

DELEGATED DECISION REPORT

SMD/2022/0403
Valid 15/07/2022

PARK VIEW FARM STONEY
LANE
CAULDON

CHANGE FOR USE FOR HARD
STANDING FOR THE
STORAGE OF COMMERCIAL
VEHICLES WITH ANCILLARY
PORTAL ABLE BUILDINGS

(FULL - MINOR)

MAIN ISSUES

- Strategy approach to employment development in the other rural areas
- Is the proposal for sustainable development?
- Impact on the character and appearance of the area
- Impact on the amenity of neighbours
- Impact on Highway Safety

DESCRIPTION OF SITE

The farm site, consisting of an area of open farmyard surrounded by three large modern sheds, is to the rear of the applicant's dwelling that fronts Stoney Lane. The dwelling is adjacent to the Dukes Lane/Stoney Lane junction and Dukes Lane flanks the side of the house and provides access to the farm yard and application site to the rear. The access from Dukes Lane is double gate width between stone walls onto open area of bound concrete. Along the Dukes Lane frontage there is a stone wall to the rear of highway verge. The applicant has erected a 2m high close boarded fence between the wall and a row of tree planting behind. Parkview is between two near neighbouring dormer bungalows - The Gables to the west with access from Dukes Lane and Meadowcroft to the east with access from Stoney Lane. Parkview Farm and these two properties are otherwise surrounded by open farm land.

The site is outside the boundary of any town or village in an 'other rural area' of countryside, roughly mid-way between Leek to the north west and Ashbourne to the south east. The site is served and surrounded by a network of rural lanes. It is over 3km, by road from the A52 (Leek Rd) and the 'Larger Village' of Water Houses and around 10km from the 'market town' of Cheadle to the south east.

PROPOSAL

This is a repeat application, following a previous refusal, that includes a statement of further information provided to address objections.

The proposal is described as a change of use of hardstanding for the storage of commercial vehicles with ancillary portable buildings. A submitted statement clarifies that in association with the operation requirements of Moorlands Electricity Distribution Services Ltd (MEDS). The buildings are portable buildings used for general office requirements, a team meeting room, staff welfare and storage. The hard standing is used for the parking of the utility vehicles, associated with the operation requirements of MEDS. Over the last 24 months the buildings and hard standing has been used by MEDS who

provide utilities support services, primarily focused on mains electrical distribution, supply installations, emergency support and management of the mains electric lines.

The application is apparently retrospective. The area of former farmyard that is identified on the site plan forms a rectangle of some 390 sq m to the north eastern side of a portal frame farm shed that lies between the land and the road to the south west. At the time of the officer's visit there were two dark blue portakabins sited end to end against the side of the building. At the south eastern end of the portakabins, toward open farmyard, there was a kind of lorry back container or refrigeration unit. Between the portakabins and the boundary there were four vehicles – a ford pickup, transit van with cherry picker attachment, and two flat back lorries, however, the application states that there would be 10 parking spaces in total. On the other side of the yard, outside of the red edged area of the application site, there is a purple lorry back container and a white container strapped to the rear of a flatbed lorry.

The proposals also include the construction of a new vehicle access point. The reason for the new access point is to address the concerns raised by the neighbours who reside along Dukes Lane.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Local Plan Development Plan Document (Adopted 2020)

S01 Spatial Objectives

SS1 Development Principles

SS10 Presumption in Favour of Sustainable Development

E1 New Employment Development

DC1 Design Considerations

DC3 Landscape Character

T1 Development and Sustainable Transport

National Planning Policy Framework

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

Permissions granted in the early 1970s for farm sheds when the site belonged to the previous owner.

SMD/2022/0207 Change of use of hardstanding for storage of commercial vehicles.
REFUSED.

CONSULTATIONS

Publicity

Site Notice expiry date: 16th August 2022

Neighbour consultation period ends: 16th August 2022

Press Advert: N/A

Public Comments

None

Town / Parish Comments

Waterhouses PC: No Objection.

Staffordshire County Council Highways

Object. This application proposes a new second access with Stoney Lane to serve the development, there is currently a mature hedge, stone wall and BT pole within the visibility splay. No details of deliveries, customers or visitors have been provided.

OFFICER COMMENTS

Principle of Development

The farm site is in an 'other rural area' of countryside where strategy SS10 applies. These areas will provide only for development which has an essential need to be located in the countryside or supports the rural diversification and sustainability of the rural areas. The limited expansion or development of business for employment uses where a rural location can be justified; and the diversification of existing farm enterprise, are supported by the strategy where the development would help sustain the rural economy.

The concept of sustainability argues in favour of concentrating most development in or adjoining existing built-up areas. Local Plan strategies for those settlements identified as smaller or larger villages, for example, take a more flexible approach to development to assist the provision of facilities available in rural areas. However, there can be cases where some development and diversification of use in the countryside can be beneficial and sustainable. For instance, some farm businesses may benefit from diversification and an increased number of visits to the countryside can help the rural economy. However this needs to be appropriate to the character of the countryside which also needs to be sustained.

The applicant does not seek to demonstrate an essential need for the development to be located in the countryside – there is no case, for example, that such a facility is not provided or could not be provided elsewhere, or that the use is connected or dependent, in some way to the rural environment or a countryside pursuit.

The applicant argues that there are merits to the proposal in terms of rural diversification and sustainability, stating the following points:

- *The portable building and hardstanding provide a good level of accommodation to allow the tenant to operate a successful business which is essential in the rural area.*
- *it is clearly something that the tenant sees the benefit off, clearly something that his clients benefit from,*
- *The concept of sustainability does make a case for farm diversification. Many farms benefit from diversification and the implementation of GDPO class R enforces this view.*

- *The local community benefits from an essential service which is required to maintain and ensure all homes within the rural areas have a power supply. It also helps support local employment with most of the MED employees living in close proximity to the site and within rural locations.*

However, the tenant or occupant of the land does not live on site, he travels daily from an undisclosed residence, creating unnecessary journeys into a remote countryside/'other rural' location. Employees and staff visiting the site to use or share vehicles and to attend meetings or briefings all involve increased journeys into a countryside location.

Where it is argued that the development serves the local rural areas, the Local Plan strategy provides appropriate support for facilities and services to serve rural communities by directing them toward the smaller or larger village settlements and away from countryside locations. Moreover, those sites served by the business are presumably not restricted to nearby rural locations, they must vary between urban and rural sites, near and far.

The applicant claims benefits to existing farm activities. However, there is no evidence to suggest that the former farm site is currently in use for agricultural enterprise and that the development would form part of a diversified business in those regards. The applicant is a relatively recent purchaser and occupant of the farm site and appears to have other business interests, the statement describes him as running an agricultural contracting business, providing all manner of services for the farming industry, from harvesting, mowing, bailing, silage, fertilisers, slurry, muck spreading, fencing and much more.

The Local Plan preamble to strategy SS10 gives indication of what might be considered the acceptable diversification of a farm business, stating that, "for instance, increased number of visits to the countryside can help the rural economy. However this needs to be appropriate to the character of the countryside which also needs to be sustained". This is suggestive of circumstances where a farm might take advantage of its attributes and rural location as an attraction to visitors or tourists, working with and in compliment to the farming enterprise, its character and location.

The development is not considered to have merits in those regards and is not considered to be a genuine or appropriate case of the diversification of an existing farm enterprise.

The development would be a new employment use that is not located either within an existing employment site or within or on the edge of a town or larger village. As such the development would be contrary to policies SS1, SS10 and E1 of the SMDC Local Plan 2020.

Impact on the Character and Appearance of the Area

To comply with policy DC1 of the Local Plan all development shall be well designed and reinforce local distinctiveness by positively contributing to and complementing the special character and heritage of the area. The site is in the countryside and an area of local landscape identified as having the qualities and characteristics of a 'Gritstone highland fringe' landscape type. Under the terms of local plan policy DC3 local

landscape will be protected and, where possible, enhanced by resisting development which would lead to prominent intrusion into the countryside and supporting development which respects and enhances local landscape character.

Located between a large farm building and boundary enclosure within an existing farmstead, larger vehicles can be seen from Dukes Lane to the north west above the close boarded fence that has been erected to enclose this northern corner of the yard. Any planting or landscaping would need to take place on existing hard surface and would reduce the area available for the parking or storage of the vehicles. From the lane to the northwest a line of larger lorry vehicles do appear as a prominent intrusion into the countryside beyond the edge of existing building line. From these distant views and public vantage the site would be apparent with the landscape.

Additional point of concern relates to the potential for storage and parking uses to extend out and spill into other more open areas of the wider yard area, an issue that would be exacerbated if part of the site was given over to a scheme of landscaping. According to the application form, 10 spaces are to be provided. The plan indicates the positioning of these spaces in a tight and unlikely arrangement and it seems likely that to manoeuvre this number of vehicles in and out of the site, vehicles would need to be parked and moved out into the wider more exposed areas of the site visible from Dukes Lane. On site the four vehicles of varying sizes were not parked in accordance with the arrangement shown on the plan.

The relatively wide access affords open views into the yard from Dukes Lane. Where commercial vehicles have the potential to spill out beyond the application site into open areas they would be apparent and appear at odds with the rural location and ultimately harmful to the character and appearance of the area. This would be contrary to local plan policies SS10, DC1 and DC3.

Impact on Amenity and Living Conditions

The application form clarifies that there would not be any industrial activities taking place on the site. Vehicles would leave site to various locations and activities would take place off site. It does not appear that the development would adversely affect the amenity or living conditions of neighbours.

Highway Safety

The Highway Officer objects to the improvement and inclusion of an access with Stoney Lane to serve the development as a second site access. A site plan submitted with the application did not show adequate visibility splays, and the officer points to the stone wall, a mature hedge and a BT pole within that splay. A second site plan has been submitted to show 2x 15m splays either side of the centre and the applicant clarifies that the stone wall and hedge would be rebuilt further back behind the visibility splay. This could be secured through a condition.

The applicant confirms there would be no deliveries, customers or visitors arriving at the site.

Other Considerations

The applicant attempts to draw support for the scheme from the provisions at Part 3 Class R of the General Permitted Development Order. He points to the permitted change from an agricultural use to a B1 (E(g)) and B8 use.

However, Class R only permits the change of use from an agricultural building. It does not apply to a change of use of open land. The portakabins are not lawful buildings, they are moveable units connected with an unauthorised use of land.

The GPDO does not permit such a change of use, it does not provide a position of 'fall back' and this is not a matter that outweighs the objections otherwise stated and discussed above.

CONCLUSION / PLANNING BALANCE

There is no evidence to justify the development as being essential to the 'other rural' location. The proposal is not considered to be for a sustainable form of development that is appropriately located, in a way that complies with the Local Plan strategy for the rural areas and settlements, as a facility to serve the rural communities. There would be no discernible benefit to the rural economy. There would be increased vehicle movements to and from this relatively remote rural location from the towns and villages. It is not considered that the development would amount to the genuine and appropriate diversification of an existing farm enterprise. There is harm to local landscape and the character and appearance of the area.

In these regards the development is contrary to policies SS1, SS2, SS10, E1, DC1, and DC3 of the adopted SMDC Local Plan 2020.

OFFICER RECOMMENDATION : REFUSE

Case Officer: Ben Hurst

Recommendation Date: 8th September 2022

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council