

DELEGATED DECISION REPORT

DET/2025/0005
Valid 19/02/2025

GRASSLAND NORTH OF
WOODHOUSE LANE
BROWN EDGE

APPLICATION TO DETERMINE
IF PRIOR APPROVAL IS
REQUIRED FOR A PROPOSED
NEW ROAD MADE OF
LIMESTONE WITH A LENGTH
OF 490.0M AND A WIDTH OF
4.8M.

(AGRICULTURAL/FORESTRY
DETERMINATION)

MAIN ISSUES

- Environmental impacts including trees and ecology
- Visual impact

DESCRIPTION OF SITE

The site takes a meandering or circuitous route for a distance of some 500m with a stated width of 4.8m through a valley bottom location to the west and north sides of the un-related Old Woodhouse Farm. Air photos show this to be an obviously verdant location with well grown fringing trees, shrubs and coarse semi-natural vegetation.

The location is Green Belt and within an area where consultation with the Canal and River Trust may be required. A public footpath to the west follows a roughly parallel route within some 60m to 200m of the development. This is a valley bottom location shared with the infant River Trent which comes to within some 150m to the west. A narrow constructed canal feeder channel lies between the proposal line and the natural water course of the Trent.

The applicant's farm base is at Upper Stonehouse Farm, Boardman's Bank, Brown Edge. The farm runs 110 head of beef cattle across a 121 acre /c. 49 ha farm holding.

PROPOSAL

The application describes the construction of the track as comprising:

- (i) a 200mm sub-base of rubble with a permeable membrane on top;
- (ii) a further 200mm base layer of 20-40mm limestone;
- (iii) a top layer of 10mm-dust.

The purpose is to facilitate farm vehicle access for purposes of undertaking daily livestock health checks and to avoid vehicles poaching the ground.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Local Plan (adopted 9th September 2020)

SS1 Development Principles
SS2 Settlement Hierarchy
SS10 Other Rural Areas Area Strategy
DC1 Design Considerations
DC2 The Historic Environment
DC3 Landscape and Settlement Setting
NE1 Biodiversity and Geological Resources
NE2 Trees, Woodland and Hedgerows
T1 Development and Sustainable Transport

National Planning Policy Framework

Paragraph(s) 1 – 14;

Section(s) 4 – Decision making; 6 – Building a strong and competitive economy; 8 Promoting healthy and safe communities; 11 – Making effective use of land; 12 – Achieving well designed places; 13 – Protecting Green Belt Land; 15 – Conserving and enhancing the natural environment; 16 – Conserving and enhancing the historic environment.

Adopted Supplementary Planning Documents/Guidance (SPD/G):

- Space About Dwellings SPG
- Design Principles SPG
- Design Guide SPD adopted 21st February 2018

Local Plan Supporting Evidence Documents:

- Landscape and Settlement Character Assessment (2008)

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

There is an enforcement matter from 1997.

CONSULTATIONS / PUBLICITY

None at this stage due to being a Part 6 prior notification to the LPA.

OFFICER COMMENTS

Principle of Development

The application is made under the Permitted Development procedure for agricultural development contained at GPDO (2015) Schedule 2, Part 6 Class A. This includes provision for the carrying out on agricultural land comprised in an agricultural unit of 5 hectares or more in area: “any excavation or engineering operations, which are reasonably necessary for the purposes of agriculture within that unit”.

This is subject to a prior notification to the LPA as has been submitted here. The prior notification requirement is an opportunity for the LPA to determine, in the case of a track, whether prior approval should be required as to “the siting and means of construction of the private way”. The application must be accompanied by a written description of the proposed development and of the materials to be used and a plan indicating the site. These have been received.

To qualify for the Permitted Development procedure the proposed works must be “reasonably necessary for the purposes of agriculture within that unit”. The agricultural use of the land must be “for the purposes of a trade or business” and the unit must be “occupied as a unit for the purposes of agriculture”, all as set out in the Interpretation Section (D.1) for Part 6 Classes A to C.

Given the evident nature of the site, especially its trees, hedges and likely biodiversity, it would appear important to consider the implications of the development in these terms. It would for example be important to ensure that any imported material is ‘inert’ relative to the existing ground conditions and in relation to any drainage run off. It may also, for example, be necessary to agree additional details for the method of carrying out the development – if it is otherwise found acceptable – in order to safeguard the immediate surrounding environment and water courses.

CONCLUSION / PLANNING BALANCE

In order to enable the LPA to fully consider the implications of this proposed c.500m new track construction, notice be given that prior approval is required.

OFFICER RECOMMENDATION : Prior approval required

Case Officer: Arne Swithenbank

Recommendation Date: 18.03.2025

X 

Signed by: Jane Curley

On behalf of Staffordshire Moorlands District Council