

DELEGATED DECISION REPORT

DET/2024/0026 Valid 02/07/2024	LAND AT LEY FIELDS THORNCLIFFE BANK THORNCLIFFE LEEK	APPLICATION TO DETERMINE IF PRIOR APPROVAL IS REQUIRED FOR A PROPOSED: ERECTION, EXTENSION OR ALTERATION OF A BUILDING FOR AGRICULTURAL OR FORESTRY USE, PROPOSED MONOPITCH AGRICULTURAL BUILDING (AGRICULTURAL/FORESTRY DETERMINATION)
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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 lies in the countryside within 1km to the north-east of the small village of Thorncliffe and lies on land which slopes upwards towards Morridge Edge. It is on the south-east side of Thorncliffe Road and comprises part of an open field. It is next to a field access off the road. The location plan shows the extent of the property which is separate to Ley Fields farmhouse a short distance to the south-west. There appears to be no other buildings within the blue line property boundary on the Location Plan although not all of the land within the property is shown. The site is completely surrounded by open land and in a remote and exposed location with very few hedges or trees and the area has an open moorlands character with fields enclosed by dry stone walls. The land has a size of 12.2 ha and according to the application forms has been farmed for around 100 years.

PROPOSAL

The application is a “Notification of Prior Approval” application for a small mono-pitch agricultural building with dimensions of 13.7 x 5.5m and a max height of 3.6m. It would have timber walls and slate blue profile sheets for the roof. It would be placed next to a small livestock handling pen between the new building and access but the building itself is not intended for livestock.

A Planning Statement has been submitted which states the following:

The proposed building will be used to store hay for winter feed for the applicants Pedigree Highland Cattle Fold and store livestock handling, welfare and veterinary equipment used as part of the management of the fold of cattle grazing on this land.

The Pedigree Highland Cattle Fold are key to the management of this upland pasture and the applicant is working in conjunction with Natural England under a Higher Level Stewardship Scheme to achieve environmental and ecological improvements to this holding. During summer, a flock of 40 ewes and lambs graze the land in conjunction with the cattle.

The business operates under livestock holding number 37/075/0163 and Herd Registration UK431991.

The landholding extends to 30.06 acres (12.16 hectares), being located in a single block at the application site.

The fold currently comprises 4 breeding cows plus youngstock and a pedigree bull which runs with the cows throughout the year. To expand the fold, pedigree heifers will be retained. Due to the nature and physical attributes of the Highland cattle breed, the herd are most suited to outwintering and graze the pasture throughout the year.

Over summer, a hay crop is taken from the meadow and at present the applicant does not have the ability to store any of this produce for winter feed.

During winter when grass availability and quality is low, supplementary feeding is essential to keep the animals in a healthy condition and specifically the incalf cows that have a higher feed requirement during the latter stages of pregnancy.

Routine veterinary tasks, fold management, vaccinations and disease screening (bovine TB & BVD) is carried out in the handling pen adjacent to the access gate.

The primary reason for an agricultural building on this landholding is store hay which will be used for supplementary feeding over the winter period. At present, the current hay crop is harvested in summer and stored offsite with a temporary arrangement with a local farmer. Hay is then brought back to the land in winter to supplementary feed.

Due to the topography and exposed nature of the site, the applicant has had numerous problems accessing his fold of cattle during winter by vehicle or tractor when the roads are blocked with snowfall. This has led to the applicant having to carry hay on foot from the village to his animals, creating a significant management burden and is completely unsustainable practice taking into account the extend of the agricultural holding and as the winter feed requirement increases with the expanding herd.

Furthermore, access with agricultural machinery is difficult during period of wet weather whereby the land becomes easily poached.

Therefore, a small barn on this landholding would allow the applicant to store sufficient hay to ensure that there is a suitable supply of hay for supplementary feeding during adverse weather. Hay can then be fed to the cattle from the barn by hand or with a small ATV, thus reducing the damage by larger agricultural machinery and problems with access during adverse weather.

Furthermore, due to the accessible nature of the site, the building will be used to store livestock handling equipment and veterinary sundries which can be secured to the building and out of sight from the public road.

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

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. From the information provided, it would appear the proposal would accord with all the criteria in that part

and it definitely appears to be a working farm. The building is marginally over 25m from the edge of a Thorncliffe Road and therefore passes this particular test.

The proposal meets all the tests in Part 6 Class A.1 and can therefore be deemed to be determined via the Notification of Prior Approval process.

In this case, the storage building would be permitted development not requiring a full planning application but the Council must decide if Prior Approval is required for the siting, design and external appearance of the building and this is the purpose of this Determination of Prior Approval application, i.e. the tests in Class A.2.

Although the building would be relatively small for an agricultural building and certainly not excessive given the size of the farm and herd and its exact intended purposes (including storing hay for winter feed), it would be placed marginally over 25m from the road in a very visually exposed area of sloping land visible from long distances and with no vegetation screening. I consider there is a potential for an impact on the landscape and the appearance of the area. Although the reasons for a location as close to a road and access as possible are understandable it would still need to be explored whether or not there is a less visually prominent location for the building that would also suit the requirements of the farmer.

For the above reasons, the building, by virtue of its siting, design and appearance would have a potential visual impact on this area of very open countryside and I therefore consider that Prior Approval for the proposed building should be required as I consider that the siting, design and appearance of the development would need to be further assessed.

CONCLUSION

The proposed development meets the tests in Part 6 Class A.1 and can be provided under permitted development not requiring a full planning application, via the Notification of Prior Approval process. However, on the basis of the information submitted, 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. Prior Approval is therefore required for the proposed development.

OFFICER RECOMMENDATION : PRIOR APPROVAL REQUIRED

Case Officer: Chris Johnston

Recommendation Date: 18.7.24

X *J. Colley*

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council