



Appeal Decision

Site Visit made on 21 September 2021

by Samuel Watson BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 October 2021

Appeal Ref: APP/R0660/W/21/3272922

Mottram Wood Farm, Smithy Lane, Mottram St. Andrew SK10 4QJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr J Bate against the decision of Cheshire East Council.
 - The application Ref 20/1452M, dated 2 April 2020, was refused by notice dated 2 February 2021.
 - The development proposed is a cabin for use for agricultural processing of alpaca wool in association with alpaca breeding enterprise.
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Decision

1. The appeal is allowed and planning permission is granted for a cabin for use for agricultural processing of alpaca wool in association with alpaca breeding enterprise at Mottram Wood Farm, Smithy Lane, Mottram St. Andrew SK10 4QJ in accordance with the terms of the application, Ref 20/1452M, dated 2 April 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 0367-06, Location Plan, Building as Proposed

Preliminary Matters

2. The description above has been taken from the appellant's planning application form. However, the phrase "retention of" has been removed as it is not a description of development and so is superfluous.

Background and Main Issue

3. The appeal building comprises an agricultural workers dwelling that was given temporary permission under Ref 10/0190M. The permission required that the building was removed on or before the expiry of three years from the date of the decision. An enforcement notice has since been issued and the building is now unlawful. The scheme before me seeks to make use of the building for the processing of alpaca wool in association with the agricultural business on site. This is therefore the basis on which I have considered the appeal.
4. Therefore, the main issue in this case is whether the proposal would be inappropriate development in the Green Belt, having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies.

Reasons

5. Paragraph 147 of the Framework establishes that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 states that substantial weight should be given to any harm to the Green Belt and very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
6. Subject to a number of exceptions, as listed in Paragraph 149, the Framework makes it clear that the construction of new buildings should be regarded as inappropriate in the Green Belt. The listed exceptions include “buildings for agriculture and forestry”. Saved Policy GC1 of the Macclesfield Borough Local Plan (the MBLP) and Policy PG3 of the Cheshire East Local Plan: Local Plan Strategy 2010-2030 (the LPS) set out a list of exceptions which include buildings for agriculture. In so far as the parts relevant to this appeal, both policies are consistent with the Framework.
7. The appeal site contains a single storey log cabin surrounded by fields. Adjacent to the cabin is a barn, and a dwelling which appeared to be under construction. At the time of my visit I noted alpacas within the field nearest the cabin. It was clear from my observations within the existing barn that it was used for agricultural purposes, including two pens set out for livestock. While the barn had a solid roof, the timber cladding on the walls had significant gaps between them.
8. The proposal includes the use of the existing cabin for the storage and processing of alpaca wool in connection with the existing agricultural use. Given the intimate connection between the rearing of alpacas on the site and the subsequent processing of their wool for sale, I find it is an agricultural use in itself. I note that the Council found similarly.
9. I note, however, that the Council are concerned that the building is not appropriate for an agricultural use as it is residential in character and was given only a temporary permission. However, neither the local policies nor Paragraph 149 of the Framework have any requirements for the appearance of the building, or that the use be justified. Whilst such matters may be dealt with under other local or national policies, in this instance it is clear that the Council’s reason for refusal relates solely to whether the proposal is inappropriate in the Green Belt.
10. As such, although the building is residential in appearance this does not mean that the building is not suitable for use for an agricultural purpose. Moreover, the appellant’s submission demonstrates their need and how the building would be used to meet this. Whilst the building may have been given only a temporary permission this does not preclude it from subsequently being granted permission to be retained permanently, including for a different use, subject to a suitable scheme.
11. In light of the above, as the building would be for an agricultural use it would not be inappropriate development within the Green Belt. It would therefore comply with the relevant exception set out in Policy PG3 of the LPS and saved Policy GC1 of the MBLP. The proposal would also comply with the exception set out in Paragraph 149(a) of the Framework.

Other Matters

12. I note concerns that the appellant has not sold any wool to date and that, as such, the enterprise cannot be viable. However, it is clear from the evidence before me that an agricultural use has been carried out on the site for some time, and that a permanent agricultural workers dwelling has recently been granted by the Council. As such, and lacking any evidence to the contrary, I find no reason to consider the agricultural business to not be viable.

Conditions

13. The Council has suggested a number of conditions it would wish to see imposed in the event that the appeal was allowed. I have considered the suggested conditions against the Framework and Planning Practice Guidance and have amended some of the suggested wording to reflect this advice.
14. A condition is necessary requiring that the development is carried out in accordance with the approved plans in the interests of clarity and enforceability. However, I find it would be unnecessary to impose a condition requiring materials to be in accordance with those set out in the application form as the building already exists and no external alterations are proposed.

Conclusion

15. For the reasons given above I conclude that the appeal should be allowed.

Samuel Watson

INSPECTOR