

DELEGATED DECISION REPORT

DET/2024/0055
Valid 04/12/2024

OX HAY FARM
GUN HILL ROAD
MEERBROOK

AGRICULTURAL BUILDING TO
STORE FODDER AND
IMPLEMENTS

(AGRICULTURAL/FORESTRY
DETERMINATION)

MAIN ISSUES

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

DESCRIPTION OF SITE

The position of the proposed building would occupy field land closely adjacent to the south east gable elevation of an existing modern building (18m x 15m with 3.6m eaves and 5.7m ridge) granted permission under SMD/2017/0311 to house pigs.

The farm is about 900m west of Meerbrook on the south side of Gun Hill Road which climbs gently from the village before gaining height more abruptly towards Gun Hill further to the west. Land on the north side of the road is within the Peak District National Park. The surroundings are very rural, generally of small fields with strong hedgerows and boundary trees.

The farm house is Grade II Listed and is the first building seen from the road set back by some 50m. Other farm buildings are grouped around including an older stone barn and the workshop building of the 02/01186/FUL consent which is mainly in stone with part in brick. It is likely both of these should be considered curtilage Listed. There is also a range of more ramshackle 20thC farm sheds. This building group is recorded in the Staffordshire Heritage Environment record as: "An isolated farmstead laid out around a loose courtyard, two-sided with detached farmhouse. The farmstead is of probable 18th century origin and still appears to be extant, although with some modern additions to the site."

Between the farm buildings group and the road is Oxlea House of mid to late 20th C origin. Its relationship to the farm isn't known at this stage. Between this property and the farm is a discrete brook course strongly lined with trees and which flows directly to Tittesworth Reservoir.

A cross-field public footpath right of way forks from the road just west of Oxlea House to climb up from the farm on the north side of the brook. Within 400m to the west are further public footpaths which converge through Lower Hadden. With their height advantage these may afford some views of the proposal site though likely curtailed by intervening boundary hedges and trees.

PROPOSAL

The proposal building would continue the line of the 2017 pig house building. It would be 15m wide and 32m in length. It would be 5m to the eaves and 7m to the roof ridge. Two bays would be open to the north end of the west facing long-side elevation. Otherwise the building would be walled with concrete panels to the lower 1.5m and vertical timber Yorkshire boarding above. The roof is stated as natural coloured fibre cement sheeting and GRP roof lights.

Each gable end is shown as having two sets of solid sheet swing shutter gates or doors. The layout plan is annotated to show the north gable as connecting to the existing building. This is not discussed in the planning statement.

The building is described as being needed to house equipment and fodder. The holding runs to 100 acres (40ha) with about one fifth owned and the remainder rented. There are reported to be 100 ewes plus followers and up to 100 pigs.

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
DC2 Heritage
DC3 Landscape and Settlement Setting
NE1 Biodiversity and Geological Resources
NE2 Trees, Woodland and Hedgerows
T1 Development and Sustainable Transport

National Planning Policy Framework (Dec 2024)

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 and beautiful places; 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

SMD/2017/0311 Replacement agricultural building – approved

02/01186/FUL Retention of light industrial (joinery) use of agricultural building approved

04/00913/FUL Extension to workshop – approved

CONSULTATIONS

Publicity

None – due to being a prior notification under Part 6.

OFFICER COMMENTS

Principle of Development

The building development proposed must comply with the definitions and limitations set out under GPDO(2015) Schedule 2 Part 6. These include at A.1 a list of criteria under which development is not permitted. A.1(i) sets out that development is not permitted if:

“It would consist of, or include, the erection or construction of, or the carrying out of any works to, a building, structure or an excavation used or to be used for the accommodation of livestock or for the storage of slurry or sewage sludge where the building, structure or excavation is, or would be, within 400 metres of the curtilage of a protected building.”

A ‘protected building’ building is defined at D.1(1) as meaning “any permanent building which is normally occupied by people or would be so occupied, if it were in use for purposes for which it is designed; but does not include—

- (a) a building within the agricultural unit; or
- (b) a dwelling or other building on another agricultural unit which is used for or in connection with agriculture.”

Neighbouring Oxlea House is within 100m of the proposal building. It is shown on the submitted location plan as being outside both the red edged and blue edged land and on that basis would appear not part of this unit. The relationship to any other unit is not known. This only matters if it is found that the proposal conflicts with A.1(i) above. As the proposal is shown as being made to interconnect with the existing livestock building it is at least possible that this will necessitate works to this first building. At the same time it is to be noted that the 2017 building was to incorporate doors in similar arrangement to those of the current proposal.

At this stage none of the other limitations appear to raise any conflicts and provided that the LPA is satisfied that the proposal is reasonably necessary for the purposes of agriculture within the unit the development may be found acceptable in principle.

Siting, Design and external appearance



Fig. 1 (top is north) Proposal is off the SE end of the newer bldg seen here middle left

Given that the siting is within the setting of a Grade II Listed Building and given that in closer proximity are at least two curtilage Listed Buildings, there is an immediate need for the LPA to assess and determine the impact or appropriateness of the siting and in turn the design and external appearance in relation to the historical significance of the Listed Buildings and their setting.

This point is reinforced by and in effect made mandatory by the statutory duty placed on the LPA, under section 66(1) of the Planning (Listed Buildings and Conservation

Areas) Act 1990, to consider the impact of the proposal on the special architectural and historic interest of the Listed Buildings affected, and their settings and “have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”.

Other factors to necessitate assessment include the Staffordshire historic farmstead record; proximity to the National Park; potential ecological impacts and potential visual impacts on the immediate rural surroundings and nearby network of public footpaths. It is also important to consider how the doors and associated access will generate increased encroachment into an at present undeveloped field. Related to this must be the relative land levels involved especially on the westerly side with its rising ground.

CONCLUSION / PLANNING BALANCE

Owing to the above issues outlined, including uncertainties about eligibility as a building that would involve connection to livestock housing along with the concerns about heritage and visual impacts it is concluded that prior approval is required.

OFFICER RECOMMENDATION: **Prior approval required**

Case Officer: Arne Swithenbank

Recommendation Date: 20th December 2024

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council