

DELEGATED DECISION REPORT

DET/2022/0039
Valid 22/09/2022

WASSAIL FARM EAVES
LANE
ARMSHEAD

A TRADITIONAL STYLE
AGRICULTURAL FIELD BARN.

(AGRICULTURAL/FORESTRY
DETERMINATION)

MAIN ISSUES

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

DESCRIPTION OF SITE

The site is in the countryside about a mile to the north of Werrington and has an L-shape comprising open fields with no buildings, on the north-east side of a long dead-end narrow country lane which joins the junction of Eaves Lane and Jack Haye Lane to the north. The lane is not a “classified road”. The area is known as Kerry Hill with Wetley Moor to the south. There are no buildings or structures on the site. The nearest building is a dwelling called Little Greenfields House in the gap between the lane and the site and there is also a small patch of woodland in the gap between the house and the site access further to the south-east of the house. The site is fairly flat like much of the surrounding area characterised by large fields separated by lines of trees or hedgerows. The site has size of 5.3 hectares.

PROPOSAL

The application is a “Notification of Prior Approval” application for a detached farm building to be used by livestock on the land. It would be placed about 20m to the north-west of the site access, on the edge of the field next to the small area of woodland which would lie to the south-west. It would be about 20m from the lane which would lie to the south on the other side of the trees. It would be a traditional form and design with a sandstone finish over blockwork and a high angles dual-pitch roof with end gables which would have red clay tiles. There would be timber boarding panels on the walls to provide ventilation. It would have ground dimensions of 12.5 x 7.5 metres, an eaves height of 3.5m and a ridge height of 7.0m. The applicant states the following information in support of the proposal:

I have owned the holding for the past 22months in which time it has been used for hay production and sheep grazing. The barn is required for the storage of hay undercover rather than making haylage to reduce the use of plastic and disposal costs and so as to not rely on contractors to come and wrap it during busy times of the year when there is risk that contractors could not be available. The barn is also required for the safe storage of equipment used in working the land and for the

storage of animal feed and importantly the sheltering of livestock during breeding / for young stock protection. Without shelter for livestock I would struggle to keep any through winter or breed .

The proposed field barn is designed exclusively for agricultural purposes to especially enable the keeping of livestock which when breeding would require good well ventilated shelter. The building is required immediately, prior to sourcing livestock so that a high standards of animal husbandry can be achieved and animal welfare promoted.

Elevation drawings, a site plan showing the exact location of the building and details of materials are given along with a Planning Design and Access Statement which states the following:

The landholding was purchased in October 2020 after saving for many years to set up a smallholding to grow traditional heritage variety crops in a traditional low impact manner. With a modest animal rearing business included in the scheme where ecological welfare, sustainability and high-quality husbandry is more important than profit.

The proposed barn is laid out with a two section open plan ground level internally allowing flexibility when animal rearing, storage of feedstuffs and crops, with a traditional upper hay loft to store organic species rich hay produced on site. The barn is required also as there is no current store for machinery and implements on the holding. The implements and machinery are vital to the success and day to day running of the agricultural enterprise. Machinery living outside exposes the machinery to the elements, which causes severe decay and malfunctions, this means extra, time, money, and manpower to get the malfunctions sorted, in an already challenging work environment, working long days are in excess of 12 hours. Rural crime has also risen by 9% in 2019 (NFU) and has continued to follow this trend into 2020 and 2021. The eaves elevations will feature Yorkshire boarding to improve ventilation and promote livestock wellbeing.

The overall plan is:

- Move my existing Silver Appleyard ducks to the site and build up a modest (under 50 birds) pedigree flock.*
- To breed a small number of rare breed pigs (Mangalitza subject to availability)*
- Have a small flock of sheep*
- Grow a modest quantity of traditional long straw wheat and Barley and vegetables to maintain heritage varieties whose genetic diversity may be important in the future*
- Growing as much of the animal feed on site as possible.*
- Continue planting fruit trees, willow(for mulch and basketry) and Hazel (for coppicing)*
- Move my existing bee hives on to the site*

There is no requirement for electricity supply to the land in this development and arrangements for water are being made including rain water harvesting.

There would also be “provision of a low intervention porous crushed MOT field track with grass strip in the middle from the existing field access in keeping with the existing track to the site from Eaves lane/ Jack Haye Lane.”

Under Part 6 Class A of the GPDO, a full planning application is not required for new agricultural buildings 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

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. On the basis of the information provided, which includes details of its siting, it would appear the proposal would fail to accord with Part A.1(i) which requires proposed farm agricultural buildings, used for the purposes of accommodating livestock or slurry, to be over 400 metres from "protected buildings". This is defined as being any permanent building which is normally occupied by people or would be so occupied, if it were in use for purposes for which it is designed; but does not include, (a) a building within the agricultural unit; or (b) a dwelling or other building on another agricultural unit which is used for or in connection with agriculture.

However, there is a dwellinghouse outside of the property on which the site sits, which is within 400 metres from where the proposed farm building is to be located. It is approx. 200m to the north-west of the proposed location of the building. Judging

from the Planning History of the dwelling it was a family dwelling with a certificate of lawfulness granted for care accommodation. The application for this includes a location plan which excludes the surrounding farmland from the property boundaries. From the evidence available, the dwelling therefore does not form part of a farm or agricultural business and has no connection to agriculture.

There is no other conditions listed under Class A.1 which would appear to be contravened by the proposal. However, as it fails to comply with criterion (i) of that part, the proposed building cannot be applied for under the "Prior Approval" process under Part 6 of the GPDO, is not "permitted development" under that part and therefore a full planning application is therefore required for the proposed development.

Notwithstanding this, the LPA must still consider whether prior approval is required for the design and external appearance of the building is required. In this instance, it is considered that such approval is required. Full details have been provided with the application and therefore a full assessment can be made without requiring further submissions from the applicant.

The submitted building is a "traditional" style barn of stone and tile construction with cavity wall blockwork. The LPA receives many applications for conversion or replacement of such buildings on the basis that they are no longer suitable for modern farming practices which require, for example, tractor and machinery access. It is a requirement of the GPDO that the building is "reasonably necessary for the purposes of agriculture within that unit". There is concern that due to the practical difficulties of the design it would not meet the requirements of agriculture within the unit. Furthermore, Policy DC1 of the Local Plan requires the creation of "functional" public and private environments and there is concerned that the development would not be a "functional" agricultural building in its current form. It is considered that the requirements of policy and the needs of the agricultural holding would be better met by a building of modern portal framed / timber and sheet construction.

For this reason it is recommended that prior approval of the design and appearance of the building is refused.

OFFICER RECOMMENDATION : PRIOR APPROVAL REQUIRED AND REFUSED

Case Officer: Chris Johnston

Recommendation Date: 20.10.22

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

