DELEGATED DECISION REPORT

DET/2023/0026 **Valid 29/08/2023**	**BLACKWOOD HOUSE FARM BLACKWOOD HOUSE LANE HORTON LEEK**	**APPLICATION TO DETERMINE IF PRIOR APPROVAL IS REQUIRED FOR A PROPOSED NEW BUILDING - COVER OVER AN EXISTING MUCK 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 Prior Approval is required for the siting, design and external appearance of the proposed building.

DESCRIPTION OF SITE

The site is part of Blackwood House Farm on the south side of Blackwood House Lane between Lask Edge to the west and Horton to the east. The access to the farm is also off this lane and is included in the application site boundary. It leads to a gap between farm buildings to the west and east and there are also buildings to the north including a traditional stone farmhouse which is a Grade II listed building and attached stone barn, also listed, which is directly adjacent to the site to the north-east. Open fields lie to the south of the site. The farm is a long established cattle farm with a size of 40 hectares.

PROPOSAL

The application is a “Notification of Prior Approval” application for a new building to cover an existing outdoor muck storage yard. It is described as a “cover” but is in actual fact a building with four walls and a dual low-pitch roof. The walls would be entirely clad with natural timber Yorkshire boarding. It would have floor dimensions of 35 x 18 metres, an eaves height of 5.2m and a max height (to the ridge) of 7.2m. A Supporting Document has been submitted stating the following:

The applicants have a well-established farm business enterprise, farming 120 head of cattle over 100 acres or thereabouts of grassland. The proposed development is aimed at improving nutrient content from cattle manure which is applied to the land and provides vital nutrients for the grassland, as well preventing greenhouses gases escape from the muck store.

The proposed development will be of portal frame construction and Yorkshire boarded walls with a cement fibre roof sheet.

The proposed development is designed to prevent rainwater from entering the muck store, which in turn improves nutrient quality of the muck when applicated to the land and helps to prevent surface water runoff.

The cover over the muck store helps to reduce greenhouse gases and improve air quality. The proposed cover over the existing muck store is very much focussed on aiding the applicant to farm in an environmentally friendly manner, actively working towards the government net zero by 2050 target.

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, it would appear that it would pass those tests and therefore the building can be provided under permitted development via “Prior Approval” application without the need for full planning permission.

The Council must now decide if Prior Approval is required for the siting, design and external appearance of the building (i.e. the tests under Class A.1(2)). This would be a large building but would sit adjacent to buildings of similar size, height and timber materials. Due to its size it would still be visible from the lane to the north and also likely to be visible from a public footpath crossing the fields to the south and another lane to the south. It would also be adjacent to a listed barn which projects to the side and rear of the farmhouse. The farmhouse is also listed. Unfortunately no site plan was submitted to show how the siting of the building would relate to the listed structure. It has not been demonstrated that the proposed footprint would not interfere with the building or obscure it from views.

For the above reasons, I consider that Prior Approval would be required and that additional drawings including a site plan are required so that the impact on the landscape and character and appearance of the area including adjacent and nearby listed buildings can be properly assessed.

CONCLUSION

The proposed development appears to meet the tests in Part 6 Class A.1 and can potentially be provided under permitted development not requiring a full planning application, via the Notification of Prior Approval process. However, due to the scale of the building, exact location of the site and close proximity to listed building and from the level of the information provided, 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 and that further information is also required in order to assess this.

OFFICER RECOMMENDATION : PRIOR APPROVAL REQUIRED

Case Officer: Chris Johnston
Recommendation Date: 25.9.23

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council