

DELEGATED DECISION REPORT

DET/2021/0020
Valid 04/05/2021

COTTAGE FARM
BRADSHAW LANE
IPSTONES

AGRICULTURAL STORAGE
BARN

(AGRICULTURAL/FORESTRY
DETERMINATION)

MAIN ISSUES

Whether or not the proposed farm 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 LPA wishes to approve the siting, design and external appearance of the proposed building.

DESCRIPTION OF SITE

The site comprises a sloping bank to the north of Cottage Farm. Work had already commenced at the time of the site visit with a large proportion of the bank having been excavated and a number of trees felled. A public footpath follows the length of the driveway, past the application site and into the fields beyond.

Cottage Farm forms part of Sharpcliffe Hall, a Grade II* listed building. The application site is located approximately 10 metres from the listed building. The applicant owns Cottage Farm, Sharpcliffe Hall, Home Farm and the surrounding fields which operate as one estate. The application site is located in the Open Countryside.

PROPOSAL

Prior Approval is sought for an agricultural general purpose storage shed that will measure 10 metres x 29.56 metres with an eaves height of 3.37 metres and a ridge height of 4.63 metres. It will be constructed of vertical corrugated metal sheet cladding to both walls and roof and will be dark green in colour. The application includes a Block Plan showing the exact footprint of the proposed building, which will be sited on what was a steeply sloping bank planted with trees but had been excavated at the time of the site visit.

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2014/0023 Proposed agricultural buildings
Refused 04/04/2014

SMD/2014/0843 Erection of agricultural building (resubmission of
SMD/2014/0023)

OFFICER COMMENTS

The application is made under the Permitted Development procedure for agricultural buildings contained at Schedule 2, Part 6, Class A of the GPDO. This allows for an agricultural building to be erected as permitted development subject to the prior notification to the LPA, and subject to the land being within an agricultural unit of 5 hectares or more.

The submitted application form states that the agricultural unit comprises 28.3 hectares and the parcel of land where the development is to be located comprises less than 0.4 hectares. Part A.1 (a) of Part 6 of the GPDO states that development is not permitted if 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. Accordingly, the development would not comply with this requirement and full planning permission would be required.

To qualify for permitted development, the development must not have commenced. A site visit was undertaken and it was noted that a substantial amount of the bank has been excavated and a number of trees have been felled in order to create a level surface on which the proposed building will be erected. The engineering works that have been undertaken would require planning permission in their own right and therefore it is considered that work has already commenced on site for the proposed development. As the development is therefore part retrospective, prior approval cannot be utilised and a full planning application would be required.

To be eligible for permitted development the proposed works must be *'reasonably necessary for the purposes of agriculture within that unit'*. The agricultural use of the land must be *'for the purposes of a trade or business'* and the unit must be *'occupied as a unit for the purposes of agriculture'*, as set out in the Interpretation Section (D.1) for Part 6, Classes A to C.

During the site visit, no animals were visible on the surrounding fields; only vehicles/machinery associated with the conversion of Home Farm were visible; other machinery such as a quad bike were already stored within existing buildings; and a modern farm building was noted in close proximity to Home Farm. The Planning Officer requested additional information to be submitted to support the application and to qualify that the building is *'reasonably necessary for the purposes of agriculture within that unit'*. The Planning Agent responded stating:

- *'There are some livestock in some of the fields to the west of Cottage Farm'* but he doesn't specify stock numbers, breed(s) or even if these sheep belong to the applicant.
- *'Some fields have been dedicated to silage production, which are due for their first cut in the coming weeks'* but he doesn't indicate which fields these are, how much land they cover, what the silage is used for etc.
- *'Photographs show the myriad of machinery that is required to keep the farm in good order, as well as the surrounding wooded areas and heathland'* but no mention is made of the existing outbuildings or the recently approved agricultural building and why these buildings aren't sufficient to meet the

storage needs of the farm. No information is provided as to whether these works involve the general upkeep of the land, rather than work associated with an agricultural trade or business.

- *'Now my client has finished extensive refurbishment of the main buildings in his ownership, his attention is turning to the increase in the farming activities'* which suggests that the farming of the land is a future rather than current enterprise.

The information that was submitted is lacking in detail and does not conclude that an agricultural trade or business is taking place at the estate. The building is therefore not considered to be *'reasonably necessary for the purposes of agriculture within that unit'*.

The building will be sited 10 metres from a Grade II* listed building and therefore has the ability to affect the setting of the listed building known as Sharpcliffe Hall. Due to the proximity of the building to the listed building, the prior approval of the Local Planning Authority will be required as to the siting, design and external appearance of the building.

CONCLUSION / PLANNING BALANCE

Prior approval is required due to concerns about the siting, design and external appearance of the building, particularly in respect of its impact on the setting of the adjacent Grade II* listed building. However, the proposal is not permitted development and therefore a full planning application would be required for the proposed building. The applicant should be advised of this.

OFFICER RECOMMENDATION : PRIOR APPROVAL REQUIRED

Case Officer: Ailsa Berry

Recommendation Date: 01/06/2021

X 

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council