

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE**

17th October 2024

Application No:	SMD/2023/0277	
Location	Westwood Hall Farm, Westwood Park Drive, Leek	
Proposal	Erection of beef rearing unit	
Applicant	Mr M Shuker	
Agent	Mr Rob Duncan – Rob Duncan Planning Consultancy Ltd	
Parish/ward	Leek / Leek West	Date registered 6 th June 2023
If you have a question about this report please contact: Arne Swithenbank tel: 01538 395578 or e-mail arne.swithenbank@staffs Moorlands.gov.uk		

REFERRAL

The application is a Full – Minor and is referred to the Planning Applications Committee as the number of objectors shows it to be controversial.

1. SUMMARY OF RECOMMENDATION

Refuse

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 2.1 The site is within land attached to Westwood Hall Farm on the westerly edge of Leek overlooking the Churnet Valley. Westwood College is an immediate neighbour to the north and the farm shares one of its access routes with the College. A second access specifically shown as serving this proposal enters between houses from Westwood Park Drive. The extensive later 20th century housing development of Westwood lies to the east and the farm is reached via estate roads from the town or from Newcastle Road.
- 2.2 Although the adjacent housing areas are within the Leek Town Development boundary the farm itself and the application site lie in the Green Belt and come under Local Plan Policy SS10 for the rural areas.
- 2.3 Closely adjacent to the application site (within 20m) on land sloping down into the valley of the River Churnet is West Wood which is classified as Ancient Semi-natural Woodland and a County site of biological importance essentially comprising mature broad-leaved trees. This and other nearby woodland and trees are covered by Tree Preservation Order.
- 2.4 Immediately along the east side of the proposal is a large c.50m x 22m portal frame building approved as an agricultural building in 1987 though

there is also a 1983 consent for part of the farm to be used as a riding school and this is understood to have been the most recent past use of the building. Separated by this building some 30m to the east of the application site is a courtyard surrounded by mainly older brick buildings including along its easterly side a Grade II Listed 'stable block' dated c.1780. The applicant's house backs on to the south end of the courtyard.

- 2.5 To the south and south east and coming to within 150m to 200m of the proposal site are neighbouring private dwellings on Westwood Park Drive: Cauldon House, The Orchard and nos. 36, 38 and 40.
- 2.6 The land forming the application site has a general downward slope of about 10 degrees from north to south. From publicly available air photos it has long been a tree fringed grass paddock and was only recently cleared of trees in c.2021.

3. DESCRIPTION OF THE PROPOSAL

- 3.1 This is a full application for the erection of a single livestock building identified as unit 2. The proposal has been submitted concurrently with SMD/2023/0275 and SMD/2023/0276. This report deals specifically with unit 2 as shown in Block Plan 1791-14. Complementing this drawing is block plan 1791-19 which shows the building in context with the other two pending applications. In roof plan area the building would be 55m x 12 metres (660m²). The interior is compartmented into three 18m long x 8m wide pens. Running along the outside of the pens under a roof overhang are feeding troughs.
- 3.2 A cut-and-fill site excavation would be necessary to accommodate the proposal into the existing site slope.
- 3.3 In addition to the drawings the application is accompanied by a Planning Statement; Planning Statement addendum; Nutrient Management Plan; Heritage Statement and Noise Impact Assessment (Rev B). There is no statutory requirement for Biodiversity Net Gain submissions as the proposal pre-dates the 2024 introduction of BNG regulations.
- 3.4 The applicant's planning statement describes the farm as extending to 141 acres with an additional 41 acres near Mollatts Wood, Leek. The principal agricultural activity on the farm will be beef rearing, with the applicant currently having a head of 380 cows, with intentions to increase this up to 600 – 800 in the coming couple of years.
- 3.5 In an addendum to the planning statement received in November 2023 in response to initial issues and queries raised the agent addresses proximity to neighbouring properties; odour management and noise and vehicle movement. With regard to animal numbers the applicant would agree to set the level at 400 to 500 rather than 800 as first referenced.

- 3.6 Further information was received 09.10.2024 with regard to the livestock stocking capacity of the farm. This has added significant detail to how the land and the buildings may be used.

4. RELEVANT PLANNING HISTORY

- 4.1 DET/2022/0029 – Erection of agricultural fodder and implement storage buildings – approved (not yet commenced)
- 4.2 As noted at 2.4 above a building to the immediate east was approved in June 1987 under 87/00173/OLD [SMD/1987/0550] as an ‘agricultural building’. This building appears to have been in use more latterly as an indoor riding school. There was a consent in 1983 (83/12549/OLDDC) for ‘Change of use of part of farm to riding school’.
- 4.3 Note concurrent applications SMD/2023/0275 Erection of calf rearing unit [pending] and SMD/2023/276 Erection of beef rearing unit [pending].

5. PLANNING POLICIES RELEVANT TO THE DECISION

5.1 Local Plan (adopted 9th September 2020)

- SS1 Development Principles
- SS2 Settlement Hierarchy
- SS10 Other Rural Areas Strategy
- DC1 Design Considerations
- DC2 The Historic Environment
- DC3 Landscape and Settlement Setting
- C1 Creating Sustainable Communities
- NE1 Biodiversity and Geological Resources
- NE2 Trees, Woodland and Hedgerows
- T1 Development and Sustainable Transport

National Planning Policy Framework December 2023

Paragraph(s) 1 – 14;

Section(s) 4 – Decision making; 5 – Delivering a sufficient supply of homes; 8 Promoting healthy and safe communities; 9 – Promoting sustainable transport; 11 – Making effective use of land; 12 – Achieving well designed and beautiful places; 13 – Protecting Green Belt land; 15 – Conserving and enhancing the natural environment; 16 – Conserving and enhancing the historic environment.

Adopted Supplementary Planning Documents/Guidance (SPD/G):

- Space About Dwellings SPG
- Design Principles SPG
- Design Guide SPD adopted 21st February 2018

Local Plan Supporting Evidence Documents:

- Landscape and Settlement Character Assessment (2008)

6. CONSULTATIONS CARRIED OUT

Public

6.1 The latest consultation expiry date was 19th July 2023 (press notice). A total of six neighbouring dwellings were notified directly by letter.

6.2 In response to the neighbour / site publicity some 58 representations raising objections have been received from the public. In a few instances the same parties have responded more than once. Objections have been raised on the following grounds:

- proximity to Westwood College
- noise from calves
- the 800 head livestock number proposed
- increase in associated traffic
- traffic effect on surrounding residential area
- health and safety risk from escaped animals
- health and safety risk from increased farm traffic
- pupil / student safety
- mal-odours permeating the area
- adverse effects on residents' enjoyment of homes and gardens
- request for extended opportunity to comment owing to the size of the development and its impacts
- farm access is entirely by residential roads
- large feed delivery and forage harvesting vehicles will need to access via Wallbridge Drive or Westwood Road – the latter via Garden Street or West Street neither suitable for HGV
- four schools share the access roads to the farm
- none of the access roads are suitable for in effect an 'industrial scale' farm
- adverse effect on wildlife and area aesthetics
- from occupiers of [close-by dwellings] The Orchard and nos. 36 and 38 Westwood Park Drive: already experiencing an unacceptable level of noise from approx. 50 calves therefore increase to 800 will be a serious impact on residential wellbeing
- no mention in the application[s] about animal waste storage and slurry with environmental impacts of odours and leakage
- not a suitable location for a beef rearing unit given its close proximity to Westwood College and also the quiet residential area of Westwood Park Drive
- A herd of up to 800 cattle is significant, both in terms of noise pollution, smell and the associated increase in traffic. This will have a negative impact on both local residents and students at Westwood College. There is also a real safety concern due to the risk of cows escaping onto neighbouring properties.
- Livestock have already been experienced breaking into nearby gardens. Despite numerous calls to the farmer, he never came to remove the cow or repair the fence. This was when there was only a very small herd so I would hate to think how much damage such a large herd could do.

- The proposals are on an industrial scale (800 head of cattle) which is totally unsuited to the farm's location within a residential area. The farm has not been used for anything like this scale during the last 40 years (at least).
- In the approach roads there is already congestion from schools traffic and the additional farm traffic involved including large cattle transporter trucks cannot be accommodated.
- No provision is being made to remove effluent from the fields and rearing pens and it could seep into the River Churnet.
- The council has declared an environmental emergency and this plan would only worsen our environment.
- Methane from the cattle will be environmentally detrimental. CO2 and NO2 gases from the transport vehicles would further worsen the local environment at a time when we should be trying to reduce emissions.
- No consideration given to nearby heritage assets.
- Hedgerows and trees already cut down on the site.
- The applicant intends to establish an industrial farming enterprise at Westwood: between 600 and 800 cows will not find nearly sufficient nourishment on 141 acres.
- Large adverse impact on the site ecology from such a large number.
- Regulations to increasing stock density, resulting in the land being more intensively used for agriculture, is one of the triggers requiring a screening decision on land over two hectares in extent, see: <https://www.gov.uk/guidance/eia-agriculture-regulations-apply-to-make-changes-to-rural-land>
- There is no indication that the applicant has applied to Natural England for a screening decision, and as there is a clear likelihood that the applicant would need permission to make such a drastic change to the use of the land, it would seem premature for him to seek planning permission for the required infrastructure.
- Notwithstanding aspects of policy SS10 this is not a 'sustainable' development proposal.
- Given its 'industrial' scale this conflicts with the Council's commitment to the climate emergency.
- Conflicts with the peace and tranquillity expected of the residential area
- From the occupiers of 36 Westwood Park Drive... noise; traffic; existing complaints already; removal of hedgerow to widen access; track is less than 3.5m for distance of c. 70m, serves three properties and has no turning space; smells, scale and size; land at Westwood could not support the increased stock of 600 to 800; applicant has not at any time had more than 40 to 50 cows at the property.
- Westwood Hall Farm has not been used as a farm for at least 40 years, it was an equestrian riding centre.
- Applicant has felled 3 healthy, large, well established Lime trees (at least 150 years old) and many other smaller trees on the property. Has the applicant obtained the relevant permissions and licences for this?
- Applicant has removed multiple healthy, well established countryside hedgerows for various purposes. Has the applicant complied with the government rules and regulations for the removal of these countryside hedgerows?

- Installation of two new gate sets on the shred access. Has the applicant applied and been granted planning permission for these two sets of gates?
- slurry pollution on the adjacent woodland – applicant demonstrates little concern for wildlife so far
- From the occupier of The Orchard – concerns as to ability to enjoy the garden due to smells and noise; also traffic impact on access.
- already destruction of trees and hedgerows impacting local wildlife and this will only get worse.
- totally out of place right next to a high school and in a lovely residential area
- applicant has already shown a disregard for student and resident safety by erecting razor wire on the fence border to the school at shoulder level with no warning signs to advise the public of the danger.
- concern for property values in area
- Heavy agricultural vehicles have been using the college bus park as a means of exit from the farm, including during the school day when students are using the site
- Suitability of drainage: There are concerns about the suitability of existing drainage, and the applications do not seem to detail plans for collecting/storing/disposing waste.
- Green Belt should be safeguarded
- Livestock nos. will add to global warming due to methane output
- Human Rights Act, in particular Protocol 1, Article 1. This states that a person has the right to peaceful enjoyment of all their possessions, which includes the home and other land. The residents in the surrounding area will not be able to enjoy a peaceful environment with so many cattle in such close proximity.
- Additionally, Article 8 of the Human Rights Act states that a person has the substantive right to respect for their private and family life. In the case of *Britton vs SOS* the courts reappraised the purpose of the law and concluded that the protection of the countryside falls within the interests of Article 8. Private and family life therefore encompasses not only the home but also the surroundings.
- Overall, this proposal will have a detrimental impact upon residential amenities. This area is residential and has been since it was developed. It was not developed as farmland and is not suitable to house so many cattle. This will not be sympathetic to the area as it was designed and remains today.
- Proposal will result in numerous lorries coming into the area to bring in cattle, take cattle away, bring feedstuffs in and bring bedding in on a regular basis.
- There are four schools in the area with two of them being first schools and traffic is already busy at the start and end of the school day in addition to the numerous children walking to and from school and to have lorries coming through will seriously increase the accident risk.
- The traffic reports are wholly non-existent in this planning application. The mix of uses on the site has not been properly assessed regarding the types of traffic generated.
- This year – 2023 – has been far from peaceful with the farm importing 50 calves, bleating and bellowing for their lost mothers; lorries dumping huge amounts of rubble and numerous ancient and lovely trees being cut down. I hate to think of the problems arising when they increase the herd to up to 800 calves.

- The site in question has never been used for farming at the modern industrial scale that is being proposed and with its natural landscape including ancient woodland, it is hard to see how it will sustain an operation of this scale.
- Due to adjacent trees a tree survey is surely required?
- Waste effluent could reach the River Churnet
- the smell is often appalling even from the current small number of calves
- Title deeds of houses in this area of Leek contain Restrictive Covenants prohibiting industrial activity on a much smaller scale than that proposed in these applications.
- Application states that there are no protected species on site or adjacent - we think this is incorrect. Bats, badgers, hedgehogs, owls, foxes are all known to be in the area and have actually been seen by us around this area
- The farm hasn't housed cows for >25 years and the local residents have become accustomed to a peaceful and quite environment. The farm in essence hasn't been farmed. The recent reintroduction of cattle is already creating unwanted noise, especially from the farm machinery operating late at night, and this will only get worse with such an increase in numbers of cattle.
- The size of the farm, being roughly 150 acres, cannot possibly be sufficient to house 800 cows. The land isn't of suitable pasture quality and topography to allow free roaming and the size of the proposed sheds cannot possibly house such a large number of animals.
- Light pollution
- various comparisons with SMD/2021/0179 not relevant / not applicable
- will disrupt the calm learning environment of Westwood College

6.3 Cllr Philip Barks – Leek West Ward

- concerns with the three applications submitted at Westwood Hall Farm, Leek for an agricultural development
- aerial photography clearly shows trees within the proposed site boundary and a large site of ancient woodland to the west which is adjacent to or within the fringes of 0276 and 0277 location plan. This piece of ancient woodland is recorded on Natural England's database as West Wood, with an area of 3.8ha of Ancient and Semi-natural Woodland.
- full tree survey is required but not submitted
- the woodland is important as an irreplaceable habitat and a valuable natural asset important for wildlife, soils, carbon capture, recreation, genetic diversity, cultural, historical and landscape value
- Incorrect to say other biodiversity features don't stand to be affected as a clear Site of Biological Importance (SBI) to the west is adjacent to or within the fringes of the site location plans
- a range of direct and indirect negative effects identified
- The three applications when combined, would amount to a large development within the green belt and a significant alteration to the current landscape character. SS10 (2) declares that the rural economy should be sustained by enabling limited expansion of businesses within the green belt. The application proposals amount to a significant business expansion from 25 cattle to potentially 800, which alongside the development plans will undoubtedly change the current landscape character.

Leek Town Council

- 6.4 Objection. "Following a review of this application, the Town Council Planning Committee object with concerns of noise levels of large numbers of cattle adjacent to a school and residential properties. The smell of manure from large numbers of cattle which could disrupt learning. The ingress and egress of HGV vehicles to transport Beef Cattle through a residential area and in the proximity of a school bus route".

SCC Highways

- 6.5 In response to consultation SCC Highways raised a number of questions of detail but have not provided any final formal Highways Authority response.

Environment Agency

- 6.6 Having checked the development proposals alongside the [EA] constraints the applications appear to fall outside of our checklist for consulting the Environment Agency. We would therefore not wish to provide any bespoke comments on the proposals and refer you to our standing advice. I advise that you also refer to our agriculture / pollution prevention guidance.

SMDC Environmental Health

- 6.7 A recently submitted noise impact assessment is still being reviewed. EH initial comments (13.09.2023) noted the combined three applications are to develop a beef and calf rearing operation for up to 800 cattle. EH commented: This appears to be a significant intensification at the farm given the number of animals potentially at the site during peak operation. Environmental Health recommend refusal of the applications due to insufficient information being submitted to assess the amenity concerns and environmental impacts of the proposed development.
- 6.8 The three applications are very much connected producing essentially large scale beef rearing when combined. The cumulative impacts of these applications should be considered.
- distances to garden areas which are less than to the dwellings should be considered.
 - The application makes no reference to the school which is adjacent to the proposed beef rearing units to the North (20-30m), which needs to be considered. This would be considered a sensitive receptor in most environmental assessments.
 - Comparison with approvals elsewhere eg SMD/2021/0179 not strictly comparable

- 6.9 Despite the fact that the proposal is for up to 800 head of cattle, that will generate large, significant volumes of manure, there is no information on how this will be managed or indeed obvious inclusions such as where the slurry store(s) will be located (or the required capacity).
- 6.10 There is no information on the potential emissions from the livestock units, and slurry stores both as an odour concern and amenity impact to the neighbouring school / residential properties but also the potential for certain gases (which contribute to the odour) such as ammonia in particular are likely to be significant if not adequately controlled. Ammonia emissions could potentially cause nutrient enrichment / deposition at nearby environmentally sensitive sites e.g. the adjacent West Wood woodland. Flies could also be an issue at such intensive units if not managed effectively, but no information on this has been provided.
- 6.11 Primary access to the site is through a narrow lane between 28 Westwood Park Drive and Cauldon House. It is likely this would be an intensively used track often used during unsocial hours so there is a risk of adverse impacts to amenity of these properties and other properties in the vicinity of the access onto Westwood Park Drive. The Environmental Health Department is also currently investigating allegations of noise nuisance caused by the current operations at the farm. It would be appropriate that a noise assessment is submitted in order that the proposed developments can be properly assessed in regard to the impact on local neighbourhood amenity.
- 6.12 Response to latest noise assessment awaited.

SMDC Heritage Conservation Officer

- 6.13 Objection. This application concerns a number of heritage assets:
- Westwood Hall – Grade II – List UID: 1268548.
 - Summerhouse in grounds of Westwood Hall – Grade II – List UID: 1268550.
 - Stable Block at Westwood Hall Farm – Grade II – List UID: 1268549.
- 6.14 A Heritage Statement and Impact Assessment has not formed part of the submission for this application, therefore there is insufficient information. There has been no consideration for the setting of the heritage assets. I note this application coincides with two other applications demonstrating similarly enormous structures in this immediate location. I am not sure how the Planning Statement can determine that the proposed structure will not be incongruous or pose 'no material harm'. I will mention here that cumulatively, the harm imposed looks to be at the higher of 'less than substantial' and as such I cannot offer full support. [NB subsequently a Heritage Assessment has been submitted.]

7. POLICY AND MATERIAL CONSIDERATIONS / PLANNING BALANCE

Principle of Development and Main Issues

- 7.1 In its general approach, in accordance with policy SS1, the Council expects the development and use of land to contribute positively to the social, economic and environmental improvement of the Staffordshire Moorlands. When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. This means that planning applications that accord with the policies in the Local Plan shall be approved without delay, unless material considerations indicate otherwise.
- 7.2 The site is located within an area covered by Local Plan Policy SS10 and in the Green Belt. Paragraph SS10 (6) stipulates that the Green Belt is to be maintained in the Staffordshire Moorlands and that in order to do so “strict control will continue to be exercised over inappropriate development within the Green Belt allowing only for exceptions as defined by Government policy”. In terms of Green Belt, by reference to NPPF 154, a building ‘for agriculture’ is allowable as being ‘not inappropriate’ and is therefore in principle acceptable. The main issues with this proposal are chiefly matters which stem from the scale of the development including cumulative considerations taking into account the two concurrent applications.
- 7.3 Key considerations are noise, smells, waste and effluent management, drainage, traffic and likely vehicle size, access space to and from the site, proximity of nearby dwellings and Westwood College, impacts on the natural environment including adjacent woodlands, design appearance, impacts on heritage assets.

Scale and amount

- 7.4 With a bearing on all aspects of the assessment is the need to try and understand the scale and amounts involved. The details seem at best sketchy and it is difficult to have confidence in their reliability as estimates or predictions of the scheme impacts. The more certain information is in the number and size of buildings involved and the proposed headage of livestock. The livestock headage numbers – typically referred to in the application as ‘cows’ – appear large relative to the available grassland area. The LPA would normally take a single cow to equate approximately with a single Livestock Unit and one acre of ground will support one livestock unit.
- 7.5 The point about stocking capacity of the land was put to the agent who has responded with additional information. For available land area this new information uses a figure of 68.68ha (169 acres) described as ‘permanent pasture’ at Westwood Hall Farm. It goes on to say: “The land at Westwood is split into extensive grazing grass and intensive mowing grass [and] 45ha is extensive and is grazed only and 23.68ha is extensive mowing grass which is used for mowing and supplying winter forage”. These land area figures differ from those given initially in the application as noted at 3.4 above and the agent has been invited to show on plan the locations of the land areas that are being taken into account.

- 7.6 The stock capacity report sets out that “The calculation for livestock units is based on 1 livestock unit being an adult milking cow weighing 750kg producing a calf weighing 45kg and also producing 4500 litres of milk at 3.6% protein. However, this planning proposal is not for lactating dairy cattle at 1 Livestock unit. It is for non-breeding non lactating beef youngstock.” The report assesses the 400 animals of the proposal to equate to 167 livestock units but that not all the animals would be grazed.
- 200 calves under 5 months old would not be grazed at any point during the year and therefore would be housed all year round and would be fed on milk, water, concentrate feed and roughage such as straw or hay
 - 200 animals aged over 5 months to 16 months would be housed for 6 months of the year (autumn and winter period) and grazed in the spring and summer
 - the report predicts a maximum of 200 grazing animals in the grazing season
- 7.7 The assessment goes on furthermore to estimate the fodder production capacity of the farm and concludes there would be a potential annual surplus available: “Given the nature of the land and assuming the land will produce on average 10 tonnes of Dry Matter (DM) per hectare there would be production for both grazing and mowing of 686.8tonnes of DM over the 68.68ha. The requirement for 400 head of stock at the ages proposed would be 49tonnes of dry matter per month or 581t per year, which would allow surplus forage to be stored for future use if the grass growth is below optimum.”
- 7.8 In conclusion on numbers the high figures (up to 400) quoted in the application represent a range of age groups. Half this number would be held indoors throughout. Despite references of up to 800 animals this appears not to be a current aspect of the proposal.

Amenity

Noise

- 7.9 SMDC Environmental Health (EH) are still considering the submitted noise assessment and any update will be provided for committee in the late representations report.

Manure

- 7.10 The applicant responded to concerns about waste by submitting a Nutrient Management Plan (NMP). This assumes a dry manure system in which bedding accumulates in the pens and is removed periodically. Using this system should mean there is no liquid ‘slurry’. Removed bedding manure is stored in field heaps or in the yard and, provided guidance is adhered to, should not pose a pollution risk either to the river or any other watercourse or to ground water. The NMP estimates that 628 tonnes of manure would be produced (annually presumably) and using land available to the farm (67ha according to the NMP) can be spread at acceptable rates of 9.7t/ha. The NMP justifies that this can be accepted as they say a rate of up to 12t/ha is allowed even on designated very low input land. The NMP also estimates nitrogen and

phosphate outputs from the proposed scheme though no analysis of the significance of this is given.

- 7.11 The manure heap waste management system is reasonably clear to understand although how precisely this relates to the potential annual calendar of events / livestock numbers and the likely actual quantities involved remains less clear.

Odours

- 7.12 The application relies on the NMP to answer concerns about odours. The agent says the applicant is agreeable to the imposition of a planning condition that requires compliance with the stated DEFRA guidance. The applicant is also agreeable to the imposition of a planning condition that requires the heaps to be located X distance from neighbouring houses “to avoid any adverse impact to neighbouring residential amenity”. However the information as currently submitted must be judged insufficiently precise to be enforceable but potentially some aspects of the manure management could be made subject to condition.

Drainage

- 7.13 The application does not address how clean water drainage will be handled and as the proposed buildings will occupy previously undeveloped ground there would be a significant net output increase in hard-surface water run-off. It is not clear how roof-water would be kept separate from yard / access surfaces which are likely inevitably to accumulate some manure water. Due to the sloping site and wooded areas below (TPO and semi-natural ancient woodland) it cannot be assumed that run-off can necessarily be accommodated or that rain-water harvesting would offer a solution. Planning Practice Guidance details a surface water disposal hierarchy. The disposal of surface water by means of soakaways should be considered as the primary method. If this is not practical and there is no watercourse available as an alternative, other sustainable methods should also be explored. Potentially some aspects of water management could be made subject to condition but at present amounts involved are unknown and the site slope and tree constraints create uncertainty as to the options for onward drainage.

Vehicle traffic and access

- 7.14 The planning statement addendum provides vehicle movement amounts as follows: June / July – hay / straw harvesting / delivery; 3x p.a. corn delivery by 8 wheeler wagon; ‘cows’ by wagon or vehicle trailer monthly. With regard to the estate access between houses the agent has added in his submissions, *“that this is an established access serving the farm. The farm is already being used for the keeping of livestock, and we have two access points available, one via the track, the other via the nearby school access. Both provide a suitable means of access to the site.”*
- 7.15 The point here however is that these proposals cannot take place without planning consent. It is likely that the above will significantly underestimate the true range and frequency of vehicle movements involved and ‘cows’ by wagon or vehicle trailer monthly is especially vague. There is also an established

equine usage at some level or other and without prejudice to any future assessment by the Council this is also dependent on using the same existing access route(s). Given the close proximity of the access route to existing properties and through an established residential area, the increase in vehicle movements is likely to have significant impacts on the amenity of local residents.

Highways

- 7.16 As to the safety and suitability of the access points and the impact on the wider highway network, the comments of SCC Highways are awaited and a further update will be provided to Members in this regard.

Design – and Heritage

- 7.17 In terms of design the buildings are of a type and style to be expected for livestock housing. Units 2 and 3 are set back away from most scope to be seen publicly. Unit 1 is likely to have some visibility at distance from footpaths in the valley below or from the opposite valley side but this may reasonably be judged of limited impact.
- 7.18 For residents it can be recognised that the building(s) would be prominent in the outlook of several dwellings. The ground level though is set down a little relative to two of the dwellings and the separation being c.80m from closest garden boundary and c.100m from the nearest rear elevations the structures on balance are not considered overbearing or so intrusive that they should be judged unacceptable.
- 7.19 There would be little or no scope to see the development publicly in conjunction with any of the three identified nearby Listed buildings. The Summerhouse in the grounds of Westwood Hall is some 160m away to the north east separated by various intervening buildings.
- 7.20 Westwood Hall itself is closer at c. 60m to 70m. Although not individually Listed there is also an associated curtilage building that may be seen in conjunction with the proposal building(s) especially unit 2 and which should be treated as Listed. Any intervisibility and sense of impact on the setting of either the Listed Building itself or its curtilage structure will be reduced by the greater existing noticeability of the riding school building which comes in between. On balance it may reasonably be concluded there is no new or further harm to the settings given this established site context. A very similar assessment and the same conclusion can also be reached in terms of the Listed Stable at c.60m to 80m.

Other matters

- 7.22 The issues discussed above should be found to have covered the majority of the criticisms of the scheme raised in the representations.
- 7.23 As always, any feared impact on neighbouring property values is not a material planning consideration.

- 7.24 The objection with regard to requiring a screening opinion was discussed with the agent who responded: I do not think this proposal constitutes EIA development. First and foremost, not all of the buildings are located on uncultivated / semi-natural land (the calf rearing building being on an area of hardstanding). However, even if one concludes that they are, the total area covered by the development (inclusive of the three buildings taken together, as well as the associated yard areas in between them) does not come close to exceeding the threshold of 0.5 hectares. The project architect has confirmed that total area to be 0.25 hectares. On this basis I cannot agree that this proposal meets the threshold to constitute potential EIA development, as set out in Schedule 2.
- 7.25 Issues raised with regard to methane and global warming are not relevant material considerations for this application.
- 7.26 The references to recent importation of quantities of demolition rubble are to be noted.
- 7.27 References to protections contained in the Human Rights Act will be addressed in the late up-dates report.

8. Conclusion and Planning Balance

- 8.1 The proposal is one of three large livestock buildings at a location with no planning history of such structures or associated comparable activities on this scale. Despite some significant uncertainties in this application (and its two concurrent ones) there can be no doubt that relative to the established site usage there would be significant impact on the amenities of the area.
- 8.2 In a very general sense it can be concluded that these proposals are inappropriate in this location in terms of the impact of such a large development expansion of the farming enterprise on the wider public enjoyment of the area including for students and pupils attending Westwood College and for the living conditions in nearby dwellings on Westwood Park Drive. The impacts are made more significant by the high numbers of young stock including calves proposed to be housed year round.
- 8.3 Subject to final confirmed views of the Environmental Health and Highways consultees these conclusions may need to be added to or revised.
- 8.4 Whilst there are some matters which it is possible may be made acceptable by condition – manure management and drainage – there are too many uncertainties in the proposals at the present time. In terms of the more general adverse impacts on the neighbouring residential areas such conditions would be only of partial help and would be difficult to enforce and it is judged insufficient to make the proposal(s) acceptable overall.

9. RECOMMENDATION

A. Refuse for the following reason(s):

- 1. As one of three large livestock housing buildings being determined concurrently the cumulative consequences of the development in terms of the intensification of the farm business with all attendant new comings and goings including from the keeping and periodic change over through the year of up to 400 bovine stock with up to 200 permanently housed year round within the combined development and the resulting potential for disturbance to the quality of life and living conditions in the adjacent residential and school environment the proposed development is found inappropriate and out of place with the established living environment of the location and environs and therefore contrary to Staffordshire Moorlands Local Plan policies SS1; SS2; SS10; DC1 and C1 and to the NPPF.**

Informative

- 1. 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 38 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 but ultimately this has not been possible in this case.**

B In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Development Services has delegated authority to do so in consultation with the Chairman of the Planning Applications Committee, provided that the changes do not exceed the substantive nature of the Committee's decision

10. APPENDICES TO THE REPORT

10.1 The link below to the Council's website is where the detail of this application can be viewed.

<http://publicaccess.staffsmoorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=171007>

10.2 – location plan

