

DELEGATED DECISION REPORT

SMD/2024/0417
Valid 20/09/2024

ELDERBERRY BARN
BENTY GRANGE LANE
WATERFALL

GENERAL PURPOSE
AGRICULTURAL BUILDING,
TO HOUSE LIVESTOCK AND
TO STORE FODDER AND
IMPLEMENTS

(FULL - MINOR)

MAIN ISSUES

- Impact on Character and Appearance of the Area

DESCRIPTION OF SITE

The site lies on the east side of Bentygrange Lane, a short way to the south of Hill Rise and on the opposite side of the road. The site consists of a 19th Century roadside stone barn that has been recently converted to a dwellinghouse, the access to the site is via a gateway just to the south of the barn. Benty Grange is an unclassified rural road, designated the D1130. A squared area from the adjacent field to the north of the barn and a linear roadside field parcel to the south of the barn, make up about 2.3 ha of land belonging to the applicant. Here, the landscape character type falls within the Gritstone Highland Fringe, a large scale undulating landscape with plateaus, steep slopes and valleys. Fields are generally large and enclosed with gritstone walls and some hedgerows. The site is surrounded by open grazing on three sides with Benty Grange Lane and Hill Rise on the other. Boundaries are formed by drystone walls to the south and west of the barn, sheep fencing to the north and metal gates to the east.

The nearest resident to the application site is the neighbour just 25m to the northwest of Elderberry Barn at Hillrise.

PROPOSAL

The application proposes the provision of a shed to house and feed livestock and to provide a storage area for fodder and implements. The shed would have an internal floor area of 250.84sqm – 13.7m wide, 18.3m deep, 3.6m to eaves, and 5.5m to the ridge of a full pitch roof.

The shed would be located to the east of the applicant's roadside dwelling (converted stone barn) and its curtilage, cut into the rising land to the north. The shed would front south with a gable and sliding shutter doors with an additional area of expanded hardstanding to the south.

The shed would have profile steel sheeting to the front and side elevations and a fibre cement roof. The rear or north facing elevation would have spaced Yorkshire boarding.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Local Plan Development Plan Document (Adopted 2020)

S01 Spatial Objectives
SS1 Development Principles
SS10 Other Rural Area Strategy
DC1 Design Considerations
DC3 Landscape Character
NE1 Biodiversity and Ecology
T1 Development and Sustainable Transport

National Planning Policy Framework

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

DET/20125/0034 Class Q conversion of stone barn to a dwelling. Prior Approval Granted.

SMD/2017/0440 Planning permission for barn conversion (amendments to design) Approved.

DET/2022/0006 Agricultural shed. Prior Approval Required and Refused.

CONSULTATIONS

Publicity

Site Notice expiry date: 12/11/2024

Neighbour consultation period ends: 12/11/2024

Press Advert: N/A

Public Comments

Four letters of support have been received from persons who do not live within sight or sound of the application site:

- A welcome addition to the area
- Would support current cattle stock and allows expansion of the business
- Design and colour scheme would blend into landscape
- A storage building would help keep the land tidy and make for additional security

One letter has been received from a farmer in Longnor who says that he is currently housing 12 cows for the applicant as he has the ground for the summer but no shed for the winter, cows left outside in the land would make a mess of the countryside by churning the land up.

Town / Parish Comments

Waterhouses PC: Awaited

Staffordshire Wildlife Trust

Holding Objection

Staffordshire Wildlife Trust has been asked to review the above application as part of a service level agreement with Staffordshire Moorlands District Council to provide ecology advice regarding planning and development management functions. Following a review of the

Statutory Biodiversity Metric (SBM) we have a HOLDING OBJECTION as the metric requires amendment. The ecologists have used the incorrect condition sheet for the tall forb habitat type. The 'sparsely vegetated land - tall forbs' should be assessed against the urban condition assessment sheet (number 22) rather than the sparsely vegetated land condition assessment sheet (number 21), which they have done. Therefore, the ecologist will need to reassess the tall forb habitat against the urban condition sheet to obtain the correct condition, which may alter the unit value of the metric. In addition, following the receipt of the amended SBM, we would like to see a Habitat Management and Monitoring Plan (HMMP) for the application, using the Natural England template submitted to show how the site will be managed for 30 years.

OFFICER COMMENTS

Principle of Development

The strategy policy for the 'other rural' areas of countryside at SS10 of the SMDC Local Plan states that these areas will provide only for development which has an essential need to be located in the countryside. To sustain the rural economy the policy supports the limited expansion or development of business, but does not specifically support development for new or start up business whether it is agricultural or otherwise. To enhance and conserve the quality of the countryside the policy requires priority to be given to the need to protect the quality and character of the area and requires all development to respect and respond sensitively to the distinctive qualities of the surrounding landscape.

The application states that the development is required to house and feed livestock and to provide a storage area for fodder and farm implements. However, on site, in this location, the applicant's holding is limited to just 2.3ha. On site there was no evidence that the land is currently in use for agricultural purpose or enterprise. On site, at the time of inspection relating to this application, there was a flatbed truck parked on hardstanding within the dwelling's curtilage. Beyond the curtilage to the east, there was a JCB machine with fork lift attachment, a small blue tractor, and, what appeared to be, various building materials kept on an area that is marked on the proposed site plan as currently being used for bale storage. There was no obvious evidence of preexisting or current farming activity or the outdoor storage of bales.

In 2022 the applicant applied for a determination as to whether prior approval was required to provide a smaller 156 sqm shed on his land. It was determined that prior approval was required and should be refused – the development was not permitted because it would not be provided on a 5ha holding or agricultural land used for a trade or business. The subsequent appeal was dismissed. In November 2022 an appeal inspector arrived at the same conclusion when they dismissed the appeal against the Council's decision to refuse to grant prior approval (DET/2022/0006).

As part of his appeal submission the applicant set out the progression of the barn conversion relative to its planning history and confirmed that he was a "builder by trade". It was the applicant's evidence relative to the agricultural use of the land and his need that the building would be used to store machinery and equipment as required to manage the land and store fodder produced from the holding. It was said that "at present the fodder produced from the holding is wrapped in black plastic and stored outside" and that "aside from fodder production, sheep also graze the meadows during the season". It was said that the applicant owns a range of agricultural machinery,

machinery and equipment which are currently stored outside (tractor x2, telehandler, transport box, flat trailer).

With this application for a larger building (250 sqm) it is now said that the applicant currently farms 12 head of beef cattle, currently housed off site at Longnor, and that the number would be increased to 20 with the introduction of the shed – housing cattle from the age of 8 months to finishing at approx. 30 months. It is said that the building would otherwise provide flexible use throughout the year providing inside storage for hay and straw bales and other general agricultural equipment (a tractor, topper, chain and harrows).

There is no explanation as to why, in what is a relatively short space of time, the applicant's requirements have changed. There is now no mention of grazing sheep and it is not clear why the applicant, a builder by trade, has begun farming 12 head of cattle at a farm that is 11 miles and 30min drive away. Moreover, the list of farm machines, that it is said have been stored outside and need secure storage, has changed between applications.

It is also not clear that the proposed building has been designed with the housing of cattle in mind. The building would have an appearance more akin to the provision of a general storage/lock up unit and would not have the open and well-ventilated character normally associated and essential to cattle housing.

Even if it were the case that the development went onto house and support the rearing of a small number of beef cattle the benefit to the rural economy would be limited. Overall it has not been satisfactorily demonstrated that the applicant's stated requirements justify the provision of the shed or that it is 'essential' to provide it in this location.

Design and Impact on Character and Appearance

Local Plan Policy SS10 states that to enhance and conserve the quality of the countryside it is required that priority be given to the need to protect the quality and character of the area and requires all development to respect and respond sensitively to the distinctive qualities of the surrounding landscape. Local Plan Policy DC1 requires that all development shall 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. Local Plan Policy DC3 requires that the Council will protect and, where possible, enhance local landscape by resisting development which would lead to prominent intrusion into the countryside or would not respect and enhance local landscape character.

Benty Grange Lane is a narrow, single carriageway road, that runs between grassed highway verge, dry stone walls and sections of traditional hedgerow. From its junction with Ashbourne Road to the south the lane climbs steadily toward the north and Waterfall Cross at the top of the hill.

The applicant's dwelling is a converted stone roadside barn dating from the 19th Century. With sensitive treatment the converted barn retains much of its original and historic character and appearance. From Benty Grange Lane to the south, in particular, the historic landscape setting of the converted stone barn largely remains

unaltered and it appears on a hillside as a small independent farm building to the roadside that makes positive contribution to the quality of the landscape (hedgerow and tree groupings conceal the dwelling at Hillrise to the north west). The land to the east, stretching from the roadside and the converted barn, where there is less screening and enclosure from hedgerow and trees, is increasingly exposed and open. Within that setting the proposed shed and additional hardstanding would appear, centrally, as a large functional building, on high ground, that is exposed prominent and intrusive. The much larger shed, proposed with the application, would dominate and be harmful to the landscape and the setting of the old stone barn.

From the lane to the north, looking down towards the site the shed would be cut into the rising land level behind, reducing the exposed height of the building above ground level to 4m. However, the development would still present significant height, width and bulk within an open setting, particularly because, from this vantage, much of the shed's roof would be apparent. From the south, below the site, the steel profile sheeting and sliding shutter doors would give the building the generic appearance of a functional lock up unit, and the full volume and bulk of the gable fronted building would be apparent on high ground above the falling level of the road and the sloping field below.

Within the locality farm sheds of similar size and appearance to the building proposed can be identified, however, these buildings do not have the prominence and exposure that would be apparent with the proposed development. The buildings further south at Benty Grange Farm and Redmoorley Farm are set lower down in the valley and have grouping within established farmstead and strong tree lined enclosure. The farm shed recently provided at Hill Rise, some 50m to the north of Elderberry Barn, has roadside association and a grouping with adjacent proximity to the red brick house, its position is not exposed and prominent within the landscape. Pre-existing mature tree line to the south of Hill Rise, is effective at providing enclosure and screening and has been supplemented effectively with additional planting to the north. New planting/landscaping at the application site would not be as effective because of the site's exposure within open landscape, the land levels and gradients involved, and, importantly, it would not work with or supplement pre-existing hedgerow or treeline.

The shed would not relate well to existing landscape features or existing building grouping that might assimilate the development into the landscape or provide sense of place, instead the shed and an expanse of additional hardstanding to the east of the dwelling's curtilage, would dominate and be harmful to the landscape and the setting of the converted stone barn. In these regards the development would lead to prominent intrusion into the countryside and would fail to respect and enhance local landscape character. There would be significant harm to landscape and the character and appearance of the area and conflict with policies SS10, DC1 and DC3 of the SMDC Local Plan and the terms of the NPPF.

Impact on Amenity

The nearest resident to the application site is the neighbour just 25m to the northwest of Elderberry Barn at Hillrise. Google maps marks the premises as 'Mark Harrison Builders', suggesting the residents might not have association with agriculture. However, the planning history reveals that the shed to the north of the neighbour's dwelling was granted a prior approval in 2016 for the storage of feed/hay/straw and machinery in association with the rearing of suckler calves and 15 lambs. This is

indicative of the premises already having association with the keeping and rearing of livestock and the applicant's proposal should not introduce unreasonable noise and disturbance over and above that which might already be experienced by the resident resulting from his own farming activities.

Impact on Biodiversity

The Wildlife Trust advise that the ecologists have used the incorrect condition sheet for the tall forb habitat type. The 'sparsely vegetated land - tall forbs' should be assessed against the urban condition assessment sheet (number 22) rather than the sparsely vegetated land condition assessment sheet (number 21), which they have done. Therefore, the ecologist would need to reassess the tall forb habitat against the urban condition sheet to obtain the correct condition, which may alter the unit value of the metric.

CONCLUSION / PLANNING BALANCE

The proposed shed would not relate well to the existing landscape. Instead the proposed shed and an expanse of additional hardstanding to the east of the dwelling's curtilage, would be on high ground in an exposed, open and prominent location. Here it would dominate and be harmful to the landscape and the setting of the converted 19th Century stone barn which currently makes positive contribution to the quality and interest of the landscape and the character and appearance of the area. In these regards the development would lead to prominent intrusion into the countryside and would fail to respect and enhance local landscape character. There would be significant harm to the landscape character and the character and appearance of the area. As such there would be conflict with policies SS10, DC1 and DC3 of the SMDC Local Plan and the terms of the NPPF. The stated requirements and needs of the applicant, and any small benefit to the rural economy that might be associated with that, would not justify the provision of the development in this location or outweigh the harm identified above.

OFFICER RECOMMENDATION : REFUSE

Case Officer: Ben Hurst

Recommendation Date: 15th November 2024

X



Signed by: Jane Curley

On behalf of Staffordshire Moorlands District Council