HUNTINGDONSHIRE DISTRICT COUNCIL

25/00112/AGDET

OFFICER REPORT

Case No: **25/00112/AGDET** **Agricultural Determination**

Proposal: **Replacement of existing hardcore farmyard with concrete.**

Location: **Dalkeith House Thurning Road Winwick**

Applicant: **Mr Charles Singlehurst**

Grid Ref: **510138 280856**

DESCRIPTION OF SITE AND APPLICATION

This application relates to Land to the West of Dalkeith House, Thurning Road, Winwick forming 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 laying of two concrete hardstanding's to be used for farming operations, under Schedule 2, Part 6, Class A - Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

The proposed hardstanding's will sit to the West of Dalkeith House and North and South of an existing building. The northern hardstanding is proposed to be 21 metres by 24 meters, the southern 10 metres by 30 metres to be constructed of concrete in replacement of hardcore.

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

24/00412/FUL - Replacing old hardcore farm yard with new concrete will greatly improve efficient operation - Withdrawn
23/02335/AGDET - Replacing old hardcore farm yard with new concrete will greatly improve efficient operation - Details Required
23/02259/P3MPA - Change of use for the winter storage of up to 25 Caravans (Use Class B8)- Refused
22/02213/AGDET - general purpose agricultural building - Details Not Required
19/01956/AGDET - New lean-to extension to existing farm building - Details Not Required
18/00733/AGDET - General farm building for storage - Details Not Required
1400758FUL - Lean-to on existing grain store for machinery and general storage. - Permission
1400254FUL - Retention of grain store - Permission
1301893FUL - Lean to extension on existing grain store for machinery and general under-cover storage - Withdrawn

1300620AGDET - Agricultural grain store - Details Not Required
0802954FUL - Erection of general-purpose agricultural building - Permission
98/01081/FUL - Formation of vehicular access - Permission
80/00371/FUL - Extension to dwelling - Permission

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 operations which is reasonably necessary for the purpose of agriculture within that unit.

Officer Comment: Compliant. The agricultural holding is 156 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 hardstanding will be used for farming operations.

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.

(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: Planning records held indicate a building of 464 square metres erected under planning reference 22/02213/AGDET within the same holding. Whilst it is unclear whether this building has been provided within the preceding 2 years, no part of it would be within 90m of the proposed development. Consequently, applying the tests at D.1(2)(a) of this Part the proposed hard surfacing meets this requirement and is compliant.

(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 works 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 works are 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. The works are for agricultural equipment.

(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 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.

Officers consider that the proposed hardstanding 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 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 hardstanding would be situated within a working agricultural yard. The proposed materials 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.

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 details are not required.

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.

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CONTACT OFFICER:
Enquiries about this report to Andrea Dollard