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To: [Planning \(SMDC\)](#)
Cc: [Alan Hulme](#); [Bryan Stubbs](#); [Colin Pearce](#); [Gareth Buckley](#); [Keith Flunder](#); [Pete Wilkinson](#); [Sandra Peck](#); [Stephanie Akerman](#); [Steve Buckley](#)
Subject: FW: Application SMD/2025/0220 - Retrospective application for Change of use of part of an agricultural building to mixed agriculture and log use - Gorsty Hill Farm , Gorsty Hill Road , Upper Tean
Date: 28 May 2025 10:21:41

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From: Cllr Steven Buckley
Sent: 27 May 2025 19:15

Subject: Re: Application SMD/2025/0220 - Retrospective application for Change of use of part of an agricultural building to mixed agriculture and log use - Gorsty Hill Farm , Gorsty Hill Road , Upper Tean

Checkley Parish council (CPC) acknowledge that the Applicant is applying Retrospectively for Full Planning Permission for Change of use of part of an agricultural building to mixed agriculture and log use.

The Relevant Application history for this site is as follows:

Application SMD/2024/0538 for Full Planning Permission for Continued use of farm building for a mix of livestock housing, agricultural storage and in association with the log business. Planning Permission was Refused by Planning Officer on 28/03/2025 .

Application SMD/2023/0185 for Full Planning Permission for Replacement of existing farm storage and cattle buildings with new farm storage barn and associated works. Planning Permission was Approved by Planning Officer on 08/11/2023.

Application SMD/2024/0276 for Full Planning Permission for Proposed replacement dwelling. Planning Permission was Approved by Planning Officer on 03/10/2024.

CPC are concerned that unfortunately this Planning Application cannot be approved as planning Condition 6 of previously Approved Application SMD/2023/0185 for Full Planning Permission for Replacement of existing farm storage and cattle buildings with new farm storage barn and associated works would render the building unusable.

"SMD/2023/0185 Condition 6. The building hereby approved shall be used solely for agricultural storage purposes in connection with agricultural operations at Gorsty Hill Farm and for no other purpose including any non-agricultural business or commercial / domestic storage uses. The building shall be demolished and all materials used in its construction shall be removed from the site within 6 months of the date on which it ceases to be required for agricultural purposes. Reason:- In the interests of ensuring appropriate development in the countryside. "

CPC would also Note that for an agricultural land classification to apply the wood/logs used for processing must derive from the site or even nearby and be used for the Applicants own consumption, the only wood you can cut up on your own land is wood that is derived from that land. Transporting wood/logs from elsewhere off site, cutting and storing for selling is considered as industrial/commercial land classification.

CPC would also note that Class R permitted development rights could apply. Which defines the conditions of an agricultural building and land within its curtilage to be converted for flexible commercial use. Class B8 – storage or distribution would apply in this instance.

"In addition to the proposed building use adhering to a use class as above, there are other criteria that must be met. These are as follows:

- The building must have been solely in agricultural use on the 3rd July 2012, or when last in use if before this date.

- If brought into use after 3rd July 2012, it must have been used in this way for a minimum of 10 years.
- The total cumulative floor area of the existing building(s) within the planning unit must not exceed 500 square metres.

The building(s) must not be:

- a listed building (or within the curtilage of a listed building)
- a scheduled monument
- located within or form part of a safety hazard area
- located within or form part of an explosives storage area

Once deemed consent under Class R has been received, a building can change to another identified use, usually without obstruction from the planning authority. For example, an office building may be converted into a restaurant."

CPC are therefore of the opinion that this Application can not be approved as the previous Application SMD/2023/0185 conditions prevents approval and also the use would not comply as agricultural land use. However CPC would suggest that the Applicant should reapply for deemed consent under Class R.

Cllr Steve Buckley
Planning Coordinator