



Appeal Decision

Site visit made on 3 March 2026

by **C McDonagh BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 31 March 2026

Appeal Ref: 6001570

Holly Dale Farm, Douse Lane, Bradnop ST13 7NF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- The appeal is made by Mr & Mrs S Walker against the decision of Staffordshire Moorlands District Council.
- The application Ref is DET/2025/0036.
- The development proposed is steel framed agricultural building for secure storage and livestock handling.

Decision

1. The appeal is allowed and prior approval is granted under the provisions of Article 3(1) and Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for a steel framed agricultural building for secure storage and livestock handling at Holly Dale Farm, Douse Lane, Bradnop ST13 7NF in accordance with the application Ref DET/2025/0036 and the details submitted with it.

Applications for costs

2. An application for costs was made by Mr & Mrs S Walker against Staffordshire Moorlands District Council. This application is the subject of a separate decision.

Preliminary Matters

3. Under Article 3(1) and Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (the GPDO), planning permission is granted for the carrying out on agricultural land comprised in an agricultural unit of 5 hectares or more in area of which are reasonably necessary for the purposes of agriculture within that unit, subject to limitations and conditions given in sections A.1 and A.2 of Part 6, Class A.
4. Section A.1(i) of Part 6, Class A states that development of this type is not permitted if: *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.*
5. Furthermore, condition A.2(2)(d)(i) includes the requirement for the developer to, before beginning the development, apply 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.

6. The decision notice refers to policies DC1 and DC3 of the Staffordshire Moorlands Local Plan (LP) (adopted September 2020) with regards to the refusal of the application based on reasons related to the siting, design and external appearance of the building. However, the provisions of Schedule 2, Part 6, Class A of the GPDO do not require the decision maker to have regard to the development plan. The policies can be a material consideration insofar as they may be relevant to matters of siting, design and external appearance and I have therefore treated them accordingly.

Main Issues

7. Based on the above, the main issues in this appeal are as follows:
- Whether the proposal would be permitted development under Class A of Part 6 of the GPDO with particular regard to:
 - Whether the land is in use for agriculture and which is so used for the purposes of a trade or business.
 - Whether the building would be used for the accommodation of livestock within 400m of a protected building.
 - Whether prior approval should be granted as to the siting, design and external appearance of the building.

Reasons

Whether Permitted Development

8. The first area of dispute centres around interpretations of agricultural land and whether it is so used by a trade or business. Section D.1(1) of Part 6, Class A gives interpretations of wording used in classes A to C of Part 6 of the GPDO. For agricultural land, this 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*'.
9. On my site visit, I observed cattle being grazed on the land adjacent the appeal site. I also observed wooden buildings in a yard area at the end of the access track which also included machinery, vehicles, trailers and other implements, as well as silage bales, all of which would normally be associated with this type of enterprise. Further photographic evidence includes part of the fields of the agricultural unit being cultivated for silage. Therefore, I see no reason to dispute that the land is in agricultural use.
10. Evidently, the land in question was recently sold to the appellants, who lived further away from the appeal site at that time but have now moved closer. Regardless, to my mind there is no requirement to live nearby to demonstrate that a trade or business is operating the land in this manner. In addition, a County Parish Holding (CPH) number has been provided. Alongside my observations on the site visit, which would generally be expected of a trade or business rather than a hobbyist or smallholder, I see no reason to dispute that the land is in agricultural use and is so used by a trade or business.
11. Turning to the second disputed element of this main issue, I understand that former barns associated with Holly Dale Farm have been converted into holiday

lets and that they are circa 110m from the appeal site. The appellant does not dispute that distance and as such I see no reason to disagree that the proposal would be within 400m of a protected building.

12. As such, this matter turns on whether the proposed building would be used for the accommodation of livestock. The 'proposed barn'¹ drawing shows approximately half of the floor space would be used as storage for machinery, tools and bales, while the other half is labelled 'livestock handling area'. This half shows a stock race and a handling crush and I am informed that this area would be used infrequently and temporarily for Tuberculosis testing and handling by vets. This estimated figure is given as 4 days per year and when required in emergencies. This is to provide a suitable area for vaccinations as they are at present carried out in a temporary enclosure which is not safe for vets to undertake this work.
13. Whether a building would be considered 'accommodation' in this context has evidently been discussed in legal judgements which are referenced by both main parties. Generally speaking, accommodation would imply a building used to shelter or keep livestock overnight or for extended periods during the day instead of grazing outdoors. As the appellant points out, there are no pens, stalls or bedding areas, while there are gates on the north facing side of the building which would keep livestock either in or out of the structure depending on the circumstances.
14. Therefore, I am satisfied that, based on the information provided, the building would not be for the purposes of accommodating livestock and would fall within the limitations of section A.1(i) of the GPDO in this regard, while none of the other limitations of section A.1 are disputed. Should the use of the building be outside the scope of these allowable limits set forth in the GPDO or as stated by the appellant, this would be a matter for the Council to monitor and enforce as necessary.
15. Overall, based on the evidence before me, the land is in agricultural use by a trade or business and would not involve accommodating livestock within 400m of a protected building.

Siting, Design and External Appearance

16. The appeal site is located to the northern extent of an agricultural field, close to an existing access track used by vehicles farming the land and several wooden outbuildings. The field is lined on 3 sides by mature trees, while the former farmstead of Holly Dale farm is located to the east. The land slopes notably from east to west, with the appeal site located part way up the ascending topography. The local area includes irregular field patterns largely in agricultural use, isolated farmsteads and sporadic built farm transacted by narrow roads and lined by stone walls and mature trees. These factors contribute to an overwhelming rural character locally.
17. The proposed building would measure 19x11m, with a total ridge height of 4.5m. The external walls would be a mix of concrete, timber boarding and metal sheeting, with a steel frame internally. It would be closed off on 3 sides, with the steel gates to one side of the north facing elevation for access to the internal arrangements.

¹ Drawing: 2025-2237v1-Barn

18. Given the location of the building close to existing structures and the access track, I disagree that the proposed siting would be isolated. Inevitably, given the sporadic built form of the rural location and general requirements of agricultural buildings for access, they are often sited away from other buildings. The general design of the building in terms of its size, materials and form are very typical of agricultural buildings. While the position of the building part way up the sloping landform of the area would mean it is visible, most of these views would be from Douse Lane experienced by motorists in an intermittent manner. It would not be unduly prominent or intrusive in a rural locale and as such I consider the siting, design and external appearance of the building to be acceptable.
19. Insofar as they are relevant to these matters, the proposal would accord with policies DC1 and DC3 of the LP. These seek to ensure development will protect and where possible enhance the local landscape by resisting development which would lead to prominent intrusion into the countryside, among other things.

Conditions

20. Development under Schedule 2, Part 6, Class A is permitted subject to conditions set out at paragraph A.2. The specified conditions, which I draw to the attention of both parties, require the development to be carried out in accordance with the details approved, be carried out within 5 years of the date of this approval, and require the building to be removed if it ceases to be used for the purposes of agriculture and the land restored to its condition before the development took place. Additionally, where development is permitted by Class A(a), within 7 days of the date on which the development is substantially completed, the developer must notify the local planning authority in writing of that fact.
21. For this type of development, the GPDO does not provide any specific authority for imposing additional conditions. I note that the appellant suggested a condition which would not allow the building to be used for accommodating livestock. While I understand the intention, this is not necessary given the GPDO imposes this condition anyway. Were it to be found that the building was being used for this purpose contrary to section A.1(i), the appellant would be liable to enforcement action from the Council.

Conclusion

22. For the reasons given above, I conclude that the appeal should be allowed, and prior approval should be granted.

C McDonagh

INSPECTOR