DELEGATED DECISION REPORT

DET/2018/0024 **Valid 24/07/2018**	**CONEYGREAVES FARM** **CONEYGREAVES LANE** **CONEYGREAVES** **CHEADLE**	**PROPOSED CONCRETE AND STEEL STORE WITH ACCESS RAMP, PARTIALLY UNDERGROUND CONSTRUCTED ON THE SITE OF AN EXISTING EARTH SIDED DIRTY WATER STORAGE HOLE.** **(AGRICULTURAL/FORESTRY DETERMINATION)**

MAIN ISSUES

The key issues are 1) whether prior approval is required from the LPA regarding the siting, design and appearance of the proposed structure and 2) whether or not the proposed development accords with the details outlined in Schedule 2, Part 6, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015.

RELEVANT PREVIOUS APPLICATIONS

None specifically relevant.

CONSULTATIONS

Draycott Parish Council

No objections.

Publicity

Site Notice expiry date: N/A
Neighbour consultation period ends: N/A
Press Advert: N/A

OFFICER COMMENTS

Schedule 2, Part 6, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 relates to agricultural development on units of 5 hectares or more, which states that the following is permitted development

> *The carrying out on land comprised in an agricultural unit of 5 hectares or more in area of:-*

(a) works for the erection, extension or alteration of a building; or
(b) any excavation or engineering operations,
which are reasonably necessary for the purposes of agriculture within that unit.

The agricultural unit of concern covers an area of approx. 63ha.

PROPOSAL

The application seeks confirmation from the Local Planning Authority as to whether or not prior approval is required for the siting, design and external appearance for what is described as: *"Proposed concrete and steel store with access ramp, partially underground constructed on the site of an existing earth-sided dirty water storage hole"*. The proposal is to be appraised against the criteria outlined within Schedule 2, Part 6, Class A, of the GPDO.

AGRICULTURAL NEED

The slurry store is required for storage of a size and standard that meets the Nitrate Vulnerable Zone regulations; this would allow for continuation and expansion of the agricultural business.

GPDO

Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) states the following:

Re - agricultural development on units of 5 hectares or more

Permitted development

[NB. Officer emphasis in ***bold italics***]

A. The carrying out on agricultural land comprised in an agricultural unit of 5 hectares or more in area of—
(a) works for the **erection**, extension or alteration **of a building**; or
(b) **any excavation or engineering operations**,
which are reasonably necessary for the purposes of agriculture within that unit.

Development not permitted

A.1 Development is not permitted by Class A if—
(a) the development would be carried out on a separate parcel of land forming part of the unit which is less than 1 hectare in area; ***which isn't the case***
(b) it would consist of the erection or extension of any agricultural building on an established agricultural unit (as defined in paragraph X of Part 3 of this Schedule) where development under Class Q or S of Part 3 (changes of use) of this Schedule has been carried out within a period of 10 years ending with the date on which development under Class A(a) begins; ***which isn't the case***

(c) it would consist of, or include, the erection, extension or alteration of a dwelling; ***which it doesn't***
(d) it would involve the provision of a building, structure or works not designed for agricultural purposes; ***which it doesn't***
(e) the ground area which would be covered by—

(i) any works or structure (other than a fence) for accommodating livestock or any plant or machinery arising from engineering operations; or

(ii) any building erected or extended or altered by virtue of Class A,

would exceed 1000 square metres, calculated as described in paragraph D.1(2)(a) of this Part; ***which it doesn't***
(f) the height of any part of any building, structure or works within 3 kilometres of the perimeter of an aerodrome would exceed 3 metres; ***the building/structure is not within 3km of an aerodrome nor does it exceed 3m***
(g) the height of any part of any building, structure or works not within 3 kilometres of the perimeter of an aerodrome would exceed 12 metres; ***which it doesn't***
(h) any part of the development would be within 25 metres of a metalled part of a trunk road or classified road; ***which it isn't***
(i) it would consist of, or include, the erection or construction of, or the carrying out of any works to a building, structure or an excavation used or to be used for the accommodation of livestock or for the storage of slurry or sewage sludge where the building, structure or excavation is, or would be, within 400 metres of the curtilage of a protected building; ***which it isn't***
(j) it would involve excavations or engineering operations on or over article 2(4) land which are connected with fish farming; or
(k) any building for storing fuel for or waste from a biomass boiler or an anaerobic digestion system—

(i) would be used for storing waste not produced by that boiler or system or for storing fuel not produced on land within the unit; or

(ii) is or would be within 400 metres of the curtilage of a protected building.

Which it doesn't

The proposed development also has to satisfy a range of conditions, as outlined in "A.2 – (points 1-7)". The details of the conditions are too extensive to list here. However, suffice to say a) as far as can be established, the proposal would satisfy the conditions and b) the applicant's attention could be drawn to the conditions which have to be adhered to via an informative on the Decision Notice.

SITING, DESIGN & APPEARANCE

The application form (Section 5) states that the proposal is necessary for agricultural purposes… In summary, the applicant is seeking to construct a steel slurry storage area, measuring 30m x 33m with a max height of 2m. The structure is partially below ground level; it is to be constructed of shuttered and reinforced concrete bays between steel columns (the steel columns are to be painted Juniper Green) with fencing above. The slurry store is to be sited where an existing earth-sided dirty water storage hole is located, which is within close proximity to existing buildings on the wider site.

The siting, design and appearance (as described above) of the proposed slurry store can be seen to be that of a fairly standard, utilitarian agricultural slurry store.

The structure would barely be visible from public vantage points.

Bearing the above factors in mind it is considered that prior approval is not required as the information submitted with the application re siting, design and appearance is acceptable to the LPA.

SUMMARY, CONCLUSION AND RECOMMENDATION

Based on the information submitted, it is considered that the proposed building is reasonably necessary for the purposes of agriculture and that prior approval is not required.

OFFICER RECOMMENDATION : Prior approval not required

Case Officer: John Williamson
Recommendation Date: 11/10/2018

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council