

DELEGATED DECISION REPORT

DET/2024/0044
Valid 21/10/2024

LAND OFF LEEK ROAD

**APPLICATION TO DETERMINE IF
PRIOR APPROVAL IS REQUIRED
FOR -
A NEW FORESTRY BUILDING.
LENGTH 55M, HEIGHT TO EAVES
5.5M,
BREADTH 18M, HEIGHT TO RIDGE
8M**

**(AGRICULTURAL/FORESTRY
DETERMINATION)**

MAIN ISSUES

Whether or not the proposal is acceptable in terms of siting, design and external appearance (or as the case may be), the siting and means of construction of the private way, as referenced within the General Permitted Development Order, Schedule 2, Part 6, Class E.

DESCRIPTION OF SITE

The application site is accessed via an existing vehicular access off the A52 Leek Road which leads to land on the northern side of the highway. Access is to the east of a dwelling known as Two Acres and across the road (and to the north) from the former Waggon and Horses. At the time of the site visit, the vehicular access area was laid to hardcore and an agricultural-style gate formed part of the roadside boundary. Some boundaries are marked by hedgerow(s) and / or timber and post/wire fencing. There are no significant land level variations within the access and hardcore area. Further agricultural style gates within the site allow access to fields to the north and east where there are land level variations. It is within the field area (to the rear of the wedge-shaped field) and on the northern side of the hedgerow, where the proposed forestry building would be positioned.

PROPOSAL

The erection of a forestry building which would have a footprint of 55m x 18m, an eaves height of 5.5m and ridge height of 8m. External materials would be 2m high concrete panels on the lower sections of the walls and profiled steel cladding (Juniper Green) to the eaves. The plans show that the roof material would be profiled, steel roof sheeting, also in a Juniper Green colour. Roller shutter doors will comprise galvanised steel and personnel doors would be Juniper Green coloured steel. The plans show a new access track and also a hardstanding around the perimeter of the building.

Since initial submission of this Part 6 application, some changes have been made to the proposed building. Firstly the applicant now proposes to add solar panels on both sides of the roof (to generate the electricity needed to heat the building), with the plans explaining that the PV equipment would not protrude more than 0.2m beyond the plane of the roof slope and not be installed within 1m of the external edge of the roof. The applicant claims that the PV equipment falls within the allowance of Part 14 Class J of the GPDO, this will be examined later in the report. It is also noted that the floorplan has changed, in that part of the building would be used as a battery storage area rather than the originally proposed biomass burner.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffordshire Moorlands Local Plan

- SS1 Development Principles
- SS10 Other Rural Areas Strategy
- SS11 Churnet Valley Strategy
- DC1 Design Considerations
- DC3 Landscape and Settlement Setting
- NE1 Biodiversity and Geological Resources
- NE2 Trees, Woodland and Hedgerows
- T1 Development and Sustainable Transport
- Appendix 2 Parking Guidance

National Planning Policy Framework

Including;

- Section 2: Achieving sustainable development
- Section 4: Decision making
- Section 6: Building a strong, competitive economy
- Section 9: Promoting sustainable transport
- Section 12: Achieving well-designed places
- Section 13: Protecting Green Belt land
- Section 15: Conserving and Enhancing the Natural Environment

National Planning Policy Guidance

Supplementary Planning Guidance

1. Design Principles for Development in the Staffordshire Moorlands

Supplementary Planning Document

1. Staffordshire Moorlands Design Guide

Churnet Valley Masterplan

Landscape and Settlement Character Assessment of the Staffordshire Moorlands.

Dissected sandstone uplands

Farmland

Landscape enhancement

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

- DET/2024/0018 Application to determine if prior approval is required for - the erection of a forestry building with a track. Prior approval required and refused.
- SMD/2024/0477 Proposed alterations to the existing access and new hardstanding. Pending decision.

CONSULTATIONS

Publicity

None. There are no provisions within Part 6 of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for public consultation, other than by display of a site notice in the event the local planning authority deems Prior Approval is required. The applicant(s) have displayed a site notice.

Staffordshire County Council Highways

Recommendation Summary: Conditional

1. The development hereby permitted shall not be brought into use until the visibility splays shown on plan 1536/J240145/002.4 have been provided. The visibility splay shall thereafter be kept free of all obstructions to visibility over a height of 600 mm above the adjacent carriageway level.

2. The development hereby permitted shall not be brought into use until the access improvements shown on plan 1536/J240145/002.4 broadly comprising relocation of existing gate currently adjacent highway boundary; hard surfacing; bound surfacing of verge; have been provided. The access improvements shall thereafter be retained and maintained for the life of the development.

Reasons

ALL To comply with NPPF Paragraph 114; to comply with SMDC Local Plan policy DC1; in the interests of highway safety.

Important information to be included on decision notice

The surfacing works within the highway shall require a permit to dig prior to any works taking place. The developer is advised to contact Staffordshire County Council Network Management at trafficandnetwork@staffordshire.gov.uk in advance of surfacing works commencing. See Temporary excavations (permit to dig) - Staffordshire County Council for details.

Notes to Planning Officer

Application is for a forestry building. Application has previously been recommended for refusal by highways due to inadequate access to the site. Application states that a separate planning application has been submitted for improvements to the site access. However, this has not yet been received by highways. Conditions relating to access improvements are therefore included in this response.

Proposal addresses previous reasons for refusal. Access is to be improved and visibility splays provided. The former proposal to import quantities of timber from off site has now been abandoned. Swept path drawings have been provided by Eddisons demonstrating that tractor and trailer can access the site without issue. As the dropped crossing is existing and not proposed to be widened, access can be surfaced under a permit to dig. S278 or S184 are not required.

Access is existing. Visibility splays proposed are maximum achievable, are an improvement over the existing and are acceptable. Transport Note refers to a personal injury collision (PIC) from 2018. Although all PICs are regrettable, the overall volume of collisions does not suggest there are any existing safety problems that would be exacerbated by the proposed development.

Arboricultural officer (SMDC)

Summary: No significant adverse impact on existing trees and hedgerows; overall minor to moderate adverse visual impact which could potentially be reduced within the short term, amounting to less than substantial visual harm which I would suggest would not be sufficient to substantiate refusal on these grounds.

Detail:

This is an application for determination if prior approval is required for the erection of a forestry/agricultural building.

Existing Trees/Hedgerows

The proposed position of the new building is approximately 5 – 7m north of an existing mature hedge, comprising mostly Holly. There are no significant individual trees within the stretch of hedge alongside the building footprint. It is considered that the building and its proposed hardstanding surround would be set back far enough from the hedgerow so as not to cause significant damage to roots resulting in notable decline in its condition. Therefore the potential impact on existing trees hedgerows arising from this DET proposal would not be sufficient to raise significant concerns or objection.

Visual Impact

The proposal is for a very large building, 55m long x 18m wide in footprint size, 5.5m high to eaves and 8m to ridge. The portal frame design with profile cladding would be of visual character typical of numerous modern agricultural buildings found throughout the countryside, of which there are plenty of examples readily visible from public viewpoints in the local area and beyond.

There are no Public Rights of Way on the north side of the A52 Leek Road which are in relevant proximity to the site such that they would provide viewpoints from which receptors (i.e. people using the PROWs) would see and be subject to visual impact arising from the proposed building. Therefore, any visual impact would realistically be confined to receptors travelling along Leek Road and occupiers of a few residential properties near the site. On the attached plan and air photo I have indicated the approximate footprint position of the proposed building, together with 5 representative (i.e. precise location not critical) viewpoint locations along Leek Road looking towards the site. Also attached are my rough wireframe photo images from each viewpoint – **please note that these have not been produced with the assistance of any technical processing tools and do not purport to be accurately plotted and are clearly not refined; they are derived solely from the known proposed footprint position, viewpoint images from Google Streetview, and my estimate and rough representation of the likely space that the building would occupy in these views**, but nevertheless I believe they provide a reasonably informative impression of the general approximate position, scale and massing of the building as might be seen from these viewpoints and their main purpose has been to inform my assessment of the proposal.

The existing hedgerow along the southern side of the building is approximately 6m or so in average height, although varying from place to place. The building eaves would be 5.5m high, so this existing hedge would provide fairly effective screening of large parts of the south elevation wall, with the shallow sloping roof being the most visible part above the hedge line (viewpoints 3, 4 and 5 especially). The hedgerow is principally comprised of Holly, so is evergreen providing year-round screening potential. At viewpoints 1 and 2 the viewer is closer to the building, which is also seen partially end-on, and there are more gaps in the hedgerow adjacent to the building – so as suggested in the rough wireframes, parts of the western end gable and south elevation wall at the western end of the building are likely to be more visible from the general vicinity of viewpoints 1 and 2. Where the building is seen, it will be apparent that it is a very large structure – particularly in length – although due to the intervening hedge this would not be unduly exposed or prominent.

Receptors travelling along Leek Road would be of medium sensitivity to changes in the view brought about by new development; they would be travelling at speeds averaging around 40mph, largely focussed on the direction of travel and unlikely to be in that particular location specifically for the purpose of experiencing and appreciating the quality of views. The field of view available in any single Google Streetview image is relatively narrow, and in practice a receptor travelling along Leek Road would be likely to experience a wider field of view at any given moment (horizontally and vertically) where the proposed building would occupy only a limited proportion of the total view. Taking into account the evident scale of the building where it is seen, but also the fact that it would not be completely prominent and would be of visual character commonly found in the countryside in association with agriculture (or forestry) so therefore not completely incongruous, it is considered that on balance the average magnitude of change in the view from these representative viewpoints would initially be medium. Given some mitigation measures comprising suitable new strategic planting and/or management of existing vegetation (for which there is definitely scope), the magnitude of change could be reduced, potentially

within a fairly short space of time (eg 3- 5 years), to perhaps low or low/medium. Therefore the initial visual effects on highway receptors would be moderate adverse, and with appropriate landscaping mitigation could reduce to a residual visual effect of minor adverse after say 5 years.

Residents/occupiers of residential properties are normally considered to be receptors of high sensitivity in the context of visual impact assessment. Two Acres at Leek Road to the west of the application site is at comparable distance from the proposed building position to viewpoints 1 and 2. It appears that at least the majority of principal windows are likely to have a southerly or northerly outlook rather than eastwards towards the proposed development. The main garden area, including conservatory, is to the front (south) side of the house, with a substantial combination of existing trees and shrubs/hedges along the eastern boundary which would provide an effective screen. Any eastward views in which the proposed building was visible would generally see it end-on (18m width) and with its considerable 55m length not being overly apparent from this perspective. Overall magnitude of change of view would be generally low, or perhaps medium where the building was clearly visible (rear yard and any principal windows of habitable rooms in the eastern elevation of the rear outrigger wing of the house), leading to a visual effect of minor to moderate adverse.

Moor Farm, Leek Road to the north-east of the application site is at comparable distance from the proposed building to viewpoints 3, 4 and 5. It appears that there are few, if any, principal windows in the western elevation with main outlook generally to the front (south) and rear (north) rather than directly towards the proposed development. There is an established mature hedge and trees at the western boundary of this property, with garden areas apparently to the south, east and north. Magnitude of change in view arising from the application building would be low as experienced by receptors at Moor Farm, leading to a visual impact of minor to moderate adverse.

The few residential properties along the south side of Leek Road in the vicinity of the application site (Berwyn, and Ashlands) are set well back from the highway with substantial established hedgerows and trees along their front boundaries and highway verge providing a good level of filtering/screening of the proposed building. These properties are also already affected by significant volumes of passing traffic in their front (northerly) outlook. Due to distance and several layers of intervening vegetation, magnitude of change of view experienced by receptors at these properties is likely to be low to medium, resulting in minor/moderate to moderate adverse visual impact effects.

Potential Visual Impact Mitigation

The Holly hedge along the south side of the proposed building position should remain untrimmed. It is within the blue-edged wider site of land under the applicant's ownership, so control over non-intervention management of the hedge is within the applicant's control.

Similarly, the roadside hedgerow along the north side of Leek Road is also within the applicant's control. Currently this hedge is maintained at an height of c.1.25 – 1.5m, but if left to grow on to a height of 2 – 3m (which being an existing well-established hedge it could quickly attain) this increased height in close proximity to passing travellers/receptors would level provide an effective additional layer of filtering/screening in combination with the Holly hedge further back. This could be further enhanced by planting several new standard hedgerow trees in or adjacent to the roadside hedge, and the return hedge along the western side of the access track leading to Moor Farm, in order to help break up any views of the roofline of the proposed building, together with some reinforcement hedge and hedgerow tree planting at the western end of the existing Holly hedge.

In addition, some new hedgerow trees either side of the site access track off Leek Road (the subject of associated planning application SMD/2024/0477) could quickly provide further useful screening of initial views of the western gable end of the new building (see rough wirelines at viewpoints 1 and 2). Any such planting would need to be behind any visibility splays required at the access point onto Leek Road.

Conclusion

The proposed development would be unlikely to have significant adverse impact on existing trees and hedgerows.

The proposed building would produce an overall minor to moderate adverse visual impact on receptors travelling along Leek Road and on occupier receptors of nearby residential properties. This would be considered to amount to less than substantial visual harm. Furthermore, this level of visual impact could

potentially be mitigated and reduced by the implementation of some straightforward landscape planting and management measures (whether proactively by the applicant or in accordance with conditions if applicable).

Environmental Health

No objections subject to conditions.

Glare: The solar screens should be sufficiently screened so as not to cause glare to any nearby neighbouring properties. It would be advisable that a condition is placed on the permission to ensure where there is potential for glare to impact on neighbouring properties that mitigation steps are taken in the form of screening to prevent this problem.

Noise: The revised proposal is for a drying and storage shed with no wood processing or manufacturing proposed. This does appear to be a relatively low level operation from a noise perspective but conditions are advised to ensure local neighbourhood amenity is protected.

OFFICER COMMENTS

The Planning Statement, accompanying the Prior notification application explains that the proposed building would be used for the purposes of forestry by Broad Oak Properties (forestry management and biomass producing company), within the blue edged area identified on the submitted plans. In summary, the building is required for forestry purposes which include (but are not necessarily limited to) the following;

- Secure storage of machinery, implements and equipment (listed within paragraph number 3.9 – 3.10 of the Planning Statement) to prevent weather damage and reduce the threat of theft. Machinery is required for selective thinning of the woodland, removal of dead and dying trees, removal of invasive species such as brambles.
- Increasing the companies Biomass production and afforestation.
- Storage of wet and dry logs, dead/dying/diseased trees, machinery, nursery trees, protective equipment, hand tools, fuel and a biomass section.

The Planning Statement also informs the following;

- Use would operate between the hours of 8am – 5pm – Monday to Friday,
- There would be three worker's with their primary focus being on forestry management.
- Woodchip produced by the biomass unit removed from site once a fortnight by a tractor and trailer.
- Likely vehicular trips including two, 2-way large vehicle movements 2-3 times a week (tractor and trailer entering and exiting the site).
- Biomass production has been scaled down as timber will now only be sourced from the land upon which it is sited.

It has already been determined that Prior approval is required for the siting, design and external appearance of the proposed development. In addition to the display of a site notice (email and photo attachments submitted by planning agent to demonstrate this has been done), a proposed elevations plan has also been submitted. The plan differs slightly from the initial submission in that there are solar panels shown on both sides of the roof slope. In addition, part of the building is to be a battery storage area rather than the originally intended biomass burner space.

Siting, Design and External appearance of the building

The forestry building would be sat on the northern side of Leek Road separated by a wedge-shaped field and two hedgerow / tree planted boundaries. In terms of whether the siting of the building is acceptable, the council has reviewed the scheme in considerable depth. The Arboricultural officer, has provided a detailed assessment of the scheme from a visual impact perspective. The visual impact assessment is very detailed and can be read within the 'Consultations' section of this report. The comments clearly demonstrate that various viewpoints from the public domain have been considered. Whilst it will be possible to see the building from the public domain, the visual impact will be limited due to the size of the building, its location and presence of boundary hedgerows/trees. In the event of approving the scheme, it is recommended that a landscaping scheme condition is added which will assist in further mitigating any potential visual impact. Given the fact that there are no objections from

the Council's Arboricultural officer, refusal on landscape / visual impact grounds wouldn't be sustainable.

The Environmental Health officer recommends a number of noise related conditions which would ensure the siting of the building is satisfactory in neighbour amenity terms. However, some of the conditions are not considered to meet the tests in the NPPF and PPG. Specifically with reference to the EH consultation response:

- Condition 1 - Construction hours are acceptable subject to amendments to wording
- Condition 2 is considered to be unenforceable and unreasonable for an agricultural building
- Condition 3 is considered to be appropriate
- Condition 4 is also appropriate subject to minor rewording.
- Conditions 5 and 6 are considered to be unenforceable
- Condition 7 is acceptable
- Condition 8 is excessive / unreasonable for an agricultural building

There are no concerns relating to the design and/or external appearance of the building. The building is rectangular in shape, simple in its form and proposes the use of concrete panels, Juniper Green coloured steel profile sheeting / cladding, and galvanised steel, roller shutter doors. The proposed construction materials are not uncommon for rural buildings. The building is also slightly smaller than that which was proposed within the previous Prior notification application (DET/2024/0018), in that the eaves and the ridge heights are 1.0m lower; the footprint remains the same.

Siting and means of construction of the private way.

Access to the building would be via an existing gate and hardstanding. This Prior notification application also seeks consent for the laying of an access track to connect the existing area of hardstanding with the proposed new building. There are no objections to the siting and means of construction of the private way. There is existing hardstanding immediately to the rear of the highway access and alterations to the access itself are detailed within application reference SMD/2024/0477 (currently pending a decision). The additional access track leading to the building, as well as the hardstanding path around the perimeter of the building are simple in their layout and design, and do not appear overly excessive in size. The access track would have a width of approximately 3.6m with a central, retained grass strip. The hardstanding around all sides of the building would be approximately 3.7m wide.

Solar panels

The proposed elevations plan shows the intention to add an array of solar panels on both sides of the roof. The applicant claims that the panels comply with the provisions of Part 14 Class J of the GPDO. Whilst it may be the case that the solar panels comply with Part 14, permitted development rights only apply when a building is complete/substantially complete and in any case Part 14 is subject to the Prior notification process. A condition is recommended to confirm that the approval does not include the solar panels.

CONCLUSION / PLANNING BALANCE

For the reasons outlined within the report, it is concluded that the application is acceptable and should be approved subject to conditions.

OFFICER RECOMMENDATION : Conditional approval.

Case Officer: Lisa Jackson

Recommendation Date: 28.11.2025.

X *B.S. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council