

DELEGATED DECISION REPORT

DET/2022/0025
Valid 23/05/2022

BARNFIELDS FARM
PORTERS LANE
BRADNOP

APPLICATION TO DETERMINE
IF PRIOR APPROVAL IS
REQUIRED FOR A PROPOSED
CREATION OF A POND TO BE
USED AS DRINKING WATER
FOR LIVESTOCK. THE POND
WILL BE EXCAVATED TO A
MAXIMUM DEPTH OF 100 CM.
THE DEPTH WILL BE VARIED
TO MAXIMISE ITS BENEFITS
TO THE ENVIRONMENT.

(AGRICULTURAL/FORESTRY
DETERMINATION)

MAIN ISSUES

Whether or not the proposed pond 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 Prior Approval is required for the siting, design and external appearance of the proposed works.

DESCRIPTION OF SITE

The site is in the countryside a short distance to the east of Bradnop village. It comprises a field immediately to the south-west of the farm buildings at Barnfield Farm, on the west side of Porters Lane, which provides access to the farm via a short farm track. There is a Public Right of Way a short distance to the west of the field site. The site is not affected by any particular designations such as the Green Belt. There are rows of trees marking all four boundaries of the site.

PROPOSAL

The application is a "Notification of Prior Approval" application for a pond to be created close to the south-east boundary of the site to be used for the watering needs of livestock, in this case, 350 sheep. The pond would have a surface area of 20 x 10 metres (approx.) and would have a maximum depth of 1.0 metre. The extracted waste material would be used for bunding and would not be exported from the farm. There are no drawings submitted with the application but a Planning Statement has been submitted with some drawings, maps and diagrams and an explanation of the works and purpose of the pond which is as follows:

The project for which prior approval is being requested involves the creation of a drinking water pond for livestock, which will also support other agricultural

requirements and benefits to the environment. Barnfield Farm is located in Bradnop in Staffordshire Moorlands. The farm is 18 ha and runs a sheep business. There is increasing need for farms to reduce their impact on the environment, whilst being able to remain viable businesses.

The farm is situated in an area which is of medium priority for water quality under Countryside Stewardship, but in a catchment that is failing WFD targets, with the catchment classified as 'Moderate' status due to phosphate levels partly attributed to agriculture. The area is now a Catchment Sensitive Farming area. The proposal outlined in this document will support initiatives for agriculture to play its part in improving the water environment.

The project is being supported through Churnet Valley Farmers, which is a facilitation group made up of over 50 farmers in the area and which is funded through Defra's Countryside Stewardship Facilitation Fund. Barnfields Farm is a member of Churnet Valley Farmers. The aim of the group is to bring together farmers, land managers and foresters to provide environmental benefits to the local area and reduce the impact of farming on the environment.

The proposal outlined in this document is to create a pond at Barnfield Farm that will provide a natural drinking point for sheep and which will provide additional benefits to the farm and environment. The installation of such features will support the farm's continued development towards greater sustainable farming practices and land management.

The application forms also state the following:

There is currently a temporary water trough in place but this is sited in a poor location and is too small to be used by the stock without posing risk of soil erosion and compaction. The new pond will enable the farm to create a more suitable and reliable drinking supply for the animals and reduce risks for soils. The pond will also contribute to water environment benefits and biodiversity for the farm. This will facilitate the farm's transition to greater sustainability in terms of the environment and for its business needs, as the pond will utilise a natural spring, significantly reducing costs to the farm.

The purpose of the pond is to provide improved watering for livestock using a natural supply of water. The size and depth of the pond will provide adequate drinking for the number of livestock on the farm and will be a reliable source of water. Its location will utilise a natural area and will also be a more suitable location for livestock to drink from, being more centrally located for access from different fields, which will help reduce sheep tracks compacting and eroding soils. Depth variability and shallow edges will also prevent animals from falling in to the pond, as well as providing wildlife benefits.

Under Part 6 Class A of the GPDO, a full planning application is not required for new agricultural buildings, structures or extraction works and deposits on land 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 Prior Approval is required for the siting, design and external appearance of the building and if necessary 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 relevant.

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 historically been in agricultural use and is a current working farm. 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 proposal meets the tests in Part 6 Class A.1 and can therefore be deemed to be determined via the Notification of Prior Approval process.

In this case, the drinking water pond for sheep would be permitted development not requiring a full planning application, but the Council must decide if Prior Approval is required for the siting, design and external appearance of the building and this is the purpose of this Determination of Prior Approval application.

There is sufficient justification for the agricultural need for the pond. Due to the distance from the nearest road, it is unlikely to be visible and the site is well screened by boundary trees and hedging. Due to its two-dimensional flat form it would also not be prominent from footpaths and such pond features are not necessarily out of keeping with the character and appearance of the rural landscape. However, there are no details of the bunding which potentially would be the most

prominent feature of the works. There is also no scale drawings of the pond area or any indication of the distance from the boundary trees which contribute positively to the rural landscape. Extraction works would have the potential to damage trees causing their demise.

Although there is potential for the pond of this size to be provided in this location without harming the character and appearance of the area, the level of information provided to make an adequate assessment on the appearance of the area, is insufficient.

I therefore consider that Prior Approval for the proposed works should be required as I consider that the siting, design and appearance of the development should be further assessed.

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, on the basis of the information submitted, it is considered that Prior Approval is required to establish if it passes the tests in Part 6 Class A.2 i.e. to determine if the siting, design and appearance is acceptable.

OFFICER RECOMMENDATION : PRIOR APPROVAL REQUIRED

Case Officer: Chris Johnston

Recommendation Date: 20.6.22

X 

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council