

**HIGH PEAK BOROUGH COUNCIL  
DEVELOPMENT CONTROL COMMITTEE**

**Date 7<sup>th</sup> March 2022**

<b>Application No:</b>	DET/2022/0003	
<b>Location</b>	Valley Farm, Whitehough Head Lane, Chinley, SK23 6EJ	
<b>Proposal</b>	General Purpose Agricultural Building	
<b>Applicant</b>	Mr Frank Longden	
<b>Agent</b>	Paul Richmond – Swift Structures Ltd	
<b>Parish/ward</b>	Blackbrook/Chapel	<b>Date registered</b> 25 <sup>th</sup> January 2022
<b>If you have a question about this report please contact:</b> James Stannard, Tel. 01298 28400 extension 4298, james.stannard@highpeak.gov.uk		

**1. SUMMARY OF RECOMMENDATION**

**Approve**

**1. REASON FOR COMMITTEE DETERMINATION**

- 1.1 This application has been brought before the Development Control Committee because the applicant is related to Ward Councillor Longden.

**2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS**

- 2.1 The application site relates to a parcel of land east of Whitehough Lane, north of the A6 Chapel-en-le-Frith bypass, that contains a cluster of buildings associated with Valley Farm.
- 2.2 At the time of a site visit, the existing buildings were in use of the accommodation of livestock, with a separate small container used for general storage.
- 2.3 Varying plant and machinery including 3no. tractors and a trailer, in addition to a large amount of hay bales were present within the site, giving a rather untidy appearance.
- 2.4 The site is characterised by a large electricity pylon that stands south of the existing buildings and a short distance north of the boundary with the A6, which is characterised by a belt of mature trees and natural vegetation.
- 2.5 The site benefits from an existing field gate access to the west directly from Whitehough Lane.

### **3. DESCRIPTION OF THE PROPOSAL**

- 3.1 The application seeks permission for a general purpose agricultural building under the prior notification procedure within Schedule 2, Part 6, Class A of the General Permitted Development Order (GPDO) 2015 as amended.
- 3.2 The building is shown to have a simple rectangular form that has an overall height of approximately 5m, which would be positioned to the south of one of the existing livestock buildings, orientated at right angles to it, with one end extending into the adjacent field, which forms part of the agricultural holding.
- 3.3 The building would be constructed from materials typical of this nature of building, with a combination of breeze blocks and concrete profile sheeting making up the external walls and roof.

### **4. RELEVANT PLANNING HISTORY**

- 4.1 The site has been subject to the following planning history:

HPK/0003/8243 Farm Building (Approved 14/09/1999)

### **5. PLANNING LEGISLATION RELEVANT TO THE DECISION**

Schedule 2, Part 6, Class A of the General Permitted Development Order (GPDO) 2015 as amended

### **6. CONSULTATIONS CARRIED OUT**

<b>Site notice</b>	Expiry date for comments: N/A
<b>Neighbour letters</b>	Expiry date for comments: N/A
<b>Press Notice</b>	Expiry date for comments: N/A

- 6.1 The nature of the application (prior approval) does not require any public consultation.

### **7. OFFICER ASSESSMENT**

- 7.1 This prior notification application has been submitted under Schedule 2, Part 6 of the General Permitted Development Order (GPDO) 2015 as amended.
- 7.2 Part 6 of the GPDO relates to agricultural and forestry development. Class A relates to development on units of 5 hectares or more and permits the following:

- A. The carrying out on agricultural land comprised in an agricultural unit of 5 hectares or more in area of –**

- (a) works for the erection, extension or alteration of a building;  
or**
- (b) any excavation or engineering operations, which are reasonably necessary for the purposes of agriculture within that unit**

7.3 The agent submits that the proposed building is needed to store plant and machinery and fodder that is currently kept in an open yard, which is vulnerable to the elements and as a risk of security. A not to scale map of the land holding has also been submitted.

7.4 An inspection of the site confirms that the existing buildings are home to livestock and cattle, with an array of plant and machinery (e.g. tractors) as well as hay bales being kept in the open in an untidy ad-hoc manner.

7.5 Further to the above, it is accepted that Valley Farm is an established agricultural holding in excess of 5ha and that the proposed building is reasonably necessary for the purposes of agriculture within the holding.

7.6 Paragraph A.1 sets out the parameters for where development is not permitted under Class A. An assessment of the proposed development against these parameters is set out as follows:

- (a) the development would be carried out on a separate parcel of land forming part of the unit is less than 1 hectare in area**

The proposed building would be contained within the same parcel of land as the existing buildings that form part of the holding and thus the application is compliant with Paragraph A.1(a).

- (b) it would consist of the erection of any agricultural building on an established agricultural unit (as defined in paragraph X of Part 3 of this Schedule) where development under Class Q or S of Part 3 (changes of use) of this Schedule has been carried out within a period of 10 years ending with the date on which development under Class A(a) begins**

A review of the planning history confirms that the site has not benefited from any prior notification consent under Part 3 Class Q or S and as such the application complies with Paragraph A.1(b).

- (c) it would consist of, or include, the erection, extension or alteration of a dwelling**

The proposal comprises an steel portal frame agricultural building and does not include any new, extended or altered dwelling. The application is thus compliant with Paragraph A.1(c)

- (d) it would involve the provision of a building, structure or works not designed for agricultural purposes**

The proposed building is of a scale, height, mass and visual appearance that is commensurate with traditional agricultural buildings, constructed from a combination of breeze blocks and concrete profile sheeting, that is clearly designed for agricultural purpose. The application is thus compliant with Paragraph A.1(d)

- (e) the ground area which would be covered by –**

- (i) any works or structure (other than a fence) for accommodating livestock or any plant or machinery arising from engineering operations; or**
- (ii) any building erected or extended or altered by virtue of Class A**

**would exceed 1,000 square metres, calculated as described in paragraph D.1(2)(a) of this Part**

The submitted plans show the building to span a width of 22.8m and a depth of 9.1m, equating to a total floor area of approximately 207sqm. The application is thus compliant with Paragraph A.1(e).

- (f) the height of any part of any building, structure or works within 3 kilometres of the perimeter of an aerodrome would exceed 3 metres**

There are no aerodromes within 3km of the site and therefore the application is compliant with Paragraph A.1(f)

- (g) the height of any part of any building, structure or works not within 3 kilometres of an aerodrome would exceed 12 metres**

The Elevation Plans show the building to have an eaves height of 3.86m and an overall ridge height of 5.08m. The application is thus compliant with Paragraph A.1(g)

- (h) any part of the development would be within 25 metres of a metalled part of a trunk road or classified road**

The nearest classified roads to the site are Whitehough Lane, which stands some 90 metres to the west of the side elevation of the proposed building, and the Chapel-en-le-Frith bypass (A6) which stands approximately 40m to the south at its closest point. The application is therefore compliant with Paragraph A.1(h)

- (i) 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 is defined within the GPDO as

*“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”*

The proposal is described as a general purpose agricultural building that would be home to plant, machinery and fodder, and would not be used to house any cattle or livestock. As such, whilst the building would be located within residential properties (protected buildings) adjacent to Whitehough Lane, the fact that the building would not be used to house livestock or cattle results in the application being compliant with Paragraph A.1 (i).

- (j) it would involve excavation or engineering operations on or over article 2(4) land which are connected with fish farming;**

The proposal does not involve any engineering operations connected with fish farming and as such the application is compliant with Paragraph A.1(j)

- (k) any building for storing fuel for or waste from a biomass or an anaerobic digestion system –**

- (i) would be used for storing waste not produced by that boiler or system or for storing fuel not produced on land within the unit; or**

- (ii) is or would be within 400 metres of the curtilage of a protected building**

The proposed building is a general purpose storage building that would not be used for storing fuel for or waste from a biomass or anaerobic digestion system and as such the application is compliant with Paragraph A.1(k).

7.7 The above assessment confirms that the proposal meets all of the parameters set out under Paragraph A.1 and such constitutes permitted development.

7.8 In line with conditions set out under Paragraph A.2, the local authority must consider whether prior approval is required having regard to the siting, design and external appearance of the building.

## **Siting, Design and Appearance**

- 7.9 The existing site consists of a cluster of buildings that stand adjacent to a large agricultural field to the east which is bounded to the south by a belt of mature trees that form the northern boundary of the A6 Chapel-en-le-Frith bypass.
- 7.10 Within the confines of the site a short distance south of the existing agricultural building is a large electricity pylon, which together with the nearby A6, significantly reduces the sensitivity of the immediate rural landscape character.
- 7.11 The proposed building is shown to be sited between the pylon and nearby agricultural building, having a rectangular form, orientated at right angles to the existing buildings.
- 7.12 Whilst the proposed building would encroach into the adjacent agricultural field, outside of the existing farmyard, it is considered that the building would retain a strong spatial and visual relationship with the existing form of agricultural development and be read within the existing context from public vantage points.
- 7.13 The proposed building is of a modest scale, height and massing that is considered to strike an appropriate balance between the practical needs of such a building and the need to minimise landscape and visual impacts.
- 7.13 The proposed building is shown to be constructed from materials that are typical of an agricultural building, and are considered to result in a development that is in keeping with the existing character of the site, and respects the character of the immediate and wider rural landscape.
- 7.14 Having regard to the above, the proposed plans are considered to be acceptable with regards to siting, design and external appearance.

## **Planning balance & Conclusion**

- 7.21 This prior notification application submitted under Part 6, Class A of the GPDO seeks consent for a general purpose agricultural building which is associated with a long established agricultural holding, Valley Farm, Whitehough Lane, Chinley
- 7.22 Based on a site visit and conversations with the agent, Officers are satisfied that the proposed building is reasonably necessary for the purposes of agriculture in connection with the existing holding.
- 7.23 An assessment of the application has found the proposals to be compliant with all parameters set out under Paragraph A.1 and thus the proposals constitute permitted development.

7.24 It is considered that the siting, design and external appearance of the building are acceptable, having regard to any potential impacts upon the immediate or wider rural landscape character.

## 8. RECOMMENDATIONS

**A. Approve details as submitted with application**

**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/informative/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 Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.**

This recommendation is made following careful consideration of all the issues raised through the application process and thorough discussion with the applicants. In accordance with Paragraph 187 of the NPPF the Case Officer has sought solutions where possible to secure a development that improves the economic, social and environmental conditions of the area.

### Site plan

