

DELEGATED DECISION REPORT

DET/2024/0015 Valid 29/04/2024	LAND LYING APPROXIMATELY 300M TO THE NORTH OF NEW BUILDINGS FARM SANDON ROAD HILDERSTONE	APPLICATION TO DETERMINE IF PRIOR APPROVAL IS REQUIRED FOR - A BUILDING FOR SECURE STORAGE OF MACHINES AND EQUIPMENT, ANIMAL FEED ETC. (AGRICULTURAL/FORESTRY DETERMINATION)
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MAIN ISSUES

Whether or not the proposal can be determined under a Part 6 Class A - Agricultural Development on Units of 5 Hectares or more Prior Notification application

Whether the LPA wishes to approve details of siting design and external appearance.

DESCRIPTION OF SITE

The application site relates to a 20hectare greenfield site within the open countryside, south of Cresswell. Access to the field is taken on the east of Sandon Road. There are no hardstanding or buildings within the whole of the site.

It will be located within the field between Willow Cottage to the south and Marley Hollows Farm to the north. The associated farm known as New Buildings Farm is located 300m north of the site. For reference, the farm is shown in blue and the application site is outlined in red:



PROPOSAL

The applicants seek prior approval to erect an agricultural storage building for the purposes of storing of machines and equipment and animal feed as the land is remote to the farming business base.

The proposed building would have a breadth of 18.5 metres, a length of 30.5 metres, a height to the eaves of 6.5 metres and an overall height of 9metres. The proposed building will be steel portal framed with large doors for access.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

The Town and Country Planning (General Permitted Development) (England) Order 2015

Part 6 Class A - Agricultural Development on Units of 5 Hectares or more

SITE HISTORY

SMD/2021/0662	Screening request for proposed Solar Farm	Screening Opinion - EIA Not Required
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RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

The Town and Country Planning (General Permitted Development) (England) Order 2015

Part 6 Class A - Agricultural Development on Units of 5 Hectares or more

OFFICER COMMENTS

In order for a building to benefit from agricultural Prior Approval, there are several criteria that must be met. In this case, as the site is greater than 5 hectares in size, these criteria are set out in Part 6 Class A (a).

These are:-

- a) works for the erection, extension or alteration of a building; or
- b) any excavation or engineering operations, which are reasonably necessary for the purposes of agriculture within that unit.

Development is not permitted by Class A if—

- a) the development would be carried out on a separate parcel of land forming part of the unit which is less than 1 hectare in area;

The storage building sits within a parcel of land that is more than 1 hectare in area.

- b) it would consist of the erection or extension of any agricultural building on an established agricultural unit (as defined in paragraph X of Part 3 of this Schedule) where development under Class Q or S of Part 3 (changes of use) of this Schedule has been carried out within a period of 10 years ending with the date on which development under Class A(a) begins;

The land has not been subject to a Class Q development.

- c) it would consist of, or include, the erection, extension or alteration of a dwelling;

The proposal does not include the erection, extension or alteration of a dwelling.

d) it would involve the provision of a building, structure or works not designed for agricultural purposes;

It does not involve the provision of a building, structure or works not designed for agricultural purposes.

e) the ground area which would be covered by—

(i) any works or structure (other than a fence) for accommodating livestock or any plant or machinery arising from engineering operations; or

The building is for storage and not for livestock

(ii) any building erected or extended or altered by virtue of Class A, would exceed 465 square metres, calculated as described in paragraph D.1(2)(a) of this Part;

The ground area to be covered does not exceed 1000m². The footprint is 564.25m².

f) the height of any part of any building, structure or works within 3 kilometres of the perimeter of an aerodrome would exceed 3 metres;

The building is not to be located within 3 kilometres of the perimeter of an aerodrome.

g) the height of any part of any building, structure or works not within 3 kilometres of the perimeter of an aerodrome would exceed 12 metres;

No part of the building would exceed 12 metres in height (the highest point is 9 metres).

h) any part of the development would be within 25 metres of a metalled part of a trunk road or classified road;

It is not to be sited within 25 metres of a metalled part of a trunk road or classified road.

i) it would consist of, or include, the erection or construction of, or the carrying out of any works to, a building, structure or an excavation used or to be used for the accommodation of livestock or for the storage of slurry or sewage sludge where the building, structure or excavation is, or would be, within 400 metres of the curtilage of a protected building;

The building will not be used for the accommodation of livestock or storage of slurry or sewage sludge where the building, structure or excavation is, or would be, within 400 metres of the curtilage of a protected building.

j) it would involve excavations or engineering operations on or over article 2(4) land which are connected with fish farming; or

Not applicable

k) any building for storing fuel for or waste from a biomass boiler or an anaerobic digestion system—

The building will not be used for storing fuel for or waste from a biomass boiler or an anaerobic digestion system

(i) would be used for storing waste not produced by that boiler or system or for storing fuel not produced on land within the unit; or

The building will not be used for storing waste not produced by that boiler or system or for storing fuel not produced on land within the unit.

(ii) is or would be within 400 metres of the curtilage of a protected building.

The site is within 400 metres of the curtilage of protected buildings

It is considered that the proposal would need to meet the criteria/tests listed under Part 6 Class A.1 of the GPDO. Therefore the building can be provided under permitted development via "Prior Approval" application without the need for full planning permission.

The second part of the prior approval is for the Council to 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 proposed building would be visible from the main road and also public footpath 24 further to the east as it is positioned within an area of open land. It would also appear detached from the main group of buildings 300m north of the farmstead. It would have potential impact on the appearance of the countryside.

No design details have been submitted. It would have the potential to impact on the setting of the area.

It is considered that the siting of the building could be improved should it be within the current complex of buildings or even adjacent to it. There is no further information with this application to support the need for the building with long vehicle access track within this location.

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 lack of information on its appearance and 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: Lisa Li

Recommendation Date: 23/05/24

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Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council