

DELEGATED DECISION REPORT

SMD/2022/0311
Valid 23/08/2022

SOMERDALE FARM LODGE
BARN ROAD
KNYPERSLEY

**CERTIFICATE OF
LAWFULNESS FOR
DEMOLITION OF EXISTING
SHED AND REPLACEMENT
WITH NEW STEEL FRAMED
LIVESTOCK HOUSING (12M X
8M).**

**(CERTIFICATE OF
LAWFULNESS - PROPOSED)**

MAIN ISSUES

On the date of the application would the demolition of an existing barn and the construction of a replacement cattle building be permitted by Class A, Part 6 of the GPDO?

DESCRIPTION OF SITE

Small bungalow farmstead within 13ha of farm land on the edge of, and to the north of, Greenway Bank Country Park.

The farm stead is at the southern end of the unmade Lodge Barn Road that has an access with Park Lane, 380m to the north. To the north Lodge Barn Road and Park Lane serves non farming dwellings with access.

PROPOSAL

To demolish one of the farm sheds on the farm stead and to build a new cattle shed to the side of the dwelling (12m by 8m).

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None Relevant

OFFICER COMMENTS

On its face the application proposes development which consists of the erection of a new building designed and reasonably necessary for agriculture within a unit that exceeds 5ha. Class A, Part 6 of the GPDO does, subject to limitations and conditions, make provision for such development. However, one such limitation is at A.1(i), confirming that development is not permitted where the building is to be used for the accommodation of livestock within 400m of a protected building (a building occupied by people that is not within an agricultural unit). In this case the forms state that the building is to be for cattle housing and there are dwellings, not connected with farming, within 400m of the proposed location.

Moreover, it is a condition of Class A, at A.2(2)(a)(i), that before beginning the development, the developer must apply to the local planning authority for a

determination as to whether the prior approval of the authority will be required as to the siting, design and external appearance of the building.

On the date of this application, and on the date of this report, the applicant had not submitted such an application to the planning authority. The proposed development cannot be permitted and lawful without complying with that condition and its terms.

CONCLUSION / PLANNING BALANCE

On the date of the application the proposed development would not have been permitted by Class A, Part 6, Schedule 2, of the General Permitted Development Order.

OFFICER RECOMMENDATION : REFUSE

Case Officer: Ben Hurst

Recommendation Date: 14/10/2022

X *B.S. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council