

DELEGATED DECISION REPORT

DET/2024/0018
Valid 23/05/2024

LAND OFF LEEK ROAD

APPLICATION TO DETERMINE IF
PRIOR APPROVAL IS REQUIRED
FOR -
THE ERECTION OF A FORESTRY
BUILDING WITH A TRACK

(AGRICULTURAL/FORESTRY
DETERMINATION)

MAIN ISSUES

- Whether or not the proposal complies with the General Permitted Development Order, Schedule 2 Part 6 Class E and if so consideration of whether siting, design and external appearance of the building is acceptable.
- Siting, means of construction of the private way.

DESCRIPTION OF SITE

The application site is a parcel of grassland positioned on the northern side of the A52 Leek Road, Kingsley Moor. The application form states that the site has an area measuring 51.3 hectares. There is a roadside gated access but this is not shown as being within the blue edged area. To the west of the access gate is a sizeable vehicular lay-by, near to which stands a detached dwelling known as Two Acres.

The application site is located within the Green Belt. The site is not within a Conservation Area, and there are no nearby listed buildings/structures nor are there any protected trees.

PROPOSAL

The application is for the construction of a large detached building for a proposed forestry use and a track. The building is proposed to have a footprint of approximately 18m (deep) x 55m wide, would have an eaves height of approximately 6.5m and ridge height of approximately 9m. The elevations drawing does not give information concerning proposed building materials. The supporting statement informs that this would be a steel portal-frame building with box profile roofing. The plans show that internally the building would be split into four distinct areas, a wet store, dry store, area for drying bins and the biomass burner. Access would be via six pedestrian doors and four roller-shutter doors (one roller-shutter door serving each of the four areas). Hardstanding areas would be laid around the perimeter of the building and a proposed access track is shown on the plan on the south-western side of the site.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffordshire Moorlands Local Plan

SS1 Development Principles
SS10 Other Rural Areas Strategy
SD1 Sustainable Use of Resources

E1 New Employment Development
DC1 Design Considerations
DC3 Landscape and Settlement Setting

Supplementary Planning Guidance

1. Design Principles for Development in the Staffordshire Moorlands

Supplementary Planning Document

1. Staffordshire Moorlands Design Guide

National Planning Policy Framework

Including sections;

- 2 Achieving sustainable development
- 6 Building a strong, competitive economy
- 9 Promoting sustainable transport
- 12 Achieving well-designed and beautiful places
- 13 Protecting Green Belt land

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None.

CONSULTATIONS

Public Comments

No representations received during the statutory consultation period.

Highways (Staffordshire County Council):

Recommendation Summary: Refusal

Site Visit Conducted on: 12-Jun-2024

1. Insufficient information

This recommendation of refusal will not prejudice consideration of a further application at a later date when:

- details of likely vehicular trips;
- details of visibility and visibility improvement at existing access;
- detailed drawing of the access;
- details of how access will operate;
- details of likely use of the access;
- improvement of the access;
- protection for the existing lighting column;

are included in the application.

Notes to Planning Officer

Application is for a forestry building and track. There is an existing access off Leek Road. Red line does not connect to the highway. Red line appears to stop at an OS gridline. Existing access is grass, visibility is restricted, access gate is very close to the highway and use of it would obstruct the highway. While existing, it appears to be little used and only for small scale agricultural purposes. There are two sets of gates. Covering letter states that there will be no alteration to the existing access. Also that the development will be to produce woodchip for biomass on a commercial scale. This will surely intensify use of the existing access. No details are given of the scale of the operation, but proposes supplying all of Stoke City Council and other companies and individuals who have biomass boilers.

Details are required of the numbers and types of vehicles that will service the plant and transport biomass fuel to customers. Intensification of use of the existing access will require improvement of the access. This should involve improvement to visibility, surfacing, access dimensions to accommodate the largest vehicle likely to use the access. There is an existing streetlight immediately adjacent to the access which will likely need protecting from large vehicle turning movements.

Environmental Health: No comments received.

OFFICER COMMENTS

The Town and Country Planning (General Permitted Development) (England) Order 2015 (As amended) allows, within Part 6 Class E, for ..

The carrying out on land used for the purposes of forestry, including afforestation, of development reasonably necessary for those purposes consisting of:-

- a) Works for the erection, extension or alteration of a building;
- b) The formation, alteration or maintenance of private ways;
- c) Operations on that land, or on land held or occupied with that land, to obtain the materials required for the formation, alteration or maintenance of such ways;
- d) Other operations (not including engineering or mining operations).

Development is not permitted by Class E if:-

- a) It would consist of or include the provision or alteration of a dwelling;
- b) The height of any building or works within 3 kilometres of the perimeter of an aerodrome would exceed 3 metres in height;
- c) Any part of the development would be within 25 metres of the metalled portion of a trunk road or classified road; or
- d) Any building for storing fuel for, or waste from, a biomass boiler or an anaerobic digestion system would be used for storing waste not produced by that boiler or system or for storing fuel not produced on land which is occupied together with that building for the purposes of forestry.

The application is supported by elevation, site and location plans as well as a Prior Notification statement which informs that the building will be used for the processing of timber to produce biomass fuel. The Local Planning Authority are informed that *'the company seeks to expand and diversify its existing biomass production. The main source of woodchip received is from the removal of dangerous trees/debris and low branches from roads, the product is dried and*

then sold for biomass. The applicant works with various forestry businesses and contractors to provide the following:

1. *Tree Pruning and Trimming: This includes pruning trees to maintain their health, shape, and structure. This includes removing dead or diseased branches, reducing canopy density, and shaping trees for aesthetics and safety.*
2. *Tree Removal: When a tree is dead, diseased, or poses a threat to property or safety, tree removal is carried out. This involves safely cutting down and disposing of the tree while minimising impact on the surrounding environment.*
3. *Diagnosis and Treatment of Tree Diseases: Identifying and treating various tree diseases and pests. Including recommendations and administering treatments such as insecticides, fungicides, and nutrient supplements to enhance tree health.*
4. *Emergency Tree Care: During storms or other emergencies, assessing and addressing tree damage may be necessary. They may provide emergency tree removal services and take measures to stabilise damaged trees.*
5. *Cabling and Bracing: This involves the installation of cables and braces to support weak or structurally compromised trees. This helps prevent branch or trunk failure and extends the life of the tree.*

The primary purpose of the building appears to be for processing wood from offsite which will then be turned into biomass and sold on. The Wharfe Rural Planning Statement (22nd May 2024) makes it clear that the “main source” of the woodchip will be from an off-site location. The statement informs that the company is seeking to ‘expand and diversify’ and further clarifies that ‘the main source of woodchip received is from the removal of dangerous trees/debris and low branches from roads.’ It is therefore not reasonably necessary for the purposes of forestry on the application site, as would be the case for perhaps tool/machinery storage in connection with the onside forestry activity. Furthermore, the proposal involves storage of biomass fuel which is “not produced on land which is occupied together with that building for the purposes of forestry”. The proposal fails to comply with the requirements of The Town and Country Planning General Permitted Development Order (2015) Schedule 2, Part 6, Class E paragraphs E(a) and E.1(d) and is not permitted development.

Siting, design and external appearance of the building.

The building is proposed to have a footprint of approximately 18m (deep) x 55m wide, it would have an eaves height of approximately 6.5m and ridge height of approximately 9m. This is an extremely large building which will have a significant visual and physical impact upon its countryside setting. The building would be a steel portal frame building with box profile roofing. The plans do not provide colour details. In its own right, the design/appearance (but not necessarily size) of the building is acceptable as it is akin to many agricultural buildings to be found within the Staffordshire Moorlands area. However, the appearance of the building does not make it acceptable for this location. The application does not provide any detailed justification for the requested floor area and height. In the event of the applicant(s) being able to demonstrate that the scheme was permitted development there may be concerns about the building in its current proposed form and siting close to the road.

Siting and means of construction of the private way.

The red edge shown on the application plans does not link to the highway. The application documents are clear that the access would not be altered as part of the Prior Notification application. As this is a proposed commercial development the commercial use would result

in intensified use of the access. The County Highways officer objects to the application, the full reasons can be read within the 'Consultations' section of this report. Essentially visibility is restricted and use of the access would obstruct the highway. The intended use would require improvement of the access and likely large areas of hardstanding within the site and surrounding the building, both of which would likely result in significant visual impact. In its present form the siting of the building and siting and construction of the track are considered to be detrimental to highway safety.

CONCLUSION / PLANNING BALANCE

For the reasons outlined within the report it is concluded that the application cannot be supported.

OFFICER RECOMMENDATION : Prior approval required and refused.

Case Officer: Lisa Jackson

Recommendation Date: 20/06/2024

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council