

DELEGATED DECISION REPORT

DET/2021/0017
Valid 20/04/2021

**LAND TO NORTH OF
BREACH ROAD
BROWN EDGE**

**PROPOSED WOOD
PANELLED AGRICULTURAL
BUILDING**

**(AGRICULTURAL/FORESTRY
DETERMINATION)**

MAIN ISSUES

Whether or not the proposed agricultural building can be built under a Notification of Prior Approval application under Part 6 of the GPDO rather than a full planning application.

If so, whether or not the siting, design and external appearance of the proposed building is acceptable.

DESCRIPTION OF SITE

The site is in the countryside (and within the Green Belt) outside of the eastern edge of Brown Edge village and comprises a long piece of land with three or four adjoining fields on the north side of Breach Road and which is a short distance to the west of Broad Lane. The Chestnut Road/Spring Crescent housing estate is to the west of the southern part of the site. The rest of the site is surrounded by other fields. There is a farm access off Breach Road. The site has a size of approx. 7.0 hectares and there does not appear to be any buildings on the site.

PROPOSAL

The application is a "Notification of Prior Approval" application for a building to shelter and accommodate alpacas using the land on site which are bred and reared for wool. The land is also used for haylage associated with the alpaca farm. The building is required for the storage of this and for the machinery including a tractor, as well the sheltering of the alpacas. There are no elevational drawings of the building but the application info states it would have footprint of 10 x 17.5 metres and a max height of 4.4 metres (2.3 metres to eaves). Photographs of an enclosed timber clad building with dual pitch roof and large doors on one end and a central sliding door on one of the longer sides have been provided although the supporting statement in the application states there would be large doors at both ends (facing north and south) to allow tractor access and the roof would be grey metal sheeted with rooflights to allow in natural light. The photos also show standard windows in the elevations. It would be placed next to the eastern boundary of the middle field next to an existing hedgerow. Also proposed is a new hard-surfaced access track leading from the current field access on Breach Road and which would follow the east boundary up to the proposed building. This would be approx. 400 metres long and finished with crushed aggregate. A hardstanding would also be provided around the building.

Under Part 6 Class A of the GPDO, a full planning application is not required for new agricultural buildings on farms of over 5.0 hectares, subject to the proposal meeting all the other criteria set out in Class A.1 of that part. However, the same part of the GPDO requires the submission of a "Notification of Prior Approval" application and the Council must determine whether or not the siting, design and external appearance of the building is acceptable. It must decide whether or not Prior Approval is required and therefore request further information in which to determine the proposal, or whether or not on the basis of the information submitted, the application should be refused.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

N/A

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None.

CONSULTATIONS

Publicity

Site Notice expiry date: N/A

Neighbour consultation period ends: N/A

Press Advert: N/A

Public Comments

None.

Town / Parish Comments

None.

OFFICER COMMENTS

The land has been in agricultural use for ten years according to the applicant and the use for rearing/breeding alpacas for wool is a form of agriculture. For agricultural-related development to be provided under the Prior Approval process without needing a full planning application, the proposal would need to meet the criteria/tests listed under Part 6 Class A.1 of the GPDO. From the information provided, it would appear the proposal would accord with all the criteria in that part. The building is more than 25 metres from a surfaced road. The criteria/tests also listed include that livestock buildings within 400 metres of "protected buildings" cannot be deemed to be permitted development and in this case, there are several dwellings (deemed to be "protected buildings") on the housing estate approx. 250 metres to the south-west of the proposed building. However, the building would appear to be used for the storage of hay, fodder and machinery and also for the temporary sheltering of alpacas during rearing, which according to the applicant complies with the

exceptions for compliance with that particular test (under Part 6 D1 (3) (b)). Also, as there are no other buildings available that are 400 metres or more from the protected buildings, this also counts as another exception under the same part of the legislation. The Council has no evidence to contest this and therefore the proposal can be deemed to be determined via the Notification of Prior Approval process.

In this case, the building would be permitted development not requiring a full planning application if the Council decides the siting, design and external appearance of the building is acceptable.

Although the building would be placed a considerable distance from the road and against an existing field hedgerow, due to the fairly flat nature of the land, a building of the dimensions and height given would be likely to be visible from both main road to the south and east (Breach Road and Broad Lane) and the dual-pitched roof, enclosed and completely timber clad form of the building with windows and rooflights would lead it to not appear as a conventional farm building and rather domestic in appearance. It is considered that further information regarding its design and also exact layout and elevational drawings would need to be provided in order for the Council to fully assess the impact on the character and appearance of the rural area. Therefore, it is considered the Prior Approval would be required for the siting, design and appearance of the building.

With regard to the access track made of crushed aggregate, whilst hard-surfaced farm tracks can be provided under permitted development under Part (as they would be deemed to be an “engineering operation” allowed under Part 6 Class A(b)), subject to their design, appearance and siting, the track would be likely to be prominent due to the length and finishing materials, particularly from Breach Road and therefore it is considered that Prior Approval is also required as to the siting, design and appearance of this part of the development.

CONCLUSION

The proposed development meets the tests in Part 6 Class A.1 and can be provided under permitted development not requiring a full planning application, via the Notification of Prior Approval process. However, it is considered that on the basis of the information provided which indicates the scale, form and siting of the building and track, and also the rather flat nature of surrounding land, Prior Approval is required as to the siting, design and external appearance of the building and access track before the development can be deemed to be provided under permitted development under Part 6 Class A of the GPDO.

OFFICER RECOMMENDATION : PRIOR APPROVAL REQUIRED

Case Officer: Chris Johnston

Recommendation Date: 18.5.21

X *J. Colley*

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council