

PLANNING POLICY COMMENTS

Date: 02/02/23

Application Number: SMD/2022/0381

Location: Cherry Barn Cherry Lane Cheadle ST10 4QS

Proposal: Retrospective application for partial change of use of an agricultural building to data storage including a messroom/office; the construction of an extension; the installation of solar electric roof panels; the replacement of profiled metal and brick walls with brick; and other external alterations together with an application for the proposed change of use of the rest of the building, including the extension, to data storage involving the installation of new fenestration; the installation of solar panels on another part of the roof; the construction and installation of 8 ground-mounted solar electric panels; and other external alterations.

Background / History: the site appears to be part of a farm complex lying in the open countryside [and notionally within the Churnet Valley] approximately 300m east of the Cheadle development boundary in the other rural areas. The farm has been the subject of a number of approvals including the conversion of farm buildings to holiday accommodation (and a dwelling), and erection of an agricultural building. This agricultural building was originally a utilitarian corrugated iron structure, but was granted permission for rebuilding with additional brickwork in 2017, extension, then a change of use to an electricity generation peaking plant under SMD/2017/0243. It is understood that some of the elements of the 2017 approval were implemented but the scheme was not completed.

Main Policy Considerations:

National Policy (NPPF July 2021)

Paragraphs of particular relevance include:

- Para 84 - Planning decisions should enable:
 - a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;
 - b) the development and diversification of agricultural and other land-based rural businesses
- Para 85 - Planning decisions should recognise that sites to meet local business needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable
- Para 105 - The planning system should actively manage patterns of growth... Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes... However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas...
- Para 158 - When determining planning applications for renewable and low carbon development, local planning authorities should:
 - a) not require applicants to demonstrate the overall need for renewable or low carbon

- energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and
- (b) approve the application if its impacts are (or can be made) acceptable
- Para 174 - Planning policies and decisions should contribute to and enhance the natural and local environment by:
 - a) protecting and enhancing valued landscapes..
 - b) recognising the intrinsic character and beauty of the countryside..
 - d).. providing net gains for biodiversity..
 - e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of.. noise.. pollution
- para 185 - decisions should ..ensure that new development is appropriate for its location taking into account the likely effects..of pollution on health, living conditions..[including] a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development..

Staffordshire Moorlands Local Plan (Adopted 2020)

Policies of particular relevance include:

Policy SS10 – Other Rural Areas Strategy- These areas will provide only for development which has an essential need to be located in the countryside, supports the rural diversification and sustainability of the rural areas...[Through the following actions]:

2. Sustain the rural economy by Enabling the ..development of business for employment uses where a rural location can be justified [or] Supporting the diversification of existing farm enterprises;

3. Enhance and conserve the quality of the countryside by: requiring all development proposals to respect and respond sensitively to the distinctive qualities of the surrounding landscape [and] Limiting uses which generate a substantial number of regular trips in areas that are not well served by public transport [and] Ensuring renewable energy schemes are of an appropriate scale, type and location...

Policy SS 11 Churnet Valley Strategy - The Churnet Valley is identified as an area for sustainable tourism and rural regeneration.. Any development should be of a scale and nature and of a high standard of design which conserves and enhances the heritage, landscape and biodiversity of the area. Strong sustainable development and environmental management principles should also be demonstrated. The consideration of landscape character will be paramount in all development proposals in order to protect and conserve locally distinctive qualities and sense of place..

Policy SD2 Renewable/Low-Carbon Energy - The Council will strive to meet part of the District's future energy demand through renewable or low-carbon energy sources [including solar]...the Council will support small- and large- scale stand alone renewable or low-carbon energy schemes subject to [the criteria set out in the policy including landscape impact considerations and] in the case of solar energy proposals that are not affixed to buildings or structures, applicants will be expected to demonstrate that they have examined whether previously developed land is available before greenfield land. Where agricultural land is proposed, poorer quality land should be utilised before higher quality agricultural land..

Policy SD4 Pollution and Water Quality - The Council will protect people and the environment from unsafe, unhealthy and polluted environments by ensuring proposals avoid potential adverse effects; and only permitting proposals that are deemed (individually or cumulatively) to result in [noise] pollution if after mitigation, potential adverse effects are deemed acceptable..

Policy E 1 New Employment Development - ..In general the Council will endeavour to support..new businesses in the District, subject to:

- employment uses (including B use class developments (B1b, B1c, B2 and B8), commercial sui generis uses etc) should be located in existing or proposed employment areas. Such development outside of existing or proposed employment areas but within the settlement boundary may also be acceptable when it would not create undue harm to the character, appearance or amenity of the area. New-build developments not on existing or proposed employment sites and outside of the settlement boundary may be supported where a rural location can be justified.
- Schemes involving the re-use of rural buildings for commercial enterprise..be considered favourably where the proposed use does not harm the building's character and/or the character of its surroundings.
- [the Council will] Encourage flexible working practices via home-working where there is no adverse impact on residential amenities..

Policy DC1 – Design Considerations – Requires all development to be well designed and reinforce local distinctiveness by positively contributing to and complementing the special character and heritage of the area in line with the Council's Design Guide SPD.

Policy DC3 – Landscape and Settlement Setting – The Council will protect and where possible enhance local landscape and the setting of settlements in the Staffordshire Moorlands.[Refer to Landscape Character Assessment].

Policy T1 – Development and Sustainable Transport – [the Council will ensure] that all new development is located where the highway network can satisfactorily accommodate traffic generated by the development or can be improved as part of the development.

Comments

Compliance with Local Plan Policy

This application raises a number of policy issues for consideration during the determination process.

The application particulars suggest that the data storage operations would generate up to 2xFTE jobs, which would be occupied by the on-site residents of the adjacent Cherry Barn residence. The use class of the operations is initially unclear, but it would appear that SMLP Policy E1 does allow for most industrial operations within rural building conversions, subject to wider policies; whilst Policy SS10 similarly allows for business development (conversion) connected to farm/rural diversification or where a rural location can be justified. In the case of new build business development Policy E1 requires a rural location such as this to be justified. There will need to be a judgement as to whether this element of the proposal represents a conversion or a new-build. On the point about the applicants being the resultant workforce, this would represent a form of 'homeworking', however if the arrangement of the new business to the adjacent residence were not linked by condition, this introduces the

possibility of external trip generation by outside workforce – refer to Pol T1 and NPPF para 85 (as the premises is located 760m down a country lane from the main Cheadle-Oakamoor Rd (and nearest bus route)). In practice this may result in a very small number of additional workers using private vehicles via Cherry Lane to access the premises (although the site is only 1.9-2.1km from the centre of Cheadle on foot/cycle so in any case vehicular impact may be mitigated); therefore the impact on local roads would be minimal.

As the scheme proposes a “change of use” of an existing building, and extension (involving roof solar panels) the design and landscape impacts of the scheme need to be satisfactory given the rural (and Churnet Valley) location: Pols DC1, DC3, SS11. It is noted that the principle of a similar conversion/rebuild was already accepted for the 2017 peaking plant scheme.

As the scheme additionally proposes a ground mounted solar PV array to the immediate north of the building (which it is stated would power the commercial operations on-site) refer to the criteria expectations in Pol SD2: the 660m² area of land appears to be greenfield – it is queried whether there are there any brownfield areas around the farm, or could landscape impacts generally be minimised by alternate siting? Refer to LSCA https://www.staffs Moorlands.gov.uk/media/947/Landscape-and-Settlement-Character-Assessment-LSCA-2008---Main-Report/pdf/Landscape_and_Settlement_Character_Assessment.pdf?m=1482503691390 .

It is stated that the operation of the data storage equipment would not emit noise (and would occur inside the building): there is holiday accommodation/residential within 50m within farm complex. Refer to pol SD4/ NPPF para 185 and detailed comments of the EH officer.

Conclusion

The scheme would create a new commercial operation within a converted rural building at a farm complex: policies support this where rural diversification, or the rural location in question can be justified; subject to wider policies including assessment of design, landscape and transport/accessibility impacts. The principle of new ground mounted solar arrays is acceptable subject to assessment of landscape impacts, and justification for any greenfield site selection over brownfield.