

## DELEGATED DECISION REPORT

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**SMD/2023/0202**  
**Valid 04/05/2023**

**NEW HALL FARM DINGLE**  
**LANE**  
**RUSHTON SPENCER**

**PORTAL FRAME, FODDER,**  
**MACHINERY AND BEDDING**  
**STORE**

**(FULL - MINOR)**

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### MAIN ISSUES

Principle of development within the Green Belt  
Design and visual impact  
Agricultural justification  
Effect on residential amenity.  
Highways  
Effect on the historic Environment  
Effect on public rights of way.

### Description of Site

The application site is New Hall Farm, Dingle Lane, Rushton Spencer. The existing farm buildings are located away from the public road on the east side of Dingle Lane. The site of the proposed building is occupied by an older agricultural building which is in a poor state of repair.

The holding includes a traditional detached Grade II Listed Farmhouse with several listed curtilage buildings to the north and south east and south west. Beyond these lie a range of more modern portal framed functional buildings. The land climbs steeply in an east to west direction. For the purposes of the development plan the application site lies within the North Staffordshire Green Belt.

### Proposal

This is a full application which seeks consent for the demolition of an existing building and the erection of a multi-purpose agricultural building. The proposed building would comprise of a nine bay portal framed building measuring 55m in length x 12m in width. The proposed building which would have an eaves height of 4.6m and a resultant ridge height of 6.2m. The walls will be almost entirely constructed using natural coloured Yorkshire boarding.

The building is on a slope and the rear north facing wall will be below ground level by approx. 2.7m. The south elevation will be open sided.

### RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffordshire Moorlands Local Plan  
SS1 Development Principles  
SS10 Other Rural Areas Strategy  
DC1 Design Considerations

DC2 The Historic Environment  
DC3 Landscape and Settlement Setting  
NE1 Biodiversity and Geological Resources  
Appendix 2 Parking Guidance  
Supplementary Planning Guidance  
1. Design Principles for Development in the Staffordshire Moorlands.  
Supplementary Planning Document  
1. Staffordshire Moorlands Design Guide

### **National Planning Policy Framework**

Including sections;  
2: Achieving sustainable development  
6: Building a strong, competitive economy  
9: Promoting sustainable transport  
12: Achieving well-designed places  
13: Protecting Green Belt land  
15: Conserving and enhancing the natural environment

### **SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS**

SMD/2016/0549 PROPOSED AGRICULTURAL BUILDING FOLLOWING  
DEMOLITION OF EXISTING BUILDING. Approved May 2017

### **CONSULTATIONS**

Publicity

**Site Notice expiry date:** 10 June 23

**Neighbour consultation period ends:** 9 June 23

Press Advert: N/A

### **Public Comments**

One response received.

Regarding the above planning application. While we have no objections to the building itself, we do have concerns regarding the increase in size, meaning possible increase of activity close to our boundary, and intensification of use of the right of way over our drive.

In 2020 planning permission (DET/ 2020/ 0004 ) was granted for a cow track to be laid from New Hall Farm to join the right of way. At the time we expressed concerns regarding intensification, particularly as the exit from the right of way onto Beat Lane has severely limited vision due to a blind summit and is dangerous. This was referred to at the time in the Delegated Decision Report. In the intervening 3 years, use of the right of way has increased with, for example, tractor and muck spreader using it up to 20 to 30 times a day. We are concerned that any increase in the size of the farm will only serve to further increase this traffic.

### **Ramblers**

P.R.O.W Alton 8 and 62 may be affected if planning permission is approved. These two paths must remain open during and after work has been done.

## **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 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, it is concluded 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 Council accepts that the building is a typical size for a building which operates of agricultural business for a holding. The building will replace an existing agricultural buildings with a footprint of approximately ½ the size of the proposed building. The existing building is in poor repair. The supporting statement sets out that the applicant has a herd of 150 dairy cows and 50 beef calves, managed over 300 acres of land, both rented (100acres) and owned (200 acres). It is states that the building will be used for fodder, the storage of implements and to house animals.

The design of the building with its open side should provide facilities for the housing of animals providing with sufficient ventilation. It will further provide cover for the other uses proposed. It is noted that the proposed building is marginally larger than that approved in 2017.

The site has several other modern agricultural buildings already and this expansion will only increase the total floor space of agricultural buildings on the site by a limited amount.

It would appear that there is an agricultural justification for the proposal.

### **Character and Design**

The NPPF requires the design of a development to add to the overall quality of an area, by being sympathetic to local character and by being visually attractive as a result of good architecture.

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.

The proposal will result in the loss of the existing building on site which is similar in form to this proposal but half the size and in a poor state of repair and is unattractive. The proposed building is off a typical design for a modern agricultural building. Accordingly, the building, in terms of its design, would not appear at odds with the existing rural character of the area. The farm already has several similar buildings. The use of natural coloured Yorkshire Boarding has been specified and this colour will reduce its visual impact.

The site of the building is set away from the road and screened by other agricultural buildings and a change of level and so this will help reduce its visibility.

The proposal would not detract unacceptably from the character and appearance of the area and not be in conflict with Policies SS1, SS10, DC1 in the Staffordshire Moorlands Local plan, which, among other things, seeks development that respects and retains the distinctive character and quality of the landscape and natural environment in the district.

Taking the above into account, this application is therefore considered to be in substantial accordance with the relevant part of Policy SS1, SS10 and DC1 of the Local Plan.

#### **Impact on the setting of the listed building**

As stated above New Hall Farm and two other buildings are Grade II listed. The proposed building would be located in close proximity to the Coach House which is listed in its own right. The proposed building would not project significantly further toward the listed outbuilding beyond the existing arrangement. It is not therefore considered to be any more harmful to the setting of the listed building than the existing arrangement.

#### **Neighbours amenity**

Policy DC1 refers to developments protecting the amenity of the areas including protecting residential amenity.

The proposed new agricultural building will be located slightly close to residential curtilages of several residential properties than the existing building. (Approx. 35m). With the neighbour location at a substantial higher ground level than the building and being a significant distance from it, it is considered that neither of these dwellings would not be affected by the sitting of the new building.

The building will be used for the same use (housing of animals) as the existing building and only will be slightly closer.

#### **Highways**

The submitted application does not propose any alterations or amendments to the existing vehicular access. The proposed development would not result in the loss of any parking or turning facilities and adequate provision would be retained on the site.

The site has several other modern agricultural buildings already and this expansion will increase the total floor space of agricultural buildings on the site. However, the site is a large established farming enterprise, which will sustain the existing business. Thus the activity on site and the number of vehicles visiting the site is considered to be excessive.

### **Footpaths**

The comments of the neighbour noted. However, the proposal appears to be more than 50m away from the route of any footpath. It is noted that DET2020/0004 approved a new access track, however the amount of traffic and frequency of use of this track is not something the council can control. It would appear that the construction of the building would not block these paths.

### **CONCLUSION**

Accordingly, I conclude that the proposal would be essential development in the open countryside. It is not contrary to Green Belt guidance and not contrary to policy SS10 and would not cause unacceptable harm to the character and appearance of the area. There would be no adverse impact on residential amenity or highway safety. In the planning balance the proposal is considered to be acceptable.

Approve subject to conditions regarding statutory time limit, materials and remove when no longer required for agriculture.

**OFFICER RECOMMENDATION :    APPROVE**

**Case Officer: Alan Lynch**

**Recommendation Date: 29/06/2023**

X 

Signed by: Jane Colley Signature

**On behalf of Staffordshire Moorlands District Council**