

DELEGATED DECISION REPORT

DET/2023/0043
Valid 01/12/2023

PROCTORS NURSERY
LEEK ROAD
ENDON

**APPLICATION TO DETERMINE
IF PRIOR APPROVAL IS
REQUIRED FOR -
AGRICULTURAL STORAGE
BUILDING FOR THE
AGRICULTURAL/NURSERY
BUSINESS**

**(AGRICULTURAL/FORESTRY
DETERMINATION)**

MAIN ISSUES

- Whether or not the proposed agricultural/horticultural 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 comprises part of a large plant nursery (with 5.5 hectares) on the north side of Leek Road, Endon (A52), which provides the access to the nursery, a short distance to the north-east of the village. The application site is short distance to the north of the main cluster of buildings and polytunnels at the nursery site. There appears to have been a recent northward expansion of the plant growing areas and tracks into former fields, which now surround the site. There is a small pond to the north. The nursery is surrounded by open land within the Green Belt.

PROPOSAL

The application is a "Notification of Prior Approval" application for a new agricultural/horticultural storage building for the business and which has a footprint of 18.3 x 12 metres, an eaves height of 4.65m and a ridge height of 6.3m. It has a typical modern portal framed storage building design with green metal sheeting for the walls and roof, above a concrete base and a vehicular roller shutter access door facing west.

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

There have been a number of full planning permissions granted for buildings, polytunnels and a workers dwelling all associated with the business but no recent or relevant Prior Approval applications (under Part 6 of the GPDO) have been submitted relating to the business.

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 or horticultural 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)). The building would be a similar height and size to other solid storage buildings at the nursery. It would also appear detached from the main grouping of buildings further to the south and isolated within an area of open land. There are no nearby public footpaths but the building would be likely to be visible from the main road to the south and also from country lanes further up the hill to the east as other nursery buildings are visible from these areas. It would have potential impact on the appearance of the countryside.

It is considered the siting of the building could be improved it is within the current complex of buildings or even adjacent to it, including directly to the north or east where it would be better screened by other buildings. There is no further information with this application to support the need for the building or for the chosen location within nursery property.

For the above reasons, I consider that Prior Approval would be required so that the impact on the landscape and character and appearance of the area 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 and its siting, 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.

OFFICER RECOMMENDATION : PRIOR APPROVAL REQUIRED

Case Officer: Chris Johnston

Recommendation Date: 19.12.23

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council