

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 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 the siting, design and external appearance of the proposed building is acceptable.

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.

It was determined on 12th October 2022 that Prior Approval was required for the proposed building.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

N/A

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None relevant.

CONSULTATIONS

Publicity

Site Notice expiry date: The applicant installed a site notice on 22.10.22 as required in the GPDO and submitted a photo of it which is on the file.

Neighbour consultation period ends: N/A

Press Advert: N/A

Public Comments

None.

Town / Parish Comments

None.

OFFICER COMMENTS

It was determined on 12th October 2022 that Prior Approval was required for the building because the building would be visible from the road and would also push development at the farm closer to a separate residential property to the north and therefore it was felt further consideration should be given to the visual and residential impacts of the area and whether there were any better places within the farm that the building could be sited.

In the previous report, it was accepted that the scale and height of the building 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, almost appearing to be a squaring-off of the farm building complex or curtilage, also helping to minimise the impact on the landscape.

On further consideration of the scheme, it is considered this is the best location available within the farm for the building and the proposal has therefore been assessed as having an acceptable impact on the visual amenities of the area. With regard to residential amenity, although this would be closer to the boundary of a separate residential property to the north, it would not be a significant encroachment closer to that property in relation to the other farm buildings. It would be a minimum of 20 metres away from the actual dwelling itself, ten from the boundary of the

property and there is about ten metres between the property and the dwelling itself. The primary elevation of the dwelling, a traditional farmhouse, is the front elevation, where the main windows are located and this faces south-east, whereas the proposed building would be placed approx. 20 metres to the south-west. The height of the building would not exceed the dwelling and from the windows of the primary elevation it would only be seen at an obscure angle to the side. From the rear windows it would not be visible at all. It is the narrow side gable of the house which faces the proposed building and there is also tree and vegetation screening between the proposed building and the dwelling. I do not consider the proposed building would appear as a visually intrusive form of development from the neighbouring dwelling and it would not affect the light provision to this property. No letters of objection have been received from the owners of the residential property.

Overall, given the buildings scale, form, siting and design, I consider the siting, design and appearance of the development is acceptable and that approval can be given.

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. It was decided that Prior Approval was required for the development. The proposal has been assessed as having an acceptable siting, design and appearance and therefore passes the tests in Part 6 Class A.2. Approval for the building to be built under permitted development in accordance with Part 6 of the GPDO, can therefore be given and there is no requirement of the provision of any further information including a full planning application.

OFFICER RECOMMENDATION : APPROVE

Case Officer: Chris Johnston

Recommendation Date: 23/12/2022

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council