

DELEGATED DECISION REPORT

DET/2025/0011
Valid 19/03/2025

LAND EAST OF
LEEK ROAD
WETLEY ROCKS

APPLICATION TO DETERMINE
IF PRIOR APPROVAL IS
REQUIRED FOR AN
AGRICULTURAL BUILDING
FOR THE STORAGE OF
IMPLEMENTS AND FODDER

(AGRICULTURAL/FORESTRY
DETERMINATION)

MAIN ISSUES

- Compliance with GPDO(2015) Schedule 2 Part 6
- Siting, Design and external appearance

DESCRIPTION OF SITE

The site is within a roughly triangular parcel of farm grassland amounting to some 6ha (15 acres). The land is edged by the main A522 Leek Road for some 220m along its westerly side. It is bordered by woodland to its southerly tip and along its easterly edge. The northerly boundary adjoins further (unrelated) farm land.

The boundary to Leek Road is, in the main, well hedged with tall / bushy hawthorns. Running parallel with the road and set in some 25m from it is a second hedge line beyond which the land dips slightly.

There is an unrelated private detached dwelling to the north in generous curtilage adjoining the application land. The separation distance between this dwelling and the proposal building would be approximately 100m.

A notable feature of the land is that passing through from south west to north east and coming to within some 20m of the proposal site is the recorded former route of a mid 19th century plateway. This 'non-designated' heritage asset is included in the Staffordshire Historic Environment record as an earthwork with the reference MST4357. It is said to have been constructed to "assist the transportation of burnt lime from Consall to Rangemoor" and closed in 1849.

The remains of a former store or shed some 5m x 4m can be seen just south of the application site (between the site and the plateway).

PROPOSAL

The proposal building would be 18m x 15m with an eaves height of 4m and ridge 6m. The building is to be divided internally so that the northerly half is fully enclosed and served by sliding doors in the gable end. The southerly half would be open-sided in two bays of the easterly long side elevation.

The building including roof would be clad in box profile steel sheeting, coloured Juniper Green (12B29).

As first submitted the scheme included installation of a track connecting the building to the main road. Having advised the applicant that this would make the development ineligible under Part 6 an amended drawing has been submitted to omit any proposal for track construction.

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
NE2 Trees, Woodland and Hedgerows
T1 Development and Sustainable Transport

National Planning Policy Framework (Dec 2024)

Paragraph(s) 1 – 14; Section(s) 4 – Decision making; 6 – Building a strong and competitive economy; 8 – Promoting healthy and safe communities; 9 – Promoting sustainable transport; 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

On the same land by the same applicant:

SMD/2022/0627 – Erection of agricultural building for use for lambing, storage of feed, hay and implements and construction of new vehicular access – refused

SMD/2021/0374 – Erection of agricultural building for use for lambing, storage of feed, hay and implements and construction of new vehicular access – refused – dismissed at appeal 05.07.2022.

SMD/2020/0267 – Proposed erection of agricultural building for use for lambing, storage of feed and implements and construction of new vehicular access – dismissed at appeal 01.03.2021 (appeal against non-determination).

SMD/2019/0197 – Proposed agricultural building to house, feed and lamb sheep and to store fodder and implements and new access track – refused

CONSULTATIONS

Publicity

None – due to being a prior notification under Part 6.

OFFICER COMMENTS

Principle of Development

The building development proposed must comply with the definitions and limitations set out under GPDO(2015) Schedule 2 Part 6. These include at A.1 a list of criteria under which development is not permitted. Compliance has been assessed as follows.

Permitted development

A. The carrying out on agricultural land comprised in an agricultural unit of 5 hectares or more in area of—

(a) works for the erection, extension or alteration of a building; or

(b) any excavation or engineering operations,

which are reasonably necessary for the purposes of agriculture within that unit.

Is the proposed development going to take place on ‘agricultural land’?

Yes – rural field pasture

Is it land that is [currently] in use for agriculture?

According to the supporting statement submitted: “The applicant currently has summer grazing sheep on the holding. The sheep are provided by a local farmer.”

Is this use so taking place for the purposes of a trade or business?

This is implied though not directly evidenced

Is the land part of an agricultural unit of 5ha or more?

15.5 acres according to the statement ie. 6.27ha – therefore yes. (Conforms to LPA previous assessments.)

Is the development ‘reasonably necessary’ for the purposes of agriculture within that unit?

In a 2021 appeal decision (which was dismissed) relating to a proposed building of the same dimensions elsewhere on the land the Inspector commented at paragraph 6: “I have been provided with evidence of the appellant’s ownership of the flock and its number, and as such I have no reason to doubt the need for the building. The efforts made to reduce the size of the building and amend the materials result in a structure which is typical of its function and this design is commonplace on agricultural land nationwide. Accordingly, the building itself would not appear at odds with the rural character of the area, while its location in the southern area of the field would appear largely parallel to the buildings of Highfields Farm on the other side of Leek Road.”

Interpretation of Classes A to C:

D.1— (1) For the purposes of Classes A, B and C—

“**agricultural land**” means land which, before development permitted by this Part is carried out, is land in use for agriculture and which is so used for the purposes of a trade or business, and excludes any dwellinghouse or garden;

“**agricultural unit**” means agricultural land which is occupied as a unit for the purposes of agriculture, including—

(a) any dwelling or other building on that land occupied for the purpose of farming the land by the person who occupies the unit, or

(b) any dwelling on that land occupied by a farmworker;

“building” does not include anything resulting from engineering operations;

D.1 (2) For the purposes of Classes A, B and C—

(a) an area “calculated as described in paragraph D.1(2)(a)” comprises the ground area which would be covered by the proposed development, **together with** the ground area of any building (other than a dwelling), or any structure, works, plant, machinery, ponds or tanks within the same unit which are being provided or have been provided **within the preceding 2 years** and any part of which **would be within 90 metres** of the proposed development;

(b) a reference to 400 metres in paragraphs A.1(i) and (k), A.2(1)(a), B.1(d) and B.5(1) of this Part is a reference to distance measured along the ground.

Development not permitted:

A.1 Development is **not** permitted by Class A if—

Constraint	Compliant yes / no	Evidenced
Not permitted if the land is a separate parcel of less than 1 hectare	Yes	Submitted plans – this is a single parcel of some 6ha
(a) the development would be carried out on a separate parcel of land forming part of the unit which is less than 1 hectare in area;		

Not permitted where development under Class Q or S of Part 3 has been carried out in the 10 year period ending with the date the Part 6 begins	Yes	No previous Class Q or S developments
(b) it would consist of the erection or extension of any agricultural building on an established agricultural unit (as defined in paragraph X of Part 3 of this Schedule) where development under Class Q or S of Part 3 (changes of use) of this Schedule has been carried out within a period of 10 years ending with the date on which development under Class A(a) begins;		
Not permitted if a dwelling involved	Yes	No dwelling involved
(c) it would consist of, or include, the erection, extension or alteration of a dwelling;		
Not permitted if the works are not designed for agricultural purposes	Yes	Proposed bldg is reasonably typical of agricultural type commonly encountered. (See also PINS decision quoted above).
(d) it would involve the provision of a building, structure or works not designed for agricultural purposes;		
Not permitted if 1,000m2 and 1,500m2 limits exceeded	Yes	Scales from plan as being 15m x 18m therefore 270m2
(e) the ground area which would be covered by— (i) any works or structure (other than a fence) for accommodating livestock or any plant or machinery arising from engineering operations would exceed 1,000 square metres; or (ii) any building erected or extended or altered by virtue of Class A would exceed 1,500 square metres, calculated as described in paragraph D.1(2)(a) of this Part;		
Not permitted if height exceeds 3m at within 3km of an aerodrome perimeter	N/A	No aerodrome within 3km
(f) the height of any part of any building, structure or works within 3 kilometres of the perimeter of an aerodrome would exceed 3 metres;		
Not permitted if height exceeds 12m	Yes	Height to ridge is 6m
(g) the height of any part of any building, structure or works not within 3 kilometres of the perimeter of an aerodrome would exceed 12 metres;		
Not permitted if any part is within 25m of a metalled part of a trunk road or classified road	Yes following amended plans to omit track	As first submitted an initial 40m length of associated track shown as an integral part of the submitted plans would have come to within 25m of the A522 – amended plans omit the track.
(h) any part of the development would be within 25 metres of a metalled part of a trunk road or classified road;		
Not permitted if to be used for livestock or for slurry* or sewage sludge storage if within 400m of a protected* building [All *as defined – see D.1 (1)]	Yes	Stated as being to store machinery and fodder.
(i) it would consist of, or include, the erection or construction of, or the carrying out of any works to, a building, structure or an excavation used or to be used for the accommodation of livestock or for the		

storage of slurry or sewage sludge where the building, structure or excavation is, or would be, within 400 metres of the curtilage of a protected building;		
Not permitted if connected with fish farming 2(4) land	N/A	
(j) it would involve excavations or engineering operations on or over article 2(4) land which are connected with fish farming;		
Building not permitted in the case of...	N/A	
(k) any building for storing fuel for or waste from a biomass boiler or an anaerobic digestion system— (i) would be used for storing waste not produced by that boiler or system or for storing fuel not produced on land within the unit; or (ii) is or would be within 400 metres of the curtilage of a protected building;		

* “protected building” means any permanent building which is normally occupied by people or would be so occupied, if it were in use for purposes for which it is designed; but does not include—

(a) a building within the agricultural unit; or

(b) a dwelling or other building on another agricultural unit which is used for or in connection with agriculture;

Siting, Design and Appearance

The proposed dark green colour finish will help assimilate the building into its setting. It also helps that the siting is set back by some 30m from the public road and the land at this point is then set down relative to road level. Additionally the roadside hedge and a second parallel hedge some 20m in from the road would provide partial but significant intervening screening.

As a store for fodder and equipment only, there are no considerations needed in terms of livestock noise or odours – for example in relation to the un-associated dwelling at Threeways some 150m to the north. Also, as the building is proposed to serve a relatively small agricultural land parcel of some 6ha it is unlikely that the frequency of visits could result in an overbearing degree of disturbance to the occupiers of Threeways. Any vehicle noise can be expected to be significantly less than must be experienced from the adjacent main road for example.

A further necessary consideration in relation to ‘siting’ is the nearby heritage interest of the one-time ‘plateway’. This latest scheme would not involve any groundworks to directly affect the known (and partially visible) route line of the plateway. With the building sited some 30m from the midline of the plateway and some c.18m from the outer recorded edge it is reasonable to conclude that there would be no impact on or changes to the ground which forms the plateway structure. The County Archaeologist has advised that an archaeological watching brief should be maintained ‘on any groundworks that have the potential to impact on the historic plateway’. If it is accepted that the separation distances involved mean there would not be any impacts on the plateway it can be concluded that the suggested condition is not necessary in this case.

From the above it can reasonably be concluded that the proposal would not appear unduly prominent or out of place and that it would not give rise to any other adverse impacts.

CONCLUSION / PLANNING BALANCE

The onus is on the applicant to honour the usage stipulations of Part 6 including that it must be 'for agriculture' and 'so used for the purposes of a trade or business'. Any usage found not to comply with these stipulations would not be and is not permitted.

Condition A.2(2) of Part 6 meanwhile makes it a condition that an application is made to the local planning authority for a determination as to whether the prior approval of the authority will be required 'as to the siting, design and external appearance of the building'. In this instance details of siting, design and external appearance have already been provided with the application. Based on the assessment as set out in the above report it is concluded that in this case the development is acceptable in terms of these three factors of siting, design and external appearance of the building. Accordingly, further details are not required.

OFFICER RECOMMENDATION : **That prior approval is not required**

Case Officer: Arne Swithenbank

Recommendation Date: 22.07.2025

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council