

DELEGATED DECISION REPORT

SMD/2023/0129
Valid 10/03/2023

LAND WEST OF
BOUNDARY ROAD
BOUNDARY

PROPOSED CONSTRUCTION
OF A LAMBING SHED AND
HAY STORE

(FULL - MINOR)

MAIN ISSUES

- Principle of development within the Green Belt
- Design and visual impact
- Agricultural justification
- Neighbouring amenity

DESCRIPTION OF SITE

The site is in a rural field location to the west of Boundary Road on the south fridges of Boundary within designated Green Belt land. The site itself is overgrown by vegetation and opens onto rolling open countryside to rear. The neighbouring fields are pasture. In terms of the immediate setting, the site abuts a bungalow known as Daisy Bank which has number of outbuildings that run along the north perimeter of the site. It is also sits at the edge of the built up area of Boundary and is screened by established hedging along the roadside and a belt of tree lines to the west. Access is taken from a narrow country lane known as Boundary Road. There is a metal gate to restrict access.

PROPOSAL

Planning permission is sought for a lambing shed and hay store. The new building will be 12m in length by 4.5m with a height of 5.3m. The buildings cladding will be part hit and miss and part metal cladding. According to supplementary information, the building will accommodate 60 sheep in 2/3 flocks with staggered lambing.

RELEVANT INFORMATION

The proposed plan states 'existing hardstanding' however, at the time of visit, the ground is covered in grass or overgrown and appears to have no hardstanding with other plants and not as per what is stated on the plan. It is possible that there was hard standing (hardcore) put on the land but it is now covered by a layer of the soil and vegetation. In visual terms at the time of the site visit the site appears to be free of hardstanding.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffordshire Moorlands Local Plan (Adopted Sept 2020) SS10 - Other Rural Areas Strategy DC1 - Design Considerations T1- Development and Sustainable Transport

National Planning Policy Framework Section 12: Achieving well-designed places GB
Section 13 – Protecting Greenbelt Land

SITE HISTORY

SMD/2021/0646 Proposed construction of a lambing shed and hat store. Refused
July 22

CONSULTATIONS

Publicity Site Notice expiry date: 13/4/23
Neighbour consultation period ends: 5 April 2023
Press Advert: N/A
Public Comments Neighbour comments

No representatives received Forsbrook Parish Council Comments

No objection Severn Trent waters. No objection subject to informatives

Environmental Health. Object because of harm to amenity of neighbours because of unsocial hours that a lambing shed will be used. Condition could not be added to restrict the time of use because activity needs to be carried out for 24 hours.

OFFICER COMMENTS

Principle of Development

Appropriateness in the Green belt. The application site is located in the Green Belt whereby policy SS10 of the Local Plan (2020) is applicable. Policy SS10 states that these rural areas will provide only for development that has an essential need to be located in the countryside, supports the rural diversification and sustainability of the rural areas, promotes sustainable tourism or enhances the countryside.

The National Planning Policy Framework (the Framework) says that the construction of new buildings in the Green Belt should be regarded as inappropriate and, by definition, harmful. Paragraph 149 then goes on to give some exceptions to this, one of which, criterion (a), is the erection of buildings for agriculture and forestry. It is accepted that the proposed building can be defined as an agricultural building by reason of its design and arrangement. It is recognised that agricultural need is not given in the Framework as a factor to be used in assessing whether or not the building falls under this exception in paragraph 149. Accordingly, I conclude that the building is not inappropriate development in the Green Belt by reason of paragraph 149(a) of the Framework.

Agricultural justification

While the Framework under Green Belt Policy does not require justification for agricultural needs. The local planning authority refused the previous application for a building as this building was considered too large to sustainably operate a

commercial business for the holding of 16 ewes, particularly as this has not been established.

The scheme has been revised the building appears to be the same but the number of ewes and the area of land has increased. The holding will have 60 ewes which is nearly 4 times the number proposed in the previous application.

Policy S10 Supports the diversification of the existing farming enterprises. The applicant has indicated that this new building is required so the existing cattle business and the new sheep activity can be kept apart for disease control reasons. The lambing will be monitored by CCTV, the farmer attending as required. It is indicated that the lambing will be staggered over 2 or 3 flocks.

The operation of the proposed size is of a scale that is sufficiently large to be considered to justify the proposed building in the countryside that will clearly be needs of the holding, stock and storage levels proposed. While there is no decisive information about the likely success of the growth of the business, it has to be assumed to be viable.

The Council believes that if CCTV is used the necessary care can be met from the associated farm at Mount Pleasant Farm, a cattle farm located approx. 1.7km on Cheadle Road as noted in the supporting statement. In addition, the Council does consider there to be justification for the building to be separated from the cattle farming that serve the associated farm at Mount Pleasant Farm, associated with beef farming. The agent states that it is necessary to isolate different types of livestock to prevent the passage of health issues and disease. The justification to diversify on non-established land to accord with SS10 has limited weight in this regard. As per above, it is agreed that the building is not inappropriate development in the Green Belt by reason of paragraph 149(a) of the Framework. The agricultural justification does outweigh the harm caused by the construction of the build and the proposal is found not to be contrary to policy SS10 in this regard.

Character and Design

Paragraph 130 of the NPPF requires that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping. Policy DC1 refers to design and seeks to secure development of a high quality which is designed to add value to the area and to respect the site and its surroundings. New development should promote a positive sense of place and identity through its scale, density, layout, siting, landscaping, character and appearance. Accordingly, the building, in terms of its design, would not appear at odds with the rural character of the area.

However, the yard area and curtilage would require a substantial amount of hardstanding that would extend beyond the built form of development by a considerable amount. The scale of the hardstanding is the same as in the previous refusal. No justification has been given for the scale of the hardstanding which will serve an agricultural building which one of its main purposes will only occur for a limited part of the year. This would introduce a stark, urbanising feature to the local landscape and appear highly incongruous set against the prevailing rural character

of the site and local area. Although the existing trees and hedges along the roadside does partially screen the proposal from views along Boundary Road, it would be visual within the immediate setting. As such, the harm caused by the hardstanding would be evident in the area as it would disrupt the natural end-point of the small hamlet of Boundary. Based on the foregoing, the proposal would detract unacceptably from the character and appearance of the area, in conflict with Policies SS1, SS10, DC1 in the Staffordshire Moorlands Local Plan (adopted September 2020), which, among other things, seeks development that respects and retains the distinctive character and quality of the landscape and natural environment in the district.

Impact to neighbouring amenity

Policy DC1 seeks to secure development that protects amenity, including residential amenity, in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping.

The main neighbouring property that this proposal would impact upon is Daisy Bank, a bungalow with its residential curtilage adjacent to the site and in close proximity to the agricultural building. The building would be positioned 6m from the common boundary with its doors opening towards the neighbouring property. Whitegates is a bungalow on the opposite side of the road facing the site.

It is noted that the EHO has objected to this application due to concerns over the impact on the neighbours and the use of the building, particularly during antisocial hours, when background noise levels are low. Although the earlier application was not refused on amenity grounds, (as the LPA did not receive any comments from the EHO), the impact on residential amenity is a material planning consideration which must be considered. The use of the structure as a lambing shed which will require 24 hour activity for some period of the year is expected to cause disturbance to the neighbouring dwellings one of which is directly adjacent to the proposed site of the lambing shed. The EHO advises that a condition requiring a limit to the time when the shed can be used, would not be reasonable or enforceable due to the intended function of the building. According, in light of the concerns which have been raised by the EHO, it is considered that the development and its proximity to the neighbours would give rise to noise and general disturbance.

Taking the above into account of this the application is therefore considered not to be in accordance with the relevant part of Policy DC1 of the Local plan on neighbouring amenity.

CONCLUSION

The benefits that the development would have to support the expanded farming enterprise of establishing a separate buildings in terms of disease control is considered to be provide some weight in the planning balance.

The development has a negative effect on the character of the area because of the excessive hardstanding.

The sites use for lambing would result in considerable harm to the amenity of neighbouring residential properties because the activity is carried on for 24 hours. In the planning balance this is seen as a significantly negative.

Accordingly, I conclude that the proposal would be a development in the open countryside not contrary to policy SS10 and guidance in the NPPF. While there may be justification for the building in agricultural terms there appears to be no justification for the creation of the amount of hardstanding. The proposal should therefore be refused because of the effect of the hardstanding on the countryside.

Further the proposal will result in activity which will cause harm to the residential amenity of residences by the introduction of a new activity which will cause harm because of the hours of its operation.

OFFICER RECOMMENDATION : REFUSE

Case Officer: Alan Lynch

Recommendation Date: 05/05/2023

X 

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council