

DELEGATED DECISION REPORT

DET/2022/0029
Valid 05/07/2022

WESTWOOD HALL FARM
WESTWOOD PARK DRIVE
LEEK

ERECTION OF
AGRICULTURAL FODDER
AND IMPLEMENT STORAGE
BUILDINGS.

(AGRICULTURAL/FORESTRY
DETERMINATION)

MAIN ISSUES

- Eligibility under GPDO(2015) Schedule 2 Part 6
- Siting
- Design
- External Appearance

DESCRIPTION OF SITE

Prominent position at the edge of steep sloping valley side to the River Churnet. Open views from the site into the valley and across to the Longsdon – Rudyard ridge. The site is Green Belt in the open rural countryside.

Within 40m to 50m of a Grade II listed stable block.

On land within a site recorded on the Staffordshire Historic Environment inventory as A school complex occupying a large part of the former Westwood Hall Park (PRN 40057) and incorporating a number of mid 19th century (listed) buildings including the former Westwood Hall, its stable block and summerhouse.

The site is closely adjacent to the boundary of the Westwood Hall Park, separately recorded on the Staffordshire Historic Environment inventory.

At least two un-associated private dwellings overlook the site from slightly elevated positions within 100m to the south east – nos 36 and 38 Westwood Park Drive.

Quantities of trees and hedges seen to surround the site on recent air photo imagery are no longer present and consequently the site is very open to its immediate surroundings.

Recent site clearance has evidently taken place and an extensive surface of ex road plainings or similar has been laid. A substantial amount of building rubble has been laid to form a level at the proposed site position of the development.

PROPOSAL

The building would have a plan area of c.24.4m x c.18.6m with eaves c.5.2m and ridge c.6.9m. The building has a twin gabled form with open / partially open fronts to the east into the newly created yard area and fully enclosed gables facing west over the valley.

Proposed materials are concrete panel base walls visible to 1.7m with profiled metal sheeting above in Juniper Green with same for the roofing.

Under the DET prior notice procedure the LPA has previously determined that this proposed development should be subject to a decision as to whether it is acceptable or not in terms of its siting; design; and external appearance.

In discussion with the agent / applicant they have agreed that vertical timber boarding could be used.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Local Plan (adopted 9th September 2020)

- SS1 Development Principles
- SS2 Settlement Hierarchy
- 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; 13 – Protecting Green Belt Land; 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

None in recent records specific to the application site.

Adjacent to the immediate north is 87/00173/OLD approved in June 1987 for an 'agricultural building'. This building appears to be in use as an indoor riding school.

CONSULTATIONS

Publicity

Site Notice expiry date: under the procedure the applicant has to place a notice stated to have been erected 8th August 2022 therefore expiry 30th August 2022

Neighbour consultation period ends: 06.09.2022

Press Advert: N/A

Public Comments

From a resident of 36 Wettenhall Drive – a dwelling overlooking the site:

- Objects
- current use of the facility is currently that of an equestrian livery yard
- The property is currently registered as an equestrian facility and this has been used as such for a number of years. Livery availability has recently been advertised on social media and further livery use is being planned
- Different planning permission required as not agricultural
- Until the use of the facility is established, no further development should be permitted.
- In addition to the use of the facility, there are a number of environmental considerations to be made, as the land is an area of natural beauty and therefore should be protected from any imposing buildings.

From residents of nos 34 (The Orchard), 36 and 38:

- All will be directly affected
- Large size of the building
- Eyesore in this position
- Many trees have been cut down
- Suggest siting further north and elsewhere in their 141 acres
- Adopt screening
- Concern about external lighting
- Building this size not justified for small herd of 10 cows
- Will spoil the wonderful views
- Material are industrial and not in keeping
- Access safety along single track drive
- Possible future alternative uses are a concern

Town / Parish Comments

Not consulted / none received

Staffordshire County Council Highways

Not consulted / none received

OFFICER COMMENTS

Principle of Development

Notwithstanding the Green Belt location, as a Part 6 prior notification the development is subject to assessment only if the LPA deems this to be necessary and then on the specific matters of siting, design and external appearance. This was determined necessary by the decision of 2nd August 2022.

The planning statement says the holding extends to 57 hectares (141 acres). At the time of the initial determination the LPA noted there was no evidence before it as to the full extent of any agriculture taking place and whether the land is being so used (for agriculture) for the purposes of a trade or business. A small herd of c.12 Dexter cows with calves was noted to be present by the LPA in an adjacent paddock.

In a subsequent e-mail (15.08.2022) the agent has responded including to say:

- *The applicant currently has a head of 25 cattle with intentions of increasing that number to 300+ calves. An application for a beef rearing unit is in the process of being prepared and will be submitted in the coming months. The applicant also produces haylage / fodder on the land. The land holding is capable of producing in excess of 1000 bales, some of which I observed on site during my recent site inspection. Photos can be supplied. The business is therefore not 'hobby farming'.*
- *The applicant has a large range of agricultural implements that are currently lying in the open on the site. These include 3 tractors, a loader, 2 x bale trailers, muck spreader, 3 x mowers, 2 x tedders, 1 x vacuum tanker, 2 x balers and chain harrows. The above list of implements, which can be readily observed on site, are also not the product of 'hobby farming', nor indeed is a 141 acres land holding!*

Indicative details of new screen planting and a stated willingness to complete the building in timber cladding rather than sheet metal have been offered (e-mail dated 10.11.2022).

GPDO Schedule 2 Part 6 Condition 2(v) is that the development must, except to the extent that the local planning authority otherwise agree in writing, be carried out— (aa) where prior approval is required, in accordance with the details approved.

Based on the additional information provided – that notwithstanding an equestrian use at the premises there is also an agricultural use – in principle the proposed development of an agricultural building should be accepted.

Design

The design appearance and scale is reasonably typical of a larger farm building. The agreement of the applicant to switch to a timber boarded exterior in place of the first-proposed metal represents a significant improvement. The proposed new tree planting would also assist.

Amenity

The LPA can recognise that the building would be prominent in the outlook of several dwellings. The ground level though is set down a little relative to two of the dwellings (see eg file photo 0902 for nos. 36 and 38) and the separation being c.60m from garden boundary and c.80m from the rear elevations for these two and for 'The Orchard' it ultimately on balance could not be considered overbearing or so intrusive that it should be judged unacceptable.

Concerns about potential for lighting impacts have been raised. An advice note should be attached along with condition.

Highway Safety

The access drive over which concerns have been raised by the residents sharing traffic with farm vehicles would appear to be a shared private drive. The Orchard depends on this for its sole access but diverges from it within sight of the public road. No. 36 has a garage accessed well down the drive but this appears possibly a later addition as there is also a front drive with parking directly off the public road. There is a blind bend which could lead to inconvenience if traffic met. However this appears to be the established arrangement and not one brought about by this development.

Other Matters

Concerns about other future uses would have to be addressed if they were to arise. The current application has to be assessed as submitted – for an agricultural use.

The LPA notes the likely visibility of the building in views from the surrounding countryside to the west. The switch to timber boarding, proposed new tree planting and that the building would tend to appear against a background of higher ground with trees and some further rooflines can all be taken to find the proposal acceptable as amended.

The tree plans include proposed ash trees – given the prevalence of ash die back disease these should be replaced with English Oak species, *Quercus robur* or *Q. petraea*. As set out in the applicant's submitted landscaping drawing the planting should be completed within the first season following completion, needs to be protected from grazing and any lost should be replaced and these points need to be incorporated in the decision notice if approved. The agent for the applicant has invited imposition by condition in respect of the external materials.

CONCLUSION / PLANNING BALANCE

The development can be accepted as being agricultural and the criteria of Part 6 are found to be met. In terms of siting, design and external appearance the proposal as amended is found acceptable. An advisory note / condition in respect of lighting should be attached.

OFFICER RECOMMENDATION : PNREQ – details submitted approved

Case Officer: Arne Swithenbank

Recommendation Date: 16/11/2022

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council