

DELEGATED DECISION REPORT

DET/2022/0017
Valid 02/03/2022

THE OAKLANDS DAM LANE
BIDDULPH MOOR

STEEL FRAMED
AGRICULTURAL BUILDING.

(AGRICULTURAL/FORESTRY
DETERMINATION)

MAIN ISSUES

Whether or not the proposal can be determined under a Part 6 Class A - Agricultural Development on Units of 5 Hectares or more Prior Notification application

DESCRIPTION OF SITE

The application site is a property called The Oaklands, Dam Lane, Biddulph Moor. The site contains a detached dwelling and a collection of outbuildings including a newly built corrugated agricultural building, stone and tile barn and an open fronted shelter positioned between the two aforementioned buildings. At the time of visit, the open fronted shelter was used as a livestock building sheltering highland cows

The property sits within a corner plot where Dam Lane takes a sharp turn towards the north. Other land within the applicants control is located to the north and south of the dwelling. The application site is located within the Green Belt, it does not lie within any Conservation Area and there are no Listed Buildings/structures within the vicinity.

PROPOSAL

The applicants seek prior approval to erect an agricultural storage building for the purposes of storing agricultural machinery and animal feed.

The proposed building would have a breadth of 9.1 metres, a length of 13.7 metres, a height to the eaves of 3.6 metres and an overall height of 4.9 metres. It will adjoin an identical building that was granted permission under a prior approval for the same use in Oct 2019.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

The Town and Country Planning (General Permitted Development) (England) Order 2015
Part 6 Class A - Agricultural Development on Units of 5 Hectares or more

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

99/00746/FUL Single storey front and rear bedroom and lounge extension. Approved.

DET/2019/0035 Prior Notification for a proposed steel framed agricultural building. Approved

OFFICER COMMENTS

In order for a building to benefit from agricultural Prior Approval, there are several criteria that must be met. In this case, as the site is greater than 5 hectares in size, these criteria are set out in Part 6 Class A (a).

These are:-

- a) works for the erection, extension or alteration of a building; or
- b) any excavation or engineering operations, which are reasonably necessary for the purposes of agriculture within that unit.

Development is not permitted by Class A if—

- a) 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;

The storage building sits within a parcel of land that is more than 1 hectare in area.

- b) it would consist of the erection or extension of any agricultural building on an established agricultural unit (as defined in paragraph X of Part 3 of this Schedule) where development under Class Q or S of Part 3 (changes of use) of this Schedule has been carried out within a period of 10 years ending with the date on which development under Class A(a) begins;

The land has not been subject to a Class Q development.

- c) it would consist of, or include, the erection, extension or alteration of a dwelling;

The proposal does not include the erection, extension or alteration of a dwelling.

- d) it would involve the provision of a building, structure or works not designed for agricultural purposes;

It does not involve the provision of a building, structure or works not designed for agricultural purposes.

- e) the ground area which would be covered by—

- (i) any works or structure (other than a fence) for accommodating livestock or any plant or machinery arising from engineering operations; or

The building is for storage and not for livestock. The case officer questioned for another agricultural building for the purpose of storing machinery in a space of 2 years. The agent has confirmed that the existing building is unable to store all machinery necessary to run the farm and is currently being stored at a nearby farm at Nettlebeds farm, Biddulph Moor, ST8 7RN. Photographic evidence and letter have been submitted.

- (ii) any building erected or extended or altered by virtue of Class A, would exceed 465 square metres, calculated as described in paragraph D.1(2)(a) of this Part;

The ground area to be covered does not exceed 1000m². The footprint is 42.47 sqm.

f) the height of any part of any building, structure or works within 3 kilometres of the perimeter of an aerodrome would exceed 3 metres;

The building is not to be located within 3 kilometres of the perimeter of an aerodrome.

g) the height of any part of any building, structure or works not within 3 kilometres of the perimeter of an aerodrome would exceed 12 metres;

No part of the building would exceed 12 metres in height (the highest point is 8.2 metres).

h) any part of the development would be within 25 metres of a metalled part of a trunk road or classified road;

It is not to be sited within 25 metres of a metalled part of a trunk road or classified road.

i) it would consist of, or include, the erection or construction of, or the carrying out of any works to, a building, structure or an excavation used or to be used for the accommodation of livestock or for the storage of slurry or sewage sludge where the building, structure or excavation is, or would be, within 400 metres of the curtilage of a protected building;

The building will not be used for the accommodation of livestock or storage of slurry or sewage sludge where the building, structure or excavation is, or would be, within 400 metres of the curtilage of a protected building.

j) it would involve excavations or engineering operations on or over article 2(4) land which are connected with fish farming; or

Not applicable

k) any building for storing fuel for or waste from a biomass boiler or an anaerobic digestion system—

The building will not be used for storing fuel for or waste from a biomass boiler or an anaerobic digestion system

(i) would be used for storing waste not produced by that boiler or system or for storing fuel not produced on land within the unit; or

The building will not be used for storing waste not produced by that boiler or system or for storing fuel not produced on land within the unit.

(ii) is or would be within 400 metres of the curtilage of a protected building.

The site is within 400 metres of the curtilage of protected buildings

In addition to the above, matters of siting, design and external appearance must also be considered. The location is at the edge of an established farming stead within the open countryside, meaning that any building erected may appear more prominent due to the dynamics of the site. However, it's proposed location is immediately adjacent to existing structures of comparable height and similar materials to the proposed building which will help to mitigate for any visually prominence. The proposed design is typical of modern agricultural buildings, and this includes the proposed materials. The proposed building would therefore be entirely in keeping with the agricultural character of the site and the building's intended purpose.

Given the proximity of the building to Dam Lane and the fact that the fields to the north drop in level, there will inevitably be some visual impact upon the countryside at this point. The building will however be seen in the context of existing buildings on the site and is a reasonable modernisation of a farm yard.

An informative will be added reminding the applicant that the agricultural building will be used for the purpose of storage and animal feed. Any other use will be contrary to the permission granted and is liable for enforcement action.

CONCLUSION / PLANNING BALANCE

The application meets all the required criteria under Part 6 Class A.

OFFICER RECOMMENDATION : Prior Approval is not required.

Case Officer: Lisa Li

Recommendation Date: 6/05/22

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Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council

