

OFFICER REPORT ON DELEGATED ITEMS

Applicant Mr J Burgess

Application No - 12/00362/AGR

Location Old Hall Farm, Main Road, Betley

Description Extension of Existing Dutch Barn

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

West Midlands Regional Spatial Strategy 2008

Policy QE1: Conserving and Enhancing the Environment

Policy QE3: Creating a high quality built environment for all

Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006 – 2026 (Adopted 2009)

ASP6: Rural Area Spatial Policy

CSP1: Design Quality

CSP 2: Historic Environment

CSP 3: Sustainability and Climate Change

CSP4: Natural Assets

Staffordshire and Stoke-on-Trent Structure Plan 1996-2011

Policy D1: Sustainable Development

Policy D2: The Design and Environmental Quality of Development

Policy D4: Managing Change in Rural Areas

Policy D5B: Development in the Green Belt

Policy NC1: Protection of the Countryside: General Considerations

Policy NC2: Landscape Protection and Restoration

Newcastle-under-Lyme Local Plan 2011

Policy S3: Development in the Green Belt

Policy N17: Landscape character: general considerations

Policy N18: Area of Active Landscape Conservation

Other Material Considerations

Relevant National Policy Guidance:

National Planning Policy Framework (March 2012)

Annex E (PPG 7): Permitted Development Rights for Agriculture and Forestry

Supplementary Planning Guidance

Newcastle under Lyme and Stoke on Trent Urban Design Guidance Supplementary Planning Document 2010

Planning for Landscape Change: Supplementary Planning Guidance to the Staffordshire and Stoke-on-Trent Structure Plan 1996-2011, formally adopted on 10 May 2001

Space around Dwellings Supplementary Planning Guidance

Betley Conservation Area Appraisal (2008)

Planning History

11/00445/AGR	Permitted	17.10.2011	Cladding of existing Dutch barn
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Views of Consultees

County Archaeologist – would be unlikely to impact upon sensitive below ground archaeological remains. As such it is considered that should the scheme receive approval, archaeological mitigation would not be appropriate

Betley, Balterley and Wrinehill Parish Council – Objects most strongly on the following grounds:

- a) the facility should be sited elsewhere on the holding for sound agricultural reasons;
- b) the application is defective in the following particulars:
 - 1) the location plan is inaccurate in placing the edge of the proposed building some 10m from the access way when in fact it will come to its edge;
 - 2) the application states that the building is located 50m from Old Hall when in fact it is 14.3m from the boundary wall with Old Hall, and 28.3m from the Old Hall building;
 - 3) the new building is described as an extension despite being 22.86m x 12.192m against the 18.5m x 7.4m size of the existing building; the new building would also not appear to use any part of the existing structure for support, and the existing building does not appear capable of supporting the new structure in any event;
- c) the development would be visually intrusive and have a very significant adverse impact on a nationally important listed building (Model Farm, Grade II*) and other significant listed buildings (Old Hall, Grade II* and The Dovecote, Grade II), by its intrusive impact on the context of the assembly of listed buildings both individually and as a grouping;
- d) the proposed development, by virtue of its siting, design, scale and materials, would irreparably harm the character, appearance and special interest of the Conservation Area;
- e) the proposed development is contrary to Local Plan 'saved' policies B5, B9, B10 and B13, which are intended to preserve and protect the special character, appearance and setting of buildings and areas of special merit, such as Listed Buildings and Conservation Areas.

Conservation Officer – Objects strongly. Reservations about the proposal to erect a large barn in this sensitive location (Conservation Area and adjacent Grade II and Grade II* Listed Buildings). Accept that the buildings were a farmhouse and associated farm buildings, the other buildings have been left redundant for many years and have not been farmed for a long time. The applicant who used to own the Model Farm sold it to developers for a hotel and spa. Concern that no heritage statement has been provided.

Given the amount of land that the applicant owns, there is probably a less sensitive site which should be considered. Considers the siting of this modern barn is inappropriate and harmful to the setting of the significant heritage assets and unnecessary.

Following receipt of the applicant's justification: considers that all of the other locations that have been put forward, except the stackyard, are in locations which would not affect the view of the listed buildings from one to the other, and they would still have a clear relationship between each other. Such a large building will have an impact on the landscape in any of the proposed locations. The building does not need to be adjacent to the Dutch barn. During the application for the hotel and spa, the car park was proposed in the area known as the water meadow. The Council was minded to consider some ground works to this site but it was the extent which was found to be unacceptable. Considers the area west of the Water Meadow (area 4) and the paddock would have less impact on the significance of the listed buildings, not being in the middle of them all. These areas should not be dismissed, and the Paddock (area 5) will have less impact on the model farm complex. There is also space next to the store in Balterley to erect another barn, although it would be slightly more inconvenient to transport any hay etc. The development would not make a positive contribution to the Conservation

Area, is not convincing in its justification to site the building in the proposed site and that the harm cause is not outweighed by any likely benefits to any listed buildings on the site.

Environmental Protection – No objection subject to conditions relating to the reporting of unexpected contamination being found, and importation of soil

Conservation Advisory Working Party – Strongly object on the grounds that the introduction of a modern agricultural building at this location would be harmful to the setting of the adjacent listed buildings which are an important collection of heritage assets and a Model Farm of particular significance and rarity value. The relationship between these buildings and the local landscape would be harmed, and the character and appearance of the Betley Conservation Area which this group of buildings make a significant contribution to, would be harmed.

English Heritage – Although English Heritage has not seen any plans relating to the proposed development they strongly object to the principle of siting further modern agricultural buildings in this open area. Development here will be visually intrusive, interrupt views between and understanding of the historic relationships between the listed buildings, causing substantial harm to their significance and to their contribution to the character of Betley Conservation Area. The development would not support the Government's advice at Para. 131 of the NPPF of development sustaining and enhancing the significance of heritage assets, or making a positive contribution to local character and distinctiveness. English Heritage are not aware of any arguments to show the proposal would deliver substantial public benefits which would outweigh the harm to the heritage assets (NPPF Para 133). English Heritage recommends that the Council require a full planning application for the development. Further recommend that planning permission should be refused on the grounds that the siting and appearance of the new structure would cause substantial harm to the setting of the adjacent listed buildings and the character and appearance of Betley Conservation Area.

Representations

13 separate representations (all objections) have been received. They are summarised below:

- Sited in a Conservation Area, which is inappropriate
- The impact of a modern farm building of this size in the middle of the group of Listed Buildings would undermine the visual integrity of the whole group and the relationship between the individual buildings from most directions and from Main Road, public footpaths and the Old Hall
- Close proximity of the proposed extension to the existing Listed Dovecote, Old Hall and Model Farm Barns would put them at an increased risk of fire, damage caused by vehicular activity in a confined area and rainwater run off
- Difficult to see how there is any justification for putting this additional building within the existing group in the Conservation Area, when the applicant has such a large acreage available nearby and not living on site
- The existing buildings should be preserved, used, restored and maintained
- In the justification of the requirement for the building to go in this location, the applicant has presented a restricted choice of only five locations, two of which are within Betley Conservation Area, one of which is an ancient water meadow and one an orchard
- The Stackyard, is not easily accessible, and should the application be permitted, there would be no space for the turning of large farm vehicles, as it is hemmed in by a Grade II* Listed wall, a fence and the Grade II Dovecote. There is also a right of way running through this area which must be kept unrestricted at all times
- The applicant does not live at the farmhouse and the Listed Buildings form a heritage site and are not used for farming. Therefore no reason to centre the applicant's farming operation in this sensitive location in Betley Conservation Area
- The loss of agricultural land should not be a material concern. The proposed barn has a 260 square metre footprint which is 1/14th of an acre. Out of 200

acres this represents 0.035% of the applicants holding and would cover enough land to make approximately one large bale of hay worth about £25

- The applicant's main concerns seem to be the necessity for the provision of fences and gates, the need for hard standing, the loss of agricultural land and the possible fragmented appearance of the farm. All the sites mentioned already have adequate gates and fencing
- The visually fragmented argument is redundant as by the applicant's own criteria the listed buildings must already be in positions that he would judge to look fragmented. If modern buildings placed next to them look fragmented then so must the original buildings. According to Annex E of PPG 7 "new buildings of modern design may sometimes best be separated from a group of traditional buildings to avoid visual conflict. Also, "the visual impact of a poorly situated building cannot easily be reduced... in some cases a site elsewhere on the agricultural land would be preferable."
- Drainage for the proposed barn would be totally inadequate for the amount of water that would run off the barn roof. Serious problem with flooding on the A531 (not the A52) at the bottom of the access road that the Council have made several unsuccessful attempts to alleviate. Piping the water away downhill will exacerbate the problem
- The applicant has failed to demonstrate that the building is reasonably necessary for the purposes of agriculture, given that the existing agricultural buildings on site are underutilised. More efficient use of these buildings, in the substantial and secure agricultural building adjacent his property in Balterley could meet the current operational needs of the farm operation.
- The provision of a single, large building for both farm produce and farm machinery is not operationally efficient, given the potential for contamination, differing security and height requirements. Future needs might be better served by providing two smaller buildings. Annex E, Paragraph E31, recognises that the impact of a single large building can be reduced by the use of one or more smaller buildings giving greater flexibility both in location in terms of operation
- The applicant's analysis of other sites within his holding is too limited in that it does not examine sites elsewhere within the wider holding using other accesses. It dismisses any sites west of the A531 for no good reason: for instance, the site opposite the entrance to Old Hall Farm seems ideal.
- Annex E in Paragraphs E16 and E22 highlight the requirement to consider the effects of development on the landscape in terms of visual amenity and the desirability of preserving ancient monuments and their settings, known archaeological sites, Listed Buildings and their settings. Paragraph E27 states it is better to separate new buildings of modern design from traditional buildings to avoid conflict and new buildings should be blended into the landscape.
- The proposed development by virtue of its siting, design and materials will irreparably harm the character, appearance and special interest of Betley Conservation Area and important Listed Buildings, two of which are Grade II* of special national significance
- The Grade II* Betley Old Hall, Grade II* Model Farm and the Grade II Dovecote form a nationally important group of rare and protected buildings, in the process of being renovated, demonstrating an historic example of farming technique from a bygone age. The buildings are extremely beautiful edifices arranged around a small stackyard that already contains one small hay barn which already restricts the views of these precious buildings.
- The proposal would block the sight lines between these buildings, breaking up the group and cutting them off from each other
- The proposed barn would be a permanent structure, towering over the listed buildings oppressively, having a devastating effect
- The proposed barn would come to the edge of the right of way and extend right the way back to the wall of the Old Hall.
- The back of the barn would reach to just 4 metres from the wall of the Old Hall, 14 metres from the gates, 27 metres from the Old Hall, 15 metres from the wall of the Model Farm and 6 metres from the Dovecote
- As these are listed buildings it is the distance from the curtilage which should be taken into account
- The proposed barn would be a freestanding building not an extension. The barn it is to be attached to would not be able to support it.

- From a farming perspective, there is no valid need to site this barn in this sensitive, protected area, when there is so much other available land outside of the Conservation Area, with much better access and much more room to manoeuvre large farm vehicles
- The applicant has had many ideas over the last 10 years as to how to maximise profits from this small Conservation Area. He has twice applied for permission to turn the Dovecote and the small adjacent barn into a modern house, has sold the Model Farm to speculators to be turned into a hotel complete with a Moroccan Bar and with the opportunity for further development in his land, turning the ancient water meadow into a hotel car park and further fields into an access road. He has sited a builder's yard there for a ground works company of which he was the director, covering the stackyard with industrial sized vehicles. Now he proposes to erect an enormous barn, in order to enable him to retain the Single Farm Payment subsidy under the new rules
- A barn filled with hay, farm machinery and fuel would be extremely hazardous so near an ancient timber framed house coated with bitumen. An earlier small hay barn, much further from the Old Hall burnt down in the 1970s, almost taking the Old Hall with it
- What is the point in having a designated Conservation Area and listed status for heritage assets unless we are able to protect them?
- The increased activity from large farm vehicles and road lorries would create a danger to walkers, Old Hall residents and possible damage to the adjacent listed walls.
- It cannot be considered as an Agricultural Development within Permitted Development rights without strong independent supporting information
- The barn does not need extending or another one building as the current one has not been used for 20 years
- The proposed development is contrary to the Development Plan: the National Planning Policy Framework, Newcastle under Lyme and Stoke on Trent Core Spatial Strategy, Newcastle under Lyme Local Plan 2001 "saved policies". These documents contain policies to conserve and enhance the historic environment and the "saved policies" B5, B9, B10 and B13 designed to preserve and protect the special character and appearance and setting of buildings and areas of special architectural and historic interest
- The applicant states that the building is required to support and develop an agricultural business. The applicant does not farm the land, much of the land is leased to sheep farmers for grazing, and they make no use of the existing buildings. The existing buildings are mainly empty, so for a development of this impact, some formal justification is required
- If you more than double the size of the existing barn and use it to store improvements and produce it cannot be true that there will be no additional traffic
- Despite what the applicant states, the proposed development is to be erected just 25 metres from the Old Hall dwelling house.
- A farmer sites his buildings near to his farmhouse for convenience. As the applicant lives away from the site and the farmhouse is in separate ownership, the proposed building should be site elsewhere on the applicant's 200 acre farm, all of which lies outside of the Betley Conservation Area
- The Dovecote is cracked from top to bottom and the extensions are separating from the main tower. The poor condition is not only caused by neglect but also due to it being undermined by the water running off the roof of the Dutch barn. The addition of another large building would mean an even larger area of ground is prevented from acting as a soak away. The extra water running off the two large roofs will cause what is left of the stackyard to become waterlogged, affect the other surrounding listed buildings and exacerbate the problem of flooding on the main road at the bottom of the hill.

Applicants/agents submission

A covering letter has been submitted with the application, which is summarised below:

- The extension of the Dutch barn is requested under Permitted Development Rights part 6 Class A (a) extension of an existing building as reasonably necessary for the purpose of agricultural within the unit

- To provide storage for farm implements and produce (not livestock). The extra storage space is required to support and develop the agricultural land based business
- The site is agricultural land, and is surrounded with agricultural buildings with the exception of the former farmhouse. The Old Hall Farm House would be approximately 50 metres from the proposed extension. The Dutch Barn is not a listed building or is it contiguous with other listed buildings
- The materials would fit in with the setting and match the existing Dutch Barn, the design of the extension is typical of farm buildings with the exception of the timber cladding which would be more pleasing to the eye in this setting. The ridge height of the extension is lower than the Dutch Barn
- There would not be an increase in traffic flow as the building is just to support the farm business
- The NPPF promotes sustainable development Paragraph 14 with the presumption in favour of sustainable development Paragraph 28 promotes the development of agriculture and Paragraph 89 Green Belt exempts agricultural buildings

An agricultural justification for the development has been submitted with the application, which is summarised below:

- The farm is on the edge of the village of Betley. The land falls into two parcels of about 100 acres each. This comprises of 100 acres to the east of the A52 and 100 acres to the west of the A52.
- Land to east is all unimproved pasture, with the exception of 17 acres accessed from Bow Hill Lane, this field is a hay meadow (unimproved pasture is old turf which is species rich and valuable environmentally). It has been to grass since before 1900's. It is not suitable for the production of forage due to the undulating landscape
- Land to the west is all improved pasture with the exception of the water meadow. This was arable land and is suitable for hay/ silage or other arable crops.
- Due to the land use it is not viable to transport all the produce across the A52 for storage on the east side of the farm
- The requirements for the site include ease of access for machinery, level ground to reduce ground works, restriction of public view or obstruction of public right of way, impact on listed buildings, cost of site i.e. taking productive agricultural land out of production. Cost of roadways/ fencing and gates etc
- Sites that the applicant considered when deciding where to situate the barn: Stackyard, South west of the Smithy, the Orchard, West of Model Farm Complex on Water Meadow, Paddock further west of Model Farm Complex.

	Site	Ease of Access	Level Ground	Restricted public view from R.O.W	Positive Impact on listed buildings	Cost of site
Stackyard	1	Yes	Yes	Yes	No	Yes
South west of Smithy	2	Yes	No	No	No	Yes
Orchard	3	No	No	No	Yes	Yes
West of water meadow	4	Yes	Yes	No	No	No
Paddock	5	No	Yes	No	Yes	No

- The applicant goes on to discuss why each site other than the stackyard is unsuitable for the proposed barn
- Conclusion – the most viable option and with least overall impact would be the stackyard. With only a limited loss of view from the public right of way to the Old Hall Farm House. The existing views between the House, the Model Farm and the Dovecote are already affected by the Dutch barn. The proposed buildings would therefore not affect the existing view.
- Building design – the building would be portal frame of steel construction similar to the Dutch barn, and typical of modern agricultural buildings. It would be clad in Yorkshire boarding with grey fibre cement roof to match the Dutch barn.
- The building will not require a concrete slab and ground works will be minimal with approximately fourteen, 600mm square holes, 900mm deep for each leg of the building. Rainwater would be piped from the site to a soak away, sited downhill from the Dovecote thus not having an impact on the footing of the listed building and keeping the surrounding site dry
- Other buildings available for use – The only buildings available to support the 200 acre farm at present are the Smithy, Dovecote, Dutch barn and the machinery store/ workshop at Balterley.
- The Smithy is not accessible by tractor and is used for storage of fencing materials
- The Dovecote is not accessible with a tractor and is used for storage of draining materials and general farm tools
- The Dutch barn will be used for Hay
- The machinery store / workshop at Balterley are used for machinery, farm chemicals, diesel, ladders and general metal working tools. This building is secure and alarmed.

In response to the Conservation Officers comments:

- The proposed building on the stackyard site does not affect the view of the heritage assets between each other. The Dutch barn already restricts the view and there has been a Dutch barn in this location since before 1925 see 1925 map and there were 2 Dutch barns until 1975
- I would argue that the proposal fits NPPF Para 137 as the modern agricultural buildings will better reveal the heritage assets significance as these are the type of buildings that you would expect to find on a farm

Key Issues

The application is for the prior approval of the siting and appearance of an agricultural building, at The Old Hall Farm, Main Road, Betley, which is within the Betley Conservation Area, the Green Belt, and an Area of Active Landscape Conservation as designated by the Local Development Framework Proposals Map.

The proposed building would be an extension to an existing agricultural building on the site. It would measure 3960mm to eaves height, and 5600mm to the ridge height. It would measure 23.5 metres in length by 13 metres in width. In relation to the existing Dutch barn, it would be lower in terms of the eaves height and ridge height, but would be wider and longer than the Dutch barn.

Materials are proposed to be Yorkshire Boarding to match the existing Dutch barn. Cladding is proposed to the rear and side, and just over half the front elevation.

It is important in the first instance to be satisfied that the development constitutes agricultural permitted development. Part 6 Class A rights are claimed so the Local Planning Authority must satisfy itself that;

- This is agricultural land
- That such land is comprised in an agricultural unit of more than 5ha
- The proposed buildings cover a ground area of less than 465m²
- That the works are reasonably necessary for the purposes of agriculture within that unit and the building is designed for the purposes of agriculture

The proposed building would be an extension to an existing agricultural building on the site. When added to the floor area of the existing building, the cumulative floor area would be approximately 437.98 square metres.

Having visited the application site as well as viewing the application form submitted as part of this application, and aerial photography it would appear that these tests are met and the proposal constitutes agricultural permitted development. In view of this, full planning controls over this development do not exist. The principle of the development is accepted and the objective of the planning authority is to consider the effect of the development in terms of its siting, design and external appearance.

The proposed extension to the Dutch barn would be in close proximity to a number of Listed Buildings. These are the Grade II Listed Dovecote to the north west of the proposed extension, The Grade II* Listed 15th Century Old Hall Farm House to the east of the proposed site of the extension, the Grade II* Betley Model Farm Complex to the south of the proposed site for the extension, the Grade II Listed Smithy, to the north west of the proposed site of the extension, and the Grade II Listed Pig sties to the south east of the site.

The Old Hall Farm House, piggery, and Model Farm complex are owned separately to the stackyard, Dutch barn, Dovecote and Smithy. The applicant therefore does not live at the site.

Whilst not retained as policy guidance when the NPPF was introduced Annex E to PPG 7 provided advice on permitted development rights for agriculture and forestry and the determination process. Whilst limited weight can be given to this document, the advice contained is not inconsistent with policy set out in the NPPF and it is considered that it retains some value in the consideration of prior determination applications. It states, at paragraph E16, that local authorities should always have full regard to the operational needs of the agricultural and forestry industries; to the need to avoid imposing any unnecessary or excessively costly requirements; and to the normal considerations of reasonableness. It goes on to state that local authorities will also need to consider the effect of the development on the landscape in terms of visual amenity and the desirability of preservingsites of recognised nature conservation value. They should weigh these two sets of considerations.

Whilst the site is within the Green Belt the issue of principle is not a matter for consideration given that the application relates to permitted development.

The remaining key issues to be addressed therefore are:

- Whether the siting, design and external appearance of the proposed building is acceptable in terms of its impact upon the Betley Conservation Area?
- Whether the siting, design and external appearance of the proposed building is acceptable in terms of its impact upon the surrounding Grade II and Grade II* Listed Buildings
- Whether the siting, design and external appearance of the proposed building is acceptable in terms of its impact upon the Area of Active Landscape Conservation
- Applicant's justification of the siting of the agricultural building, and whether it overcomes any harm that would be caused to the Conservation Area and Listed Buildings.

Is the siting, design and external appearance of the proposed building acceptable in terms of its impact upon the Betley Conservation Area and the surrounding Grade II and Grade II* Listed Buildings?

Policy CSP 2 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy states that both councils will seek to preserve and enhance the character and appearance of the historic heritage of the City and the Borough including buildings, monuments, sites and areas of special archaeological, architectural or historic interest.

Policy B9 of the Local Plan states that the Council will resist development that would harm the special architectural or historic character or appearance of Conservation Areas. Policy B10 of the Local Plan states that permission will be granted to construct, alter the external appearance of or change the use of any building only if its proposed appearance or use will preserve or enhance the character or appearance of a Conservation Area. This will be achieved by a list of criteria being met:

- i) The form, scale, bulk, height, materials, colour, vertical or horizontal emphasis and detailing respect the characteristics of the buildings in the area
- ii) The plot coverage characteristics respect those of the area

- iii) Historically significant boundaries contributing to the established pattern of development in the area are retained
- iv) Open spaces important to the character or historic value of the area are protected
- v) Important views within, into and out of the area are protected
- vi) Trees and other landscape features contributing to the character or appearance of the area are protected.

Policy B13 of the Local Plan states that applicants need to demonstrate how they have taken account of the need to preserve or enhance the character or appearance of Conservation Areas in the design of their development proposals.

The proposed building would be sited in part of the Betley Conservation area that is of considerable historic value. It is considered that the siting of this extension to the Dutch barn in this location would harm the character and appearance of the Conservation Area, in terms of its overall size, bulk and appearance. It is considered that the proposed siting and appearance of the extension to the Dutch barn would not preserve or enhance the character or appearance of the Conservation Area, and would harm views within, into and out of it. It would interrupt important views and relationships between the surrounding Listed Buildings which give this part of the Conservation Area a significant amount of its special and unique character.

Paragraph 129 of the NPPF states that Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal including by development affecting the setting of a Heritage Asset. Paragraph 131 goes on to state that in determining planning applications, local planning authorities should take account of:

- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation,
- The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality, and
- The desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 132 states that great weight should be given to the asset's conservation, and the more important the asset, the greater the weight should be, as significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to Grade II Listed buildings should be exceptional and substantial harm to Grade II* Listed Buildings should be wholly exceptional.

Policy B5 of the Local Plan states that the Council will resist development proposals that would adversely affect the setting of a Listed Building.

Paragraph E27 of Annex E to PPG 7 states that new buildings of modern design may sometimes best be separated from a group of traditional buildings to avoid visual conflict. Paragraph E33 of Annex E to PPG 7 states that it will normally be appropriate to use traditional or sympathetic materials for developments taking place in the setting of a listed building or in a conservation area.

The proposed extension to the Dutch barn would be in close proximity to a number of Listed Buildings. These are the Grade II Listed Dovecote to the north west of the proposed extension, The Grade II* Listed Old Hall Farm House to the east of the proposed site of the extension, the Grade II* Betley Model Farm Complex to the south of the proposed site for the extension, the Grade II Listed Smithy, to the north west of the proposed site of the extension, and the Grade II Listed Pig sties to the south east of the site.

The buildings both as individual buildings and as a group are highly significant and the Local Planning Authority has a duty to protect their significance and setting. No attempt has been made to preserve the setting or significance of the listed buildings surrounding the application site. The proposed development would be visually intrusive, interrupt views between and understanding of the historic relationships between this collection of listed buildings, cause substantial harm to their significance and to their significant contribution to the character of Betley Conservation Area. The harm caused by this development is not considered to be outweighed by any benefits to the adjacent heritage assets or any public benefit.

Overall it is considered that the proposed development, by virtue of its siting, design and external appearance, would cause significant harm to the character and appearance of the Betley Conservation Area and the setting of the surrounding Listed Buildings, both as individual buildings and as a group of buildings. The proposal is therefore contrary to Policies B5, B9, B10 and B13 of the Newcastle under Lyme Local Plan, Policies NC18 and NC19 of the Staffordshire and Stoke on Trent Structure Plan, and the aims and objectives of the NPPF.

Is the siting, design and external appearance of the proposed building acceptable in terms of its impact upon the Area of Active Landscape Conservation?

The proposed extension to the Dutch barn would be located within an Area of Active Landscape Conservation. In these areas the Council will support, subject to other plan policies, proposals that will help to conserve the high quality and distinctive character of the area's landscape. Development that would harm the quality and character of the landscape will not be permitted. Within these areas, particular consideration will be given to the siting, design, scale materials and landscaping of all development to ensure that it is appropriate to the character of the area.

In terms of the proposed building, modern agricultural buildings are normally acceptable in Areas of Active Landscape Conservation. It is considered that the design and materials are acceptable for a Landscape Conservation Area, and the proposal is considered acceptable in this regard, in accordance with Policy N18 of the Local Plan.

Applicant's justification of the siting of the agricultural building, and whether it overcomes any harm that would be caused to the Conservation Area and Listed Buildings.

The applicant submitted a justification of alternative sites within his ownership on the 200 acre unit, and explained why other sites within his ownership would not be suitable for an agricultural building of this size. Firstly, it is considered that not enough sites have been considered in this assessment of alternative sites, and given the amount of land within the agricultural unit (200 acres), there is probably a less sensitive site which should be considered over this highly sensitive location.

The applicant states that 100 acres of the unit lie to the east of the A52 and 100 acres lie to the west of the A52. The criteria used to assess the alternative sites is comprehensive, however it is considered that the number of sites considered is too limited. Further, it is considered that the alternative sites, such as the Water Meadow, have been too easily discounted, for example, in terms of the cost implications, the west of the Water Meadow site has been discounted on cost grounds, with the applicant arguing that the cost of siting the building here and taking the size of the footprint of the building out of production is not considered to be a convincing argument. The floor area of the building would take such a small percentage of the applicant's overall 200 acre agricultural unit away from being farmed. It is considered that this would not significantly harm the business financially.

Overall, it is considered that the justification submitted does not consider enough sites within his 200 acre agricultural unit for the building and discounts some of the identified sites for unconvincing reasons. It is therefore considered that it is probable that there is a more suitable site for an agricultural building within the unit that would have less of an overall impact than the site proposed in this application.

Having full regard to the operational needs of the agricultural holding; to the need to avoid imposing any unnecessary or excessively costly requirements; and to the normal considerations of reasonableness and weighing this against the requirement to preserve the setting of the listed buildings and the character and appearance of the Conservation Area it is considered that the application should be refused.

Recommendation

Prior approval of the siting and appearance of the agricultural building be **refused for the following reasons:**

1. The proposed siting, design and external appearance of the proposed extension to the Dutch barn would cause significant harm to the character and appearance of the Betley Conservation Area. The proposal is therefore contrary to Policies B9, B10 and B13 of the Newcastle under Lyme Local Plan, Policy NC19 of the Staffordshire and Stoke on Trent Structure Plan, Policy CSP 2 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy, and the aims and objectives of the National Planning Policy Framework (2012).

2. The proposed siting, design and external appearance of the proposed extension to the Dutch barn would cause significant harm to the character and setting of the surrounding Grade II and Grade II* Listed Buildings. The proposal is therefore contrary to Policy B5 of the Newcastle under Lyme Local Plan, Policy NC18 of the Staffordshire and Stoke on Trent Structure Plan, Policy CSP 2 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy, and the aims and objectives of the National Planning Policy Framework.

Performance Checks	Date		Date
Consultee/ Publicity Period	25.7.12	Decision Sent Out	
Case Officer Recommendation	14.8.12	8 Week Determination	21.8.12
Report checked by Back Office			
Management check	15/8 ESM		