

The Application is for full planning permission for the retention of an Animal Welfare Unit

The application site is located within the open countryside on land designated as being within the North Staffordshire Green Belt and an Area of Landscape Restoration (policy N21), as indicated on the Local Development Framework Proposals Map.

**The 8 week determination period expired on the 31st July 2016 and no extension to the statutory determination period has been agreed.**

### **RECOMMENDATION**

**Permit with no conditions**

### **Reason for Recommendation**

The building is used for agriculture and hobby farming and whilst the hobby farming element does not represent appropriate development within the Green Belt it is considered that the benefits of the scheme, which would enable the existing farming enterprise to expand, would outweigh the limited amount of harm to openness of the Green Belt which justifies approval of planning permission in this instance.

### **Statement as to how the Local Planning Authority has worked with the applicant in a positive and proactive manner in dealing with this application**

Officers of the LPA requested further additional information from the applicant during the consideration of the application and this was submitted. The building is now considered to be a sustainable form of development that would comply with the provisions of the National Planning Policy Framework 2012.

### **KEY ISSUES**

The application is for full planning permission for the retention of a building measuring 11.055m long, 3.658m deep and 3.4m high which has been constructed to provide winter cover for 'hobby' animals including sheep and alpacas, to provide a lambing shed and to store animal feed. The building is located at the south western extremity of the 'holding' approximately 27m from the house to which it is related. The site is located within the Green Belt and within an Area of Landscape Restoration, as indicated by the Local Development Framework Proposals Map.

The key issues in the determination of this planning application are considered to be:

- Is the development appropriate development in the Green Belt?
- Is the design of the proposed development acceptable?
- The impact upon the Area of Landscape Restoration?
- Do very special circumstances exist which would outweigh the harm caused to the openness of the Green Belt, and any other harm?

### **Is the development appropriate development within the Green Belt?**

Paragraph 79 of the NPPF details that "The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence."

The NPPF indicates in paragraph 89 that local planning authorities should regard new buildings within the Green Belt as inappropriate. Exceptions to this include buildings for agriculture and forestry and

those providing appropriate facilities for outdoor sport or outdoor recreation. In the latter case such buildings are not inappropriate as long as the development preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.

The applicant has provided some information and whilst sheep are grazed on the land the building is primarily used for 'hobby' purposes, i.e. the nature of the animals and the manner they are kept is not for an agricultural enterprise – trade or business. It is also considered that the building does provide appropriate facilities for outdoor sport and outdoor recreation.

The proposal is therefore considered to represent inappropriate development in the Green Belt and should not be approved except in very special circumstances. This will be addressed below.

#### Is the design of the proposed development acceptable?

Paragraph 56 of the National Planning Policy Framework states that good design is a key aspect of sustainable development, indivisible from good planning, and should contribute positively to making places better for people.

The Urban Design SPD (2010) states that the aims for development within, or to extend, rural settlements are to respond to the unique character and setting through an understanding of settlement pattern and the setting within the wider landscape, celebrating what is distinct and positive in terms of rural characteristics, and topography in each locality, and generally to locate new development within village envelopes where possible and minimise the impact of the existing landscape character.

As indicated above the building is located in a field to the rear of existing properties and is therefore outside of a rural settlement. It is a steel framed building finished with fibre cement roof cladding sheets in natural grey and walls of tanalised lapped Yorkshire boarding. It has three front stable style doors with a projecting canopy over. It is of a typical stable style and appearance that is considered acceptable in this rural location.

The area is designated as a Landscape Restoration Area, and it is considered that the building does not erode the character of the area, and would therefore comply with the aims of Policy N21 of the Local Plan.

Overall, the design and appearance of the building is considered to comply with the aims and objectives of the NPPF and the Urban Design SPD.

#### Do the required very special circumstances exist (to justify inappropriate development)?

The NPPF indicates that very special circumstances (to justify inappropriate development) will not exist unless potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

The applicant has submitted a statement which seeks to justify the need for the development.

The applicant indicates that 3 acres of agricultural land was purchased 9 years ago by the applicant's father and an agricultural holding number was obtained from the Rural Payments Agency in 2008 to allow the registration and identification of cattle so that he could purchase young stock and then sell on once matured. This Holding is now farmed by his son who also rents the adjoining 3 acres owned by a neighbour; their vision is to increase the profitability of the land to support the family through a programme of structured growth.

The building allows for good welfare of animals that are ably supported on the available grazing land. Their intention is to locate additional grazing for renting and so increase their breeding stock.

The Holding currently is home to 30 sheep, 5 pigmy goats, 2 Alpacas, geese, chicken, peacocks and a small pony. Income is derived from sale of eggs and by the breeding of lambs (the current flock are due to lamb early in the New Year). The family are also looking at breeding from the goats and the two alpacas recently purchased.

The holding and building is primarily hobby farming but there is some element of rural enterprise, as well as recreation. It is a modest sized building and has an acceptable appearance and one which you would expect in a rural location. The 3 stable design allows it to be used by a variety of animals at any one time or wholly for lambing purposes.

The building would allow the existing hobby farm to develop and expand the business element of the use. Therefore, on balance it is considered that the harm arising from the fact that the development is inappropriate and its impact on openness is considered to be outweighed by the above considerations, and the required very special circumstances can be considered to exist in this case.

## **APPENDIX**

### **Policies and proposals in the Development Plan relevant to this decision:**

[Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy \(CSS\) 2006-2026](#)

Policy ASP6: Rural Area Spatial Policy

Policy CSP1: Design Quality

[Newcastle-under-Lyme Local Plan \(NLP\) 2011](#)

Policy S3: Development in the Green Belt

Policy N17: Landscape Character - General Considerations

Policy N21: Area of Landscape Restoration

### **Other Material Considerations**

Relevant National Policy Guidance:

[National Planning Policy Framework \(NPPF\) \(2012\)](#)

[Planning Practice Guidance \(PPG\) \(2014\)](#)

Other Guidance

[Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance Supplementary Planning Document \(2010\)](#)

[Planning for Landscape Change - SPG to the former Staffordshire and Stoke-on-Trent Structure Plan](#)

Planning History

None relevant

Views of Consultees

**The Environmental Health Division** – No objections

**Kidsgrove Town Council** – No observations received

Representations

None received

Applicants/agents submission

The requisite plans and application forms were submitted. A supporting design and access statement been submitted to support the application which seeks to justify the development proposed. These documents can be viewed on the Councils website;

<http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/17/00474/FUL>

Background Papers

Planning files referred to

Planning Documents referred to

Date report prepared

29 August 2017