

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE**

16th December 2021

Application No:	SMD/2021/0654	
Location	Sharpcliffe Hall, Bradshaw Lane, Ipstones	
Proposal	Proposed Erection Of Single Storey Pent Roof Agricultural Storage Barn	
Applicant	Mr Paul Hammonds	
Agent	RLM Associates	
Parish/ward	Ipstones	Date registered: 12 th October 2021
If you have a question about this report please contact: Ailsa Berry, tel: 07583122644, email: ailsa.berry@highpeak.gov.uk		

REFERRAL

The application is before committee as Cllr Malyon requested that it be called-in if the Planning Officer was minded to recommend refusal. Cllr Malyon states that *'the agricultural building will not be harmful to the Listed Building and is a vital necessity to the working of the farm land'*.

1. SUMMARY OF RECOMMENDATION

REFUSE

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

2.1 The site comprises a sloping bank to the northeast of Cottage Farm. Work has already commenced with a large proportion of the bank having been excavated and a number of trees felled. A public footpath (PRoW) follows the length of the driveway, past the application site and into the fields beyond.

2.2 Cottage Farm and Sharpcliffe Hall together comprise a Grade II* Listed Building. The Listed Building is located, at its closest point, approximately 5 metres southwest of the proposed agricultural building. The applicant owns Cottage Farm, Sharpcliffe Hall, Home Farm and the surrounding fields which operate as one estate.

2.3 The application site is located in the Open Countryside.

3. THE APPLICATION AND DESCRIPTION OF THE PROPOSAL

3.1 Full planning permission is sought for the erection of an agricultural building.

3.2 Details of the application scheme can be viewed at:

<http://publicaccess.staffs Moorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=153604>

4. RELEVANT PLANNING HISTORY

4.1 Various planning and Listed Building Consent applications have been submitted over the years for the wider estate. Of particular relevance to this application is:

DET/2021/0020	Agricultural storage barn Prior approval required 01/06/2021
SMD/2014/0023	Proposed agricultural buildings Refused 04/04/2014
SMD/2014/0843	Erection of agricultural building (re-submission of SMD/2014/0023) Approved 24/02/2015

5. PLANNING POLICIES RELEVANT TO THE DECISION

Staffordshire Moorlands Local Plan (Adopted Sept 2020)

5.1 The Development Plan comprises the Local Plan Development Document (adopted September 2020).

5.2 The following Local Plan policies are relevant to the application:

- SS1 Development Principles
- 1a Presumption in Favour of Sustainable Development
- SS2 Settlement Hierarchy
- SS10 Other Rural Areas Strategy
- DC1 Design Considerations
- DC2 The Historic Environment
- DC3 Landscape and Settlement Setting
- T1 Development and Sustainable Transport
- NE1 Biodiversity and Geological Resources
- NE2 Trees, Woodland and Hedgerows

National Planning Policy Framework (NPPF) Revised (2021)

5.3 The following sections of the NPPF (2021) are particularly relevant to this application:

- 2: Achieving sustainable development
- 4: Decision making
- 12: Achieving well-designed places
- 15: Conserving and enhancing the natural environment
- 16: Conserving and enhancing the historic environment

6. CONSULTATIONS

Public response to consultation

6.1 No comments were received.

Ipstones Parish Council

6.2 Voted to support the application.

Severn Trent Water

6.3 No objection to the proposals and do not require a drainage condition to be applied.

Ramblers Association

6.4 Ipstones footpath 33 runs down the front where development will take place. Care must be taken to keep the path open and safe for public use.

Peak & Northern Footpaths Society

6.5 We note that the PROW Ipstones 33 is very close to the proposed site. Use of the PROW, and the safety of users must not be affected by the development, nor during the work taking place.

7. OFFICER COMMENT AND PLANNING BALANCE

7.1 The main issues relate to:

- Whether the development is acceptable in principle.
- Impact on the character and appearance of the surrounding countryside.
- Impact on the setting of the adjacent Grade II* Listed Building and the historic former parkland/formal garden of Sharpcliffe Hall.
- Impact on neighbouring amenity.
- Impact on highway safety.
- Impact on existing trees, ecology and biodiversity.

Planning History

7.2 The applicant recently submitted a prior approval for the proposed agricultural building under Part 6 of the GPDO (DET/2021/0020). A site visit undertaken at the time revealed that work had already commenced with the excavation of an adjacent bank to create a flat surface on which to site the proposed building. The development was therefore retrospective. Prior approval cannot be sought for retrospective development and therefore full planning application was required.

7.3 To be eligible for permitted development the proposed works must *be 'reasonably necessary for the purposes of agriculture within that unit'*. The Planning Officer requested additional information to be submitted to support this requirement

of the GPDO. The information submitted was lacking in detail and did not conclude that an agricultural trade or business was taking place on the estate. The building was therefore not considered to be *'reasonably necessary for the purposes of agriculture within that unit'*.

7.4 The agricultural building was to be sited in close proximity to a Grade II* Listed Building (Sharpcliffe Hall) and therefore it had the ability to affect the setting of the Listed Building. Due to the proximity of the agricultural building to the Listed Building, the prior approval of the Local Planning Authority was required as to the siting, design and external appearance of the building.

7.5 The prior approval application was therefore determined within the 28 day period. The determination stated that prior approval was required. However, the applicant was advised that even if such an application was submitted, the proposal would not comprise permitted development and therefore a full planning application would be required. The applicant therefore submitted this full planning application for consideration.

Principle of Development

7.6 Paragraph 11 of the National Planning Policy Framework (NPPF, 2021) promotes a 'presumption in favour of sustainable development'. For decision takers this means (c) approving development proposals that accord with an up-to-date development plan without delay; or (d) where there are no relevant development plan policies, or the policies which are more important for determining the application are out-of-date, granting permission, unless: i) the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

7.7 Paragraph 8 of the NPPF (2021) identifies three dimensions to sustainable development as being economic, social and environmental. In accordance with policies SS1 and 1a of the Staffordshire Moorlands Local Plan, the Council will expect all new development to make a positive contribution towards the sustainability of communities and to protecting, and where possible, enhancing the environment. When considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF (2021).

7.8 The application site is located in the Open Countryside whereby policy SS10 of the Local Plan (2020) is applicable. Policy SS10 states that these rural areas will provide only for development that has an essential need to be located in the countryside, supports the rural diversification and sustainability of the rural areas, promotes sustainable tourism or enhances the countryside.

7.9 Part (2) of policy SS10 seeks to support the rural economy by supporting the diversification of existing farm enterprises. The proposal is for the erection of an agricultural building to be used for the storage of machinery and materials in order to manage and farm the 28.3 hectares of land associated with Sharpcliffe Hall,

therefore complying with this aspect of policy SS0. However, policy SS10 also states:

'These areas will provide only for development which has an essential need to be located in the countryside.'

7.10 A Design, Access & Heritage Statement was submitted to support the planning application. This statement included images of the equipment that will be stored inside the building to demonstrate why the proposed building is required. However:

- the images include machinery that would not be used in the agricultural operation of a farm;
- the images show that some of the machinery is already stored inside building(s) with no information given as to where these buildings are located or why the machinery cannot remain within these existing buildings;
- no information is provided as to the existing farm building(s) on the estate and why these are insufficient to meet the estate's needs;
- no information has been provided as to why the bales need to be stored inside a building when they are currently wrapped and stored outside; and
- no information has been provided to demonstrate that a building of the size proposed is required.

7.11 The submitted statement is lacking in information to justify the proposed agricultural building. Therefore, although an agricultural building would normally be acceptable in principle in a countryside location, insufficient information has been provided to justify why a building of the scale proposed is required. It is therefore considered that an essential need for the building to be located on the countryside has not been demonstrated, contrary to policy SS10 of the Local Plan (2020).

Design

7.12 Policy DC1 refers to design and seeks to secure development of a high quality which is designed to add value to the area and to respect the site and its surroundings. New development should promote a positive sense of place and identity through its scale, density, layout, siting, landscaping, character and appearance.

7.13 Policy DC3 of the Local Plan seeks to protect and where possible, enhance local landscape and the setting of settlements, resisting development that will lead to a prominent intrusion into the countryside or have a significant adverse impact on the character or the setting of a settlement or important views into and out of the settlement.

7.14 Policy SS10 of the Local Plan seeks to enhance and conserve the quality of the countryside by giving priority to the need to protect the quality and character of the area and requiring all development proposals to respect and respond sensitively to the distinctive qualities of the surrounding landscape.

7.15 Paragraph 130 of the NPPF (2021) requires the design of a development to add to the overall quality of an area, by being sympathetic to local character and by

being visually attractive as a result of good architecture. The Council's Design Guide SPD outlines the Council's expectations in respect of design.

7.16 The application seeks permission for an agricultural general purpose storage building that will measure 10 metres x 29.56 metres. It will have a mono-pitch roof with the highest side measuring 4.6 metres to the front (facing southwest), and the lowest side measuring 3.4 metres to the rear (facing northeast). The building will be constructed of a frame clad in corrugated metal sheeting to both the walls and the roof that will be green in colour. The building will be open-plan inside with a concrete floor and will be accessed by 6no. roller shutter doors within the front elevation and a pedestrian door within the northwest side elevation. The agricultural building will be sited adjacent to an existing woodland bank that has already been extensively excavated and a number of trees have been felled, in order to facilitate the proposed building. A large expanse of hardcore has also been laid.

7.17 The building is extensive in footprint and it will have the appearance of a building that would be found on an industrial estate given the choice of materials and the number of roller shutter doors. As the building is to be used for the storage of machinery and bales, it is unclear why the building has been designed in the manner that it has and the submitted Design, Access & Heritage Statement does not expand on this matter. A simple building with blockwork to the ground and hit and miss timber above would be more appropriate for its intended use.

7.18 The excavation and clearance that has already taken place will ensure that the building will be largely screened by the remainder of the bank and woodland to the northeast of the site. However, this has been at the expense of the removal of a number of mature trees. The existing Listed Building and further woodland to the southwest and south of the site will help to screen the development from long distant views from this direction. The land to the north of the site slopes upwards and therefore will screen a large proportion of the building from long distant views from this direction. However, a Public Right of Way (PRoW), Ipstones 33, is located immediately in front of where the building will be sited. The proposed building will therefore be highly visible to all users of the PRoW.

7.19 The hall's estate extends to 28.3 hectares and includes an existing modern farm building located to the south of the access drive, in close proximity to Home Farm (also within the applicant's ownership). This agricultural building was approved relatively recently, in 2015. This followed an earlier application (in 2014) that was refused for 2no. agricultural buildings due to the impact of the buildings' on the landscape character of the area and being excessive in size given the proposed agricultural requirements of the site. No information has been provided in respect of this existing building; why this building cannot be extended; or why a new agricultural building cannot be sited in close proximity to this building. In addition, no information has been provided that demonstrates that the application site is the best location for the proposed building or why other locations have been disregarded. No pre-application enquiry was submitted to discuss the best possible location for the proposed building.

7.20 The industrial appearance of the building, together with its scale and its proximity to the PRoW will result in a building that will not enhance or conserve the

quality or character of the area. The building will be visually prominent to users of the PRoW and it will not respect or respond sensitively to the qualities of the surrounding landscape. It is for these reasons that the proposed building is considered contrary to policies DC1, DC3 and SS10 of the Local Plan (2020) and the NPPF (2021).

Heritage

7.21 Policy DC2 of the Local Plan (2020) states that the Council will safeguard and where possible, enhance the historic environment by resisting development which would harm or be detrimental to the special character and historic heritage of the District's towns and villages and those interests of acknowledged importance; promoting development which sustains, respects or enhances buildings and features which contribute to the character or heritage of an area; and preventing the loss of buildings and features which make a positive contribution to the character or heritage of an area through appropriate re-use and sensitive development.

7.22 Paragraph 199 of the NPPF (2021) states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

7.23 Paragraph 200 of the NPPF (2021) states any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

7.24 A Design, Access & Heritage Statement was submitted with the planning application. The Heritage Statement is very brief and does not comply with the requirements of paragraph 194 of the NPPF (2021). The significance of the adjacent Listed Building has not been described; the effect of the proposed building on the significance of the setting of the Grade II* Listed Building has not been explored; and the relevant Historic Environment Record (HER) has not been consulted. Had the HER been consulted, then the applicant would be aware that the application site falls within the landscaped park/formal garden associated with Sharpcliffe Hall and that various artefacts have been found in close proximity to the application site, resulting in archaeological potential.

7.25 In contrast, the Design, Access & Heritage Statement simply states that:

- Cottage Farm does not have its own individual listing and is not mentioned within the listing for Sharpcliffe Hall;
- Cottage Farm does not appear on a list of non-designated heritage assets;
- *'In terms of significance, the proposed building does not have any of its own'*;
- *The proposed building 'will have little effect on the significance of Sharpcliffe Hall given its shielded location and that its design is not uncharacteristic for what is proposed/required'.*

7.26 The Design, Access & Heritage Statement considers the adjacent 'Cottage Farm' to not comprise a Listed Building as it is not formally described within the listing description for Sharpcliffe Hall. However, 'Cottage Farm' is attached to

Sharpcliffe Hall and together they formed part of one development known as 'Sharpcliff' on the 1899 Ordnance Survey.

7.27 According to the Historic England website:

'The entry in the statutory list contains a description of each building to aid identification. This can be just a description of the building and its features, but more modern entries will set out a summary of the assessment of special interest in the building at the time of designation. However, descriptions are not a comprehensive or exclusive record of the special interest or significance of the building and the amount of information in the description varies considerably.'

Any omission from the list description of a feature does not indicate that it is not of interest should be sought from the local planning authority if there is any doubt in a particular case.

The list entry will identify the principal building or buildings that are listed. These will be identified by the formal list entry and not the narrative description, unless there is ambiguity in the list. The whole of any principal building is listed, including the interior.

Objects, structures and buildings affixed to a listed building or within its curtilage may also be protected by listing.

These rules may mean that considerably more may be protected by the listing than is obvious from the list entry alone and there can often be considerable uncertainty as to what is covered.'

7.28 It is therefore concluded that all of the buildings associated with Sharpcliffe Hall, do not need to be formally mentioned within the list description of Sharpcliffe Hall in order for them to be listed. Given the historic association of 'Cottage Farm' and the agricultural buildings that form a yard to the rear of the hall, what is now known as 'Cottage Farm' is either Grade II* Listed as it forms part of Sharpcliffe Hall or they form curtilage Listed Buildings to the hall. Either way, the buildings are a designated heritage asset.

7.29 The proposed agricultural building will be sited to the northeast of the Grade II* Listed Building, approximately 5 metres away at its closest point. The proposed building will also be sited in what is described by the Heritage Environment Record as forming part of Sharpcliffe Hall's landscaped park/formal garden.

7.30 The lack of a comprehensive Heritage Statement that meets the requirements of the NPPF hinders the ability to fully identify the impact the proposed agricultural building will have on these heritage assets. However, it is clear that the proximity of such a modern industrial-looking building in close proximity of the Grade II* Listed Building will cause harm to the setting of the Listed Building and the group value of the estate. It is more difficult to assess the impact of the development on the significance of the landscaped park/formal garden, particularly the excavation of the ground levels without a comprehensive Heritage Statement. It is likely that the

development will comprise *'less than substantial harm'* although it is not known whether the excavation of part of the landscaped park/formal garden has resulted in *'substantial harm'*.

7.31 Paragraph 202 of the NPPF (2021) states: *'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use'*.

7.32 The proposed agricultural building will be used by the applicant to store farm equipment and bales. This is a private, rather than, public benefit. No public benefits have been demonstrated by the applicant. The harm to the significance of the existing heritage assets could also be avoided by siting the proposed building in a different location, given the estate occupies 28.3 hectares.

7.33 Insufficient information has therefore been submitted in the form of a Heritage Statement that is compliant with paragraph 194 of the NPPF (2021). Even without the benefit of a compliant Heritage Statement, the scale, design and proximity of the proposed agricultural building within 5 metres of the designated heritage asset will harm the significance of the setting of the Listed Building and no public benefits outweigh this harm. The impact of the development on the landscape park/formal garden of Sharpcliffe Hall is unknown until a comprehensive Heritage Statement is undertaken. It is for these reasons that the development will not comply with policy DC2 of the Local Plan (2020) or chapter 16 of the NPPF (2021).

Amenity

7.34 Policy DC1 and paragraph 130(f) of the NPPF (2021) seek to secure development that protects amenity, including residential amenity, in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping.

7.35 No dwellings, other than those owned by the applicant, are located in close proximity to the application site. The proposed agricultural building and the associated comings and goings of large/heavy machinery will therefore not adversely affect the amenity of neighbouring properties. It is for these reasons that the proposed development will comply with policy DC1 of the Local Plan (2020) and the NPPF (2021) in respect of amenity.

Highway Safety

7.36 Policies DC1 and T1 seek to achieve a level of parking and an access that is appropriate to the development it serves.

7.37 The application site will be accessed via the existing long estate driveway from Bradshaw Lane. The proposed development will not affect the existing access or driveway and sufficient space is available for the parking and turning of vehicles within the wider estate land ownership. The building is to be used for the storage of machinery that already exists on the estate and therefore it will not result in an intensification of the site. The existing PRow will not be affected by the proposed development.

7.38 It is therefore considered that the proposed development will not have a detrimental effect on highway safety and it will comply with policies DC1 and T1 of the Local Plan (2020) and the NPPF (2021).

Ecology & Trees

7.39 Policy NE1 outlines that the biodiversity of the District will be conserved and enhancement by positive management and the strict control of development by (1) protecting and enhancing habitats and species of principal importance for conservation; (2) ensuring development produces a net gain in biodiversity and; (3) any unavoidable impacts are mitigated.

7.40 Policy NE2 seeks to protect existing trees, woodlands and hedgerows from loss or deterioration. This will be achieved by requiring them to be retained and integrated within a proposed development unless the need for and benefits of the development clearly outweigh their loss. It goes on to state that the Council will refer to its adopted Tree Strategy in the consideration of proposals and will seek to retain as many trees and as much hedgerow on site as possible.

7.41 Policy 2.2.6 of the Council's adopted Tree Strategy states that *'the Council will not normally grant planning permission for development proposals which directly or indirectly threaten trees of significant amenity unless there is overriding justification to do so'*.

7.42 The ground within the application site has been excavated, a number of trees have been felled leaving roots exposed and hardcore has been laid. The application site is located in close proximity to existing ponds, woodland and the Coombs Valley SSSI. No Ecological Report has been submitted with the planning application. However, the majority of the works that could have resulted in an impact on protected species or habitats has already been undertaken and none of the trees were protected. It is therefore unknown what damage, if any, has been caused to protected species or habitats from the unauthorised works that have already been undertaken.

7.43 The applicant has not proposed any mitigation measures to ensure that the proposed building will not, when in use, adversely affect protected species or habitats (e.g. from any external lighting) and no information has been provided to demonstrate how a net gain in biodiversity can be achieved. However, it is considered that this could be conditioned. Therefore, subject to the imposition of a condition that requires the submission of mitigation measures and a net gain in biodiversity, the proposed development will comply with policies NE1 and NE2 of the Local Plan (2020) and the NPPF (2021).

Conclusion / Planning Balance

7.44 The proposal is for the erection of an agricultural building to be used for the storage of machinery and materials required to manage and farm the 28.3 hectares of land associated with Sharpcliffe Hall. A Design, Access & Heritage Statement provides insufficient information to justify the proposed agricultural building. Although an agricultural building would normally be acceptable in principle in a countryside

location, insufficient information has been provided to justify why a building of the scale proposed is required. It is therefore considered that an essential need for the building to be located in the countryside has not been demonstrated, contrary to policy SS10 of the Local Plan (2020).

7.55 The proposed agricultural building will be sited to the northeast of the Grade II* Listed Building, approximately 5 metres away at its closest point. The proposed building will also be sited in what is described by the Heritage Environment Record as forming part of Sharpcliffe Hall's landscaped park/formal garden. A Design, Access & Heritage Statement was submitted with the planning application. The Heritage Statement is very brief and does not comply with the requirements of paragraph 194 of the NPPF (2021). Insufficient information has therefore been submitted to identify the harm that will be caused to the significance of the heritage assets. However, it is clear that a modern industrial-looking building in close proximity of the Grade II* Listed Building will cause harm to the setting of the Listed Building and the group value of the estate. The impact of the development on the landscape park/formal garden of Sharpcliffe Hall is unknown until a comprehensive Heritage Statement is produced. The proposed agricultural building will be used by the applicant to store farm equipment and bales. This is a private, rather than, public benefit. No public benefits have been demonstrated by the applicant. The harm to the significance of the existing heritage assets could also be avoided by siting the proposed building in a different location, given the estate occupies 28.3 hectares. the development will not comply with policy DC2 of the Local Plan (2020) or chapter 16 of the NPPF (2021).

7.56 The industrial appearance of the building, together with its scale and its proximity to the PRoW will result in a building that will not enhance or conserve the quality or character of the area. The building will be visually prominent to users of the PRoW and it will not respect or respond sensitively to the qualities of the surrounding landscape. It is for these reasons that the proposed building is considered contrary to policies DC1, DC3 and SS10 of the Local Plan (2020) and the NPPF (2021).

7.57 As such the application is recommended for refusal.

8. RECOMMENDATION

A. That planning permission be REFUSED for the construction of an agricultural building for the following reason(s):

- 1. The proposal is for the erection of an agricultural building to be used for the storage of machinery and materials required to manage and farm the 28.3 hectares of land associated with Sharpcliffe Hall. A Design, Access & Heritage Statement provides insufficient information to justify the proposed agricultural building. Although an agricultural building would normally be acceptable in principle in a countryside location, insufficient information has been provided to justify why a building of the scale proposed is required. It is therefore considered that an essential need for the building to be located in the countryside has not been demonstrated, contrary to policy SS10 of the Local Plan (2020).**

- 2. The proposed agricultural building will be sited to the northeast of the Grade II* Listed Building, approximately 5 metres away at its closest point. The proposed building will also be sited in what is described by the Heritage Environment Record as forming part of Sharpcliffe Hall's landscaped park/formal garden. A Design, Access & Heritage Statement was submitted with the planning application. The Heritage Statement is very brief and does not comply with the requirements of paragraph 194 of the NPPF (2021). Insufficient information has therefore been submitted to identify the harm that will be caused to the significance of the heritage assets. However, it is clear that a modern industrial-looking building in close proximity to the Grade II* Listed Building will cause harm to the setting of the Listed Building and the group value of the estate. The impact of the development on the landscape park/formal garden of Sharpcliffe Hall is unknown until a comprehensive Heritage Statement is produced. The proposed agricultural building will be used by the applicant to store farm equipment and bales. This is a private, rather than, public benefit. No public benefits have been demonstrated by the applicant. The harm to the significance of the existing heritage assets could also be avoided by siting the proposed building in a different location, given the estate occupies 28.3 hectares. The development will not comply with policy DC2 of the Local Plan (2020) or chapter 16 of the NPPF (2021).**
 - 3. The industrial appearance of the building, together with its scale and its proximity to the PRoW will result in a building that will not enhance or conserve the quality or character of the area. The building will be visually prominent to users of the PRoW and it will not respect or respond sensitively to the qualities of the surrounding landscape. It is for these reasons that the proposed building is considered contrary to policies DC1, DC3 and SS10 of the Local Plan (2020) and the NPPF (2021).**
- B. In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Development Services has delegated authority to do so in consultation with the Chairman of the Planning Applications Committee, provided that the changes do not exceed the substantive nature of the Committee's Decision.**

Site Location Plan

