

**20/00281/FUL
MINOR**

Mr Les Commins

**SHARESHILL
Cllr Frank Beardsmore
Cllr Robert Cope**

Brookfield Farm Cannock Road Shreshill WV10 7LZ

Temporary (2 years) change of use to provide for siting of 4no. containers to accommodate feedstuffs, including hay, in connection with agricultural and equestrian activities on the holding.

1. SITE DESCRIPTION AND PLANNING HISTORY

1.1 Application Site

1.1.1 The application site is located within the northern aspect of the farm complex sited close to existing buildings that form the existing farm complex of buildings associated with Brookfield Farm which extend to the south of the application site. Brookfield Farmhouse is located to the northwest of the application site. Vehicular access to the site is taken directly off the Cannock Road to the west. An existing public Bridleway runs adjacent to the site in an east/west direction.

1.2 Planning History

20/00274/FUL - Temporary use of land for the siting of a mobile home and related structures including septic tank for occupation for the lifetime of Mr C J Evans only - Granted Subject to Conditions 22.04.2021

2. APPLICATION DETAILS

2.1 The Proposal

2.1.1. Planning permission is sought for the retention of the temporary (2 years) change of use to provide for siting of 4no. containers to accommodate feedstuffs, including hay, in connection with agricultural and equestrian activities on the holding.

2.1.2 The containers have been re-located and are sited to the north east of the buildings that make up the holding and to the east of the existing farmhouse, to allow for acceptable living for the recently approved mobile home on site.

2.2 Agents Submission

2.2.1 The Agent submits a statement with the following points in support of the proposal:

2.2.2 The containers are already situated on the land concerned having been re-located from land nearby when the landowner allowed for the occupant of the mobile home to reside on the site.

2.2.3 The containers contain foodstuffs, including hay, to provide for the livestock horses and alpacas on the holding.

2.3 Pre-application

No pre-application discussions have taken place.

3. POLICY CONTEXT

3.1 The application site lies within the Green Belt.

3.2 Adopted South Staffordshire Core Strategy, adopted 2012.

NP1: The Presumption in favour of sustainable development

Core Policy 1: The Spatial Strategy for South Staffordshire

Policy GB1: Development in Green Belt

Core Policy 2: Protecting and Enhancing the Natural and Historic Environment

Policy EQ4: Protecting and Enhancing the Character and Appearance of the Landscape

Core Policy 3: Sustainable Development and Climate Change

Policy EQ9: Protecting Residential Amenity

Core Policy 4: Promoting High Quality Design

Policy EQ11: Wider Design Considerations

3.3 Adopted Local Guidance

South Staffordshire Design Guide Supplementary Planning Document, 2018.

Sustainable Development Supplementary Planning Document, 2018.

3.4 National Planning Policy Framework 2019 (the 'NPPF').

Section 2 - Achieving Sustainable Development

Section 12 - Achieving well-designed places.

Section 13- Protecting Green Belt Land

3.5 National Planning Policy Guidance

3.5.1 Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

3.5.2 The law makes a clear distinction between the question of whether something is a material consideration and the weight which it is to be given. Whether a particular consideration is material will depend on the circumstances of the case and is ultimately a decision for the courts. Provided regard is had to all material considerations, it is for the decision maker to decide what weight is to be given to the material considerations in each case, and (subject to the test of reasonableness) the courts will not get involved in the question of weight.

4. CONSULTATION RESPONSES

Councillors (expired 6/05/2020): No comments received.

Sharesill Parish Council (expired 6/05/2020): No comments received.

No comments have been received from interested parties and relevant periods expired.

5. APPRAISAL

5.1 The proposal is brought before Members of the Planning Committee as it is contrary to Green Belt Policy GB1 and Part 13 of the NPPF.

5.2 Key Issues

- Principle of Development
- Impact on openness of Green Belt
- Very Special Circumstances

5.3 Principle of Development

5.3.1 The site is located within the Green Belt where there is a presumption against inappropriate development. Paragraph 143 of the NPPF states that inappropriate development, is by definition harmful to the Green Belt and should not be approved except in very special circumstances. However, there are exceptions to this position set out within Paragraphs 145 & 146 of the NPPF.

5.3.2 Policy GB1 within the Core Strategy is largely consistent with the NPPF and sets out a number of developments that are considered acceptable within Green Belt which are largely consistent with those exceptions set out within Paragraphs 145 and 146 of the NPPF.

5.3.3 Point c within Policy GB1 of the Core Strategy provides that the carrying out of engineering or other operations or the making of a material change of use of land, where the works or use proposed would have no material effect on the openness of the Green Belt or the fulfilment of its purposes may be considered acceptable. The proposal is therefore acceptable in principle, provided that no harm is caused to the openness of the Green Belt.

5.4 Impact on the Openness of the Green Belt.

5.4.1 The key characteristic of Green Belts are their openness and their permanence. Any development proposals should not cause undue harm or loss of this openness. The Green Belt serves five purposes as defined in the NPPF.

5.4.2 The proposal is assessed as to whether the development has an impact on the openness of the Green Belt, the overall volume and the permanence of the proposal. The proposal seeks for the retention of the change of use of land for the siting of 4 no. shipping containers for a temporary period of 2 years.

5.4.3 With regards to the permanence of the building, it is considered that the proposal is a temporary building which requires limited ground works. As such it is considered that the land once the use has ceased can be remediated and that the land can be returned back to its original state. Any recommendation for approval would be subject to such a condition.

5.4.4 Overall it is considered that the impact on the openness of the Greenbelt is minimal because of the siting of the development, together with the overall permanence of the infrastructure and the traffic generation of the development. It is therefore considered that whilst the development is inappropriate for the purposes of the policy and would carry a degree of default harm, for the reasons highlighted within this section it is considered that the proposal would accord with Policy EQ4 of the Core Strategy, 2012.

5.5 Very Special Circumstances

5.5.1 The Agent states that the containers are already sited temporarily on the site and have been re-sited due to the temporary siting of the mobile home on the site which was subject to planning reference 20/00274/FUL.

5.5.2 The shipping containers are noted by the Agent to contain feedstuffs associated with the agricultural operation at the site by the Applicant, indeed, buildings that are for use in association with outdoor sport and recreation such as equestrian use and buildings used for agricultural purposes are not considered to be inappropriate, it seems logical therefore that that principle should also apply here. It is therefore these considerations that amount to very special circumstances to clearly outweigh the harm to the Green Belt on such a temporary basis.

6. CONCLUSIONS

6.1 The proposal is considered to be inappropriate development in the Green Belt contrary to GB1 of the Core Strategy.

6.2 Given the level of permanence together with the very special circumstances that are considered to exist, it is considered these would clearly outweigh the limited identified harm to the Green Belt subject to suitably worded conditions requiring removal in the future.

6.3 Furthermore, the proposal would not have any undue harm outside of the complex and there are no concerns arising in respect of highways impact or residential amenity. Therefore, planning permission is recommended subject to appropriate conditions.

7. RECOMMENDATION - APPROVE Subject to Conditions

Subject to the following condition(s):

1. The development shall be retained in accordance with the plans referenced 0173 WS1 001 entitled 'Site Location Plan', 0173 WS1 002 entitled 'Site Block Plan', 0173 WS1 020 entitled 'As built Plan and Elevations' received by the Local Planning Authority 2.04.2020.
2. The siting of the 4 no. shipping containers hereby permitted shall be removed and the land restored to its former condition on or before 11.05.2023.
3. The containers shall be used for the storage of feedstuffs including hay in connection with agricultural and equestrian activities on the holding.

Reasons

1. In order to define the permission and to avoid doubt.
2. The application site is within Green Belt and the change of use and siting is only justified by the special and temporary need for the development

3. The site is within the Green Belt within which, in accordance with the planning policies in the adopted Core Strategy, there is a presumption against inappropriate development

Proactive Statement - In dealing with the application, the Local Planning Authority has approached decision making in a positive and creative way, seeking to approve sustainable development where possible, in accordance with paragraph 38 of the National Planning Policy Framework, 2019.



Brookfield Farm, Cannock Road, Shreshill, WOLVERHAMPTON WV10 7LZ