HUNTINGDONSHIRE DISTRICT COUNCIL

25/00996/AGDET

OFFICER REPORT

Case No: **25/00996/AGDET** **Agricultural Determination**

Proposal: **Proposed extension to existing agricultural building to comprise agricultural machinery and grain storage**

Location: **Buildings At Manor Farm Barham Road Buckworth**

Applicant: **Farmland Reserves UK Ltd**

Grid Ref: **515073 276186**

DESCRIPTION OF SITE AND APPLICATION

The application relates to an agricultural unit located south of Buckworth village. The site is set back from the highway along a track, with limited visibility from the highway. The site houses a number of agricultural buildings within an existing area of hardstanding. The area is surrounded by agricultural land. The site is on Grade 3 agricultural land and forms part of agricultural parcel that exceeds 5 hectares.

This application seeks to determine as to whether prior approval of the Local Planning Authority is required for the proposed extension to existing agricultural building to comprise agricultural machinery and grain storage.

The proposed building will be 29.98 metres in length, 12 metres in width, 5.1 metres in height to the eaves, rising to 6.9 metres in maximum ridge height. The built structures would be rectangular in shape, constructed sheet cladding in dark green to the walls and grey sheet cladding to the roof. It is open to the north elevation, facing onto an area of hard standing.

NATIONAL GUIDANCE

Schedule 2, Part 6, Class A - Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
The National Planning Policy Framework (2024)
Planning Practice Guidance
For full details visit the government website: https://www.gov.uk

RELEVANT PLANNING HISTORY

0000065FUL – Erection of grain store – permission granted 22.03.2000
18/02468/PMBPA – Change of use from agricultural to 5 dwellings – Approved 09.04.2019
20/00827/FUL - The demolition of an agricultural barn (previously approved under prior approval class q, part a and b) and the erection of three x four-bed residential dwellings with associated amenity areas – permission granted 09.03.2022

CONSULTATIONS

N/A

REPRESENTATIONS

None received

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 of a building or any excavation or engineering operations which is reasonably necessary for the purpose of agriculture on that unit.
Officer Comment: Compliant. The agricultural holding is 157 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 submitted image from the agent shows in excess of 5 hectares of the land holding and the application form states that the land to which the application refers has been in use for agricultural purposes for 50 years 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 building will be for the storage of machinery, farming equipment, grain and miscellaneous materials.

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 submitted application documents have 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.

(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 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;
Officer note: Compliant. The application states that the proposal is for the storage of agricultural produce. The proposal is for one agricultural building measuring 29.98 metres by 12 metres, totalling 359.76 square metres, with an additional area of hardstanding totalling 520 square metres, giving a total of 879.76 square metres, thereby not exceeding parts (i) or (ii) of part e.

(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. The proposed building would be in excess of 295 metres to the classified road.

(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. The building is not to be used for accommodation of livestock or for the storage of slurry or sewage sludge.

(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 or
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 or extension of a building would be carried out on land or a building that is, or is within the curtilage of, a scheduled monument.
Officer note: Compliant. The proposal would not be within the curtilage of a scheduled monument.

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 siting and means of construction of the private way, the siting of the excavation or deposit or the siting and appearance of the tank, as the case may be;

(ii) the application must be accompanied by a written description of the proposed development and of the materials to be used and a plan indicating the site together with any fee required to be paid;
(iii) (the development must not begin before the occurrence of one of the following—
(aa)the receipt by the applicant from the local planning authority of a written notice of their determination that such prior approval is not required.
(bb)where the local planning authority give the applicant notice within 28 days following the date of receiving the applicant's application of their determination that such prior approval is required, the giving of such approval: or
(cc)the expiry of 28 days following the date on which the application under sub-paragraph (2)(ii) was received by the local planning authority without the local planning authority making any determination as to whether such approval is required or notifying the applicant of their determination.

The proposed building is to be sited within the farm holding close to other agricultural buildings. The design, scale and materials proposed would be typical of an agricultural building and therefore appropriate to the rural setting of the site.

Given the scale, nature, materials 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, of the proposal are considered acceptable and do not require prior approval.

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CONTACT OFFICER:
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