

DELEGATED DECISION REPORT

SMD/2024/0557
Valid 16/12/2024

IVY HOUSE FARM LEEK ROAD
MOORVILLE
CELLARHEAD

ERECTION OF AN AGRICULTURAL
BUILDING TO STORE MACHINERY
AND HAY BALES

(FULL - MINOR)

MAIN ISSUES

- Principle of development
- Design and visual impact
- Environmental Health
- Ecology
- Coal (low-risk development area)

DESCRIPTION OF SITE

The application site is Ivy House Farm, Leek Road, Cellarhead. The site consists of a detached dwelling and a detached outbuilding which the planning agent believes is a garage/workshop serving the dwelling. The property benefits from plenty of off-road parking and external amenity space. There are open fields to the north and east (rear) of the application site; to the south there is a detached dwelling. At the time of the site visit there was machinery parked on the field, including tractors and trailers. Piles of rubble as well as paving slabs and brick/blocks were also present. Parts of the application site was bare earth. There were no signs of any animals or crops.

For the purposes of planning policy consideration, the application site is located within the Green Belt. Records also show that the site forms part of a low-risk, coal development area. The site is not within any Conservation Area and there are no protected trees or listed building matters which need to be considered.

PROPOSAL

The application is for the erection of an agricultural building at Ivy House Farm, Leek Road, Cellarhead. The application form states that the new building would store machinery and hay bales. The Location and Block Plans show the new building positioned on the northern side of the application site and to the rear of an existing, detached outbuilding. The plans show the building having a roughly 'L' shaped footprint. The building would have an overall length of 27.432m. Half of the building would have a depth of 7.620m, the other half being 12.192m deep. The eaves height is shown to be 4.267m. Half of the building (least deep section) would have a ridge height of 5.914m, the other half having an overall height of 5.301m. The building would have 12 rooflights, 6 at the front and 6 to the rear. There are no materials details on the submitted elevation plans, however the application form states that the walls would be concrete panel and profile sheets. Profile sheets would be used for the roofing material.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffordshire Moorlands Local Plan

- | | |
|------|---------------------------------------|
| SS1 | Development Principles |
| SS10 | Other Rural Areas Strategy |
| SD4 | Pollution and Water Quality |
| DC1 | Design Considerations |
| DC3 | Landscape and Settlement Setting |
| NE1 | Biodiversity and Geological Resources |
| NE2 | Trees, Woodlands and Hedgerows |
| T1 | Development and Sustainable Transport |

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

9889 Proposed Bungalow. Approved.

7860 Detached Bungalow. Approved.

CONSULTATIONS

Publicity

Site Notice. Expired.

Neighbour consultation period. Expired.

Public Comments

None received during the statutory consultation period.

Caverswall Parish Council

No objections to the application, subject to neighbours approval.

Environmental Health

No objections in principle and recommend conditions. In respect of neighbour amenity, the Environmental Health officer makes the following comments;

The application is for an agricultural storage building for hay and machinery. If the building is used as proposed and good neighbourliness is practiced throughout its use then there should be no adverse impact to amenity but if the building use involves regular out of hours or noisy work then neighbourhood amenity could be compromised. Conditions are advised below to protect neighbourhood amenity throughout the lifetime of the development.

Staffordshire Wildlife Trust

First response

Initial holding objection. Request further information.

Second response

Holding response until more info received.

Officer comment

Further information received, no response from Staffordshire Wildlife Trust however this is not a reason for refusal.

OFFICER COMMENTS

Principle of Development

The application is accompanied by a Planning Statement which informs that the land holding equates to 7.5 acres. The Location Plan shows the red edge of the application site and the wider land under control of the applicant, outlined in blue. Some of the identified land includes domestic curtilage and the applicant's detached dwelling and detached workshop. An email dated 24th February 2025 from the agent, confirms that this is all the land owned by the applicant and an email dated 31st March provides a list of all the applicant's equipment. Equipment specified is; New Holland T7 260 tractor; New Holland T7 200 tractor; New Holland BB950 hay baler; Rico butterfly mower (9 metres); Hedge cutter; 8m wide rake; Pottinger tedder (13 metres); JCB Loadall; JCB JS130 digger; Low loader trailer; 18 ton Grain trailer; Dump trailer; 6m rollers; and Kverland 765 wrapper. The Planning statement confirms that;

- There are presently no agricultural buildings associated with the holding and space is required for storing tractors and implements used to farm the land as well as bales of hay.
- The proposals involve development on an agricultural holding for purposes essential to the efficient working of the unit.

The application submission is stating that the building is needed for the purposes of agriculture within the applicant's site. At the request of officer's, further information has been submitted however the most relevant details include the list of machinery, confirmation that no other land is owned by the applicant and a statement confirming that *'the building has been designed to accommodate the applicant's agricultural machinery and implements. In addition to working his own land, he also does contracting work for local farmers.'*

The application site is located within the Green Belt. Paragraph number 154 of the National Planning Policy Framework states that Local Planning authorities should regard the construction of new buildings as inappropriate in the Green Belt. There are several exceptions listed within paragraph number 154, including buildings for agriculture and forestry.

Paragraph number 153 states that 'when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness (footnote 55 states that this is other than in the case of development on previously developed land or grey belt land, where development is not inappropriate). Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.'

We are told that the applicant does contracting work, site visit photographs show that machinery is parked on the site. The Planning Statement confirms the building will be used for machinery storage as well as hay storage. The Green Belt exception relates to buildings for agriculture and forestry.

Section 336 of the Town and Country Planning Act 1990 defines agriculture as including

'horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land), the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes, and "agricultural" shall be construed accordingly.'

The storage of agricultural machinery and equipment does not fall within the above definition. It has not been demonstrated that there is a level of agricultural activity going on at the site which would

necessitate the amount of machinery listed above. There is no information to demonstrate the land forms part of any established farmstead. It has not been demonstrated that the size of the building is commensurate with the size of the land holding. There was no evidence of any crop growing at the site and as previously mentioned, some of the land is domestic. There is no information to demonstrate the building is sized appropriately for the storage of hay and no details of any livestock are given, none were observed on site. Given the size of the landholding, it is reasonably concluded that the building will be storing machinery, which is mainly used off-site, there is no information to demonstrate otherwise. The scheme does not comply with paragraph number 154 (NPPF).

NPPF paragraph number 155 states that the development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where:

- a) The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;
- b) There is a demonstrable unmet need for the type of development proposed;
- c) The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; and
- d) Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157.

The NPPF provides the following definition of the term 'Grey Belt.'

For the purposes of plan-making and decision-making, 'grey belt' is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. 'Grey belt' excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.

The application site can be considered 'grey belt' land. The scheme is considered to fail paragraph 155(a) as it would undermine the purposes of the remaining Green Belt for example encroachment into the open countryside. The proposal does not accord with paragraph 155(b) as there is no information to demonstrate there is any unmet need for the storage of agricultural vehicles. Storage facilities may be available elsewhere. Para 155 (c), the site is not within a sustainable location (with reference to para's 110 and 115 of the NPPF). Para 155(d) is not relevant as the quoted paras 156-157 relate to housing developments.

The application does not advance any very special circumstances which would outweigh the identified Green Belt harm. The building would have a fundamental impact upon the openness of the Green Belt by virtue of its existence.

Design and visual impact

Local Plan policy DC1 requires that all developments are well-designed and reinforce local distinctiveness by positively contributing to, and complementing the character and heritage of, an area. Development should be of a high quality, adding to the value of a local area, incorporating creativity, be designed to respect the site and its surroundings and promote a positive sense of place and identity. Policy SS10 requires development to enhance and conserve the quality of the countryside by giving ensuring all development proposals respect and respond sensitively to the distinct qualities of the surrounding landscape. Relevant to note is the council's adopted Supplementary Planning Guidance (SPG) entitled 'Design Principles for Development in the Staffordshire Moorlands' and the adopted Supplementary Planning Document (SPD) entitled the 'Staffordshire Moorlands Design Guide' (Supplementary Planning Document). Both the SPG and the SPD refer to agricultural buildings. Local Plan policy DC3 outlines considerations relating to landscape and settlement setting, protecting the countryside from intrusion, resisting adverse harm upon countryside and settlement character and conserving/enhancing biodiversity qualities.

The proposed building has a very commercial appearance to it. The large size of the building together with the roller shutter doors and materials, does not have the appearance of a traditional agricultural building. The application form states concrete panels and profile sheets for the proposed walls; the

elevation drawings appear only to show profile sheets. Design Guidance references stone and vertically boarded timber (Yorkshire boarding) which would be more in keeping with agricultural building design. Overall it is has a utilitarian and industrial appearance, which fails to respond to the character of the area and wider landscape and

Environmental Health

The Environmental Health officer has no objections in principle to the scheme. Recommended conditions include hours in which construction works can take place, construction/demolition pollution control, importation of any fill materials, unexpected contamination, lighting, and plant/machinery noise. The Environmental Health officer's comments concerning noise (as quoted within the 'Consultations' section of this report) are noted. There are neighbouring dwellings to the north and south of the application site, however if the Environmental Health conditions are imposed then amenity impact should be protected.

Ecology

Local Plan policies NE1 and NE2 concern themselves with enhancing biodiversity and geological resources as well as protecting trees, woodlands and hedgerows. The application is accompanied by a Biodiversity Statement and Biodiversity Metric. Staffordshire Wildlife Trust logged a holding objection until further information was received, this has been submitted and is currently with the Wildlife Trust for final comment.

Coal

The application site lies within an area designated as a low-risk coal development area and as such this may be an area which contains unrecorded coal mining related hazards. It is recommended that in the event of planning permission being approved, that informative notes are added to the decision to remind/inform the applicant/developer of their responsibilities.

Highway matters

The proposals do not give rise to any highway safety concerns, with sufficient parking available at the site.

CONCLUSION / PLANNING BALANCE

For the reasons outlined within the report, it is recommended that the application is refused.

OFFICER RECOMMENDATION : Refuse

Case Officer: Lisa Jackson

Recommendation Date: 09.05.2025.

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Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council