGATED DECISION REPORT

DET/2021/0029
Valid 26/07/2021

GREEN GUTTER FARM
ASHBOURNE ROAD
BOTTOMHOUSE
LEEK

PORTAL FRAME, PURPOSE
BUILT FODDER STORE

(AGRICULTURAL/FORESTRY
DETERMINATION)

MAIN ISSUES

- Eligibility under GPDO 2015 Schedule 2 Part 6
- Siting
- Design
- External appearance

DESCRIPTION OF SITE

Exposed and conspicuous semi-upland location at the Bottom House cross roads. Site adjoins and proposal would attach to an existing 22m x 9m livestock building approved in 2018. Proposal structure is at c28m from the metalled part of the adjacent public road. Attractive traditional stone built farmstead is set further back beyond the proposal site. A dark green sheet metal clad 18m long store also set back but to east of the farm house.

PROPOSAL

The proposal would add a c.6m further bay to the end of the existing building but the addition would also be extended further to the north so that it would have an asymmetric gable of c.15m from front to back rather than the 9m of the existing symmetrical gable. The building is stated to be used for fodder. The supporting information states: "The applicant has an established beef cattle enterprise farmed over some 67.84 acres or thereabouts."

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
NE1 Biodiversity and Geological Resources
NE2 Trees, Woodland and Hedgerows
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; 7 – Ensuring the vitality of town centres; 8 Promoting healthy and safe communities; 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
- Design Guide SPD adopted 21st February 2018

Local Plan Supporting Evidence Documents:

- Landscape and Settlement Character Assessment (2008)

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2018/0242 – Proposed open plan replacement agricultural building to house and feed livestock – approved – built

CONSULTATIONS

As a Part 6 Prior notification, no consultation or public notices at this stage and no comments 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 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 location is in the open rural countryside in a prominent location close to a significant cross roads on the main A523 Ashbourne Road.

At c.28m from the metalled part of the highway the building is beyond the minimum 25m separation required in order to be considered under Part 6.

It may however be considered that the proposal is ineligible under Part 6 due to paragraph A.1(i) which says: development is not permitted 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;

This is arguably a moot point as the proposal could be interpreted as a separate building although it would rely on the end wall of the existing building for one of its elevations.

Design

The design mainly matches the existing building but creates a wider gable achieved with a lower eaves to the north side. The effect is not found problematic.

The stated colour finish is given as 'natural' to both the roof and the walls – though it may be presumed this is an error, the Part 6 determination does not provide for a planning condition to be attached to amend this. However the agent has confirmed by e-mail dd 23.08.2021 that the proposal is intended to be completed in material and colour finishes to match the existing building. The Part 6 procedure does not necessarily require drawn plans but requires a "written description" and the LPA now has this, as amended, by the 23.08.2021 e-mail from the agent.

Siting

The report for the 2018 planning application for the original livestock building noted:
Some concern about scale and proximity to roadside views – will appear slightly overlong at 23m – but this is on balance a relatively modest farm building kept to an acceptable and appropriate height in the context of the existing farmstead buildings.

The building would now become 29m with the addition of the 6m bay which is still not excessive but will tend to cram close to the farm access drive.

CONCLUSION / PLANNING BALANCE

With the question arising about whether this is an eligible building under Part 6 in view of A.1(i); also the question about the materials colour finish and also given the public prominence of this building it could be considered appropriate for the LPA to require approval for the siting, design and external appearance. However it can also be noted that this is a modest addition to a recent previously approved development SMD/2018/0242. The proposal adds a fodder store and is not stated as being a livestock building. The prominence of the building is unfortunate in this very public site and not especially well related in terms of public view to the older farm buildings

behind but on balance given the outcome of the 2018 planning application assessment it is recommended that prior approval is not required.

OFFICER RECOMMENDATION : **Prior approval not required**

Case Officer: Arne Swithenbank

Recommendation Date: 23rd August 2021

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council