DELEGATED DECISION REPORT

DET/2023/0024 **Valid 26/07/2023**	**HIGH CONEYGREAVES FARM** **CONEYGREAVES LANE** **CONEYGREAVES** **CHEADLE**	**APPLICATION TO DETERMINE IF PRIOR APPROVAL IS REQUIRED FOR -** **PORTAL FRAME FODDER AND IMPLEMENT STORE** **(AGRICULTURAL/FORESTRY DETERMINATION)**

MAIN ISSUES

- Compliance with GPDO(2015) Schedule 2 Part 6
- Siting, Design and external appearance

DESCRIPTION OF SITE

Secluded rural location. Nearest neighbour, an un-connected private dwelling 350m to the SW. Gently undulating rising ground with southerly aspect. Wooded backdrop to the north. It was concluded by decision dated 23rd August that prior approval would be required. Some ground re-modelling has occurred in the relatively recent past.

PROPOSAL

A 30.5m x 12m open fronted storage building –

> *"The proposed development will be of portal frame construction, measuring 100ft by 40ft with an eaves height of 16ft. The building will be constructed of concrete panels to 2 metres in height with corrugated metal sheeting thereafter to the eaves finished in green. The roof will be corrugated metal sheeting finished in green with 20% sky lights. The proposed building will be open fronted to the northern elevation with five 20ft bays and enclosed on three sides."*

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
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 2023

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

08/01934/FUL_MJ – Change of use of former quarry to golf course, landscaping to form course, erection of clubhouse, green keepers building and car park – Approved – not implemented

CONSULTATIONS

Publicity

Site Notice expiry date: 20th Sept 2023
Neighbour consultation period ends: N/A
Press Advert: N/A (*Add date if applicable)

Public Comments

None

OFFICER COMMENTS

Principle of Development

The building proposed must comply with the definitions and limitations set out under

GPDO(2015) Schedule 2 Part 6.

If eligible 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 only of siting, design and external appearance. It was concluded by decision dated 23rd August that the proposal should be subject to such approval.

The application form gives the overall holding as 28.3 hectares (70 acres) and in justification of the scheme the agent's statement says:

> *"The proposed building is required for the applicant's farm business enterprise. The proposed building is of appropriate size and construction in keeping with the existing building onsite. The proposed building will be partially screened by the existing embankment on the southern side of the yard aera. The proposed building is required by the applicant's farm business to ensure fodder is dry stored and suitable for feeding to livestock. The machinery storage area allows for the dry storage of machinery helping to ensure the longevity of vital expensive farm machinery and help prevent breakdowns of the machinery which is used on a daily basis within the farm business*."

The building is not proposed for livestock. An existing building on the site is identified as cattle housing.

Siting

The main consideration for the LPA in this case must be to take account of any impact of the proposed siting on the natural environment. The submitted details give no specific information on this and the information available to the LPA suggests that hedgerows, trees and general land biodiversity should be considered.

There would not seem likely to be any highways nor neighbour amenity considerations needing to be taken into account with this proposal.

From the LPA site visit it has been confirmed that the siting would be on an existing area of level hard-standing and the building does not therefore encroach into natural or cultivated ground. In terms of the impact of the siting on the landscape, an embankment formed by work already undertaken to create a level area, would largely screen the development.

Design

The design is conventional for a modern portal frame agricultural store building. The building would be strongly concealed by an embankment at the head of the field to the immediate south. It is likely that the roof would be at least partially visible but would not be obtrusive.

External appearance

A public footpath right of way passes at 75m from the proposal along a NW – SE axis. The potential external appearance of the proposed development should be taken into account. The proposed green sheet cladding would provide an appropriate appearance in this case, set within a generally green tree-fringed location.

Other matters

It must be noted that the above assessment is based on the site as found by the LPA to be currently existing. Some significant land re-modelling has taken place which air photos show has only begun post 2017 with possibly the first indications of this only appearing in the 2020 air photo. By April 2021 this work was fully apparent. The question arises, should this land modelling have been subject to planning consent and does this have a bearing on the prior notice determination.

Article 3(5) of the GPDO(2015) states:

(5) The permission granted by Schedule 2 does not apply if—

(a) in the case of permission granted in connection with an existing building, the building operations involved in the construction of that building are unlawful;

(b) in the case of permission granted in connection with an existing use, that use is unlawful.

The permission sought here does not relate to an 'existing building' and therefore (a) above would seem not to apply.

Whilst there would appear currently to be some indiscriminate non-agricultural storage use of the land the legitimate and only planning use is agricultural and it is in that connection that the application is made. The proposal would seem therefore not to contravene (b) above.

None-the-less whilst the siting, design and external appearance of the scheme being considered are all acceptable, the earlier land re-modelling has not been subject to planning assessment and the aerial photograph evidence shows that this work is sufficiently recent not to have gained immunity from potential enforcement action. An informative should be attached to draw this and the need for a retrospective application to the attention of the applicant in order to regularise the landform on which the building would sit. Accordingly this should be obtained before construction commences.

CONCLUSION / PLANNING BALANCE

There is no cause to doubt the agricultural justification of the building and it can therefore be considered reasonably necessary. It being found acceptable in all relevant respects it is recommended for approval.

OFFICER RECOMMENDATION : PNREQ – approve

Case Officer: Arne Swithenbank
Recommendation Date: 19/10/2023

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council