

DELEGATED DECISION REPORT

SMD/2022/0301
Valid 31/05/2022

PROPOSED
AGRICULTURAL STORE
SCHOOL LANE
BRADNOP

ERECTION OF NEW
AGRICULTURAL STORE

(FULL - MINOR)

MAIN ISSUES

The principle of the development
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 on the eastern edge of the small village of Bradnop and comprises part of a field on the south side of School Lane and which is next to a small traditional stone barn to the west, next to the road, which is part of the same property and which has an approval to be converted into a dwelling although this has not been undertaken yet. Immediately to the south of the barn is a modern dwelling, Lyndhurst, which is on a backland plot reached by a short driveway off School Lane to the other side of the barn. The rest of the field lies to the south and east of the site and apart from the buildings to the west, is otherwise surrounded by open fields including to the north side of School Lane. The field is accessed via a standard field gate off School Lane in the north-west corner. There is a public footpath stile next to the gate and the public footpath crosses the field, through the application site and heads in a south-easterly direction, close to the south-west boundary of the field. The site is not in the Green Belt.

PROPOSAL

This is a full planning application for a small timber agricultural building with a footprint measuring 6.2 x 7.2 metres. It would have profiled metal roof. It would be used to store farm implements and machinery (i.e. a tractor) and also fodder for a proposed agricultural smallholding use of the field. There would be no changes to the access which would be via the existing farm gate but a hard-standing would be formed around the building.

The justification for the building, provided by the applicant, is as follows:

“We are keen to make our barn development and future home as sustainable and self-sufficient as possible, to not only lower the environmental impact of our lives and home in general but to also make the very best use of the land attached to the site. The ability to operate a small-holding with the potential for smaller livestock will require secure, dry storage for equipment and feed, etc. hence this application for a small, discrete field store. Currently the land is unmanaged and has been for several

years - being able to manage the land will allow it to be used and improve the overall aesthetic as well as accessibility of the public right of way which is currently overgrown for much of the year. There are no plans to alter the public right of way and this scheme should help to make it more accessible.”

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffs Moorlands Local Plan (adopted July 2021)

DC1 Design Considerations

NPPF (Revised July 2021)

Sections 12 (Design).

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

A full application was submitted last year for a small stables building for one horse, to be placed in a similar position to the proposed agricultural store. This was withdrawn due to concerns that the site was not an adequate size for the keeping of a horse, with regard to the British Horse Society standards and therefore the building was deemed an unnecessary addition to the countryside.

CONSULTATIONS

Publicity

Site Notice expiry date: 21.7.22
Neighbour consultation period ends: 21.7.22
Press Advert: N/A

Public Comments

None.

Parish Council Comments

None.

Local Highways Authority

No objection subject to condition requiring a bound surface be provided at the access for 5m to prevent debris being passed onto the road by vehicles using the access.

SCC Public Rights of Way Officer

Public Footpath No. 22 Bradnop and Cawdry Parish runs through the proposed development site.

A path is depicted on the plans, but this deviates from the legal line of the footpath. The applicant needs to submit a new plan, showing the correct legal line, as shown on the Definitive Map of Rights of Way in Staffordshire, along with the site proposals. The footpath should also be identified. (Please refer to our [Definitive Map webpage](#) for further details)

The attention of the developer should be drawn to the existence of the path and to the requirement that any planning permission given does not construe the right to divert, extinguish or obstruct any part of the public path. If the path does need diverting as part of these proposals the developer would need to apply to your council under section 257 of the Town and Country Planning Act 1990 to divert the footpath to allow the development to commence. The applicants should be reminded that the granting of planning permission does not constitute authority for interference with the right of way or its closure or diversion. For further information the applicant should be advised to read section 7 of DEFRA's Rights of Way Circular (1/09).

It is important that users of the path are still able to exercise their public rights safely and that the path is reinstated if any damage to the surface occurs as a result of the proposed development. The surface of the footpath must be kept in a state of repair such that the public right to use it can be exercised safely and at all times. Heavy vehicular use can cause the way to become unsuitable for use and in some instances dangerous. Some attention needs to be drawn to this and that surface works may be required.

The County Council has not received any application under Section 53 of the Wildlife and Countryside Act 1981 to add or modify the Definitive Map of Public Rights of Way, which affects the land in question. It should be noted, however, that this does not preclude the possibility of the existence of a right of way at common law, or by virtue of a presumed dedication under Section 31 of the Highways Act 1980. It may, therefore, be necessary to make further local enquiries and seek legal advice in respect of any physically evident route affecting the land, or the apparent exercise of a right of way by members of the public.

Further comments in receipt of amended plan and further information from the agent:

The applicant has correctly identified Public Footpath No. 22 Bradnop and Cawdry Parish, which runs through the proposed development site.

The attention of the developer should be drawn to the requirement that any planning permission given does not construe the right to divert, extinguish or obstruct any part of the public path. If the path does need diverting as part of these proposals the developer would need to apply to your council under section 257 of the Town and Country Planning Act 1990 to divert the footpath to allow the development to commence. The applicants should be reminded that the granting of planning permission does not constitute authority for interference with the right of way or its closure or diversion. For further information the applicant should be advised to read section 7 of DEFRA's Rights of Way Circular (1/09).

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Severn Trent Water

No objection.

OFFICER COMMENTS

The proposal would be viewed against the strategy for the countryside, Local Plan policy SS10. This seeks foremost to protect the open and rural character and appearance of the countryside and landscape from development, outside of the villages. Whilst buildings for agricultural purposes on existing farms are generally acceptable in principle, new buildings for new agricultural enterprises or businesses are generally resisted. However, the site comprises a field which has historically been in some form of agricultural use. The owners of the field, who also own the adjacent barn to be converted into a dwelling, want to re-introduce some form of agricultural livestock use back into the field, as a private smallholding (sometimes called "hobby farming") rather than a new large commercially intensive agricultural business. The actual proposed use of the field is clearly acceptable and the local countryside strategy does in general encourage the agricultural uses of open land, be it large commercial farms or smallholdings. Despite the comments from the Parish Council, it is therefore realistic that in order to manage the land, a building for equipment and fodder and other agricultural storage is going to be required close by, in order to manage and maintain the land to make it agriculturally operational.

As this is connection with hobby farming, ideally the building should be placed within the residential curtilage if the owners dwelling is next to the land in the interests of keeping buildings next to, or as close as possible, to existing buildings in order to protect the openness of the countryside and avoid isolated buildings in exposed locations dotted around the landscape potentially affecting its appearance and character. However, the proposed residential curtilage for the approved barn to be converted into a dwelling, is tightly drawn around the building and there is no space to accommodate further buildings for the purposes required. Furthermore, if the residential conversion was not implemented, the stone barn would in any case be unlikely to be suitable for the purposes of agricultural storage as it would not be possible to accommodate the modern machinery now required for the upkeep of the land i.e. a tractor. It would need to be placed within the field and I consider the

chosen location is in the best interests of the openness of the countryside, as close as possible to the barn (and the “built-up”) part of the village and also next to the access, resulting in it not encroaching harmfully outside of the built-up confines of the village and into the more exposed openness of the landscape. The building is also an appropriate size and design in relation to the size of the field and its purpose in maintaining it for livestock grazing. It is of similar size to a domestic double garage and has appropriate timber cladding often seen on small storage buildings at farms across the countryside in the District. This gives it a low-key temporary and discreet appearance in contrast to a metal-sheeted building or even traditional brick or stone farm building and respects the traditional barn to be converted, which the building would be seen against the backdrop of when approaching the village from the east. The rows of trees along the road-side boundary also afford some screening of the proposed building in the landscape. The trees would not be harmed by the development.

There would be some hard-surfacing involved both around the building and at the access as required for such a building and also required by the local highways authority which can potentially intensify the appearance of development. However, a condition can be added requiring details of the surfacing materials to be submitted and approved by the Council before being laid so that an appropriate material in keeping with the traditional rural qualities of the area can be provided.

With regard to residential amenity, a condition can be added to restrict the use of the building for storage purposes and not for accommodating livestock which can lead to some noise and disturbance (odours) issues affecting nearby residents.

With regard to highway safety, the level of visibility along the road for tractor/vehicle drivers entering/leaving the site, in both directions is adequate and a condition has been requested requiring the hard-surfacing behind the access to prevent soil/debris being passed onto the road.

With regard to the comments of the SCC Footpaths team, further information was initially sought about the exact legal route of the Public Right of Way crossing the field as this can often differ with the actual route of the path or what is shown on OS maps. The concern was the proposed development may interfere or block the legal route. However, on receipt of the further information from the agent, it has become established that the legal route is closer to the south-west boundary (shared with the barn and the dwelling to the south of it) and this would be further from the proposed development. Neither the actual footpath or legal right of way route (shown on the “Definitive Map” of PROW’s) is affected by the proposed development which would be to the east of both. The SCC PROW team has provided amended comments to remind the owner of the existence of the PROW and to avoid any blocking or other disturbance of it. This can be added as an informative.

CONCLUSION / PLANNING BALANCE

The proposal would not harm the visual or residential amenities of the area. 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: 21.8.22

X 

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council