DELEGATED DECISION REPORT

DET/2022/0037 **Valid 14/09/2022**	**BENTY GRANGE FARM** **BENTY GRANGE LANE** **WATERFALL**	**DUAL PITCH FODDER STORE.** **(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 to the east of Winkhill and comprises an existing large dairy farm, Benty Grange Farm, on the west side of Benty Grange Lane, a short distance to the north of A523. It has been operating for over 50 years. There are several farm buildings (mostly modern) and a traditional farmhouse. The farm buildings complex is surrounded by fields but there is a dwelling outside of the property a short distance to the north of the buildings. The farm has 70 hectares and 130 head of cattle. It is not affected by any particular land designations.

PROPOSAL

The application is a “Notification of Prior Approval” application for an open sided modern metal-sheeted storage building for fodder. It would have floor dimensions of 37 x 10 metres (excluding roof overhang) and the long sides would be open but one of the long sides would be placed against a building of similar dimensions on the northern edge of the grouping of buildings. The end elevations would have timber boarding over a concrete base. The roof would comprise fibre cement sheeting and would be low dual pitch giving a max height of 5.4 metres (to the ridge). It is required in connection with the “continued improvement and investment at Benty Grange Farm”.

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

There have been no planning applications relating to the farm since 2012 and there have been no previous Prior Approval applications.

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

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 and it definitely appears to be a working farm. The building would be more than 25m from the edge of the road. The proposal meets all 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 storage building 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.

Elevation drawings and a site plan have been provided and details of the design and materials. The scale and height would not be excessive in relation to the other buildings which helps with the visual impact. The building would be adjacent to the other closely knit groupings of buildings and would almost appearing to be a squaring-off of the farm building complex or curtilage, also helping to minimise the impact on the landscape. However, I still consider that further assessment of the design, appearance and siting would be required because the building would still be prominent from the public realm including the lane. It would also push the complex of buildings closer to a neighbouring dwelling (under separate ownership), as this

would be the closest building to the neighbours and would be less than 10m from the boundary of the residential property, resulting in a potential impact on the amenities of the property and therefore the siting would need some assessment. I consider it would need to be assessed if there were any better screened and sited locations for the building due to its proximity to the neighbours and visibility from the road and public realm. Therefore I consider that Prior Approval would be required for the proposed building.

As the building would have a potential visual impact, I therefore consider that Prior Approval for the proposed building should be required as I consider that the siting, design and appearance of the development would need to 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 REQUIRD

Case Officer: Chris Johnston
Recommendation Date: 12.10.22

X 

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council