STAFFORDSHIRE moorlands DISTRICT COUNCIL

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Mr Rob Duncan
Rob Duncan Planning
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Lichfield
Staffordshire
WS13 7DL

Mr & Mrs Bloor
Overton Farm
Fole Lane
Fole
ST10 4HW

Application no: DET/2020/0024

Determined on: 29th June 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
Erection of agricultural building for storage of forage

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 relating to the proposed new building must not begin before the authority has given such prior approval.**

If they wish to progress with the proposal the applicant 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 this notice; 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,
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.

The applicant must now obtain the authority's prior approval of the siting, design and external appearance of the proposed new building before the development can proceed. In respect of siting, there is particular interest in the way the building would, by reason of its siting, relate to other buildings on the site and existing areas of bands of planting. The plan submitted with this application appears to show the footprint of existing buildings that are not apparent on a recent aerial photograph and can not be obviously identified against the recorded planning history. It would be helpful therefore, if the applicant could provide:

- An annotated plan that labels the footprint and position of all of the existing buildings with a reference to the relevant planning record for each building.

The authority shall make a decision in relation to the application within 8 weeks beginning with the day immediately following that on which that information and detail has been received by the authority, or within such longer period as may be agreed by the applicant and the authority in writing.

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

However, it is prudent at this point in the process, before the applicant has progressed beyond the initial stage, to question whether the proposed new building would in any event be permitted by Part 6 of the General Permitted Development Order. Concerns relate to the following:

- **It is apparent that within the unit identified on the submitted plan there is a significant retail, hire and serving use (machinery, plant and machinery) that does not appear to benefit from a planning permission. The unit therefore does not appear to be occupied for the purposes of agriculture and it would instead appear to be occupied for these other purposes or for a mixed use purpose;**

- **The proposed building could in combination with other buildings that have been built within the last 2 years, have an area that exceeds 1000 sqm. The submitted plan is unclear in these regards and the additional information requested may provide clarification;**

- **It is not clear that the new building would be "reasonably necessary for the purposes of agriculture within the unit". If the development does not objectively pass this test it is not permitted at all. This is raised because other buildings may have already been built without planning permission or used for unauthorised purposes when they could be available for agricultural purposes.**

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council