

DELEGATED DECISION REPORT

DET/2024/0049
Valid 15/11/2024

**LAND ADJACENT TO
HEATHERVIEW MOORSIDE
WERRINGTON**

**APPLICATION TO DETERMINE
IF PRIOR APPROVAL IS
REQUIRED FOR A PROPOSED
ERECTION OF PORTAL
FRAME BUILDING FOR
AGRICULTURE.**

**(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 within 1km to the north of Werrington village. It comprises a dwelling with a long and narrow parcel of open grassland stretching westwards of the dwelling, contained by boundary trees and hedge. It measures approx. 250 x 40 metres, just over a 1.0 hectare. The site is reached via a gravelly farm lane connected to the end of Washerwall Lane a short distance to the east. The land to the north, part of Wetley Moor Common, is within a SSSI. The site is surrounded by open land although a residential property lies directly to the east, with the dwelling about 100m from the site. The application site is in the Green Belt. According to the applicant, the site is part of an agricultural landholding of over 11 hectares and has been farmed for around 30 years.

PROPOSAL

The application is a "Notification of Prior Approval" application for a typical agricultural portal-framed storage building of approx. 24 x 12 metres and a max height of 5.3m. It would have green metal cladding above a concrete block base and would be placed a short distance to the west of the dwelling, adjacent to the southern boundary of the field. A Planning Statement has been submitted which gives further details as follows:

*The land
is used for grazing beef cattle, and the production of haylage and silage for sale.*

The size of the building is reasonably necessary for the purposes of agriculture within the unit. It will be used for the storage of farm machinery and equipment (including trailers, sprayer, tanks, tractors, hedge cutting equipment etc), and haylage, silage, livestock bedding and animal feed. It will allow the machinery to be driven into the building. The farm benefits from no storage of its own, and presently this is left outside in a number of scattered fields or in borrowed space from others. This is not a satisfactory solution as the outside machinery and equipment is vulnerable to crime and tampering, and being exposed to the elements it also suffers from deterioration. It is difficult to keep the haylage, silage and bedding sufficiently dry, and it suffers from damp and rot meaning it cannot be fed or used. Furthermore, the storage space provided by others is not permanent or guaranteed in the long term, and the applicant has recently taken on additional land as part of the farm.

To reduce its impact on the landscape, the proposed site has been chosen so that the building will be positioned close to the farmhouse (Heather View) where it will be seen within a cluster of buildings, as opposed to it being in an open and exposed position. Its siting next to the farmhouse will also have practical benefits, as it will be overlooked (enhancing security) and easily accessible.

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

Werrington Parish Council would like to comment on the excessive size taken into account the land size.

Werrington Parish Council would also like to comment on the extensive list not being clear what it is actually going to be used for.

OFFICER COMMENTS

In order to determine if the proposal can be decided under a Part 6 Prior Approval application, the Council would need to be satisfied that the development is required for agricultural purposes. Photo's provided of the site do not show any livestock, hay or fodder or any other agricultural items which the applicant claims is currently being kept outdoors on various parts of the landholding, except for one tractor. There are several caravans being stored in the general area where the proposed building is to be located. Furthermore, no evidence has been provided of the other land forming part of the agricultural unit which amount to over 11 hectares. The application site, outlined in red, has an area of approx. 1 hectare. For a detached agricultural building to be approved under the Part 6 Prior Approval process, the unit must be over 5.0 hectares in size. Under the level of information with the current submission, the overall size of the unit cannot be determined and therefore it cannot be determined if the proposal falls under permitted development under Part 6 of the GPDO, although if there was evidence that the unit was over 5.0 hectares and that the intention of building was purely agricultural related, then it would appear the proposal would meet all the other tests in Part 6 Class A of the GPDO.

If this was the case, the storage building would be permitted development not requiring a full planning application but the Council must then 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.

In this respect, the building would benefit from a fair degree of screening from the public realm due to all the boundary trees and hedges. However, given its overall height, size and the close proximity to public rights of way which run along the farm access lane to the north and also along another lane a short distance to the west, there is potential for the building to be visible from those public rights of way and indeed from longer range views in the landscape. I consider therefore that 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 and also close to the dwelling for security reasons, 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 landowner. However, due to the absence of information about the overall landholding and where the other plots of land forming the agricultural unit are located, this cannot be established at this stage of the process.

For the above reasons, if the tests in Part 6 Class A(1) were deemed to be complied with, due to the building, by virtue of its siting, design and appearance having a potential visual impact on this area of open countryside, I would 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.

However, as things stand, due to the lack of information to demonstrate an agricultural need on an agricultural unit of at least 5.0 hectares, it cannot be assessed if the proposal can be deemed to be permitted development under Part 6 and achieved via a Prior Approval application and therefore the application should be refused.

OFFICER RECOMMENDATION : REFUSE

Case Officer: Chris Johnston

Recommendation Date: 13.12.24

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council