STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING • EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Beswick
46 Moorland Road
Leek
Staffordshire
ST13 5BW

Application no: DET/2020/0008

Determined on: 23rd March 2020

TOWN AND COUNTRY PLANNING ACT 1990
PLANNING AND COMPENSATION ACT 1991
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT ORDER) (ENGLAND) 2015

DESCRIPTION OF DEVELOPMENT
Proposed new building for storage/machinery/general purpose at Birch Trees Farm Biddulph Road, Horton

PRIOR APPROVAL REQUIRED

Staffordshire Moorlands District Council has determined that the prior approval of the authority will be required as to the siting, design and external appearance of the proposed new building. **The development must not begin before the authority has given such approval.**

If you wish to proceed you must now —
display a site notice by site display on or near the land on which the proposed development is to be carried out, leaving the notice in position for not less than 21 days in the period of 28 days from the date on which the local planning authority gave the notice to the applicant; and where the site notice is, without any fault or intention of the applicant, removed, obscured or defaced before the period of 21 days has elapsed, the applicant is treated as having complied with the requirements if the applicant has taken reasonable steps for protection of the notice and, if need be, its replacement.

The "site notice" must contain—
(a) the name of the applicant,
(b) the address or location of the proposed development,
(c) a description of the proposed development and of the materials to be used,
(d) a statement that the prior approval of the authority will be required as to the siting, design and external appearance of the building or, as the case may be, the siting and means of construction of the private way,
(e) the name and address of the local planning authority,

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and be signed and dated by or on behalf of the applicant. It is suggested that when such a site notice has been displayed, a dated photograph of the notice in place is provided to the authority for their records.

You must now apply to the authority for the prior approval of the siting, design and external appearance of the proposed new building. The authority shall make a decision in relation to your application within 8 weeks beginning with the day immediately following that on which the application is received by the authority, or within such longer period as may be agreed by the applicant and the authority in writing.

To ensure that the authority can properly consider this matter, the application should include drawings that show the full elevations and layout of the building, ground levels, and how the materials would be used. The authority is particularly concerned because the edge of the Rudyard Conservation Area is nearby and there are landscape features of historic record within the vicinity. It is also appears that the submitted block plan shows the building in a position where its northwest corner would be placed over the public right of way (Horton 26(b)).

Moreover, it is perhaps prudent at this point in the process, before you have progressed beyond the initial stage of the prior approval process, to question whether the proposed new building is indeed "reasonably necessary for the purposes of agriculture within the unit". If the development does not objectively pass that test it is not permitted at all. This is raised as a concern particularly because the nature of the existing farm business has not been described and so it is not clear how this relates to a building of this size for the purposes of storing machinery and other general purposes, and there do appear to be other sizeable sheds already on the site. It is also apparent that as the applicant, you do not live at the property and therefore there is some question around the extent of your ownership or other interest in the land. A review of aerial photographs appears to reveal that surrounding land is used to store numerous vehicles that are not obviously agricultural in purpose. Perhaps there could be more explanation around the nature of the existing business; the extent of your ownership and interest in the land; and the size, type, and purpose of the machinery.

The Council will now await your response and further application submission before taking any further action in this matter.

X B.J. Haywood

Signed by: Ben Haywood
On behalf of Staffordshire Moorlands District Council