

DELEGATED DECISION REPORT

SMD/2021/0483
Valid 21/07/2021

WAYFIELDS FARM
ROWNALL ROAD
WETLEY ROCKS

**CHANGE OF USE OF LAND
AND BUILDINGS FROM
AGRICULTURAL TO
BUSINESS USES FALLING
WITHIN USE CLASSES E(F)(II)
AND (III) AND B8 AND
ASSOCIATED NEW OPENINGS**

(FULL - MINOR)

MAIN ISSUES

Whether or not the proposal amounts to inappropriate development in the Green Belt
The impact on the character and appearance of the area.
The impact on residential amenity.
The impact on highway safety

DESCRIPTION OF SITE

The site is within the countryside to the south-west of Wetley Rocks and to the north of Cellarhead and comprises two modern portal framed agricultural warehouse buildings off a large yard (with a third larger building outside of the application site to the south but within the same property), accessed off Rownall Road, a country lane to the east. The buildings are redundant. The building to the north of the yard has a footprint of 50 x 20 metres. The building to the east of the yard, next to Rownall Road, has a footprint of 35 x 18m. To the south of the site is two dwellings, converted stone barns, within the same property. There is open land and fields within the same property to the north and on the opposite side of the road to the east. There is more open land to the west some of which is within the same ownership as the application site. The site is in the Green Belt but is outside of the Churnet Valley as shown in the Local Plan.

PROPOSAL

A full application has been submitted to change the use of the two buildings from agricultural storage into light industrial (Use Class E(g)(ii) and (iii)) or commercial storage and distribution (Use Class B8) uses.

The Planning Statement explains the following:

“The farm was previously owned by John Pointon and Sons who where a farming family best known for their successful animal by-product and protein business. However, this business was developed alongside its traditional farming activities. The protein arm of the company was sold to ABP Food Group in early 2020. The

estate is made up of several holdings, with the vast majority being owner-occupied. In more recent years, the land associated with the farms has been split into different ownership, meaning many buildings are no longer related to surrounding agricultural land. The existing agricultural buildings at Wayfields Farm are now redundant and no longer needed for agricultural purposes. Due to a change in ownership, the longstanding landholding around the buildings has been severed."

There are no extensions or external changes proposed to the buildings other than new openings in the walls to allow access to vehicles/plant.

There would be 28 car parking spaces created on the existing yard area. There would be some improvements at the access including the reduction in height of a wall to the south along the road-side boundary and the cutting back of vegetation to the north on the road-side verge in order to create improved visibility splays.

The application is accompanied by Noise Assessments, subsequent updated Noise Assessments, Planning Statement and subsequent Green Belt justification letter.

The original plans included the largest of the three agricultural buildings at the property, to the west of the yard, for the change of use. It was also proposed to change the use of all three buildings to all of the "Class E" uses (i.e. a wide range of business, commercial, retail and industrial uses) as well as the B8 storage uses. However, the largest building was removed from the scheme and the range of uses tightened to light industrial and commercial storage. The two remaining buildings are shown to be split into four units of varying size.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffs Moorlands Local Plan (adopted September 2020)

SS10 – Other Rural Areas Strategy
DC1 – Design Considerations
SD4 – Pollution
E1 – Employment
T1 - Transport

NPPF (Revised July 2021)

Sections 6 (Economy), 12 (Design), 13 (Green Belt) and 15 (Natural Environment).

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2015/0765: Change of use of buildings to west and east of the yard to B1 (Light Industrial) and B8 (Storage and Distribution) uses. Refused.

13/00448: Planning permission for the construction of building to west of yard.

08/00547: External changes to the buildings to the north and east of the yard. Approved.

03/01179: Planning permission for the construction of the building to the north of the yard.

CONSULTATIONS

Publicity

Site Notice expiry date: 14.9.21
Neighbour consultation period ends: 14.9.21
Press Advert: N/A

Public Comments

One letter has been received from a local resident concerned that the proposal goes against the purpose of the buildings being built for agricultural purposes and that the landowner has plenty of other buildings on other landholdings which could be used instead.

Town / Parish Comments (Cheddleton PC)

In response to the original plans: Object on additional information is insufficient and the 60 car parking spaces not shown on the map and what materials are being stored and that Highways object to the access being inadequate.

Local Highways Authority

Objected to the original application but on the amended scheme reducing the change of use to two buildings and restricting the range of uses of the buildings, removed the objection subject to conditions requiring improvements at the access.

Environmental Health

Objected to the original application but on the amended scheme reducing the change of use to two buildings and restricting the range of uses of the buildings, removed the objection subject to conditions.

The Section commented as follows:

"The number of units have reduced which obviously makes noise control easier. This is not an ideal site for any light industrial units but the argument that agricultural use could be as noisy is valid and the predicted exceedance over background is low but if noise is not controlled then amenity could be impacted. I have recommended conditions and timings relating to the applicant acoustic submission which remove our recommended refusal to this application. If the conditions are not accepted by the applicant then our recommendation remains refusal."

Severn Trent Water

No objection.

SMDC Waste Collections

Commercial waste collection arrangements required.

OFFICER COMMENTS

The site is in the Green Belt and Policy SS10 requires strict control over inappropriate development in the Green Belt. Paras 149 and 150 of the NPPF list the forms of development which are exceptionally not inappropriate in the Green Belt and this includes the change of use of land or buildings where this does not affect its openness or conflict with the purposes of including land within it and in the case of buildings where these are permanent and substantial. The two buildings are solid metal framed warehouse buildings and the change of use of these would, under the NPPF guidance, not be inappropriate or harmful to the Green Belt.

The original submission included a larger more modern agricultural warehouse built under a 2013 planning permission. The Green Belt policies at the time were largely the same as they are currently and the building was only approved as it was demonstrated it was needed for agricultural purposes, which is another type of development which is also listed as not being inappropriate. A condition was attached to the permission restricting it to agricultural uses only, in line with compliance of Green Belt policy. Just, two years later, an application was submitted to change the use of this larger building to industrial or storage uses and although changes of use are normally allowed under Green Belt policy, it was considered this would conflict with the reasons for approving the building in the first place and was therefore deemed to be inappropriate in the Green Belt and harmful to its openness. Although this new application has been submitted some seven years after it was built, it was still considered the change of use would be inappropriate. A condition attached to the 2013 planning permission also required the removal of the building when agricultural uses ceased. The building is currently vacant and it is not certain if the building was ever used for agricultural purposes despite the sufficient agricultural justification being given at the time. This building is still present but has been removed from the scheme.

With regard to the remaining two buildings now proposed to be changed, it is important to note that no such agricultural restrictions were placed on the building to the north of the yard which was built under a 2003 permission for an agricultural building but without a condition restricting it as such. It has been present for presumably at least 18 years and I do not consider the change of use to commercial uses would be contrary to Green Belt policy and its purpose of protecting the openness of the Green Belt. The smaller building to the east of the yard is even older and from Council information appears to have been built in 1980s. There is no record of any agricultural condition or restriction. It is possible judging from its size it may not have required planning permission. I also consider its change of use to comply with Green Belt policy and this would not harm the openness of the Green Belt.

I therefore consider the principle of the change of use of the two building to be acceptable.

The changes of use to other commercial uses would also not be contrary to other policies in the Local Plan which allow changes of use of rural buildings or new employment uses in the countryside where this involves the change of use of an existing building, in the interests of the rural economy and local employment opportunities, providing this would not lead to any significant increase in traffic or lead to any other significant environmental harms. The highways authority objected to the original application as the large building was included and the range of uses proposed was wide and would have included significant traffic generating uses at a substandard access. Such traffic generating uses include offices, retail premises and leisure uses (all within the new "Class E" category of the updated Use Classes Order). On the basis that the buildings be restricted to storage/distribution uses and light industry/research uses within the two smaller buildings, the local highways authority consider there would not be a significant increase in vehicle movements beyond that of the previous approved agricultural uses and that only minor improvements would be needed to the access. It is also worth noting that the site is within a mile from Cellarhead (and reached via a fairly straight and sufficiently wide C class road) and the A52 leading into Stoke and the motorway network and there would be unlikely to lead to vehicle movements along roads of a more rural nature to the detriment of rural character. The site is also within a reasonable walking distance of Werrington and Cellarhead (albeit is not linked to those villages via a lit footway) and as the land is flat, safely and easily accessible by bicycle.

Parking provision for the two buildings/four units within the ample yard area is considered sufficient and would not lead to pressure to park on the lane running past the site to the detriment of highway safety.

The other main issue is noise creation. There are two dwellings immediately to the south of the site in the form of small barn conversions although these are owned by the applicant and presumably rented out to occupants. There is a dwelling on the other side of the road from the barn dwellings which is within a different ownership. Given the approved agricultural workings that can take place in the buildings, it is not considered the proposed light industrial, research or storage and distribution uses would lead to significant further harm to the living conditions and residential amenities of the nearest dwellings by way of noise and disturbance providing noise abatement measures are applied to the buildings before their change of use commences via details to be submitted and approved by the Council and also restrictions on plant, machinery, hours of working and no workings allowed outside of the buildings (i.e. in the yard). The applicant's agent has agreed to the use of the proposed Environmental Health conditions. It is worth noting that no objections were received from local residents, including the occupants of the two barn dwellings within the same property as the application site (notified at both the original plans and amended plans stages) outlining noise concerns.

CONCLUSION / PLANNING BALANCE

The amended proposal would not lead to inappropriate development in the Green Belt which would harm its openness and would have no impact on the appearance of the area would not lead to any significant harms to residential amenity with the

safeguard of conditions to tackle significant noise and disturbance. It would also not lead to significant increases in vehicular traffic above predicted vehicle movements generated from the previous agricultural uses and not harm highway safety. The proposal would therefore comply with the Local Plan and the government planning guidance in the National Planning Policy Framework (NPPF).

OFFICER RECOMMENDATION : APPROVE

Case Officer: Chris Johnston

Recommendation Date: 08.04.22

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council