

DELEGATED DECISION REPORT

DET/2023/0036
Valid 01/11/2023

TIMBER YARD THE
WOODYARD DRAYCOTT
CROSS ROAD
BROOK HOUSES
CHEADLE

APPLICATION TO DETERMINE
IF PRIOR APPROVAL IS
REQUIRED FOR -
PORTAL FRAME BUILDING TO
PROVIDE DRY AND SECURE
FACILITY
FOR WOOD AND
ASSOCIATED MACHINERY

(AGRICULTURAL/FORESTRY
DETERMINATION)

MAIN ISSUES

Whether or not the proposed forestry 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 open countryside a short distance to the west of Cheadle and comprises a timber yard reached via a long track "The Woodyard" connected to Draycott Cross Road to the east. It is a long narrow site surrounded by trees and woodland. Hillside Industrial Estate lies a short distance to the other side of the trees to the north. There are isolated dwellings about 60m to the south to the other side of woodland and also next to the access track to the east. The land to the west is more open. Within the site is a long narrow green metal sheeted timber yard building.

PROPOSAL

The application is a "Notification of Prior Approval" application for a new timber and forestry machinery storage building which would be placed at the west end of the site, facing the rest of the yard to the east. It would have a footprint of 18 x 9 metres and mono-pitch roof which gives the building a max height of 5.7 metres. It would be clad in green profiled metal sheeting and the front elevation facing east would comprise entirely of openings concealed by roller shutter doors.

Under Part 6 Class E of the GPDO, a full planning application is not required for new forestry related buildings on forestry land, subject to the proposal meeting all the other criteria/tests set out in Class E.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

A letter of support has been received from Cllr Bentley.

Town / Parish Comments

None.

OFFICER COMMENTS

For forestry-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 E.1 of the GPDO.

Class E provides for “the carrying out on land used for the purposes of forestry, including afforestation, of development reasonably necessary for those purposes consisting of (inter alia) (a) works for the erection, extension or alteration of a building”. (my emphasis). This means that the building would only be permitted development and not require full planning permission if, it is required in connection with use of the land on which it is situated for forestry purposes. Forestry is not defined in the General Permitted Development Order, but it is commonly understood and defined in a dictionary as “growing and taking care of trees in forests, especially in order to obtain wood”.

The application site is surrounded by woodlands, but these lie outside the application site and the location plan gives no indication as to whether these are in the control of the applicant or whether the building would be used in connection with the growing and taking care of trees in the surrounding woodland. The woodlands appear to be

fairly limited in area and there is no evidence on the air photographs of recent coppicing or harvesting activity. The submitted plans show a turning area for “wood delivery lorries”. This implies that wood would be imported to the site. If this is the case, the building would not be permitted development under Part 6 Class E and the building would be subject enforcement action if it were used in this way without the necessary full planning permission. An informative to this effect should therefore be added to the decision notice.

On the basis of the information provided, it would appear that it would pass the other tests (for example it would be more than 25m from a classified road) and therefore the building can be provided under permitted development via a “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 E.2 (i) (a)). Due to the location of the site and the size and height of the building, it would not be seen from the public realm or from neighbouring properties because the site is surrounded by tree belts and woodland. It is a considerable distance from the nearest public highway. It could only be seen from within the timber yard property itself. The design is appropriate for forestry storage purposes and the green metal finish would help it blend in with the backdrop of woodland. Although a route of a Public Right of Way is shown crossing the site from north to south, it does not appear there is an actual path in existence but the existence of a path would not raise any issues as the impact on the character and appearance of the landscape would be minimal and views of the building from any path crossing the narrow yard would be brief and not result in any harm.

For the above reasons, due to the minimal impact on the visual and residential amenities of the area as a result of its siting, design and appearance, I consider that Prior Approval would not be required for the proposed development.

CONCLUSION

There is some doubt as to whether the proposal would be permitted development under Part 6 Class E.1 and the proposal may require a full planning application. The applicant should be advised of this.

Due to the scale and design and siting of the building in this well screened location enclosed by tree screening, it is considered that Prior Approval would not be required for the siting, design and appearance of the development. Therefore a recommendation of prior approval not required is given.

OFFICER RECOMMENDATION : PRIOR APPROVAL NOT REQUIRED

Case Officer: Chris Johnston

Recommendation Date: 29.11.23

X *B.S. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council