STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Mr John Nixon
Eastview
Cloudside
Congleton
Cheshire
CW12 3QG

Application no: DET/2020/0051

Determined on: 16/11/2020

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 agricultural shed at East View Cloudside Congleton

PRIOR APPROVAL REQUIRED

Staffordshire Moorlands District Council has determined that the prior approval of the authority will be required for the proposed new agricultural shed. **The development must not begin before the authority has given such approval. However, the authority does not consider the proposal in this case to be eligible for progression as permitted development in any event due to not meeting certain specified criteria in the legislation.**

If the applicant wishes nevertheless still to apply for prior approval you would now need to 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 (the date of this notice as above); 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.

You must now obtain the authority's prior approval for the siting, design and external appearance of the **proposed new agricultural shed** before the development can proceed. 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.

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

You are advised to study the accompanying officer report as the Local Planning Authority considers that this proposal would not in fact qualify for submission as a Part 6 Class A application as the land parcel in which the development is proposed would appear to the Local Planning Authority to be less than 1ha in extent and the total holding size is less than the required 5ha minimum area. These are both essential minimum qualifying criteria. It is also noted that there is no information to verify that the agricultural land is so used agriculturally for the purposes of a trade or business as part of an agricultural unit. Accordingly planning permission may be required for the development.

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council