

DELEGATED DECISION REPORT

DET/2024/0043
Valid 15/10/2024

MOORVILLE HALL FARM
LEEK ROAD
MOORVILLE
CELLARHEAD

**APPLICATION TO DETERMINE
IF PRIOR APPROVAL IS
REQUIRED FOR -
NEW PORTAL FRAMED
AGRICULTURAL BUILDING.
LENGTH 13.4M, HEIGHT TO
EAVES 3.6M, BREADTH 10.7M,
HEIGHT TO RIDGE 5.05M**

**(AGRICULTURAL/FORESTRY
DETERMINATION)**

MAIN ISSUES

Whether or not the proposed agricultural 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 about a mile to the south of Cellarhead and comprises part of a farm which lies on the east side of Leek Road, the A520, which also provides the access via a short farm access drive. The site includes a group of farm buildings, one large, two small, around a yard. There is also a farm bungalow to the east of the yard. The site is immediately to the north-east of Moorville Hall hotel. The farm has 37 hectares of land which lies to the east of the site. The farm has been in existence for around 100 years.

PROPOSAL

The application is a "Notification of Prior Approval" application for a new livestock building which would be placed between the bungalow and one of the smaller barns on the south edge of the yard which is also the south boundary of the farm property, on an area used as a raised garden for the bungalow. It would have floor dimensions of 13.4 x 10.7 metres and a height to the ridge of 5.0m. It would have timber boarding above blockwork for the elevations and a metal sheet dual-pitch roof. The drawings show that most of the building would be used for farm storage and an isolated cattle pen but would also be used as a workshop, store and WC in one corner. The drawings would also appear to show the removal of a boundary tree next to the rear wall of the proposed building. The application forms state the building is for the storage of farm equipment and animal foodstuffs and provides a secure and isolated pen for the storage of animals.

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

On the basis of the information provided, the proposal would not meet/comply with all of the tests outlined in Class A.1. The application forms confirm this would be a livestock building but as this would be within 400 metres of a "protected building", which in this case would include the adjacent Moorville Hall (outside of the farm property) and also a number of dwellings outside of the farm property which are not farm dwellings and these are mainly on the opposite side of the main road and include Moorville Cottages and "The Bungalow" to the north-west. The proposal would therefore fail to meet Class A.1 criterion (i).

The proposal does not appear to contravene any of the other tests or criteria attached to Class A.1. However, as the proposal does not meet A.1(i), the building therefore cannot be provided under permitted development under Part 6 of the GPDO and therefore the tests in Class A(2) regarding siting and appearance are irrelevant.

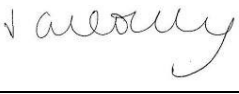
CONCLUSION

The proposed development does not meet the tests in Part 6 Class A.1 and therefore cannot be provided under permitted development in accordance with the GPDO. Therefore a full planning application is required for the proposal and not a "Prior Approval" application under Part 6 of the GPDO.

OFFICER RECOMMENDATION : REFUSE

Case Officer: Chris Johnston

Recommendation Date: 12.11.24

X 

Signed by: Jane Curley

On behalf of Staffordshire Moorlands District Council