HUNTINGDONSHIRE DISTRICT COUNCIL

24/00541/AGDET

DESCRIPTION OF SITE AND APPLICATION

This application relates to Land on west side of former quarry site Banks End, Wyton forming part of an agricultural parcel that exceeds 5 hectares.

This application seeks to determine as to whether prior approval of the Local Planning Authority is required for under Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the alteration of an existing road by the installation of a steel bridge.

The proposed bridge will be 12 metres in length, 5 metres in width, constructed of grey steel decking.

NATIONAL GUIDANCE

Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

The National Planning Policy Framework (December 2024)

Planning Practice Guidance

For full details visit the government website: https://www.gov.uk

RELEVANT PLANNING HISTORY

No relevant planning history.

CONSULTATIONS

N/A

REPRESENTATIONS

No representations received at time of determination.

SUMMARY OF ISSUES

The key issues to consider in the determining of the application are;
Permitted Development Criteria
Prior Approval Requirement

Permitted Development Criteria
The technical considerations for this proposal are laid down under Class A, Part 6 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Officers have assessed the application against the General Permitted development Order as detailed below.

Class A, Part 6 of the GPDO relates to agricultural development on units of 5 hectares or more, whereby it allows for the carrying out on agricultural land for the erection, extension or alteration of a building or any excavation or engineering operation which is reasonably necessary for the purpose of agriculture on that unit.

Officer Comment: Compliant. The agricultural holding is 21.2 hectares in area as stated on the accompanying application form.

Having regard to the interpretation of Class A, under D.1 (1) of Part 6, 'agricultural land' is defined as land which is in use for agriculture, and which is so used for the purposes of trade or business.

Officer note: Compliant. The application form states that the land to which the application refers has been in use for agricultural purposes historically which is supported by aerial images held by the LPA. It is therefore considered that the land meets the definition of agricultural land and is used for the purposes of a trade or business.

It is also necessary to demonstrate that the development is reasonably necessary for the purposes of agriculture within that unit.

Officer note: Compliant. The applicant has confirmed within the application form that the purpose of the development will be for large agricultural vehicles to access/egress the site safely and is therefore reasonably necessary for the purposes of agriculture within the unit.

Development not permitted within the remits of Class A, Part 6 The Town and Country Planning (General Permitted Development) Order 2015 (as amended), are assessed below:

A.1 Development is not permitted by Class A if—
(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;

Officer note: Compliant. The application has confirmed that this site forms part of this holding and does not comprise a separate site which is less than one hectare in area.

(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;

Officer note: Compliant. The application and LPA records confirm that no development has taken place on the established agricultural unit under Class Q or Class S of the Order in the last 10 years.

(c) it would consist of, or include the erection, extension or alteration of a dwelling;

Officer note: Compliant. The application does not include development that would fall under the above.

(d) it would involve the provision of a building, structure or works not designed for agricultural purposes;

Officer note: Compliant. The application is for an agricultural use.

(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; or

(ii) any building erected or extended or altered by virtue of Class A,

would exceed 1,000 square metres, calculated as described in paragraph D.1(2)(a) of this Part;

Officer note: Complaint

(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;

Officer note: Compliant. The proposal is not sited within 3 km of an aerodrome.

(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;

Officer note: Compliant. The proposed structure does not exceed 12 meters in height.

(h) any part of the development would be within 25 metres of a metalled part of a trunk road or classified road;

Officer note: Compliant. The structure is not located within 25 metres of a metalled part of a trunk or classified road as detailed on the accompanying location plan.

(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;

Officer note: Compliant.

(j) it would involve excavations or engineering operations on or over article 2(4) land which are connected with fish farming;

Officer note: Compliant. The proposal does not sit within Article 2(4) land and not connected to fish farming.

(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.

Officer note: Compliant. The proposal would not be used for storing fuel for or waste from a biomass boiler or anaerobic digestion system.

(l) the erection of extension of a building would be carried out on land or a building that is or is within the curtilage of a scheduled monument.

Officers Note: The proposal does not sit within the curtilage of a scheduled monument.

The Local Planning Authority considers that the development would constitute permitted development under Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Prior Approval Requirement

The relevant conditions set out in A.2 states that development consisting of (a) the erection, extension or alteration of a building; is permitted by Class A subject to the following condition—
(i) the developer must, 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.

The proposed bridge would be sited within the open countryside and replace an existing wooden bridge. The bridge will be constructed of Grey steel and will be 11 metres in length and 5 metres wide. The proposed materials and colour palette would be appropriate to the rural setting of the site.

Given the scale, nature and location of the works, officers consider the proposal acceptable in regard to its design, visual amenity and respect of the character of the immediate locality.

Therefore, the proposal is considered appropriate for the purposes of agricultural use and acceptable in its siting and appearance. Therefore, prior approval is not required from the Local Planning Authority.

CONCLUSION

The Local Planning Authority considers that the development would constitute permitted development under Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), and the siting, design and external appearance of the building are considered acceptable and do not require prior approval.

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CONTACT OFFICER:
Enquiries about this report to Andrea Dollard