

DELEGATED DECISION REPORT

DET/2024/0046
Valid 25/10/2024

GORSTHEAD MILL FARM
GORSTHEAD MILL LANE
BRADNOP

GENERAL PURPOSE
AGRICULTURAL BUILDING
FOR THE STORAGE OF
MACHINERY, EQUIPMENT
AND SUNDRIES REQUIRED
FOR THE LAND AND FLOCK
OF SHEEP.

(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 lies in the countryside about a mile to the south-east of Bradnop village and about 100m to the south of the A523 main road which provides the access to the site via a farm track. It comprise a farmhouse, outbuildings and a field to the side of the farmhouse to the east. It is next to a former railway which the access lane crosses over before reaching the site. The site is surrounded by open land and fields. The site has a total area of about 1 hectare.

PROPOSAL

The application is a "Notification of Prior Approval" application for a typical portal-framed agricultural storage building with a footprint of 18.3 x 9.1m and a max height to the roof ridge of 4.6m. It would have a 2.0m high concrete base walls with timber boarding above. It would be placed next to the north-east boundary of the site adjacent to the former railway and a hardcore drive would be provided up to the access lane which is also close to the proposed building.

A Justification Report / Design & Access Statement has been submitted which gives further details as follows:

Mr Norbury operates an agricultural business at Gorstead Mill Farm, a small holding in Bradnop, Leek.

The small holding is surrounded by 1 ha (2.471 Acres) of permanent grassland, Mr Norbury also rents an additional 4.5 ha (11.12 Acres) of grassland just 5 miles up the road from Gorstead Mill Farm. Mr Norbury has a small flock of sheep which he keeps on the land and produces forage for.

Mr Norbury recently purchased Gorstead Mill Farm, having moved away from his sons farm. He now undertakes operations for his own business and therefore requires storage for his machinery and produce, as such this application is being submitted for a General purpose agricultural building.

The total surface area of the proposed building will measure 167m².

The predominant requirement for the proposed agricultural building is to store machinery safely and securely.

If the agricultural machinery and equipment are not stored correctly the value can be significantly reduced due to weather damage and increased deterioration rates. Further to this, the machinery and equipment is put at a higher risk of theft and vandalism if stored outdoors. The machinery and equipment's storage requirements are detailed below:

Machinery Storage Area Required

*Tractor x 3
15m² x 3 = 45m²*

*Square Baler
10m²*

*Topper
8m²*

*Fertiliser Spinner
8m²*

*Digger
12m²*

*Dumper
12m²*

To allow for practical access to the machinery the total surface area of the machinery will also need to be increased by 50%, as such the total surface area requirement of the machinery and equipment is 142m².

The total area which will be required for sundries storage is 28m².

As can be seen from the above calculations an excess of 170m² is required for the storage of machinery, equipment and sundries required by the business.

In Conclusion the proposed building will allow Mr Norbury to store machinery, equipment and sundries for his land and flock of sheep in safe and secure location. Mr Norbury wishes to construct the proposed building on his own land that is owned, this avoids investment on someone else's land and provides the best return for Mr Norbury.

Under Part 6 Class A of the GPDO, a full planning application is not required for new agricultural buildings on farms ("agricultural units") 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 that where a proposed development meets all the tests in Class A.1, a "Notification of Prior Approval" application is submitted 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

Class A of Part 3 allows detached agricultural buildings under permitted development on "agricultural units" of 5.0 hectares or more, providing they meet all the tests/comply with criteria outlined in that part. The agricultural unit on which this application relates comprises the farm owned by the applicant, where he resides, which is around 1 hectare but he also rents 4.5 ha of land from another farm about 5

miles away near Morridge Edge, which is just within the Peak Park boundary and both these areas of land form the "agricultural unit", as defined near the bottom of Part 6 of the GPDO. The total area of the agricultural unit is about 5.5 ha and I am satisfied that the application could be determined under this part of the legislation in this respect.

The building is to store agricultural items such as machinery, tractors, implements and "sundries" (also listed in the D&A Statement) to tend to both areas of land. There are currently no buildings on the area of land rented out to the applicant or outside of the curtilage of the farmhouse on the application site.

For agricultural-related development to be provided under the Prior Approval process without needing a full planning application, the proposal would need to meet all of the criteria/tests listed under Part 6 Class A.1 of the GPDO. However, A.1(a) states that the development would not be "permitted development" if it is "carried out on a separate parcel of land forming part of the unit which is less than 1 hectare in area." The parcel of land, in this case, is the field adjacent to the farmhouse but not including the farmhouse or its curtilage. This parcel of land is confirmed in the applicant's Design and Access Statement/Justification Statement as being 0.8ha in area, i.e. less than 1.0 hectare. The proposal would therefore not meet this particular test and therefore does not comply with Part 6 Class A.1 required for it to be built under permitted development not requiring a full planning application.

Therefore the issue of whether or not the proposal has an acceptable design, siting and appearance, the tests in Class A.2 is irrelevant.

As the development does not meet Part 6 Class A.1 due to the parcel of land being less than 1.0 ha in size, it is not permitted development under Part 6 of the GPDO and cannot be applied for under the "Prior Approval" process. Therefore a full planning application is required for the development.

OFFICER RECOMMENDATION : REFUSE

Case Officer: Chris Johnston
Recommendation Date: 22.11.24

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council