

DELEGATED DECISION REPORT

SMD/2021/0121
Valid 18/05/2021

HURST COTTAGE HURST
ROAD
BIDDULPH

DEMOLITION OF EXISTING
COWSHED/OUTBUILDINGS &
CONSTRUCT NEW
AGRICULTURAL BUILDING OF
THE SAME SIZE OR LESS OF
EXISTING BUILDING

(FULL - MINOR)

MAIN ISSUES

Impact on the Green Belt and the Character and Appearance of the Area

DESCRIPTION OF SITE

The site is in the Green Belt. A stone surfaced yard area providing a standing for a grouping of ramshackle sheds and outbuildings of varying sizes, heights and conditions – built from a mix of timber, asbestos and tin sheet.

The site is cut into the hill side above, and to the south east of, the applicant's steeply sloping land that falls toward and surrounds the dwelling Hurst Cottage. The land provides a small 0.6ha clearing within a woodland setting.



PROPOSAL

To replace the existing sheds and structures with a new L shape 'stable like' building that would provide 5 individual stalls and a larger space for storage of hay and implements. The building would be set on a red brick dwarf wall with timber board above and a profile sheet roof.

The applicant says that he keeps 7 alpacas on the 0.6ha of land, and the building would provide for shelter, feed storage, and lambing. The alpacas are kept for showing and fleece.

There will be no substantial ground works, just small strip footings for dwarf wall, and small concrete pads for the pillars, lay a concrete floor.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Local Plan Development Plan Document (Adopted 2020)

S01 Spatial Objectives
SS1 Development Principles
SS10 Other Rural Area Strategy
DC1 Design Considerations
DC3 Landscape Character
T1 Development and Sustainable Transport

National Planning Policy Framework

Paragraph(s) 145 Green Belt

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None

CONSULTATIONS

Publicity

Site Notice expiry date: 12th July 2021
Neighbour consultation period ends: 12th July 2021
Press Advert: N/A

Public Comments

None

Severn Trent

No Objection. Minimal impact on public sewerage system.

Town / Parish Comments

Biddulph Town Council: No Objection

Staffordshire County Council Highways

No Objection. Existing access is onto D Class Road, replacement building would be no larger than existing.

Coal Authority

Originally responded with a Fundamental Concern and an objection, confirming that the site falls within the defined Development High Risk Area and that a Coal Mining Risk Assessment, or equivalent report, would be required to support this application.

The Coal Authority records indicate that a coal seam of workable thickness (HOLCOMBE BROOK COAL) infers to outcrop to the east of the site that may have been historically worked at shallow depths beneath the site.

However, on a point of clarification, where the officer enquired whether a report would be necessary given the proposed building would be a not for human habitation as a small 'stable style' agricultural shed for animal housing, implement storage, and hay storage and would replace existing sheds on site, presumably built of concrete pad or shallow footings.

The Coal Authority confirmed that if *“there would be no substantial groundworks required to facilitate the proposed development and / or the proposed building is to be placed on an existing concrete base then you are correct, a Coal Mining Risk Assessment would not be proportionate to the nature / scale of the development and we would request that you add our Informative Note (attached) should planning permission be granted”*.

OFFICER COMMENTS

Impact on the Green Belt

The applicant's evidence is that he requires the building to provide shelter, lambing and storage associated with his herd of 7 alpacas, covered by a stud male, that he keeps on the 0.6 ha of land. The Alpacas are kept as livestock for their fleeces and showing, the animals breed and lamb within the herd. The design, function and appearance of the proposed building, although 'stable like', would be relatable and lend itself to the uses described by the applicant, which would be agriculture as meant by the Act, confirmed at s.336. The building is therefore, for agriculture and is exceptionally provided for by para. 145 of the NPPF and not inappropriate in the Green Belt.

Moreover, the building would replace existing building and structures, used previously for agricultural purposes, and would not be materially larger than the totality of those existing buildings as a grouping.

Other Rural Area Strategy

The strategy at SS10 of the Local Plan sets out a proactive strategy that supports rural diversification and rural sustainability, providing only for development which has an essential need to be located in the countryside. It sets a positive list of actions that the authority will take to achieve and deliver on the strategy, including enabling limited expansion or development of business; and, supporting diversification of existing farm enterprise. The list is not read as being closed or providing an exhaustive set of exceptions, which means that there may be other forms of development, not mentioned in the list, but which essentially need to be located in the countryside and would, broadly, deliver or fit within the strategy.

It is not clear whether the alpacas are kept as a business or enterprise, it has not been necessary to explore that detail, we are told that the animals are shown and kept for their fleeces, and it seems likely that some income might be derived from that, but essentially the agricultural activity on this scale is limited or perhaps hobbyist. However, the building provided for purposes, described by the applicant, 'essentially' needs to be located in a rural location as opposed to a built one, and in terms of supporting rural diversification and rural sustainability, the development has some merit in those regards.

Impact on Character and Appearance

Importantly, because the building would, particularly in this case, have a low profile and replace a collection of similarly sized shabby sheds and structures, the development would not adversely affect the character and appearance of the area or quality of the landscape, and in this case there would not be harm that would otherwise outweigh those small benefits associated with the scale of agriculture discussed above.

The existing sheds are broadly set out on an L shape footprint, that would be reflected by the form and layout of the proposed replacement building. The existing buildings are connected as a disjointed mix of shapes and sizes, the new building would have a neater and tidier consistent roof line, while retaining a reasonably low profile.

From below, to the north, the building would obviously be more apparent, like and no more than the existing sheds, but from above to the south east, the building would be set down or shelved into the rising landscape and would to some extent be screened by the roadside dry stone wall and the surrounding trees. The new building would use a brick base and timber board above and such use of quality facing materials would be in keeping with and of a rural character.



There would be no conflict with policy DC3 or DC1 in these regards.

Impact on Amenity

The nearest neighbouring dwelling would be 55m to the south east at Hawthorne Cottage. The dwelling is set within considerable grounds and there would be good separation between the dwelling and any activity associated with the development. The development would occupy an existing site where at some point in the recent past there must have been some small scale agricultural activity. The proposed use and activity as described would not amount to new or escalated noisy or odour producing activity and the size of the buildings do not lend themselves to unrestrained increase to agricultural scale or activity.

Risk from Historic Coal Mining Activity

The development is in a high risk area from historic coal mining activity. The Coal Authority records indicate that a coal seam of workable thickness (HOLCOMBE BROOK COAL) infers to outcrop to the east of the site that may have been historically worked at shallow depths beneath the site.

Normally, as confirmed by the Coal Authority, a Coal Mining Risk Assessment, or equivalent report, would be required to support an application for development in such an area.

However, on a point of clarification, where the applicant explains that there will be no substantial ground works, just small strip footings for dwarf wall, and small concrete pads for the pillars, to lay a concrete floor, the Coal Authority confirmed that if *“there would be no substantial groundworks required to facilitate the proposed development and / or the proposed building is to be placed on an existing concrete base then, a Coal Mining Risk Assessment would not be proportionate to the nature / scale of the development and we would request that you add our Informative Note (attached) should planning permission be granted”*.

It is therefore considered that given the proposed building would not be for human habitation as a small 'stable style' agricultural shed for animal housing, implement storage, and hay storage and would replace existing sheds on site, built of concrete pad and shallow footings. A full report would not be necessary and the appropriate informative shall be attached.

CONCLUSION / PLANNING BALANCE

The development would not be inappropriate in the Green Belt and would comply with the local plan strategy for the rural areas. There would be no adverse impacts on the character and appearance of the area and landscape or the amenity of residential neighbours. There would be no conflict with the policies of the local plan listed above.

OFFICER RECOMMENDATION : APPROVE

Case Officer: Ben Hurst

Recommendation Date: 03/09/2021

X *J Colley*

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council