

DELEGATED DECISION REPORT

DET/2024/0021 Valid 17/06/2024	OAKLEYS FARM LITTLE BLAKELEY LANE FARM BLAKELEY LANE DILHORNE	APPLICATION TO DETERMINE IF PRIOR APPROVAL IS REQUIRED FOR A PROPOSED GENERAL PURPOSE AGRICULTURAL BUILDING (AGRICULTURAL/FORESTRY DETERMINATION)
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MAIN ISSUES

- Compliance with GPDO(2015) Schedule 2 Part 6 including whether reasonably necessary for the purposes of agriculture within the unit;
- Siting, Design and external appearance

DESCRIPTION OF SITE

The proposed building would be erected in a field land position and would stand attached to a similar sized pre-existing building erected recently post April 2021 without planning permission.

After determining that prior approval would be required (by notice dated 15th July 2024) the LPA visited the site on 16th August 2024 and was shown around the premises by the applicant.

PROPOSAL

The building would stand 37m x 18m with eaves at 6.0m and ridge 8.6m high. The stated materials are timber cladding above concrete grey blocks with grey profile sheet roofing.

The stated purpose is 'general purpose agricultural building'. In an accompanying letter / statement dated 17th June 2024 the agent says the building is reasonably necessary because "The existing building on site is fully utilised" and the additional space is required "for the storage of hay, feed, machinery, equipment, and fertilizer for the management of the land".

Other buildings at the farm are not discussed. Indeed the submitted location plan showing the proposal site marked in red uses the conventional blue edge to mark other land but unusually and against convention this does not enclose all the land associated with the farm that can be seen on this plan and which the LPA has confirmed by land registry plan to be in the single title SF650071.

The statement says: “The demand for space has increased in line with the successful and growing livestock enterprises. The farm cannot operate efficiently without the correct equipment that needs to be stored in secure, dry conditions.”

It goes on: “The business now requires additional space for the storage of hay, feed, machinery, equipment, and fertilizer for the management of the land. The existing building on site is fully utilised. The farmstead needs a modern building for general agricultural storage to farm efficiently. Seasonal activities require various machinery and storage for produce and inputs, which fluctuate in type and quantity throughout the year. At times, the shed will mainly store produce, while at other times, it will house more machinery. The building offers two main benefits:

1. It provides safe, weather-protected storage for inputs and produce, allowing longer storage, bulk purchasing and reducing costs of operation.
2. It ensures indoor, secure storage for machinery and equipment, preventing weather damage, easing maintenance, and reducing theft risk.

The building is therefore considered reasonably necessary to meet the varying demands of the farm throughout the year to ensure the efficient operation of the business.”

The applicant commented during the LPA visit that due to undulations in the land levels a quantity of infilling would be required to bring the site to a single level. Quantities of tipped imported mixed rubble type waste were noted already present on the lower field levels to the north side.

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 2019

Paragraph(s) 1 – 14;

Section(s) 4 – Decision making; 6 – Building a strong and competitive economy; 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 specific to the site of the building proposed. As noted above the existing recent building to which the proposal would be attached is unauthorised and appears less than four years old.

A number of applications have been considered in relation to other land at Little Blakeley Farm most recently in 2017/18 and 2019.

12/01346/FUL – replacement agricultural building, extension to yard area and additional planting adjacent to the building to provide screening – approved

SME/2016/00097 – Without planning permission: the partial erection of a steel framed building; Without planning permission: the creation of an area of hard standing – partially allowed and varied/partially dismissed appeal 15/12/2017

SME/2016/00097 'A' – Without planning permission: change of use of the land from an agricultural use to a mixed use consisting of:

i) agriculture; ii) the placing of shipping containers for storage on the land; iii) the storage of caravans on the land

2. In association with the use of the containers and the caravans the creation of an area of hard standing – notice varied and appeal dismissed – notice upheld

SMD/2017/0815 – erection of a poly-tunnel for rearing calves, retrospective – approved February 2018

SMD/2018/0240 – retrospective application for the erection of a barn – refused

CONSULTATIONS

Publicity

The applicant placed the required site notice at the farm entrance dated 19th July 2024 (later seen by the LPA) and confirmed by agent's e-mail 22nd July 2024.

No representations have been received.

OFFICER COMMENTS

Principle of Development

The building proposed must comply with the definitions and limitations set out under GPDO(2015) Schedule 2 Part 6. Fundamentally, in order to be eligible under Part 6 the development must be 'reasonably necessary for the purposes of agriculture' within the unit.

The agent refers to this as a 30ha farm but the ownership information only extends to some 5.7ha at Little Blakeley. During the LPA visit the applicant referred to locations on neighbouring land where he currently had an arrangement and was grazing some of his buffalo. He also referred to discussions he was having with another neighbour with regard to further land.

‘Agricultural unit’ is defined at Part 6 D.1 and “means agricultural land which is occupied as a unit for the purposes of agriculture, including—
(a) any dwelling or other building on that land occupied for the purpose of farming the land by the person who occupies the unit, or
(b) any dwelling on that land occupied by a farmworker.”

‘Agricultural land’ is defined and “means land which, before development permitted by this Part is carried out, is land in use for agriculture and which is so used for the purposes of a trade or business, and excludes any dwellinghouse or garden.”

Matters of siting, design and external appearance are only relevant if the proposal is a legitimate one for reasons of agriculture under Part 6.

The LPA’s site visit on 16th August 2024 has provided helpful clarification with regard to the other buildings.

The existing adjacent (but unauthorised) building scales from plan as c.36m x 18m. This is therefore of equivalent size to the DET proposal building. At the site visit it was found that one bay at the westerly end representing about one sixth or 16.6% of the building total was in use for agriculture. This bay is fully separated by an end wall of the remainder of the building. At the time of the visit this end bay appeared recently to have held livestock. It was accessible only via a largely unwallled side opening facing northerly onto a series of gated pens also evidently in recent use by livestock. A number of the farm’s water buffalo could be seen grazing in the adjacent field. More than 80% of this building which is accessed chiefly via a large roller shutter door opening from the open yard to the east was in evident non-agricultural use and/or vacant / under-utilised.

Off the south side of the recent new building with which the proposal building would be alongside (to the north) is an extensive – again recently developed area – cut into slightly rising ground which is laid out as a level hardstanding including concrete surfacing and accommodating a series of material supply bays with sands, chippings, aggregates, top soil, compost, wood chip etc etc. This represents a further significant developed area in the Green Belt (at least as large as the proposal building in footprint) that is not in use for agriculture.

There are other extant modern farm style buildings within the farm unit. To the easterly end of the buildings group and south of the farm house is a c. 30m x 9m building which comprises partly open fronted storage to the east end and part enclosed workshop and general storage to the west portion. Height dimensions are 4.75m to the eaves and 6.2m to the dual pitched roof ridge. The planning history here is confused in that whilst for example there was a 2013 consent (SMD/2012/1140) potentially relating to the west portion, the built structure does not

directly compare. A 2018 retrospective application (SMD/2018/0240) relating to the easterly end part of the 30m x 9m was refused. Taking into account significant non-agricultural activity at the premises the LPA could not be satisfied that the building was needed for agriculture. To some significant extent this situation is found to be continuing today with the westerly end portion now in use to support a log-drying enterprise. Moreover, without planning consent, a recent lean-to extension on the west gable is in use to further support the log-drying.

To the east again of the above buildings is a poly-tunnel style shelter permitted under SMD/2017/0815. This was found to be housing a minor menagerie including Meerkats, exotic rabbits, various poultry and Reindeer. This c.18m x 9m (162sqm) building approved for the agricultural activity of rearing calves appears therefore no longer in agricultural use. Such use is not authorised and this building therefore represents available agricultural space – though limited in its versatility no doubt by the height and nature of the structure.

Design

In design the proposal building is typical of commonly accepted present-day agricultural buildings and by using vertical timber cladding to the upper portions as shown would generally represent an appropriate and acceptable material finish. That said, this is a large building and the design would still amount to a detraction from the open undeveloped countryside of this location. It also brings development out from the more established buildings cluster to the east; and to achieve an even-level ground base it would necessitate the in-filling and raising up of the undulating natural land hollows previously existing in this westerly field position. This would further elevate the building adding to its prominence, particularly when viewed from the A522 Leek Road. The building will also be highly visible from the minor road which links the A522 to Kingsley Road, from which views into the site from an elevated position can be obtained.

Given the LPA view that the proposal does not qualify in principle under Part 6 there is no reasoned basis for accepting the building and its siting and design impacts which would be detrimental to the open character of this landscape. .

Amenity

No neighbour amenity issues appear likely to arise noting this proposal is not put forward as involving the accommodation of livestock.

Highway Safety

Whilst there has not at this stage been specific consultation with the Highways Authority it can be recognised following the LPA site visit that the entrance from the main road appears perhaps likely to be considered a reasonable one.

CONCLUSION / PLANNING BALANCE

Overall following the LPA's site visit on the 16th August 2024 there is found to be significant existing capacity at the premises at least equivalent to the area of the proposal building. Chiefly this is to be found in the unauthorised adjacent building where at least 554sqm are not in farm use; an estimate of perhaps some 135sqm in the easterly building appears not in farm use (supporting a log drying operation) and the calf rearing poly tunnel (162 sqm) all represent available space if freed of their non-agricultural use.

From this it must be concluded that the proposal is not reasonably necessary for the purposes of agriculture on the unit and is therefore not permitted development under GPDO(2015) Schedule 2 Part 6.

There is also harm from the siting and appearance of this large structure in the pastoral countryside which given there is no in-principle support under Part 6 cannot be justified.

Both the applicant and the agent have offered to provide additional information if needed but the basis of this recommended refusal cannot be overcome by submitting further details of the farming operation and no additional information has been requested.

On this basis, it is recommended that prior approval is refused.

OFFICER RECOMMENDATION : Prior Approval refused.

Case Officer: Arne Swithenbank

Recommendation Date: 30.08.2024

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Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council