

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE**

Date 15th August 2024

Application No:	SMD/2023/0011	
Location	FAR LAKES FARM, SHAW WALL LANE, WHISTON, STAFFORDSHIRE, ST10 2HT	
Proposal	ERECTION OF AGRICULTURAL WORKERS DWELLING	
Applicant	Mr A Byatt	
Agent	Rob Duncan Planning	
Parish/ward	Ipstones	Date registered 26 th January 2023
If you have a question about this report please contact: Declan Cleary, dcplanningconsultancy@gmail.com		

REFERRAL

This application has been brought before the Development Control Committee as it involves development which has previously been determined by members of the Planning Committee.

1. SUMMARY OF RECOMMENDATION

Refuse

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

2.1 The application site relates to an agricultural enterprise which is located within the open countryside as defined by the Local Plan Proposals Map. The site is accessed from Shaw Wall Lane. There are a number of agricultural buildings located on site, along with a mobile home. The surrounding area is predominantly in agricultural use. The nearest dwelling to the site is located immediately to the east of the enterprise boundary. Public Rights of Way Ipstones 50 cross and Ipstones 51 are adjacent to/cross the site.

2.2 A mobile home was sited under temporary permission on 8th November 2019 for a three year period under planning permission SMD/2018/0427. That approval was in connection with the agricultural enterprise at the site. A further permission for a temporary period, which expired on 17th August 2023 was approved under planning permission SMD/2022/0617. The previously approved mobile home has recently been removed and has been replaced by a static caravan. As the

consent has expired the siting of the static caravan is currently in breach of planning control.

3. DESCRIPTION OF THE PROPOSAL

3.1 This application proposes the construction of a permanent agricultural workers dwelling.

3.2 The dwelling would be single storey, with an L-shaped footprint. The dwelling would be constructed from natural stone with Staffordshire blue tiles. The dwelling would be sited to the west of the existing farm buildings, and on land to the rear of the existing temporary dwelling. Accommodation would comprise, 3 bedrooms (one of which with en-suite), an open plan kitchen/dining room/lounge, utility room, bathroom and hall way.

3.3 The application, the details attached to it, including the plans, any comments made by residents and the responses of consultees can be found on the Council's website at:-

[Planning Applications - Staffordshire Moorlands District Council \(staffsmoorlands.gov.uk\)](http://staffsmoorlands.gov.uk)

4. RELEVANT PLANNING HISTORY

4.1 The following is a summary of the relevant planning applications relating to the site.

SMD/2023/0595 - Proposed Temporary Agricultural Workers Dwelling – Undetermined

SMD/2022/0617 – Proposed Temporary Agricultural Workers Dwelling – Temporary Approval – 17/02/23

SMD/2020/0713 - Proposed Construction of Lambing Shed and Hay Store – Approved – 18/06/21

SMD/2020/0170 - Proposed construction of dwelling – withdrawn - 21/07/20

SMD/2019/0051 - Proposed construction of cattle store and extension to existing hay store – Approved 11/04/2019.

SMD/2018/0427 - Proposed Temporary agricultural workers accommodation – Approved – 08/11/2019.

SMD/2017/0575 – Proposed construction of farm workers dwelling – Withdrawn 25/07/2018.

SMD/2015/0618 – Proposed menage – Approved 08/02/2016.

SMD/2009/0683 (old ref. 09/00600/FUL) – Construction of agricultural stock and implement shed – Approved 04/08/2009

5. PLANNING POLICIES RELEVANT TO THE DECISION

Staffordshire Moorlands Local Plan (Adopted 2020)

SS1 - Development Principles
SS1a - Presumption in favour of sustainable development
SS10 - Other Rural Areas Strategy
SS11 – Churnet Valley Masterplan Area
DC1 - Design Considerations
DC3 - Landscape and Settlement Setting
SD1 – Sustainable Use of Resources
SD3 – Sustainability measures in development
SD4 - Pollution and Flood Risk
H1 – New Housing Development
NE1 - Biodiversity and Geological Resources
T1 - Development and Sustainable Transport

Supplementary Planning Guidance/Documents

Staffordshire Moorlands Design Guide (2018)

National Planning Policy Framework

Section 5: Delivering a sufficient supply of homes
Section 6: Building a strong, competitive economy
Section 12: Achieving Well-designed and beautiful Places
Section 15: Conserving and enhancing the natural environment

6. CONSULTATIONS CARRIED OUT

Site notice	Expiry date for comments: 17/03/2023
Neighbour letters	Expiry date for comments: 27/12/2023
Press notice	N/A

Public Comments:

15 letters of representations received, of which:

9 letters of objection, on the following grounds:

- Applicant of retirement age, resided in Leek so knew the distance
- Will enable daughter to keep horses
- Acreage in ownership is insufficient
- Reliance on short term rented land brings question marks
- Should be able to produce documents to demonstrate stock rates

- Not clear why there is a need to live on site
- Works have drastically changed the character of what was an open field
- Permanent dwelling would be further intrusion
- Properties and farms have been for sale which could be used
- One property immediately adjacent to land owned.
- Technology can monitor livestock
- As such suitable viable alternatives
- Question whether the land would sustain the stock suggested
- Effect on stream, which often floods
- Noise from site, can be heard, including horse activities, caravans and car repairs
- Light pollution
- Will need much more land than is proposed
- Effect on biodiversity
- Not sensitive to landscape and contrary to Policies
- Motive from builder to support application
- Precedent
- The applicants still have other homes
- Green Belt/open countryside location
- The site is an eyesore
- Agricultural land has recently been split
- Land not sufficient to sustain livestock
- Queries over profit margins and cashflow
- Average dwelling price in area is lower than suggested
- Significant concern over effect of development on watercourses and surrounding environment
- Recent flooding in area

6 letters of support, on following grounds:

- Improved the land, well maintained
- Look after livestock and maintain walls and hedges
- Improvements for biodiversity
- They have grown and expanded the business
- No one overlooked
- Farming difficult and been a decline over the years
- Committed to making the farm work
- Follow good husbandry
- Good for local employment
- Pregnant and lambing ewes may require immediate attention
- Deterrent to crime

Consultee	Comment
Ipstones	The council's recommendation is that this application

Parish Council	<p>be refused for the following reasons-</p> <ul style="list-style-type: none"> • The concerns on the impact on the local environment and the watercourse, which feeds into the Churnet via Shirley Brook and the potential for pollution of these from run-off water, • The impact on the wildlife, flora and fauna, and would request a full wildlife survey be completed to include Bats, Owls and other such wildlife. • A full agricultural report and survey requires completion and verification of stocking levels to confirm the sustainability of the business and its viability for a permanent agricultural dwelling. <p>Further should the application be subsequently approved the parish council would request Section 106 agreement and a restriction on the property being tied to the agricultural worker for that piece of land being the inhabitant of the dwelling.</p> <p>There is also clarification required as to the extent of the land owned by the applicant.</p> <p>Which could indicate 75 acres of owned land as opposed to the 37.54 acres. Also noting that the rented land is some distance from the Far Lakes site.</p>
AES Waste	No issues regarding waste collections
SCC Highways	<p>The proposal is for the construction of an agricultural workers dwelling within Far Lakes Farm. The dwelling will have 3 bedrooms and 3 parking spaces as detailed in the application form. The Proposed Conditions - Scheme 3 -Floor Plans, Elevations & Site Plan Drg. No. 5529 – 011 shows 3 (spaces) scaled at 2.4m x 4.8m which are not annotated however it is assumed these are parking spaces for the proposed dwelling. Access to the dwelling will be via an existing access and will be shared with the farmyard, field, and various agricultural buildings. The access is to remain unchanged by the proposal.</p> <p>I have no objection to the proposal (application number SMD/2023/0011) subject to the following condition.</p> <p>The development hereby permitted shall not be brought into use until the parking area has been provided as detailed in submitted plan Drg. No. 5529 – 011 and kept as intended for the lifetime of the development.</p>
Environmental	Potential Areas of Environmental Concern.

Health

1. Construction Impacts (Condition)
2. Lighting (condition)
3. Land Contamination (Condition)
4. Drainage (Building regulations)

Recommendation and Conditions

The Environmental Health Department have no objection subject to the following conditions being applied to any permission granted.

Construction & Demolition

1. Time of operations (Noise)

Unless prior permission has been obtained in writing from the Local Planning Authority, all noisy activities shall be restricted to the following times of operations.

- 08:00 - 18:00 hours (Monday to Friday);
- 08:00 - 13:00 hours (Saturday)
- No working is permitted on Sundays or Bank Holidays.

In this instance a noisy activity is defined as any activity (for instance, but not restricted to, building construction/demolition operations, refurbishing and landscaping) which generates noise that is audible at the site boundary.

Reason: To avoid the risk of disturbance to neighbouring dwellings from noise during unsocial hours.

2. Construction & Demolition: Pollution Control

- I. Any waste material associated with the demolition or construction shall not be burnt on site but shall be kept securely for removal to prevent escape into the environment. All waste transfer records should be retained for inspection by officers of the Local Planning Authority;
- II. No activity hereby permitted shall cause dust to be emitted beyond the site boundary so as to adversely adjacent residential properties and/or other sensitive uses and/or the local environment. In the event dust is caused to escape the site boundary the activity shall be

stopped until sufficient dust suppression has been undertaken to prevent further escape. There shall always be the appropriate means and sufficient water resources on site for dust suppression. These should be made available for inspection when required by officers of the Local Planning Authority

Reason: *To protect the amenities of the area during construction*

3. Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. Development should not commence further until an initial investigation and risk assessment has been completed in accordance with a scheme to be agreed by the Local Planning Authority to assess the nature and extent of any contamination on the site. If the initial site risk assessment indicates that potential risks exists to any identified receptors, development shall not commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and the natural and historical environment has been prepared, and is subject to the approval in writing of the local planning authority.

Following completion of measures identified in the approved remediation scheme and prior to bringing the development into first use, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

4. Soil and Fill Importation

No soil or fill material is to be imported to the site until it has been tested for contamination and assessed for its suitability for the proposed development; a suitable methodology for testing this material should be submitted to and agreed by the Local Planning Authority prior to the soils or fill material being imported onto site. The methodology should include the sampling frequency, testing schedules, criteria against which the analytical results will be assessed (as determined by the risk assessment) and source material information. The analysis shall then be carried

	<p>out and validatory evidence submitted to and approved in writing to by the Local Planning Authority.</p> <p>Reason (common to 3-4): - <i>To ensure that the proposed development meets the requirements of the National Planning Policy Framework in that all potential risks to human health, controlled waters and wider environment are known and where necessary dealt with via remediation and or management of those risks.</i></p> <p>5. Lighting The artificial lighting incorporated into this site in connection to this application shall not increase the pre-existing illuminance at the adjoining light sensitive locations when the light (s) is (are) in operation. Details of all artificial lighting to be installed under this permission should be submitted to and approved by the Local Planning Authority prior to development commencing.</p> <p>Reason: <i>To protect the local amenities of the local residents by reason of excess of illuminance</i></p>
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7. POLICY AND MATERIAL CONSIDERATIONS AND PLANNING BALANCE

Planning Policies

7.1 The determination of a planning application is to be made pursuant to section 38(6) of the Planning and Compulsory Purchase Act 2004, which is to be read in conjunction with section 70(2) of the Town and Country Planning Act 1990.

7.2 Section 38(6) requires the local planning authority to determine planning applications in accordance with the development plan, unless there are material circumstances which 'indicate otherwise'. Section 70(2) provides that in determining applications the local planning authority "shall have regard to the provisions of the Development Plan, so far as material to the application and to any other material considerations." The Development Plan currently consists of the High Peak Local Plan 2016.

7.3 Paragraph 11 of the National Planning Policy Framework (NPPF) explains that at the heart of the Framework is the presumption in favour of sustainable development. For decision makers this means that when

considering development proposals which accord with the development plan they should be approved without delay; or where the development plan is absent, silent or relevant policies are out of date, grant planning permission unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.

7.4 The NPPF seeks to proactively drive and support sustainable economic development through the delivery the homes, business and industrial units, infrastructure and thriving local places that the country needs. High quality design should be sought and a good standard of amenity provided for all existing and future occupants of land and buildings.

7.5 Section 5 of the NPPF relates to delivering a wide choice of high quality homes. Paragraph 60 identifies the need to boost significantly the supply of housing meeting the needs of groups with specific housing requirements. Planning policies should identify a sufficient supply and mis of sites and identify a five year supply of housing land. The Council is considered to have a five year housing land supply and therefore housing supply policies are up-to-date. The Development should therefore be considered in the accordance with the Development Plan, unless material considerations indicate otherwise.

Principle of Development and background

7.6 The site is located within the Open Countryside, within such locations Policy SS10 states that these areas will provide only for development which 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. With regard to housing, SS10 states that new build housing development in the countryside will be restricted to that which has an essential need to be located in the countryside in accordance with Policy H1.

7.7 Policy H1 states that housing development within other rural areas will be restricted to certain criteria, which includes the construction of a new dwelling that meets an essential local need, such as accommodation for an agricultural, forestry or other rural enterprise worker. This is where the need for such accommodation has been satisfactorily demonstrated and that the need cannot be met elsewhere.

7.8 Planning Practice Guidance provides an indication of some considerations which could be taken into account when considering how essential rural workers dwellings should be assessed. This includes:

- evidence of the necessity for a rural worker to live at, or in close proximity to, their place of work to ensure the effective operation of an agricultural, forestry or similar land-based rural

enterprise (for instance, where farm animals or agricultural processes require on-site attention 24-hours a day and where otherwise there would be a risk to human or animal health or from crime, or to deal quickly with emergencies that could cause serious loss of crops or products);

- the degree to which there is confidence that the enterprise will remain viable for the foreseeable future;
- whether the provision of an additional dwelling on site is essential for the continued viability of a farming business through the farm succession process;
- whether the need could be met through improvements to existing accommodation on the site, providing such improvements are appropriate taking into account their scale, appearance and the local context; and
- in the case of new enterprises, whether it is appropriate to consider granting permission for a temporary dwelling for a trial period.

Extent of agricultural enterprise

7.8 Planning permission had previously been granted for the erection of a temporary rural workers dwelling at the site. That permission was granted exceptionally for an initial three-year period, which has now expired. A further 6-month temporary consent was granted in February 2023 and that permission has also expired. In consideration of the previous temporary consent, the development was justified on the basis that the enterprise had planned commitments to develop, through additional planning consents, and land rental agreements which established a need for a worker to be located within sight and sound of the operation. Those measures considered at that time have been implemented.

7.9 Since the approval in 2019, the enterprise expanded further and had further planning permission for an additional livestock building on the northern side of Shaw Wall Lane which has been constructed. Notwithstanding this, that parcel of land and the building constructed on it no longer forms part of the enterprise.

7.10 The application has been supported by a revised agricultural appraisal which details the extent of the enterprise. In terms of land in use by the enterprise the farm extends to a total of 69.75 acres (28.22 hectares). This is made up of:

- 22.48 acres (9.09 ha) of land owned by the applicant. This excludes the land on the opposite side of Shaw Wall Lane;
- 16.02 acres (6.48ha) acres of land rented at California Farm, Winkhill, which lies approximately 1.7km to the north; and,
- 21.45 acres (8.71ha) of land rented at Cotton Dell, which lies approximately 3km to the south east; and,

- 9.80 acres (3.96hectares) of land rented to the south of Far Lake Farm.

Over half of the land is not in the ownership of the applicant. However, it is not uncommon for agricultural enterprises to operate with rental/tenancy agreements with other landowners.

7.11 The appraisal (at 4.0) sets out the current livestock numbers at the farm. This consists of:

- 130 Calves – rearing calves, bucket fed until 10-12 weeks of age. Moved on to a feeding ration reared until 6 months, and then sold or moved on to store cattle.
- 40 Store Cattle – Reared on grass-based system until sold off farm as forward stores.
- 30 Young Bulls – A proportion of calves would be bulls where they are reared until 16 months before sold as finished bulls.
- 40 Ewes - Breeding ewes

7.12 The appraisal indicates future farming livestock numbers as:

- 100 Ewes – Breeding ewes, to be provided in the completed building on the northern side of Shaw Wall Lane.
- 30 Sheep Breeding Followers – Ewe lambs kept from previous years lambs. Proportion kept each year to maintain numbers.
- 200 Calves – increase in rearing calves from the previous 130.
- 65 Store Cattles
- 30 Young Bulls.

7.13 The now superseded agricultural appraisal indicated that the ewes would be provided within the lambing building on the land opposite. This is no longer part of the application. It is not clear where accommodation for the breeding ewes would be provided. It is understood that the calves and bulls are reared indoors and, as such, have no grazing land requirement. The 65 head of stores have a stocking density of 1.5 head per acre, while 100 ewes have a stocking density of 3.64 head per acre. The land requirement therefore equates to 70.8 acres to provide for grazing. The holding, at circa 69 acres, does not appear to have sufficient land to provide grazing land for the livestock.

Labour Requirement

7.14 The variety of farming activities and livestock types generate differing labour requirements. Some activities and livestock are more labour intensive than others. The John Nix Farm Business Pocket Handbook calculates labour requirements in standard man days (SMD). The use of this handbook is an accepted means for calculating the likely

labour requirements for a farm. An additional 15% SMD's are added for general farm maintenance.

7.15 The appraisal indicates that the farming enterprise with 130 calves, and no ewes results in a total of 372.48SMD's based on the following:

Current Enterprise

Livestock type	No.head	SMD/head	Total SMD
Calves	130	1.2	156
Stores	44	1.9	83.6
Bulls	30	1.9	57
Ewes	40	0.4	16
Land	28.23	0.4	12.14
Total SMD			323.89
Total SMD	324.74		
Additional 15%	48.58		
Total SMD		372.48	

¹ An additional 15% is added on the basis of completing general farm maintenance.

7.16 A farm worker would usually work around 275, eight-hour days per year. This assumes a 5-day working week along with 3 weeks holiday per year and public holidays off work as well. The enterprise therefore has a labour demand of 1.35 workers.

7.17 The appraisal indicates that the farming enterprise with 200 calves, and the breeding ewes results in a total of 557.34 SMD's based on the following:

Anticipated Future Enterprise

Livestock type	Number of head	SMD/head	Total SMD
Calves	200	1.2	240
Stores	65	1.9	123.5
Bulls	30	1.9	57
Ewes	100	0.4	40
Ewe Followers	30	0.4	12
Land	30.35	0.4	12.14
Total SMD			484.64
Total SMD	484.64		
Additional 15%	72.70		
Total SMD		557.34	

¹ An additional 15% is added on the basis of completing general farm maintenance.

7.18 The expanded enterprise has a labour demand of 2.03 workers. It should be noted that, despite the loss of land on the opposite of Shaw Wall Lane, that the above figures are identical to those suggested in the superseded agricultural appraisal.

7.19 The enterprise has recently retracted in terms of available land and buildings due to the loss of land on the opposite side of Shaw Wall Lane.

7.20 The applicants original agricultural appraisal has been assessed on behalf of the Council by an independent Agricultural Consultant (Harvey Hughes). They identify that the original application (SMD/2018/0427) was approved due to a significant proportion of the functional need to be living on site being the need to monitor the calving of suckler cows and replacement heifers. Neither the suckling cows or replacement breeding heifers are now proposed.

7.21 The suckler cow/replacement element of the enterprise has been removed and replaced with calf rearing and fattening bulls. The agricultural justification does not identify whether the calves would be purchased in block or all year round. In either scenario Harvey Hughes have confirmed that the if reared throughout the year then the workload would not be significant enough to warrant onsite accommodation. If purchased in one block then the workload would be more seasonal.

7.22 While lambing ewes would provide a proportion of need, the need is less than for suckler cows. In any event there is significant lack of clarity over the accommodation of ewes given the loss of the building opposite. Furthermore, Harvey Hughes consider that the future expansion figures with the intensification of ewes and calves could be dealt with via seasonal accommodation rather than full time permanent accommodation.

Animal Welfare

7.23 Animal welfare is a major material consideration in determining whether there is an essential need for a worker to be within sight and sound of the enterprise. The above figures indicate that a total of 425 livestock could be on the farm if operating at a suggested capacity. Although the ability to accommodate this number on the land and buildings currently available is questionable.

7.24 Breeding ewes typically go into lambing between March and May. Lambing can occur during the day and night, and during this time complications can arise. Routine checks are therefore essential while the farmer would need to act swiftly in instances of emergency to prevent loss of the ewe or lamb. Prior to lambing routine and regular checks are also necessary to deal with any complications during pregnancy. However, the lambing period is seasonal which could be dealt with via seasonal accommodation. Nonetheless the accommodation of ewes is unclear.

7.25 The business also includes a number of young calves which is a major part of the business. Young calves are vulnerable and need to be regularly checked for illness and disease. Some illnesses, such as

pneumonia or scour, can be fatal if not detected early and acted upon following good husbandry. The cattle shed is located in the group of buildings adjacent to the application site and is within clear sight of the building, and sound to hear any distress in the calves. However, as identified above, if bought in block emergencies could be dealt with by seasonal accommodation. While if purchased throughout the year the stock levels would not be so significant to justify permanent accommodation on welfare grounds.

Other Need Matters

7.26 As set out above at 7.8, the PPG identifies, that crime can be a consideration. While in isolation this ought not necessarily be an overriding justification for a permanent agricultural workers dwelling it does, nonetheless, require consideration.

7.27 The Agricultural Appraisal at paragraph 2.2, sets out the extent of equipment and implements on the farm holding. These include machinery and vehicles, comprising tractor, pick ups, digger, JCB telehandler and loader, trailers, a wide range of vehicle implements, and livestock implements.

7.28 The loss of such assets through rural crime has the potential to have an impact on the effective operation of the enterprise and its overall viability. The loss of implements which are required to tend to livestock could also have knock on effects on the welfare of the animals.

7.29 It is not understood that the site has been subject to rural crime. While on site presence would be a deterrent to crime, site security could be dealt with by other measures.

Continued Viability of the Enterprise

7.28 The application has been supported by a Financial Analysis which provides an overview of the business. Accounts for the year end of 2020, 2021 and 2023, have also been provided.

7.29 Harvey Hughes have assessed the available financial information and indicate that while the accounts show a profit for 2023. The balance sheet shows significant private drawings.

7.30 In their opinion therefore the cash position has gone backwards and has been underpinned by significant capital introductions. Therefore the accounts do not demonstrate financial viability.

7.31 The Financial Analysis then provides a cashflow budget for a normalised year. On this, Harvey Hughes have advised:

This normalised year forecast shows a large increase in sales and a cashflow surplus

The Gross Margin analysis demonstrates a profit, it is unclear If this is pre or post all depreciation as machinery depreciation is only shown..... .

..... . the interest element of the annual repayment hasn't been factored into the projected profit and so this requires a reduction of the interest with the profits[reduced]..... to cover payments of capital and private Drawings Therefore without taking into account any income tax liability the projected profit is only marginally sufficient..... to cover the requirements.

7.32 Based on the above, the cashflow and profit and loss account show a marginal level of profit generation to service the capital and private drawings requirement.

7.33 In addition, the cashflow indicates the profits and costs for sheep. However it is unclear how this relates to the current retracted enterprise. Furthermore, the figures contained within the updated Financial Analysis are identical to those indicated in the superseded document. The reliability of the figures are therefore questioned given the loss of land and buildings on the opposite side of Shaw Wall Lane.

Other Dwellings

7.34 As a relatively new enterprise, there are no buildings on site which would lend themselves to conversion to a dwelling, by reason of their nature and design.

7.35 The financial analysis includes an online search, conducted on 6th October 2023, which indicated that, at that time, there were three dwellings available within a 1/2mile radius of Foxt. The value of these properties ranged from £360,000 - £875,000 which appear to be above the applicants budget. In addition, these are not considered to be within site and sound of the enterprise and would not serve the essential need.

7.36 The LPA has carried out a further search (August 24), which shows one property for sale within 1/2mile of the application site postcode. This property is one bedroom cottage, valued at £200,000. This property may be suitable to serve the needs of the applicant.

Summary

7.37 The rural enterprise has developed and expanded since the granting of temporary permission. However, the nature of the enterprise has changed from that originally proposed. The nature and scale of the enterprise demonstrates very little functional need to live permanently on site. Any functional need could be satisfied by seasonal workers accommodation. In addition there remain significant question marks

over how ewes and lambing can be accommodated following the loss of the dedicated building for that use.

7.38 The accounts provided do not show sufficient profit to demonstrate the business is viable while future cashflows only show a marginal profit generation.

7.39 It has therefore not been demonstrated that there is an essential need for a rural worker to be on site. As such, it is suggested that the proposals are unacceptable, as a matter of principle.

Design Considerations

7.40 Policy DC1 requires all development to be well designed and reinforce local distinctiveness by positively contributing to and complementing the special character and heritage of the area. Development should *“be of a high quality and add value to the local area”* and *“be designed to respect the site and its surroundings and promote a positive sense of place and identity through its scale, height, density, layout, siting, landscaping, character and appearance”*.

7.41 Policy DC3 states that development should protect and where possible enhance local landscape. Development which would lead to a prominent intrusion into the countryside should be resisted, while development which respects and enhances local landscape character should be supported.

7.42 The application proposes the construction of a detached bungalow which would have an L-shaped footprint, with a length of 16m, and maximum width of 12m. The dwelling would have an internal floor area of 123sqm. The bungalow would have a dual pitched roof with modest eaves and ridge height.

7.43 The overall scale and floor area of the building is relatively modest and would appear subservient to the larger agricultural buildings present on site. The proposed dwelling would be sited deeper in the plot than the existing static caravan and close to existing buildings on the site forming a cluster of buildings. Nonetheless, views of the building would be available from the public highway and from the PROW network.

7.45 The scheme proposes construction of the dwelling in stone and Staffordshire blue tiles. These are considered to be appropriate for the simple design of the modest dwelling. The proposed dwelling would be served by a residential curtilage and parking area. The extent of these areas are modest and closely related to the siting of the dwelling.

7.46 Notwithstanding the above, the need for the building has not been demonstrated and a dwelling in this rural location would be contrary to the policies of the development plan and is unacceptable as

a matter of principle. Therefore, the introduction of a dwelling in this rural location would result in an encroachment of inappropriate development which would result in a permanent change to the rural landscape. The introduction of a dwelling along with the associated curtilage and domestic paraphernalia would have a harmful effect on the character and appearance of the landscape.

Amenity

7.47 Policy DC1 requires development to “*protect the amenity of the area, including creation of healthy active environments and residential amenity, in terms of satisfactory daylight, visual impact, sunlight, outlook, privacy, soft landscaping as well as noise, odour and light pollution*”.

7.48 The application site is in a rural location and therefore there are limited sensitive properties surrounding the site. However, there is a dwelling which is located beyond the eastern boundary of the site. The distance between the dwellings would be over 60m which is sufficient to ensure that there would be no privacy or overlooking issues arising. In addition, an existing barn would be sited between the two dwellings. The distance, scale of the dwelling and intervening features would ensure that no adverse harm would arise from loss of daylight, overbearing, overshadowing or visual intrusion.

7.49 Concern has been raised with regard to noise from the site. However, this would relate to the operations of the farming enterprise rather than the erection of a permanent dwelling. Therefore noise from works at the enterprise are not relevant to this application. While there would be some noise generated from activities associated with the dwelling itself, this would not be at any scale to adversely affect amenity.

7.50 It is noted that Environmental Health have suggested a number of conditions to be attached to any permission. These relate to construction hours, land contamination and lighting. These conditions would be reasonable.

Highway Safety

7.51 The application site would be accessed via the existing point of access from Shaw Wall Lane. This access serves the existing farming enterprise and temporary dwelling. No changes to its geometry or visibility are proposed. SCC Highways consider the access to be suitable to serve the development.

7.52 Three off street parking spaces would be provided, which would meet parking standards for the three bedroom dwelling. There would also be sufficient space on site for vehicles to manoeuvre and exit in a forward gear. No highway safety issues are therefore apparent.

7.53 The PROW network would not be impacted by the development as proposed, although an informative would be necessary to advise the applicant of their requirement to ensure that the PROW is not affected during or post construction.

Other Matters

7.54 A number of concerns which have been raised by residents with regard to agricultural run-off, impact on wildlife, storage of manure, light pollution, and noise from increasing activities at the site. These are all matters which relate to the agricultural operations and not to the erection of a dwelling on the site and as such are not relevant to the determination of this application.

7.55 Drainage for the dwelling could be secured via condition, to ensure that its effects are appropriately considered. Furthermore, there would be an opportunity to provide biodiversity enhancements which can, again, be secured by condition.

8. PLANNING BALANCE AND CONCLUSIONS

8.1 At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development. For decision making this means that amongst other things, that local planning authorities should positively seek opportunities to meet the development needs of their area unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits and to secure a development that improves the economic, social and environmental conditions of the area.

8.2 The submitted agricultural appraisal and financial analysis do not demonstrate that there is an existing essential need for a worker to reside permanently at the site and that the enterprise is a viable operation. In the development would result in the introduction of an inappropriate dwelling in a rural location which would have a harmful effect on the overall character and appearance of the countryside and landscape setting.

8.3 Accordingly, the proposal is considered to comprise an unsustainable form of development under the terms of the NPPF, and conflicts with the Policies of the Staffordshire Moorlands Local Plan 2020.

9. RECOMMENDATIONS

That approval be REFUSED for the following reason(s):

- 1. In the opinion of the Local Planning Authority, it has not been demonstrated that there is an essential need for a worker to live permanently at the site. The scale and nature of the enterprise is little functional need to live permanently on site. Furthermore, the information provided does not demonstrate that the business is viable. Therefore, the development conflicts with Policies SS1, SS2, SS10 and H1 of the Staffordshire Moorlands Local Plan (2020), and guidance contained within the National Planning Policy Framework 2023.**

- 2. The proposals relate to the erection of a dwelling in a rural location where no need has been demonstrated and, as such, is an unacceptable form of development as a matter of principle. The introduction of a dwelling, along with its associated curtilage and domestic paraphernalia would erode the character and appearance of the countryside and have a detrimental effect on the landscape character. Therefore, the development would be contrary to Policies SS1, SS10, DC1, and DC3 of the Staffordshire Moorlands Local Plan (2020), and guidance contained within the National Planning Policy Framework 2023.**

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.

