DELEGATED DECISION REPORT

DET/2023/0013 **Valid 26/05/2023**	**LAND KNOWN AS WHISTON FIELDS EAVES LANE ARMSHEAD**	**APPLICATION TO DETERMINE IF PRIOR APPROVAL IS REQUIRED FOR PORTAL FRAME AGRICULTURAL, MACHINERY, BEDDING AND FODDER STORE.** **(AGRICULTURAL/FORESTRY DETERMINATION)**

MAIN ISSUES

- Whether the proposal complies with the requirements of Part 6 of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)
- Whether the LPA wishes to approval details of siting, design and external appearance.

DESCRIPTION OF SITE

The application site is known as Whiston Fields, Eaves Lane, Armshead. The land is approached by a narrow access road and has its own existing and well used vehicular access. There are a number of buildings on the site and it is clear agricultural activity is taking place. The application site is within the Green Belt, a high risk coal development area and forms part of Wetley Moor. Wetley Moor is designated as common land.

PROPOSAL

This is an agricultural notification application for the erection of a detached agricultural building. The submitted drawings show the building as having a footprint of approximately 30.4m x 15.2m (approximately), a ridge height of approximately 6.5m and approximately 4.7m eaves height. Internally the plan shows the building being laid out into three areas, two cattle housing spaces and a larger area for fodder, bedding and machinery storage. No materials details are specified on the proposed elevation drawings, the application form states concrete panels for the lower wall sections and the use of green netted sides from the concrete panels to the eaves (to allow ventilation). The building would have an open fronted southern gable end, three access doors within the northern gable and a grey cement fibre roof. A total of 10 skylights would be inserted into the roof, 5 within each roof slope.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Part 6 of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

DET/2022/0041- Portal frame agricultural building.- Prior approval required.

CONSULTATIONS

There are no provisions within Part 6 of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for public consultation, other than by display of a site notice in the event the local planning authority deems that Prior Approval is required.

OFFICER COMMENTS

The application seeks to determine if the prior approval of the Local Planning Authority (LPA) is required for the construction of an agricultural building on an agricultural holding in excess of 5 hectares.

Schedule 2, Part 6, Class A to the Town and Country Planning (General Permitted Development) (England) Order 2015 allows as permitted development the carrying out on agricultural land (comprised in an agricultural unit of 5 hectares or more in area) of works for the erection, extension or alteration of a building which are reasonably necessary for the purposes of agriculture within that unit.

The application form states that the total area of the entire agricultural unit is 12.1 Hectares, however no information has been provided in support of this, such as a land holding map. The location plan submitted with the application shows land owned by the applicant outlined in blue. This land measures approximately 33,000m2, approximately 3.3 hectares. In order to benefit from the permitted development rights allowed by Part 6 Class A the agricultural unit needs to be more than 5 hectares in area.

A previous application was not considered to be permitted development on the same basis. In addition concerns were raised that the building was to be used to accommodate livestock and was within 400m of a protected building. This application specifically states that the building is to store, feed , machinery and bedding which resolves this query.

Nevertheless, due to the area of the holding, the proposal cannot be permitted development and the applicant should be advised as such.

Notwithstanding this, Wetley Moor is considered to be a sensitive environment. It is common land with a high degree of public access and the building would be seen from areas outside the application site. Therefore it is considered that the LPA should seek to approve details of siting, design and external appearance.

CONCLUSION

With the above considered I recommend accordingly.

OFFICER RECOMMENDATION : Prior Approval Required

Case Officer: Rebecca Bowers
Recommendation Date: 22.06.2023

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council